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**GRAND JUNCTION CITY COUNCIL  
CITY HALL AUDITORIUM, 250 NORTH 5<sup>TH</sup> STREET  
AGENDA**

**WEDNESDAY, FEBRUARY 21, 2007, 7:00 P.M.**

**Call to Order**

Pledge of Allegiance  
Invocation – Pastor Galen Daly, Extended Arms Foursquare  
Church

**Presentation of Certificates of Appointment**

To the Historic Preservation Board

**Proclamations / Recognitions**

Proclaiming March 4, 2007 through March 10, 2007 as "Women in Construction Week" in  
the City of Grand Junction

**Citizen Comments**

**\*\*\* CONSENT CALENDAR \*\*\*<sup>®</sup>**

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

*Action: Approve the Summary of the February 5, 2007 Workshop and the Minutes  
of the February 7, 2007 Regular Meeting*

2. **Adoption of the Visitor and Convention Bureau By Laws** [Attach 2](#)

\*\*\* Indicates New Item

<sup>®</sup> Requires Roll Call Vote

Adopt By laws for the Grand Junction Visitor and Convention Bureau. The document has been revised to reflect that the tourism industry have representation on the Board.

*Action: Approve the Visitor and Convention Bureau By Laws as Recommended by the VCB Board of Directors*

Staff presentation: Debbie Kovalik, VCB Executive Director

3. **Purchase of a 2008 4300 4 x 2 Cab and Chassis with a 37' Hydraulic Telescopic Aerial Device (Bucket Truck)** [Attach 3](#)

This purchase is for the replacement of one 1999 International Platform Truck for the Traffic Signals Department. After a review by the fleet replacement committee, this vehicle's replacement has been moved up from the original replacement year of 2009.

*Action: Authorize the City Purchasing Division to Purchase One 2008 International/Terex 37' Hydraulic Telescopic Aerial Device Truck, from Terex Utilities, Commerce City, CO for the Amount of \$93,360.00*

Staff presentation: Jay Valentine, Purchasing Manager  
Ron Lappi, Administrative Services and Finance Director

4. **Purchase of Four Mid Size Sedans for the Police Department** [Attach 4](#)

This purchase is for the replacement of one 1999 Ford Taurus for Police Investigations, one 2000 Ford Taurus for Police Services, one Police Investigations Ford Taurus that was totaled in an accident on November 13, 2006 on the National Monument, and the addition of one 4-door sedan to the Police Investigations Department. Two of these vehicles are currently scheduled for replacement in 2007 as identified by the annual review of the Fleet Replacement Committee.

*Action: Authorize the City Purchasing Division to Purchase Four 2007 Chevy Impalas from Daniels Chevrolet, Colorado Springs, CO for the Amount of \$63,048.00*

Staff presentation: Jay Valentine, Purchasing Manager  
Ron Lappi, Administrative Services and Finance Director

5. **Setting a Hearing on Zoning and Development Code Text Amendments Regarding Sign Package Permits** [File #TAC-2007-006] [Attach 5](#)

The City of Grand Junction proposes revisions to the Zoning and Development Code to allow any site or sites that function as one site through the sharing of access and/or parking to be considered for a sign package by receiving approval from the Planning Commission.

Proposed Ordinance Amending Sections 1.12 and 4.2, Tables 2.1 and 2.3, and Adding Section 2.21 of the Zoning and Development Code, Sign Regulations, to Allow for Sign Permits as a Separate Application

*Action: Introduction of Proposed Ordinance and Set a Hearing for March 7, 2007*

Staff presentation: Lisa Cox, Planning Manager

6. **Setting a Hearing on the Vacation of Public Rights-of-Way, El Poso Neighborhood – Portions of Peach Street, West Ouray Avenue, West Grand Avenue, and Various Alleys** [File #VR-2006-354] [Attach 6](#)

Request to vacate 1.829 acres of various rights-of-way within the El Poso neighborhood.

Proposed Ordinance Vacating Rights-of-Way Within the El Poso Neighborhood Including Portions of Peach Street, West Ouray Avenue, West Grand Avenue, and Various Alleys

*Action: Introduction of Proposed Ordinance and Set a Hearing for March 7, 2007*

Staff presentation: Senta L. Costello, Associate Planner

7. **Setting a Hearing on Zoning the Hall 22 Road Commercial Annexation Located at 778 22 Road** [File #GPA-2006-240] [Attach 7](#)

Request to zone the 52.15 acre Hall 22 Road Commercial Annexation, located at 778 22 Road, to I-1 (Light Industrial).

Proposed Ordinance Zoning the Hall 22 Road Commercial Annexation to I-1, Located at 778 22 Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for March 7, 2007*

Staff presentation: David Thornton, Principal Planner

8. **Setting a Hearing on Zoning the Kelley Annexation Located at 849 21 ½ Road** [File #GPA-2006-249] [Attach 8](#)

Request to zone the 14.27 acre Kelley Annexation, located at 849 21 ½ Road, to I-1 (Light Industrial).

Proposed Ordinance Zoning the Kelley Annexation to I-1 Located at 849 21 ½ Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for March 7, 2007*

Staff presentation: David Thornton, Principal Planner

9. **Setting a Hearing on Rezoning Property Located at 641 Horizon Drive** [File #PFP-2006-296] [Attach 9](#)

Request approval of a rezone of 7.47 acres from RSF-1 (Residential Single Family 1 du/ac) to RSF-4 (Residential Single Family 4 du/ac). If approved the applicant is proposing a 4 lot single-family subdivision on 1 acre of land. The remaining acreage will remain in its current use as a church. The applicant has submitted a preliminary/final plan in conjunction with the rezone application. The preliminary plan will be presented to the Planning Commission upon approval of the rezone.

Proposed Ordinance Rezoning the Logan Creek Subdivision from RSF-1 to RSF-4 Located at 641 Horizon Drive

*Action: Introduction of Proposed Ordinance and Set a Hearing for March 7, 2007*

Staff presentation: Ken Kovalchik, Senior Planner

10. **Setting a Hearing on the Dyer/Green/Ottenberg Annexation Located at 2981, 2991, 2993 and 2995 B Road** [File #ANX-2007-008] [Attach 10](#)

Request to annex 18.68 acres, located at 2981, 2991, 2993 and 2995 B Road. The Dyer/Green/Ottenburg Annexation consists of four parcels and is a two part serial annexation.



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

Resolution No. 27-07 – 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, Dyer/Green/Ottenberg Annexation Located at 2981, 2991, 2993, and 2995 B Road

®Action: *Adopt Resolution No. 27-07*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Dyer/Green/Ottenberg Annexation No. 1, Approximately 4.21 Acres Located at 2981 B Road and a Portion of 2991 B Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Dyer/Green/Ottenberg Annexation No. 2, Approximately 14.47 Acres Located at 2993, and 2995, and the Majority of 2991 B Road

Action: *Introduction of Proposed Ordinances and Set a Hearing for April 4, 2007*

Staff presentation: Faye Hall, Associate Planner

11. **Setting a Hearing on the Home Lumber Annexation Located at 2771, 2773, and 2779 D Road** [File #ANX-2006-360] [Attach 11](#)

Request to annex 15.79 acres, located at 2771, 2773, and 2779 D Road. The Home Lumber Annexation consists of three parcels.

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

Resolution No. 28-07 – 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, Home Lumber Annexation Located at 2771, 2773, and 2779 D Road, and a Portion of the D Road Right-of-Way

®Action: *Adopt Resolution No. 28-07*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Home Lumber Annexation, Approximately 15.79 Acres Located at 2771, 2773, and 2779 D Road, and a Portion of the D Road Right-of-Way

*Action: Introduction of Proposed Ordinance and Set a Hearing for April 4, 2007*

Staff presentation: Faye Hall, Associate Planner

**12. Two Rivers Convention Center HVAC Remodel**[Attach 12](#)

This approval request is for the award of a construction contract for the remodel of the HVAC (Heating, Ventilation, and Air Conditioning) system at Two Rivers Convention Center.

*Action: Authorize the City Purchasing Division to Enter into a Contract in the Amount of \$1,063,600 with Cooney's Mechanical, Inc. for the Completion of the Remodel*

Staff presentation: Joe Stevens, Parks and Recreation Director  
Jay Valentine, Purchasing Manager

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

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

**13. Construction Contract for Ranchmen's Ditch Flood Control Project, Phase I**[Attach 13](#)

Phase I of the Ranchmen's Ditch Flood Control Project (Big Pipe) will construct the Airport Detention Basins (two), the Bookcliff Country Club detention basin, triple 78" stormwater culverts from Barnes and Noble to Leach Creek, and channel improvements to Leach Creek (including wetlands mitigation) from I-70B to the Colorado River.

*Action: Authorize the City Manager to Enter into a Construction Contract with Scott Contracting, Inc. in the Amount of \$7,274,730.22*

Staff presentation: Tim Moore, Public Works and Planning Director

14. **Memorandum of Understanding with Mesa County for the 29 Road Interchange at I-70B** [Attach 14](#)

The proposed Memorandum of Understanding with Mesa County supersedes and replaces a January 31, 2005 MOU covering the funding and project management of the design and construction of the 29 Rd Interchange at I-70B.

*Action: Authorize the Mayor to Sign a Memorandum of Understanding with Mesa County for the 29 Road / I-70B Interchange*

Staff presentation: Tim Moore, Public Works and Planning Director

15. **Amendment No. 2 of Engineering Services Contract with Carter and Burgess for 29 Road and I-70B Interchange** [Attach 15](#)

This amendment is the 2<sup>nd</sup> of three planned amendments to the existing contract with the engineering firm of Carter and Burgess. This scope of services covers the preparation of final design of the 29 Road and I-70B Interchange.

*Action: Authorize the City Manager to Amend the Existing Contract with Carter and Burgess for a Total Fee of \$2,240,312*

Staff presentation: Tim Moore, Public Works and Planning Director

16. **Infill and Redevelopment Request, Big Tree Subdivision** [Attach 16](#)

The developer of The Big Tree Subdivision, located at 2256 North 17<sup>th</sup> Street, is requesting assistance from the Infill and Redevelopment Program in an amount not to exceed \$10,000. Those funds will be used specifically for the construction of half street improvements on North 17<sup>th</sup> Street.

*Action: Approve the Request to Reimburse Half-Street Improvements on North 17<sup>th</sup> Street in an Amount Not to Exceed \$10,000*

Staff presentation: Tim Moore, Public Works and Planning Director

17. **Public Hearing – Vacating a Right-of-Way Adjacent to 2953 Highway 50 in Buena Vista Drive** [File #VR-2006-307] [Attach 17](#)

A request to vacate the cul-de-sac bulb located in Buena Vista Drive adjacent to 2953 Highway 50.

Ordinance No. 4025 – An Ordinance Vacating Right-of-Way Located Adjacent to 2953 Highway 50 in Buena Vista Drive

*®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4025*

Staff presentation: Ronnie Edwards, Associate Planner

18. **Public Hearing – The Sunlight Annexation Located at 172 and 174 Sunlight Drive** [File #ANX-2006-348] [Attach 18](#)

Request to annex 11.29 acres, located at 172 and 174 Sunlight Drive. The Sunlight Annexation consists of two parcels, including a portion of 28 1/2 Road, and is a four part serial annexation. No zoning designation is requested at this time.

**a. Accepting Petition**

Resolution No. 29-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Sunlight Annexation, Located at 172 and 174 Sunlight Drive, Including a Portion of 28 ½ Road Right-of-Way is Eligible for Annexation

**b. Annexation Ordinances**

Ordinance No. 4026 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Sunlight Annexation No. 1, Approximately 0.01 Acres, Located at 174 Sunlight Drive

Ordinance No. 4027 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Sunlight Annexation No. 2, Approximately 0.07 Acres, Located at 174 Sunlight Drive

Ordinance No. 4028 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Sunlight Annexation No. 3, Approximately 5.69 Acres, Located at 174 Sunlight Drive

Ordinance No. 4029 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Sunlight Annexation No. 4, Approximately 5.52 Acres, Located at 172 and 174 Sunlight Drive, Including a Portion of the 28 ½ Road Right-of-Way

*®Action: Adopt Resolution No. 29-07 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 4026, 4027, 4028, and 4029*

Staff presentation: Ronnie Edwards, Associate Planner

19. **Public Hearing – The Shetland Meadows Annexation and Zoning Located at 3022 and 3024 D ½ Road** [File #ANX-2006-344] [Attach 19](#)

Request to annex and zone 5.99 acres, located at 3022 and 3024 D ½ Road, to RMF-5 (Residential Multi Family 5 du/ac). The Shetland Meadows Annexation consists of two parcels.

**a. Accepting Petition**

Resolution No. 30-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Shetland Meadows Annexation, Located at 3022 and 3024 D ½ Road is Eligible for Annexation

**b. Annexation Ordinance**

Ordinance No. 4030 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Shetland Meadows Annexation, Approximately 5.99 Acres, Located at 3022 and 3024 D ½ Road

**c. Zoning Ordinance**

Ordinance No. 4031 – An Ordinance Zoning the Shetland Meadows Annexation to RMF-5 Located at 3022 and 3024 D ½ Road

*®Action: Adopt Resolution No. 30-07 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 4030 and 4031*

Staff presentation: Adam Olsen, Associate Planner

20. **Public Hearing – The Costopoulos Annexation and Zoning Located at 2966, 2968, and 2970 D Road** [File #ANX-2006-328] [Attach 20](#)

Request to annex and zone 10.67 acres, located at 2966, 2968 and 2970 D Road, to RMF-8 (Residential Multi-Family 8 units per acre). The Costopoulos Annexation consists of three parcels.

**a. Accepting Petition**

Resolution No. 31-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Costopoulos Annexation, Located at 2966, 2968, and 2970 D Road and a Portion of the D Road Right-of-Way is Eligible for Annexation

**b. Annexation Ordinance**

Ordinance No. 4032 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Costopoulos Annexation, Approximately 10.67 Acres, Located at 2966, 2968, and 2970 D Road and a Portion of the D Road Right-of-Way

**c. Zoning Ordinance**

Ordinance No. 4033 – An Ordinance Zoning the Costopoulos Annexation to RMF-8 Located at 2966, 2968, and 2970 D Road

*®Action: Adopt Resolution No. 31-07 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 4032 and 4033*

Staff presentation: Faye Hall, Associate Planner

21. **Public Hearing – The Gummin Annexation Located at 2215 Magnus Court**  
[File #ANX-2006-100] [Attach 21](#)

Request to annex 6.60 acres, located at 2215 Magnus Court. The Gummin Annexation consists of one parcel.

**a. Accepting Petition**

Resolution No. 32-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Gummin Annexation, Located at 2215 Magnus Court and a Portion of the Magnus Court Right-of-Way is Eligible for Annexation

**b. Annexation Ordinance**

Ordinance No. 4034 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Gummin Annexation, Approximately 6.60 Acres, Located at 2215 Magnus Court and a Portion of the Magnus Court Right-of-Way

*®Action: Adopt Resolution No. 32-07 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4034*

Staff presentation: Faye Hall, Associate Planner

22. **Public Hearing – The Jobsite Annexation and Zoning Located at 839 and 841 21 ½ Road** [File #ANX-2006-347] [Attach 22](#)

Request to annex and zone 25.23 acres, located at 839 and 841 21 ½ Road, to I-1 (Light Industrial). The Jobsite Annexation consists of 2 parcels.

a. **Accepting Petition**

Resolution No. 33-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Jobsite Annexation, Located at 839 and 841 21 ½ Road is Eligible for Annexation

b. **Annexation Ordinance**

Ordinance No. 4035 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Jobsite Annexation, Approximately 25.23 Acres, Located at 839 and 841 21 ½ Road

c. **Zoning Ordinance**

Ordinance No. 4036 – An Ordinance Zoning the Jobsite Annexation to I-1 Located at 839 and 841 21 ½ Road

*®Action: Adopt Resolution No. 33-07 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 4035 and 4036*

Staff presentation: David Thornton, Principal Planner

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** [File #PP-2005-226] – Continued from January 3, 2007 [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 to April 4, 2007*

Staff presentation: David Thornton, Principal Planner

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

25. **Other Business**

26. **Adjournment**



**Attach 1  
Minutes from Previous Meetings**

**GRAND JUNCTION CITY COUNCIL  
WORKSHOP SUMMARY  
February 5, 2007**

The City Council of the City of Grand Junction, Colorado met on Monday, February 5, 2007 at 7:02 p.m. in the City Hall Auditorium to discuss workshop items. Those present were Councilmembers Teresa Coons, Bruce Hill, Jim Spehar, and Acting Council President Doug Thomason. Absent were Councilmembers Bonnie Beckstein and Gregg Palmer and Council President Jim Doody.

**Summaries and action on the following topics:**

- 1. COMPREHENSIVE PLAN:** City Manager David Varley presented the proposal and scope of work for the City's comprehensive plan which will begin in 2007. A comprehensive plan has not been done in Grand Junction in a long time. The comprehensive plan and the currently adopted plans will be pulled together. It will take a year and a half to complete. It covers a wide range of activities, services, policy guidelines, etc. There will be a variety of methods to gather input. It will be a time-consuming and costly process but it will be a document that can be used on a regular basis and include methods for implementation. The goal is to help the City organization in making decisions. Mr. Varley reviewed the time schedule. He asked for feedback on setting up a Steering Committee. He stated that 2007 is the year for the biannual telephone survey. He questioned if that should be done with this other process going on.

Councilmember Hill stated that the City needs to get the community involved in this plan early.

Councilmember Spehar said he supports the appointment of a Steering Committee but advised not to appoint the usual citizens. The Steering Committee should have a good cross section, the broadest possible outreach. He said the City should look at seeking out people that might not otherwise be considered.

Councilmember Coons stated that the City shouldn't rely too heavily on the Steering Committee. She would like to see the Plan done without a Steering Committee.

Mr. Varley advised that Vision 20/20 group obtained community input in unique ways.

Councilmember Spehar suggested looking at a program that is taken out to the community in their own settings. Staff shouldn't do too much groundwork beforehand.

Mr. Varley asked for Council's input on any ideas to get a diverse group together.

Councilmember Hill stated that a telephone survey is a Steering Committee function. The biannual community survey is designed to develop baseline data and that could be lost if the City skips a year.

Mr. Varley stated that maybe it would be best to use a different method for the Comprehensive Plan input.

Councilmember Spehar said that the City should not rely on those responding to mail outs as it is a shot gun approach.

Acting Council President Doug Thomason asked Mr. Varley for the timeline on this Plan.

Mr. Varley stated that proposals will be due back March 2<sup>nd</sup>; in the meantime they can brainstorm on ideas for the Steering Committee. It will probably take close to 18 months to finish the Plan.

Councilmember Hill asked is there are going to be suggestions to make changes to the Future Land Use Plan and if so, how will that process work?

Mr. Varley stated that ideally, the Comprehensive Plan supersedes all other plans.

Councilmember Hill said that he is concerned that this will be a short cut to undercut the Future Land Use Plan.

Councilmember Spehar stated that the Future Land Use Plan can be incorporated into the Comprehensive Plan. The City can't anticipate and make everything fit beforehand but conflicts could be brought forward and looked at.

Councilmember Hill said that the Future Land Use Map is reversed; steps should be identified in the Master Plan to make modifications to the Future Land Use Plan.

**Action Summary:** The City Council was supportive of the process being proposed and expressed a variety of concerns regarding soliciting community input and incorporating the existing plans, especially the Future Land Use Plan, that garnered a tremendous amount of input in its development.

Acting Council President Thomason called a recess at 8:00 p.m. The meeting reconvened at 8:08 p.m.

2. **UPDATE ON GENESIS COMMUNITY DEVELOPMENT PLAN:** Deputy City Manager Laurie Kadrich reviewed the status of the work that is being done on this project. She briefly reviewed the history of this process so far. Many of the questions being asked by the community cannot be answered until the actual drill permit is issued. Much of the work so far has been to educate the “stakeholders” on what could happen. There is an open house scheduled on April 17<sup>th</sup>. On April 16<sup>th</sup> a meeting for the elected officials has been scheduled to explain what the draft document will be. There has been a request for one additional joint meeting. Baseline data is currently being gathered for both the Grand Junction and Palisade communities. The same contractor is being used and Genesis is paying for the gathering of the baseline data. Ms. Kadrich advised that it is very common for communities to have their own regulations for lessees to drill on City-owned property. No applications for permits have been submitted. Genesis has indicated that they are a year or two out from filing for any permits on City property or in the watershed.

Councilmember Coons asked if there have been discussions regarding bonding. Ms. Kadrich stated that the language in the ordinance is more related to the company's responsibilities for repair. City Attorney John Shaver clarified that the City's ordinance does have bonding provisions as does the BLM. Ms. Kadrich stated that the amount will be determined on each basis depending on the risk.

Ms. Kadrich stated that the City would also have a say in Palisade's watershed as the City owns property there. Everyone is working cooperatively.

Councilmember Spehar said that the process is staff and stakeholder based, not community-based. There is no representation from the group that brought the watershed ordinance forward. This is not just a technical issue but also a political issue, and he has concerns on how the process has developed.

Councilmember Hill said that there have been a lot of technically oriented meetings but that doesn't mean the general public cannot be brought in. The public should be engaged at the April 17<sup>th</sup> open house.

Ms. Kadrich stated that from April until July, Grand Junction can take the draft plan to the public and get feedback.

Councilmember Spehar stated that it is the constituents who are the stakeholders. The City has set up a tenuous basis to expect consensus on what comes out of the working group.

Councilmember Coons asked what the realistic expectation is to have another public input process to include the constituency and include citizens to review the draft plan.

Ms. Kadrach clarified that the document is a communication, not an enforceable document. The information contained in the document can be used by the elected officials to develop stronger regulations and statements and have baseline data to react when the application for a permit comes forward.

Councilmember Spehar questioned the Community Plan as a communications tool because the BLM intends to incorporate the Plan into their permitting process.

Councilmember Hill stated that there are many sets of eyes on this process.

Councilmember Coons hopes that the Plan is a process for ongoing communications among the stakeholders similar to the energy advisory board in Garfield County that meets regularly to stay updated.

Councilmember Hill stated that the City has to be mindful of its resources and keep this in mind during the budget process.

Ms. Kadrach reminded Council that as elected officials they have the ability to form groups or committees to meet on a regular basis on this issue, and if so desired, put into a strategic planning document.

**Action Summary:** The City Council talked about ways to take the draft document to the citizens and make sure those stakeholders are heard and educated. The formation of a board to continue discussions as this industry continues to develop was also mentioned.

## **ADJOURN**

The meeting adjourned at 8:43 p.m.

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

**February 7, 2007**

The City Council of the City of Grand Junction convened into regular session on the 7<sup>th</sup> day of February 2007, at 7:02 p.m. in the City Auditorium. Those present were Councilmembers Bruce Hill, Gregg Palmer, Jim Spehar, Doug Thomason and President of the Council Jim Doody. Absent were Councilmembers Bonnie Beckstein and Teresa Coons. Also present were City Manager David Varley, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Doody called the meeting to order. Councilmember Palmer led in the pledge of allegiance. The audience remained standing for the invocation by Elder Dave Dawson, New Life Church.

**Appointments**

**To the Historic Preservation Board**

Councilmember Spehar moved to reappoint Zebulon Miracle and appoint Michael Menard and Yvonne Piquette to the Historic Preservation Board for four year terms expiring December, 2010. Councilmember Hill seconded the motion. Motion carried.

**Citizen Comments**

There were none.

**CONSENT CALENDAR**

Councilmember Thomason read the list of items of the Consent Calendar.

It was moved by Councilmember Thomason, seconded by Councilmember Hill and carried by roll call vote to approve Consent Calendar items #1 through #14.

1. **Minutes of Previous Meetings**

*Action: Approve the Summary of the January 15, 2007 Workshop and the Minutes of the January 17, 2007 Regular Meeting*

2. **Election Notice for Regular Election April 3, 2007 and Authority to Appoint Election Judges**

Both the Charter and the Municipal Election Code have specific publication requirements for the election notice. The proposed notice contained within the resolution being presented meets those requirements. Also, pursuant to 31-10-401, C.R.S., of the Municipal Election Code "The governing body may by resolution delegate to the clerk the authority and responsibility to appoint judges of election." The proposed resolution includes that authorization.

Resolution No. 15-07 – A Resolution Setting Forth the Notice of Election for the Regular Municipal Election to be Held on April 3, 2007 in the City of Grand Junction and Granting Authority to the City Clerk to Appoint Election Judges

*Action: Adopt Resolution No. 15-07*

3. **Election Notice for the Downtown Development Authority Special Election April 3, 2007**

Both the Charter and the Municipal Election Code have specific publication requirements for the election notice. The proposed notice contained within the resolution being presented meets those requirements.

Resolution No. 16-07 – A Resolution Setting Forth the Notice of Election for the DDA Special Election to be Held on April 3, 2007 in the City of Grand Junction

*Action: Adopt Resolution No. 16-07*

4. **Lease to Douglas L. Jones, D/B/A Doug Jones Sawmill for a Portion of Las Colonias Park**

A portion of Doug Jones's property on 1441 Winters Avenue was sold to the City in late 2005 for the Riverside Parkway project. Mr. Jones agreed to convey what the City needed for the project and City staff discussed the possibility with Mr. Jones of acquiring, by sale or lease, a small portion of the Las Colonias Park property to use for his sawmill business and to replace the property he sold to the City.

Resolution No. 17-07 - A Resolution Authorizing a Lease of a Portion of the "Las Colonias Property" to Douglas L. Jones, D/B/A Doug Jones Sawmill

*Action: Adopt Resolution No. 17-07*

5. **Rendezvous Restaurant Lease Expansion for Sidewalk Dining**

A number of downtown restaurants have been serving alcohol outdoors along Main Street. Rendezvous of Grand Junction (317 Main St), has submitted an application to expand their premise to include both 315 and 317 Main St. for a revocable permit for use of the public right-of-way in front of their business. They have the required permits from the DDA for use of the sidewalk, but are required to have a revocable license from the City of Grand Junction to expand their licensed premise, permitting alcohol sales.

Resolution No. 18-07 – A Resolution Authorizing the Lease of Sidewalk Right-of-Way to Rendezvous of Grand Junction, Ltd.

*Action: Adopt Resolution No. 18-07*

6. **Vacate a Temporary Turnaround Easement Located at 2314 Logos Drive** [File #VE-2006-351]

Request to vacate a temporary turn-around easement on Lot 1, Block 1, Interstate Commercial Park Four Subdivision, located at 2314 Logos Drive.

Resolution No. 19-07 – A Resolution Vacating a Temporary Turn-Around Easement on Lot 1, Block 1, Interstate Commercial Park Four Subdivision Located at 2314 Logos Drive

*Action: Adopt Resolution No. 19-07*

7. **Rescinding the Annexation Request for the Bookcliff Veterinary Hospital Annexation Located at 564 29 Road** [File #ANX-2005-076] – Continued from January 17, 2007

Request to rescind the annexation request for the 2.93 acre Bookcliff Veterinary Hospital property located at 564 29 Road.

Resolution No. 20-07 – A Resolution Rescinding Resolution No. 94-05 and Corresponding Annexation Ordinance that Referred a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Set a Hearing on Such Annexation, and Exercised Land Use Control, Bookcliff Veterinary Hospital Annexation, Located at 564 29 Road and Including a Portion of the 29 Road Right-of-Way

*Action: Adopt Resolution No. 20-07*

8. **Setting a Hearing on the Wexford Annexation Located at 2949 and 2953 D ½ Road** [File #ANX-2006-324]

Request to annex 14.46 acres, located at 2949 and 2953 D ½ Road. The Wexford Annexation consists of two parcels.

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

Resolution No. 21-07 – 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, Wexford Annexation Located at 2949 and 2953 D ½ Road

*Action: Adopt Resolution No. 21-07*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Wexford Annexation, Approximately 14.46 Acres Located at 2949 and 2953 D ½ Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for March 21, 2007*

9. **Setting a Hearing on the Heron's Nest Annexation Located at 3125 D Road** [File #ANX-2006-350]

Request to annex 9.43 acres, located at 3125 D Road. The Heron's Nest Annexation consists of one parcel and is a two part serial annexation.

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

Resolution No. 22-07 – 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, Heron's Nest Annexation Located at 3125 D Road

*Action: Adopt Resolution No. 22-07*



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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Heron's Nest Annexation No. 1, Approximately 0.22 Acres Located at 3125 D Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Heron's Nest Annexation No. 2, Approximately 9.21 Acres Located at 3125 D Road

*Action: Introduction of Proposed Ordinances and Set a Hearing for March 21, 2007*

10. **Setting a Hearing on the Cimarron Mesa Enclaves 1-4 Annexation Located at 246, 248, 250, 256, 268 26 ¼ Road, 272 Linden Avenue, and 2677, 2685 South Highway 50** [File #ANX-2007-019]

Request to annex 21.65 acres, located at 246, 248, 250, 256, 268 26 ¼ Road, 272 Linden Avenue, and 2677, 2685 S Highway 50. The Cimarron Mesa Enclaves 1-4 Annexation consists of 9 parcels and is a 4 part enclave annexation.

**a. Giving Notice of Annexation and Exercising Land Use Jurisdiction**

Resolution No. 23-07 – A Resolution of the City of Grand Junction Giving Notice that a Tract of Land Known as Cimarron Mesa Enclaves, Located at 246, 248, 250, 256, 268 26 ¼ Road, 272 Linden Avenue, and 2677, 2685 South Highway 50, Consisting of Approximately 21.65 Acres, will be Considered for Annexation to the City of Grand Junction, Colorado, and Exercising Land Use Control

*Action: Adopt Resolution No. 23-07*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Cimarron Mesa Enclave No. 1 Annexation, Located at 268 26 ¼ Road, Consisting of Approximately 2.51 Acres

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Cimarron Mesa Enclave No. 2 Annexation, Located at 256 26 ¼ Road, Consisting of Approximately 0.73 Acres

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Cimarron Mesa Enclave No. 3 Annexation, Located at 246, 248, and 250 26 ¼ Road, Consisting of Approximately 11.86 Acres

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Cimarron Mesa Enclave No. 4 Annexation, Located at 272 Linden Avenue, 2677 and 2685 South Highway 50, Consisting of Approximately 6.55 Acres

*Action: Introduction of Proposed Ordinances and Set a Hearing for March 21, 2007*

11. **Revocable Permit for 2<sup>nd</sup> Story Balconies Located at 201 Colorado Avenue**  
[File #RVP-2006-349]

Request for a Revocable Permit to install 2<sup>nd</sup> story balconies on the building located at 201 Colorado Avenue over the South 2<sup>nd</sup> Street right-of-way.

Resolution No. 24-07 – A Resolution Concerning the Issuance of a Revocable Permit to Two Rivers Condo LLC

*Action: Adopt Resolution No. 24-07*

12. **Setting a Hearing on Zoning the Shetland Meadows Annexation, Located at 3022 and 3024 D ½ Road** [File #ANX-2006-344]

Request to zone the 5.99 acre Shetland Meadows Annexation, located at 3022 and 3024 D ½ Road, to RMF-5 (Residential Multi Family 5 du/ac).

Proposed Ordinance Zoning the Shetland Meadows Annexation to RMF-5 Located at 3022 and 3024 D ½ Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for February 21, 2007*

13. **Setting a Hearing on Zoning the Jobsite Annexation Located at 839 and 841 21 ½ Road** [File #ANX-2006-347]

Request to zone the 25.23 acre Jobsite Annexation, located at 839 and 841 21 ½ Road, to I-1 (Light Industrial).

Proposed Ordinance Zoning the Jobsite Annexation to I-1 Located at 839 and 841 21 ½ Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for February 21, 2007*

14. **Setting a Hearing on Zoning the Costopoulos Annexation Located at 2966, 2968, and 2970 D Road** [File #ANX-2006-328]

Request to zone the 10.67 acre Costopoulos Annexation, located at 2966, 2968 & 2970 D Road, to RMF-8 (Residential Multi-Family 8 units per acre).

Proposed Ordinance Zoning the Costopoulos Annexation to RMF-8 Located at 2966, 2968 and 2970 D Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for February 21, 2007*

**ITEMS NEEDING INDIVIDUAL CONSIDERATION**

**Parking Garage 1% for the Arts Selection**

The Commission on Arts and Culture recommends that the City Council approve commissioning three entryway canopies for the new downtown parking garage through the 1% for the Arts Program

Allison Sarmo, Cultural Arts Coordinator, introduced other Arts Commission members that were accompanying her at the podium. She then reviewed the 1% for the Arts program. She thanked others that served on the selection committee. She reviewed the process and the reasoning behind the selection of Rafe Ropeck as the artist. The art will be incorporated into the parking garage awnings and will contain LED lights that can change colors in conjunction with the season.

Councilmember Hill expressed his appreciation for the process and the artist.

Councilmember Palmer expressed his appreciation for the program and other art programs.

Councilmember Spehar echoed those comments and praised the uniqueness of this proposal. He inquired about ongoing maintenance.

Arts Commission Chair Doug McClary responded that LED lights have a fifteen year lifespan, the awnings will not collect snow and the artist worked on the T-Rex project so has experience with public works projects.

Arts Commission member Karen Kiefer added that it is also vandal resistant.

Councilmember Palmer moved to authorize the City Manager, City Attorney, and the Commission on Arts and Culture to negotiate a contract with Artist Rafe Ropek to design, fabricate, and install three entryway canopies for the downtown parking garage.

Councilmember Hill seconded the motion. Motion carried.

### **Construction Contract for the 7<sup>th</sup> Street Corridor Project**

Bids were opened on Tuesday, January 23, 2007 for the reconstruction of 7<sup>th</sup> Street from the south side of Grand Avenue to the north side of Ute Avenue and the reconstruction of Main Street from 7<sup>th</sup> Street to 8<sup>th</sup> Street.

Tim Moore, Public Works and Planning Director, reviewed this item. He described how the specifications were divided into three alternative schedules. He noted that Schedule B became the preferred alternative and explained that it could be accomplished quicker due to the type of concrete and it will be the alternative easiest to replicate and most affordable for when the same concept is extended onto Colorado Avenue. The selection of Schedule B does create a shortfall, half of which DDA has agreed to fund.

Councilmember Hill noted that in community discussions that were raised in conjunction with the Strategic Plan update made the downtown a high priority.

Councilmember Palmer acknowledged his concerns with this project, especially the installation of a roundabout at 7<sup>th</sup> and Main Street and the reverse angle parking. Those items have been decided so the issue before them is the financing. He applauded the plan for improvements in the future for Colorado Avenue and DDA's efforts in that regard.

Councilmember Spehar agreed with some of the other comments; he was pleased with the upgrade to 7<sup>th</sup> Street and that improvements to Colorado Avenue will follow. Although he believes in the safety aspect of roundabouts, but at this location the roundabout is mainly for aesthetics, so he has some concerns. This project may have too many unique features that may be too much at one time and also throttling down the lanes from four lanes is a concern. He felt the design will not only have an affect on the downtown, it will impact the entire community as a main corridor.

Councilmember Thomason supported the scope and magnitude of the project and is excited about the unique elements.

Council President Doody, the City Council representative to the DDA, was supportive and felt the design had some real positive aspects. He asked Executive Director Harold Stalf about what will happen with Farmers' Market. Mr. Stalf said Main Street will be open but 7<sup>th</sup> Street will be shut down. There will be some inconvenience and about thirty parking spaces will be unavailable. He hopes that 5<sup>th</sup> street will still be able to closed during the Market.

Councilmember Hill moved to authorize the City Manager to execute a contract for the 7<sup>th</sup> Street Corridor Project with Mays Concrete Construction for bid Schedule B in the amount

of \$3,133,307. Councilmember Spehar seconded the motion. Motion carried by roll call vote with Councilmember Spehar voting NO.

### **Construction and Maintenance Contract with Grand Valley Irrigation Company**

The proposed Construction and Maintenance Agreement between Grand Valley Irrigation Company (GVIC) and the City of Grand Junction authorizes the City to construct and maintain stormwater conveyance structures in the vicinity of existing Ranchmen's Ditch facilities along Patterson Rd. between 24 Rd. and 26 Rd. within Right of Way and easements owned or held by GVIC. This agreement is required to proceed with construction of the Ranchmen's Ditch Flood Control Project, Phase I and II (referred to as the "Big Pipe Project").

Tim Moore, Public Works and Planning Director, reviewed this item. He described the purpose of the Big Pipe Project for which this will facilitate.

Councilmember Thomason moved to authorize the Mayor to sign the Construction and Maintenance Agreement to construct and maintain stormwater conveyance structures in the vicinity of existing Ranchmen's Ditch facilities along Patterson Road between 24 Road and 26 Road within right-of-way and easements owned or held by GVIC. Councilmember Palmer seconded the motion. Motion carried.

### **Public Hearing – The Preliminary Plan and Planned Development for Fairway Villas Located at 2065 South Broadway** [File #PP-2006-208]

Request for Preliminary Subdivision Plan and Planned Development Ordinance approval for the proposed Fairway Villas residential subdivision located at 2065 South Broadway.

The public hearing was opened at 7:50 p.m.

Scott D. Peterson, Senior Planner, reviewed this item. He described the request, the location and history of the previous zoning. The current Growth Plan map indicates this parcel could be developed at a higher density than what is being proposed. City Council reviewed this at a Growth Plan consistency review in May, 2006 and found the proposed density is consistent with the Growth Plan.

Mr. Peterson then discussed the design of the Preliminary Plan and some of the elements of the Planned Development proposal. The design will also require a change to the tenth fairway at Tiara Rado Golf Course to avoid golf ball impact and the developer has agreed to pay for the changes.

Mr. Peterson outlined some proposed conditions for approval. He noted that the request meets the goals and policies of the Growth Plan and Future Land Use Map and is recommended for approval.

Ted Ciavonne, Ciavonne, Roberts, and Associates, was present to represent the applicant and had nothing to add but was available for questions.

There were no public comments.

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

Ordinance No. 4018 – An Ordinance Establishing Standards for the Planned Development (PD) Zone District and Preliminary Development Plan for the Fairway Villas Subdivision Located at 2065 South Broadway

Councilmember Spehar moved to adopt Ordinance No. 4018 on Second Reading and ordered it published. Councilmember Palmer seconded the motion. Motion carried by roll call vote.

**Public Hearing – Amending the Planned Development Zoning of the Hilltop Commons Cottages Located at 625 27 ½ Road** [File #PP-2006-250]

Request for an amended Planned Development zoning ordinance and Preliminary Development Plan for revision and expansion of The Commons located at 625 27 ½ Road to include additional property and change the proposed use within the project.

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

Lori Bowers, Senior Planner, reviewed this item. She described the location, the request, the reason for the request and its consistency with the Zoning and Development Code and the Growth Plan. Hilltop has acquired additional property and is proposing to utilize it to add 42 more cottage units on the expanded site. The current plan is to revise the previously approved plan to delete the proposed Enrichment Center, include the newly acquired properties in the Planned Development zone and construct 42 additional cottage units in the area where the recreation center was to be located and in the newly-acquired areas.

Ms. Bowers reviewed the details of the plan. The City Council questioned the density as it seemed to exceed the underlying zoning. It was explained that the density is based on the entire site and does meet the requirements.

Mike Stahl, 2671 Hemlock Court, was representing Hilltop and relayed there is a huge need for this type of housing in the community and asked for approval.

Councilmember Spehar asked about a clarification on the funding set aside previously for assistance with construction of the Enrichment Center. It was explained that no money was ever disbursed and budgets have since been adjusted.

The public hearing was closed at 8:10 p.m.

Councilmember Hill noted that under the old Planned Development, it had the public/private partnership for the recreation center, but the change will reduce the impact that a recreation center would have created to the surrounding neighborhoods and streets.

Ordinance No. 4019 – An Ordinance Amending Ordinance No. 3527 Zoning the Commons Planned Development to Revise the Preliminary Development Plan and Include Additional Acreage Located at 625 27 ½ Road

Councilmember Palmer moved to adopt Ordinance No. 4019 on Second Reading and ordered it published. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

Council President Doody called a recess at 8:12 p.m.

The meeting reconvened at 8:23 p.m.

**Public Hearing – Rezoning the Hilltop Bacon Center Located at 1405 Wellington Avenue** [File # CUP-2006-313]

A request to rezone property at 1405 Wellington Avenue from RMF-8 to a Residential Office (RO) zone district in order to bring an existing Unlimited Group Home known as the Hilltop Bacon Center in compliance with the Zoning and Development Code.

The public hearing was opened at 8:23 p.m.

Lori Bowers, Senior Planner, reviewed this item. She described the location, the request and the intent to demolish an existing building and construct a new 13,400 square foot community building in the same location. A rezone will bring the property zoning into compliance with the Zoning and Development Code and allow for the size of the building being proposed. She described the existing zoning, the proposed zoning and the Future Land Use Designation. Ms. Bowers related the use of the building and the buildings existing on the site. The use requires a Conditional Use Permit. Planning Commission approved the Conditional Use Permit at its January 9, 2007 meeting, contingent upon Council approval of the rezone. There is a provision in the Code that allows the density to exceed the Growth Plan Designation under these conditions.

Councilmember Hill questioned why this non-compliance was not adjusted when the Growth Plan was adopted. City Attorney John Shaver advised that the RO zone district was not available until 2001. The Hilltop representatives brought this to the City's attention.

Councilmember Palmer asked when non-conforming properties must come into compliance. City Attorney Shaver said at expansion, thus the reason for the request.

Mike Stahl, 2671 Hemlock Court, representing Hilltop, was present to answer questions.

There were no public comments.

The public hearing was closed at 8:30 p.m.

Ordinance No. 4020 – An Ordinance Rezoning the Hilltop Bacon Center Located at 1405 Wellington Avenue from RMF-8 to Residential Office (RO)

Councilmember Hill moved to adopt Ordinance No. 4020 on Second Reading and ordered it published. Councilmember Spehar seconded the motion. Motion carried by roll call vote.

Councilmember Hill asked if the City Council should initiate a change to the Growth Plan so this property matches the Plan. City Attorney Shaver agreed and said this could be brought forward with any others that are necessary.

**Public Hearing – Vacating Mesa County Parking Lot Right-of-Way Located Adjacent to 420 South 6<sup>th</sup> Street** [File #SPR-2006-192]

Request to vacate right-of-way located along the eastern boundary of South 6<sup>th</sup> Street.

The public hearing was opened at 8:33 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She described the location, the site and the long term plan for the property. She identified the Future Land Use Designation and the current zoning. The width of the area to be vacated is approximately 7.5 feet wide and 126 feet long. The vacation request meets the criteria of the Zoning and Development Code and staff recommends approval as did the Planning Commission.

There were no public comments.

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

Ordinance No. 4021 – An Ordinance Vacating a Portion of the Right-of-Way for South 6<sup>th</sup> Street Located Adjacent to 420 South 6<sup>th</sup> Street, Mesa County Parking Lot

Councilmember Spehar moved to adopt Ordinance No. 4021 on Second Reading and ordered it published. Councilmember Hill seconded the motion. Motion carried by roll call vote.



**Public Hearing – Vacating a Portion of the Public Right-of-Way, River Run Subdivision, Located at 3060 D Road** [File #FP-2006-301]

Request to vacate the north 10 feet of a portion of D Road, abutting and lying south of Lot 1, Junction East Subdivision, (the site of the proposed River Run Subdivision) located at 3060 D Road, consisting of 0.083 acres of land.

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

Lori Bowers, Senior Planner, reviewed this item. She described the site, the location, the Future Land Use Designation and the current zoning. In the final review process, it was discovered that there was excess right-of-way along D Road adjacent to the property so the applicants have requested the vacation. The estimated value of the right-of-way is \$6,000. The Planning Commission has recommended approval finding the review criteria have been met.

JoCarole Haxel, with Developmental Services, 2350 G Road (business address), was present representing the applicant and was available for questions.

There were no public comments.

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

Ordinance No. 4022 – An Ordinance Vacating a Portion of the D Road Right-of-Way Adjacent to the River Run Subdivision Located at 3060 D Road

Councilmember Thomason moved to adopt Ordinance No. 4022 on Second Reading and ordered it published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

**Public Hearing – River Trail Annexation and Zoning, Located at 3141 D Road** [File #ANX-2006-330]

Request to annex and zone 17.405 acres, located at 3141 D Road to RMF-8 (Residential Multifamily 8 du/ac). The River Trail Annexation consists of one parcel.

Ken Kolvachik, Senior Planner, reviewed this item. He described the location, the site and the Future Land Use Designation as well as the current zoning.

Mike Qualley, 1994 Bison Court, and Kevin Reimer, 225 Main Street, were the applicants and were present. Mr. Reimer said the proposal is for 4.5 units per acre which is on the low side of the Land Use Designation.

There were no public comments.

The public hearing was closed at 8:44 p.m.

**a. Accepting Petition**

Resolution No. 25-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the River Trail Annexation, Located at 3141 D Road is Eligible for Annexation

**b. Annexation Ordinance**

Ordinance No. 4023 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, River Trail Annexation, Approximately 17.405 Acres, Located at 3141 D Road

**c. Zoning Ordinance**

Ordinance No. 4024 – An Ordinance Zoning the River Trail Annexation to RMF-8 Located at 3141 D Road

Councilmember Palmer moved to adopt Resolution No. 25-07 and Ordinance No. 4023 and 4024 on Second Reading and ordered them published. Councilmember Hill seconded the motion.

Councilmember Hill noted that the zoning requested is RMF-8, not the lower density of 4.5 units per acre being proposed. However, the actual density is not under consideration.

Councilmember Palmer noted that many times the higher densities are sought when they really want to build at a lower density due to the requirements of the various zone districts and that should be a discussion in the future.

Planner Kolvachik advised that the Planning Commission had same concerns, however, when the plan comes before them they will address their concerns.

Councilmember Hill stated that is not part of this hearing.

Motion carried by roll call vote.

**Purchase of Real Property Located at 549 Noland Avenue**

On December 20, 2006, City Council authorized the City Manager to sign a Contract to purchase property located at 549 Noland Avenue, from Dave and Verna Murphy of Any Auto Wrecking. The purpose of the acquisition is to continue the revitalization efforts of the south downtown area.

John Shaver, City Attorney, reviewed this item. He advised that there were a number of environmental concerns and the reports from Walsh Environmental found nothing significant. There was some asbestos in the building but that would be expected in a building of that age. A lease will be executed at closing to allow the current business owner to occupy the property until July.

Councilmember Spehar asked if the site will be clean. Mr. Shaver said the metal building will remain, otherwise it will be a clean site. The plan is to assemble this property with others in the vicinity.

Councilmember Hill asked if there are avoided costs due to this purchase. Mr. Shaver replied that there will be savings between \$80,000 and \$120,000 for providing access to this from 4<sup>th</sup> Avenue. No negotiations have been entered into the Parkway fund relative to that cost savings, however there may be some consideration.

Councilmember Hill asked when the assemblages of remnant properties will begin, commenting that maybe it should be looked at now. Mr. Shaver agreed with the idea but lot layout has not been discussed. As soon as the deal closes, that can begin.

Resolution No. 26-07 – A Resolution Ratifying the Contract to Purchase Real Property Located at 549 Noland Avenue from David Murphy and Verna Murphy

Councilmember Spehar moved to adopt Resolution No. 26-07. Councilmember Hill seconded the motion. Motion carried by roll call vote.

### **Non-Scheduled Citizens & Visitors**

There were none.

### **Other Business**

There was none.

### **Adjournment**

The meeting adjourned at 8:55 p.m.

Stephanie Tuin, MMC  
City Clerk

**Attach 2**

**Adoption of the Visitor and Convention Bureau By Laws  
CITY OF GRAND JUNCTION**

| CITY COUNCIL AGENDA                   |                 |                             |     |                               |     |                |                                 |
|---------------------------------------|-----------------|-----------------------------|-----|-------------------------------|-----|----------------|---------------------------------|
| <b>Subject</b>                        |                 | Adoption of the VCB By Laws |     |                               |     |                |                                 |
| <b>Meeting Date</b>                   |                 | February 21, 2007           |     |                               |     |                |                                 |
| <b>Date Prepared</b>                  |                 | February 9, 2007            |     |                               |     | <b>File #</b>  |                                 |
| <b>Author</b>                         |                 | Debbie Kovalik              |     | <b>VCB Executive Director</b> |     |                |                                 |
| <b>Presenter Name</b>                 |                 | Debbie Kovalik              |     | <b>VCB Executive Director</b> |     |                |                                 |
| <b>Report results back to Council</b> |                 | X                           | No  |                               | Yes | When           |                                 |
| <b>Citizen Presentation</b>           |                 |                             | Yes | X                             | No  | Name           |                                 |
|                                       | <b>Workshop</b> | X                           |     | <b>Formal Agenda</b>          | X   | <b>Consent</b> | <b>Individual Consideration</b> |

**Summary:** Adopt By laws for the Grand Junction Visitor and Convention Bureau. The document has been revised to reflect that the tourism industry have representation on the Board.

**Budget:** No budgetary impact

**Action Requested/Recommendation:** Approve the Visitor and Convention Bureau By laws as recommended by the VCB Board of Directors.

**Attachments:** By laws

**Background Information:** When this item was originally scheduled on the December 6, 2006 agenda, Article 3(d) Appointment of Members, included a requirement that a majority of the Board represent tourism-related businesses. That paragraph has been revised to state that the make-up of the Board "...shall include representation of tourism-related businesses."

At its February 6, 2007 meeting, the VCB Board unanimously approved the revised By laws and recommended them to Council for adoption.

**DRAFT**  
**2/6/07**

**GRAND JUNCTION VISITOR AND CONVENTION BUREAU  
BY LAWS**

Article 1. Purpose. Board. Place of Business.

(a) The purpose of the Board is to provide leadership for the community and its tourism industry; to develop policies and programs; and to monitor progress toward accomplishing the mission of the Visitor and Convention Bureau. The Mission Statement is:

The Grand Junction Visitor and Convention Bureau (GJVCB) is a department of the City of Grand Junction whose purpose is to pro-actively market the Grand Junction area, resulting in the positive economic impact of visitor dollars.

The business and affairs of the Board shall be managed by its members, comprised of nine (9) persons appointed by the Grand Junction City Council, consistently with the rules and these By laws adopted by said City Council for such Board.

(b) The place of business of the Grand Junction Visitor and Convention Bureau Board of Directors (“Board”) shall be in Grand Junction, Colorado with a mailing address of 740 Horizon Drive, Grand Junction, CO 81506.

Article 2. Ethical Conduct.

Board members shall comply with City of Grand Junction Resolution 79-06 which establishes ethical standards for members of the City’s boards, commissions and similar groups.

Article 3. Appointment of Members.

(a) The Board shall consist of nine (9) members.

(b) Composition and selection:

1. The members of the Board shall be appointed by the Grand Junction City Council for individual terms of three (3) years.
2. Members shall be selected without regard to race, color, religion, sex, age, sexual orientation, national origin, marital status, or physical handicap.
3. Qualifications shall include either (1) residence within the city limits of the City of Grand Junction; or (2) representation of a business that operates within the city limits of the City of Grand Junction; or (3) representation of a Mesa County-based business that is a key component of the tourism industry in the Grand Valley.

(c) If requested by the Grand Junction City Council, the Board shall make a recommendation to the appointing body as to the expertise needed. The appointing body may consider this recommendation when making appointments.

(d) The Board shall be comprised of principal decision-makers and shall include representation of tourism-related businesses. Board members shall have experience and/or knowledge in one of the following areas: business administration, finance, advertising, marketing, public relations or economic development.

#### Article 4. Terms. Conditions.

(a) The term of each individual board member shall be three (3) years. The terms shall be staggered so that one-third of the members shall be appointed each year. No Board member shall be appointed for more than two (2) consecutive full terms.

(b) Members shall hold office until their successors have been appointed and qualified, unless the member is no longer a city resident and city residency is a prerequisite. A member may be appointed for one or more terms subject to any term limitations as cited in Article 3. An appointment to fill a partial term shall only be for the remainder of the full term.

#### Article 5. Vacancies.

In the event of death, resignation, or removal of any member, his/her successor shall be appointed in the manner prescribed in Article 3 above, for the duration of the unexpired term.

#### Article 6. Removal.

(a) The Board may petition, by formal two-thirds vote of the membership, to remove any member who is failing to fulfill the duties and responsibilities of office, provided the individual is notified of such action and is given the opportunity to address the Board prior to tendering of such petition for removal to the Council for consideration.

(b) Failure to attend two-thirds (2/3) of the regularly scheduled Board meetings within any twelve (12) month period shall result in a recommendation to the City Council for removal of the member.

#### Article 7. Officers.

(a) In the fourth quarter of each calendar year, a nominating committee consisting of the current Chair and Vice Chair shall present to the Board nominations for Chair and Vice Chair for the coming year. Officers for the coming year shall be elected by written ballot at the December meeting.

(b) The Chair shall preside at meetings of the Board, serve as ex-officio member of all committees, serve as the official spokesperson for the Board, work with the GJVCB Executive Director to develop meeting agendas and serve as the Board liaison to the Executive Director and staff.

(c) No member shall serve more than two consecutive terms as Chair or Vice Chair.

(d) In the absence of the Chair, the Vice Chair shall assume the duties of the Chair.

(e) The Vice Chair shall be assigned other specific duties by the Chair as required to assure efficient operation of administrative functions of the Board.

Article 8. Meetings. Notice. Open Meetings.

- (a) The Board shall meet at least eleven (11) times a year. Special meetings may be called at any time by the Chair or any three (3) members for any reason.
- (b) Notice of any meeting of the Board, including the purpose thereof, shall be given to each member by mail, facsimile, e-mail or in an equivalent manner at least 72 hours before the scheduled meeting. Attendance by a member at any meeting of the Board shall be a waiver of notice by him/her of the time and place thereof. Any lawful business of the Board may be transacted at any meeting for which proper notice has been given.
- (c) Any meeting may be held by telephone or video conference call.
- (d) Meetings and affairs of the Board shall be subject to the Open Meetings Act and the Open Records Acts, as amended, as though the Board is a local government under those Acts.

Article 9. Conflicts. Compensation. Expenses.

No compensation shall be paid to any member of the Board for their services. The Board shall not enter into any contract with any member nor pay or authorize any remuneration to any member. The rules and requirements of the City Charter and state law that apply to members of the City Council regarding conflicts of interest, disclosure, gifts and appearances of impropriety shall likewise apply to each member of the Board.

In accordance with the rules and requirements of the City, a member may be reimbursed for his reasonable expenses incurred in the performance of his duties as a member, provided however that all such expenses are approved in advance by the Executive Director and shall be paid only by the finance director of the City.

Article 10. Quorum.

A majority of the authorized number of members of the Board shall constitute a quorum for the transaction of business. However, if at any meeting a quorum is no longer present whether due to conflict of interest or otherwise, a majority of those present may adjourn the meeting. The act of a majority of the members present at a meeting in which a quorum is present shall be the act of the Board.

Article 11. Action of Members without a Meeting.

Any action that could have occurred at a meeting of the members can also be accomplished without a meeting if all of the members entitled to vote with respect to the subject matter thereof sign a written consent or provide an electronic proxy specifying the action.

Article 12. Contracts. Expenditures.

The Board and its members ordinarily do not have authority to bind the City, unless the City Council has specifically provided otherwise in writing. Expenditures on behalf of the Board and its work shall be exclusively through the City's Finance Department.

Article 13. Notices.

Any notice of claim, demand or other legal process served on or received by the Board or any of its members should be immediately delivered to the City Clerk or the City Attorney.

Article 14. Legal Advice. Finances.

The City Attorney shall serve as the legal advisor for the Board. The City's Finance Director shall serve as the treasurer for the Board.

Article 15. Amendment of the By laws.

The Board may, by the affirmative vote of a majority of its members, recommend amendments to these By laws provided that no such alteration or amendment by the Board shall increase the powers of the Board or expose the City to any additional liabilities, responsibilities or expenses. The By laws may not be amended without written consent of the Grand Junction City Council. The Chair, or any member, shall send a copy of such proposed changes to the City Clerk prior to adoption by the Board.

Adopted by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 200\_.

\_\_\_\_\_  
President of the City Council

Attest:

\_\_\_\_\_  
City Clerk

[Note: The City's insurance provides coverage for its volunteers and will defend members of the Board against losses, costs and expenses, including legal counsel fees, reasonably incurred by reason of his/her being or having been a member of the Board, so long as the member does not act or has not acted maliciously, criminally, with deliberate intent to violate a law or regulation or with intent to injure. A board member must immediately contact the City Attorney in the event a claim is made, and may contact the City Attorney if he or she has any questions or concerns about liability.]

City Attorney: 244-1506, at City Hall, email [johns@gjcity.org](mailto:johns@gjcity.org)

Clerk: 244-1511, at City Hall, email [stepht@gjcity.org](mailto:stepht@gjcity.org)



BY THE BOARD:

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**Attach 3**

**Purchase of a 2008 4300 4 x 2 Cab and Chassis**

**CITY OF GRAND JUNCTION**

| CITY COUNCIL AGENDA                   |  |                                     |                          |  |                                     |   |  |
|---------------------------------------|--|-------------------------------------|--------------------------|--|-------------------------------------|---|--|
| <b>Subject</b>                        | Purchase of a 2008 4300 4 x 2 Cab and Chassis with a 37' Hydraulic Telescopic Aerial Device (Bucket Truck) |                                     |                          |  |                                     |   |  |
| <b>Meeting Date</b>                   | February 21, 2007  |                                     |                          |  |                                     |   |  |
| <b>Date Prepared</b>                  | February 8, 2007   |                                     |                          |  | <b>File #</b>                       |   |  |
| <b>Author</b>                         | Shirley Nilsen   |                                     |                          | <b>Senior Buyer</b>  |                                     |   |  |
| <b>Presenter Name</b>                 | Jay Valentine<br>Ron Lappi   |                                     |                          | <b>Purchasing Manager<br/>Administrative Services and Finance<br/>Director</b> |                                     |   |  |
| <b>Report results back to Council</b> | <input type="checkbox"/>   | <b>No</b>                           | <input type="checkbox"/> | <b>Yes</b>   | <b>When</b>                         |   |  |
| <b>Citizen Presentation</b>           | <input type="checkbox"/>   | <b>Yes</b>                          | <input type="checkbox"/> | <b>No</b>  | <b>Name</b>                         |   |  |
|                                       | <input checked="" type="checkbox"/> <b>Workshop</b>  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> <b>Formal Agenda</b>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> <b>Consent</b> | <input type="checkbox"/> <b>Individual Consideration</b> |

**Summary:** This purchase is for the replacement of one 1999 International Platform Truck for the Traffic Signals Department. After a review by the fleet replacement committee, this vehicle's replacement has been moved up from the original replacement year of 2009.

**Budget:** The Fleet Division has accrued \$83,360 for replacement of this vehicle. The Fleet Division has also budgeted and accrued \$30,000 for the 2007 replacement of a Thermoplastic Applicator which is no longer needed by the Traffic Division and will not be replaced. These two accrual amounts are sufficient to proceed with this replacement as planned. The purchase price for the replacement truck is \$121,360.00 less \$28,000.00 trade for a net cost of \$93,360.00.

**Action Requested/Recommendation:** Authorize the City Purchasing Division to purchase one 2008 International/Terex 37' Hydraulic Telescopic Aerial Device Truck, from Terex Utilities, Commerce City, CO for the amount of \$93,360.00.

**Background Information:** The solicitation was advertised in the Daily Sentinel, and invitations were sent to 53 potential bidders. Five responsive and responsible bids were received as shown below. The Purchasing Manager agrees with this recommendation.

| Company             | Location             | Price        | Trade In    | Total Less Trade |
|---------------------|----------------------|--------------|-------------|------------------|
| Terex Utilities     | Commerce City, CO    | \$121,360.00 | \$28,000.00 | \$ 93,360.00     |
| Altec Industries    | Aurora, CO           | 121,600.00   | 12,500.00   | 109,100.00       |
| Altec Industries    | Aurora, CO           | 125,346.00   | 12,000.00   | 113,346.00       |
| Layton Truck Equip. | Colorado Springs, CO | 125,000.00   | 7,000.00    | 118,000.00       |
| Global Machinery    | Denver, CO           | \$135,210.00 | \$11,500.00 | \$123,710.00     |

**Attach 4**

**Purchase of Four Mid Size Sedans for the Police Department  
CITY OF GRAND JUNCTION**

| CITY COUNCIL AGENDA                   |                                  |            |                      |  |                |                                 |
|---------------------------------------|----------------------------------|------------|----------------------|--|----------------|---------------------------------|
| <b>Subject</b>                        | Purchase of Four Mid Size Sedans |            |                      |  |                |                                 |
| <b>Meeting Date</b>                   | February 21, 2007                |            |                      |  |                |                                 |
| <b>Date Prepared</b>                  | February 13, 2007                |            |                      |  | <b>File #</b>  |                                 |
| <b>Author</b>                         | Shirley Nilsen                   |            |                      | <b>Senior Buyer</b>  |                |                                 |
| <b>Presenter Name</b>                 | Jay Valentine<br>Ron Lappi       |            |                      | <b>Purchasing Manager<br/>Administrative Services and Finance<br/>Director</b> |                |                                 |
| <b>Report results back to Council</b> |                                  | <b>No</b>  |                      | <b>Yes</b>   | <b>When</b>    |                                 |
| <b>Citizen Presentation</b>           |                                  | <b>Yes</b> |                      | <b>No</b>  | <b>Name</b>    |                                 |
|                                       | <b>Workshop</b>                  | X          | <b>Formal Agenda</b> | X  | <b>Consent</b> | <b>Individual Consideration</b> |

**Summary:** This purchase is for the replacement of one 1999 Ford Taurus for Police Investigations, one 2000 Ford Taurus for Police Services, one Police Investigations Ford Taurus that was totaled in an accident on November 13, 2006 on the National Monument, and the addition of one 4-door sedan to the Police Investigations Department. Two of these vehicles are currently scheduled for replacement in 2007 as identified by the annual review of the Fleet Replacement Committee.

**Budget:** \$30,000.00 has been budgeted and approved in the Fleet Replacement Fund for the purchase of the two replacement sedans. The Police Department has budgeted \$15,000.00 for the purchase of the additional unit being added to the Fleet. The Fleet Replacement fund has also accrued \$8,130.00, and the Self Insurance Fund will pay \$6,962.00 towards the replacement of the sedan involved in the accident. There are sufficient additional funds in the 2007 Fleet Replacement and General Fund to proceed with this purchase of \$63,048.00.

**Action Requested/Recommendation:** Authorize the City Purchasing Division to purchase four 2007 Chevy Impalas from Daniels Chevrolet, Colorado Springs, CO for the amount of \$63,048.00.

**Background Information:** The solicitation was advertised in the Daily Sentinel, and invitations were sent to 45 potential bidders. Seven responsive and responsible bids were received as shown on page number two. The Purchasing Manager agrees with this recommendation.

| Company                 | Location             | Unit Price  |
|-------------------------|----------------------|-------------|
| Daniels Chevrolet       | Colorado Springs, CO | \$15,762.00 |
| Dallenbach Motors       | Fort Collins, CO     | 16,290.00   |
| Stevinson Chevrolet     | Golden, CO           | 16,411.90   |
| Western Slope Auto      | Grand Junction, CO   | 16,670.00   |
| Ed Bozarth Chevrolet    | Grand Junction, CO   | 16,810.00   |
| Lakewood Fordland       | Lakewood, CO         | 16,913.00   |
| Grand Junction Chrysler | Grand Junction, CO   | \$18,627.00 |

**Attach 5**  
**Setting a Hearing on Zoning and Development Code Text Amendments**  
**CITY OF GRAND JUNCTION**

| CITY COUNCIL AGENDA                   |                 |  |     |                      |     |                            |                                 |
|---------------------------------------|-----------------|--|-----|----------------------|-----|----------------------------|---------------------------------|
| <b>Subject</b>                        |                 | Zoning and Development Code Text Amendments Regarding Sign Package Permits |     |                      |     |                            |                                 |
| <b>Meeting Date</b>                   |                 | February 21, 2007  |     |                      |     |                            |                                 |
| <b>Date Prepared</b>                  |                 | February 15, 2007  |     |                      |     | <b>File #</b> TAC-2007-006 |                                 |
| <b>Author</b>                         |                 | Lisa Cox, AICP   |     | Planning Manager     |     |                            |                                 |
| <b>Presenter Name</b>                 |                 | Lisa Cox, AICP   |     | Planning Manager     |     |                            |                                 |
| <b>Report results back to Council</b> |                 | X  | No  |                      | Yes | <b>When</b>                |                                 |
| <b>Citizen Presentation</b>           |                 |  | Yes | X                    | No  | <b>Name</b>                |                                 |
|                                       | <b>Workshop</b> | X  |     | <b>Formal Agenda</b> | X   | <b>Consent</b>             | <b>Individual Consideration</b> |

**Summary:** The City of Grand Junction proposes revisions to the Zoning and Development Code to allow any site or sites that function as one site through the sharing of access and/or parking to be considered for a sign package by receiving approval from the Planning Commission.

**Budget:** N/A

**Action Requested/Recommendation:** Introduce a proposed ordinance and set a public hearing for March 7, 2007.

**Background Information:** The City of Grand Junction has proposed revisions to the Zoning and Development Code to allow any site or sites that function as one site through the sharing of access and/or parking to be considered for a sign package by receiving approval from the Planning Commission. Currently, signage for any site or commercial project being approved under a Planned Development (PD) or Conditional Use Permit (CUP) must be approved as part of the PD or CUP process. This option is not available to other applications, such as projects reviewed through the Site Plan Review process. The proposed amendments will create a new permit to be known as a Sign Package Permit that will allow the maximum sign allowance for the site or sites to be aggregated and then allow the total allowance to be redistributed over the entire site.

**Attachments:**  
 Staff report

The City of Grand Junction staff requests approval to amend Sections 1.12 and 4.2, Tables 2.1 and 2.3, and to add Section 2.21 of the Zoning and Development Code (“Code”), Sign Regulations, to allow for Sign Package Permits as a separate application.

| <b>BACKGROUND INFORMATION</b> |          |
|-------------------------------|----------|
| Location:                     | Citywide |
| Applicant:                    | City     |

**ANALYSIS/BACKGROUND:**

Currently, signage for any site or commercial project being approved under a Planned Development (PD) or Conditional Use Permit (CUP) must be approved as part of the PD or CUP process. This process allows for the maximum sign allowance for the entire development or use to be aggregated and the total allowance redistributed for the same type of signs. This option is not available to other commercial applications such as projects going through the site plan review process. It has been found through the review and approval process of these sign packages that the intent of the Code to reduce clutter, minimize the number of signs, and placement of signs being less obtrusive may be met with some deviation from the specific requirements of the Code while considering the Growth Plan, other adopted plans, and the sign package’s compatibility with the surrounding area.

Staff proposes changes to the Code to allow for such Sign Packages under other incidents to meet the needs of the developers, landowners, business owners, as well as the other community members while preserving the interests of the City. Staff proposes adding language in the Code that will allow any site or sites that functions as one through the sharing of access through, across, over, entrance onto, and/or exit from the site(s) and/or parking, (such as a shopping center) to be considered for a sign package by receiving approval from Planning Commission. As this would be a special permit the following criteria would be considered by the Planning Commission in determining if the permit should be approved, conditionally approved or denied. The criteria are as follows:

1. All sign(s) included on the site(s) shall be in conformance with the criteria set forth in Section 2.2.E.2.b, except as allowed to deviate based on the other criteria in this Section.
2. The application of the Sign Package is not contrary to and better implements the goals and objectives of the Growth Plan, including but not limited to applicable neighborhood plans, corridor plans, and other adopted plans.

3. The application of the Sign Package is not contrary to and better implements the goals and objectives of moderating the size and number of signs as well as the reduction of clutter and obtrusive placement of signs.

4. The Sign Package is found to be compatible with the signs and uses on the adjacent parcels.

See the attached proposed amendments which are incorporated herein. Those items which are underlined are the specific language to be included within the Code.

### **FINDINGS OF FACT/CONCLUSIONS:**

Staff finds that the requested Code amendments further several goals and policies of the Growth Plan and the purpose of the Code regarding signs, including:

Policy 8.7: The City will support integrated commercial development using shared access points along 24 Road, Patterson Road and Highway 6/50 in areas designated for commercial use. *The intent of this policy is to minimize the number of driveways, encourage coordinated signage, promote shared parking and consistent, high quality landscaping.*

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.

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

Goal 13: To enhance the aesthetic appeal of the community.

Goal 17: To promote a healthy, sustainable, diverse economy.

Policy 23.6: The City and County will require the use of side streets and shared driveways to minimize the number of driveways directly accessing arterial streets.

Section 4.2. Sign Regulation states:

The proliferation and disrepair of signs can deter the effectiveness of signs, cause dangerous conflicts with traffic control signs and signals, and contribute to visual pollution to the detriment of the general public.



**PLANNING COMMISSION RECOMMENDATION:**

After consideration and review of the proposed amendment, the Planning Commission made a recommendation of approval of the requested Text Amendment, #TAC-2007-006 (Sign Packages) to the City Council.

## CITY OF GRAND JUNCTION

### ORDINANCE NO.

#### **AN ORDINANCE AMENDING SECTIONS 1.12 AND 4.2, TABLES 2.1 AND 2.3, AND ADDING SECTION 2.21 OF THE ZONING AND DEVELOPMENT CODE, SIGN REGULATIONS, TO ALLOW FOR SIGN PERMITS AS A SEPARATE APPLICATION**

#### RECITALS:

The City of Grand Junction wishes to revise the Zoning and Development Code to allow any site or sites that function as one site through the sharing of access and/or parking to be considered for a sign package by receiving approval from the Planning Commission.

Currently, signage for any site or commercial project being approved under a Planned Development (PD) or Conditional Use Permit (CUP) must be approved as part of the PD or CUP process. This option is not available to other applications, such as projects reviewed through the Site Plan Review process.

The City would like to create a new permit to be known as a Sign Package Permit that will allow the maximum sign allowance for the site or sites to be aggregated and then allow the total allowance to be redistributed over the entire site.

The City Council finds that the request is consistent with the goals and policies of the Growth Plan.

The Planning Commission, having heard and considered the request, found the proposed amendments further several goals and policies of the Growth Plan and the purpose of the Code regarding signs, and recommended approval of the proposed revisions to the Zoning and Development Code.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE ZONING AND DEVELOPMENT CODE BE AMENDED AS FOLLOWS:

Chapter 1

Add new Section 1.12.H.3.I. Delete the word “and” at the end of the phrase lettered j, delete the period at the end of the phrase lettered k and insert “; and”, and add the following:

I. Sign Packages.

Chapter 2

**Table 2.1**

Addition to the table under **OTHER APPLICATIONS**. Insert Sign Package. No general or neighborhood meeting is needed. The Acting Body shall show the Director as the review body and the Planning Commission as the Decision Maker. It shall be mandatory that notice be given by Public, Mail and Sign.

**Table 2.3**

Insert under the Type of Submittal or Request - Sign Package. Notice shall be published 7 calendar days in advance. Mailed Notice shall be First Class and sent to Owners within 500 feet. Sign Notice is Required and a Yes shall be inserted in that column.

Add following new Section 2.21:

**SECTION 2.21 SIGN PACKAGE**

- A. **Purpose.** A Sign Package allows the review and approval of signs on a developed site or abutting developed sites that function as one with the sharing of vehicular access through, across, over, entrance onto, and/or exit from the site(s) and/or parking.
- B. **Applicability.** The Sign Package provides detailed graphical information of the location, height, illumination, sign dimensions, and sign design, including but not limited to letter heights.
- C. **Approval Criteria.**
  - 1. All sign(s) included on the site(s) shall be in conformance with the criteria set forth in Section 2.2.E.2.b, except as allowed to deviate based on the other criteria in this Section.
  - 2. The application of the Sign Package is not contrary to and better implements the goals and objectives of the Growth Plan, including but not limited to applicable neighborhood plans, corridor plans, and other adopted plans.
  - 3. The application of the Sign Package is not contrary to and better implements the goals and objectives of moderating the size and

number of signs as well as the reduction of clutter and obtrusive placement of signs.

4. The Sign Package is found to be compatible with the signs and uses on the adjacent parcels.

D. **Decision-Maker.** The Director shall make recommendations and the Planning Commission shall approve, conditionally approve or deny all applications for a Sign Package Permit.

E. **Application and Review Procedures.** Application requirements and processing procedures are described in Table 2.1 and Section 2.3.B.

F. **Validity.**

1. The Sign Package Permit must be established within 180 days of the approval by Planning Commission. A Sign Package is established upon the installation of the first sign included within the package. Once established the Sign Package Permit shall run with the land as long as a use on a site has not changed and the site(s) continue to share vehicular access through, across, over, entrance onto, and/or exit from the site(s) and/or parking. All the parcels functioning as one shall be considered the land to which the Sign Package Permit is applicable.

2. A Sign Package Permit limits the characteristics of each sign within the Sign Package. Any increase in any sign characteristic must be reviewed and approved as a new Sign Package. Any changes to the Sign Package Permit, including modification or termination, other than termination due to change of use on a site or termination of the shared access or parking, shall require the written consent of all landowners of each of the sites included within the approved Sign Package.

Add the following Section 4.2.G.6.

6. **Sign Packages.** A site or sites that consist of more than one developed parcel of land that are abutting and function as one through the sharing of vehicular access through, across, over, entrance onto, and/or exit from the site(s) and/or parking, (such as a shopping center) may be considered for a Sign Package through a Sign Package Permit. Variance of the maximum total sign allowance shall not be permitted, but the maximum sign allowance for the entire site or sites may be aggregated and the total allowance redistributed for the same type of sign. For example, freestanding sign allowance may be redistributed among freestanding signs, but a freestanding sign allowance may not be redistributed for a façade sign.

Introduced for first reading on this \_\_\_\_\_ day of \_\_\_\_\_, 2007

PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:

\_\_\_\_\_  
President of City Council

\_\_\_\_\_  
City Clerk

**Attach 6**

**Setting a Hearing on the Vacation of Public Rights-of-Way, El Poso Neighborhood  
CITY OF GRAND JUNCTION**

| CITY COUNCIL AGENDA                   |   |     |                      |     |                   |                                 |
|---------------------------------------|---|-----|----------------------|-----|-------------------|---------------------------------|
| <b>Subject</b>                        | Vacation of Public Rights-of-Way, El Poso Neighborhood – portions of Peach Street, West Ouray Avenue, West Grand Avenue, and various alleys |     |                      |     |                   |                                 |
| <b>Meeting Date</b>                   | February 21, 2007   |     |                      |     |                   |                                 |
| <b>Date Prepared</b>                  | February 15, 2007   |     |                      |     | File #VR-2006-354 |                                 |
| <b>Author</b>                         | Senta L. Costello   |     | Associate Planner    |     |                   |                                 |
| <b>Presenter Name</b>                 | Senta L. Costello   |     | Associate Planner    |     |                   |                                 |
| <b>Report results back to Council</b> | X   | No  |                      | Yes | <b>When</b>       |                                 |
| <b>Citizen Presentation</b>           |   | Yes | X                    | No  | <b>Name</b>       |                                 |
|                                       | <b>Workshop</b>   | X   | <b>Formal Agenda</b> | X   | <b>Consent</b>    | <b>Individual Consideration</b> |

**Summary:** Request to vacate 1.829 acres of various rights-of-way within the El Poso neighborhood.

**Budget:** N/A

**Action Requested/Recommendation:** Introduce a proposed ordinance and set a public hearing for March 7, 2007.

**Background Information:** See attached Staff report/Background information

**Attachments:**

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

AGENDA TOPIC: Vacation of Public Right-of-Way, El Poso Neighborhood – portions of Peach Street, West Ouray Avenue, West Grand Avenue, and various alleys (VR-2006-354).

ACTION REQUESTED: Vacation of Public Rights-of-Way

| BACKGROUND INFORMATION       |       |   |     |  |    |
|------------------------------|-------|---|-----|--|----|
| Location:                    |       | El Poso Neighborhood – portions of Peach Street, West Ouray Avenue, West Grand Avenue, and various alleys |     |  |    |
| Applicants:                  |       | Owner/Applicant: City of Grand Junction – Mike Grizenko   |     |  |    |
| Existing Land Use:           |       | Right-of-way  |     |  |    |
| Proposed Land Use:           |       | Single Family Residential yards   |     |  |    |
| Surrounding Land Use:        | North | Commercial / Single Family Residential  |     |  |    |
|                              | South | Single Family Residential   |     |  |    |
|                              | East  | Commercial / Single Family Residential  |     |  |    |
|                              | West  | Single Family Residential   |     |  |    |
| Existing Zoning:             |       | RMF-8/C-1   |     |  |    |
| Proposed Zoning:             |       | RMF-8/C-1   |     |  |    |
| Surrounding Zoning:          | North | C-1   |     |  |    |
|                              | South | RMF-8   |     |  |    |
|                              | East  | RMF-8/C-1   |     |  |    |
|                              | West  | RMF-8   |     |  |    |
| Growth Plan Designation:     |       | Commercial/Residential Medium 4-8 du/ac   |     |  |    |
| Zoning within density range? |       | X   | Yes |  | No |

PROJECT DESCRIPTION: Request to vacate 1.829 acres of various rights-of-way within the El Poso neighborhood.

RECOMMENDATION: Approval.

## ANALYSIS

### 1. Background

The rights-of-way proposed to be vacated have been dedicated to the City of Grand Junction on various subdivision plats over many years. The City of Grand Junction recently finished the El Poso area local improvement district and has had a determination of surplus rights-of-way. Nine areas are proposed for vacation with multi-purpose and/or ingress/egress easements being reserved, depending on need, in a particular area. Use of the vacated right-of-way will revert to adjoining and zoning, subject to the reservation of necessary easements for public utilities and access.

### 2. Consistency with the Growth Plan

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

- Goal 5: To ensure that urban growth and development make efficient use of investments in streets, utilities and other public facilities.
  - Policy 5.2: The City and County will encourage development that uses existing facilities and is compatible with existing development.
  - Policy 5.3: The City and County may accommodate extensions of public facilities to serve development that is adjacent to existing facilities. Development in areas which have adequate public facilities in place or which provide needed connections of facilities between urban development areas will be encouraged. Development that is separate from existing urban services (“leap-frog” development) will be discouraged.
- Goal 10: To retain valued characteristics of different neighborhoods within the community.
  - Policy 10.2: The City and County will consider the needs of the community at large and the needs of individual neighborhoods when making development decisions.

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

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

- a. The Growth Plan, major street plan and other adopted plans and policies of the City.
  - Vacating 1.829 acres of right-of-way within the El Poso neighborhood is not in conflict with the Growth Plan, major street plan and other adopted plans and policies of the City



- b. No parcel shall be landlocked as a result of the vacation.
  - No parcels will be landlocked as a result of the vacation. An access easement is being reserved within the Peach Street alignment to provide access to the one parcel that will not be maintaining street frontage.
- c. Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive or reduces or devalues any property affected by the proposed vacation.
  - Access to parcels in the area will not be affected by the vacation.
- d. There shall be no adverse impacts on the health, safety, and/or welfare of the general community and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g. police/fire protection and utility services).
  - There will be no adverse impacts to the general community or the neighborhood.
- e. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter Six of the Zoning and Development Code.
  - Adequate public facilities and services will not be inhibited by the vacation.
- f. The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.
  - The vacation will reduce maintenance requirements for public services.

## FINDINGS OF FACT/CONCLUSIONS

After reviewing the El Poso neighborhood right-of-way vacation application, VR-2006-354 for the vacation of a public right-of-way, staff makes the following findings of fact and conclusions:

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

## STAFF RECOMMENDATION:

Staff recommends approval of the requested right-of-way vacation, VR-2006-354 to the City Council with the findings and conclusions listed above.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission forwarded a recommendation of approval on El Poso neighborhood right-of-way vacation application, #VR-2006-354, with the facts and conclusions listed in the staff report.

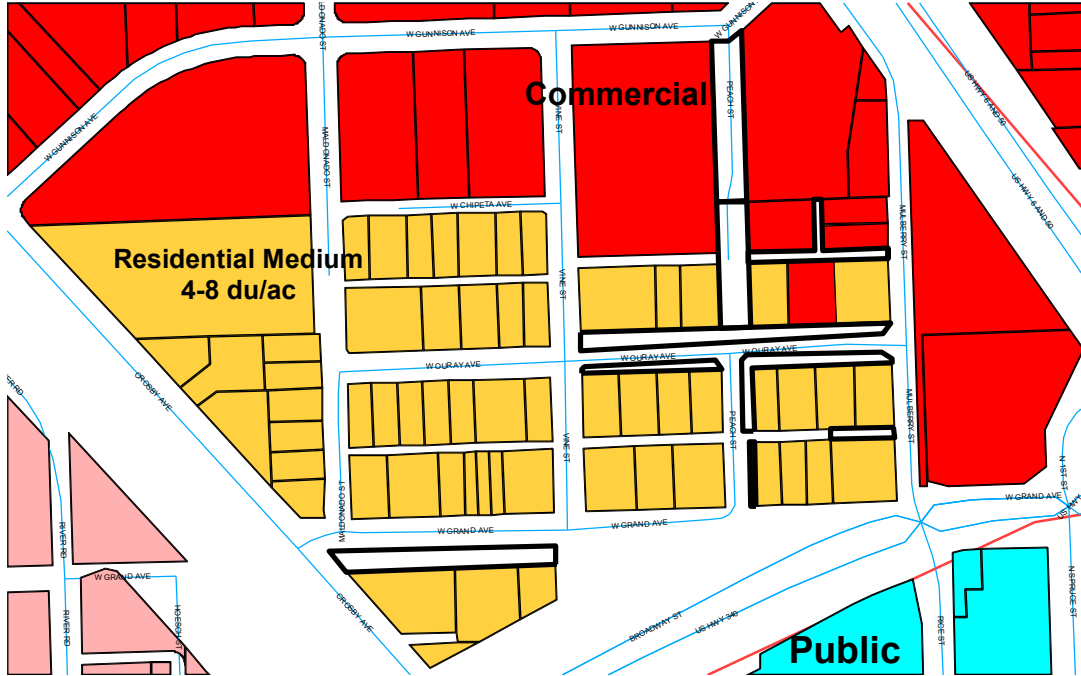
Attachments:

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



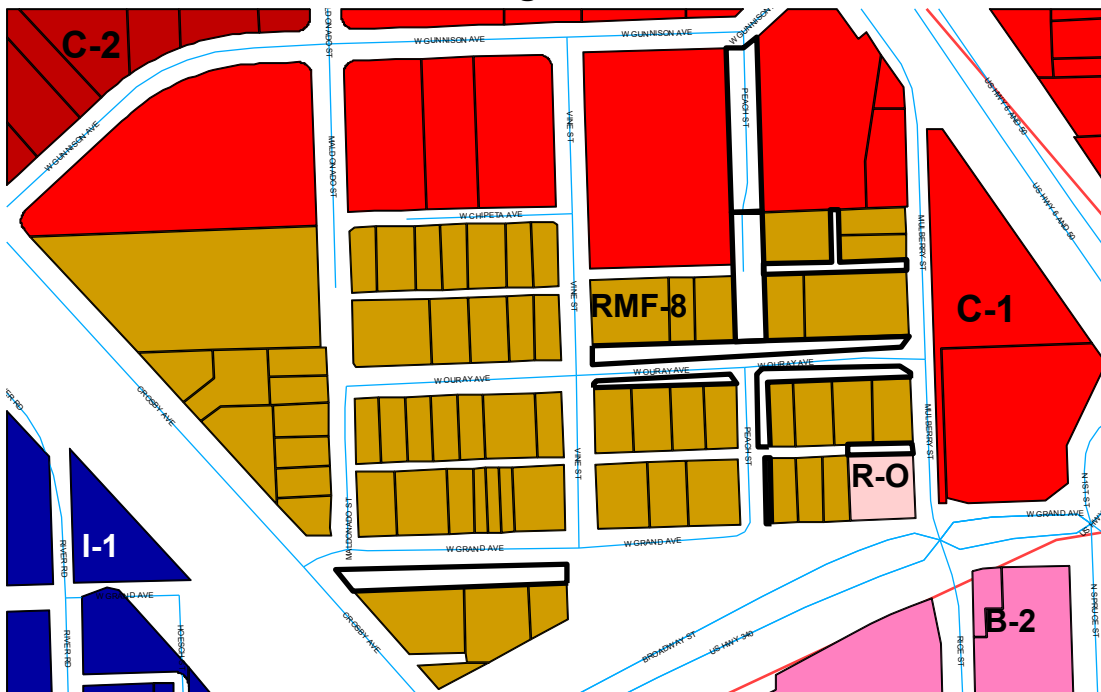
# Future Land Use Map

Figure 3



# Existing City Zoning

Figure 4



**CITY OF GRAND JUNCTION**

**ORDINANCE NO.**

**AN ORDINANCE VACATING RIGHTS-OF-WAY WITHIN THE EL POSO  
NEIGHBORHOOD INCLUDING PORTIONS OF PEACH STREET, WEST OURAY  
AVENUE, WEST GRAND AVENUE, AND VARIOUS ALLEYS**

RECITALS:

A vacation of dedicated rights-of-way has been requested by the City of Grand Junction.

The City Council finds that the request is consistent with the Growth Plan, the Grand Valley Circulation Plan and Section 2.11 of the Zoning and Development Code.

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

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

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

1. Applicants shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents.
2. Portions of the vacated areas shall be retained as a multi-purpose easements and/or ingress/egress easements per the following legal.

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

Dedicated rights-of-way to be vacated:

DESCRIPTION

Nine parcels of land located in the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4) and the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section 15, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Parcel No. 1

All that portion of Peach Street right of way lying between Block 2 and Block 3, Six and Fifty West Subdivision, as same is recorded in Plat Book 12, Page 54 in the office of the Mesa County Clerk and Recorder, which is south of the following described line: Beginning at the Northeast corner of Lot 1, said Block 2, and considering the North line of the NW1/4SE1/4 of said Section 15 to bear S89°43'12"W with all bearings herein being relative thereto; thence N89°52'50"E a distance of 41.23 feet; thence N48°43'19"E a distance of 24.91 feet, more or less, to the Northwest corner of Lot 1, said Block 3, and which is north of the South line of said Six and Fifty West Subdivision.

Containing 19,091.64 square feet, or 0.438 acres, more or less, as described.

Parcel No. 2

All that portion of Peach Street right of way lying between Block 1 and Block 2, Carpenter's Subdivision No. 2, as same is recorded in Plat Book 1, Page 14 in the office of the Mesa County Clerk and Recorder, north of the north right of way of West Ouray (formerly platted as Apple Street) extended between said Block 1 and Block 2 and south of the North line of said Carpenter's Subdivision No. 2.

Containing 14,511.25 square feet, or 0.333 acres, more or less, as described.

Parcel No. 3

All the alley right of way that lies within Block 1, Carpenter's Subdivision No. 2, as same is recorded in Plat Book 1, Page 14 in the office of the Mesa County Clerk and Recorder, terminating at the East line and West line of said Block 1, and also terminating at the North line of said Carpenter's Subdivision No. 2.

Containing 6,949.50 square feet, or 0.159 acres, more or less, as described.

Parcel No. 4

A portion of the right of way of West Ouray Avenue (platted as Apple Street) lying south of Block 1 and Block 2, Carpenter's Subdivision No. 2, as same is recorded in Plat Book 1, Page 14 in the office of the Mesa County Clerk and Recorder, more particularly described as follows: Beginning at the Southeast corner of Lot 22, Block 1, said Carpenter's Subdivision No. 2, and considering the North line of the NW1/4SE1/4 of said Section 15 to bear S89°43'12"W with all bearings herein being relative thereto; thence S45°00'00"W a distance of 22.77 feet; thence S89°42'52"W a distance of 259.40 feet; thence S87°36'40"W a distance of 328.23 feet; thence N46°17'12"W a distance of 8.97 feet; thence N00°11'05"W a distance of 21.83 feet to the Southwest corner of Lot 12, Block 2, said Carpenter's Subdivision No. 2; thence N89°42'52"E,

along the North line of said West Ouray Avenue as extended between Block 2 and Block 1, said Carpenter's Subdivision No. 2, a distance of 610.00 feet, more or less, to the point of beginning.

Containing 11,674.80 square feet, or 0.268 acres, more or less, as described.

Parcel No. 5

A portion of the right of way of West Ouray Avenue (platted as Apple Street) abutting Block 3 of Carpenter's Subdivision No. 2, as same is recorded in Plat Book 1, Page 14 in the office of the Mesa County Clerk and Recorder, and Trujillo Subdivision, as same is recorded in Plat Book 17, Page 26 in said office; more particularly described as follows: Beginning at the Northeast corner of Lot 1, said Trujillo Subdivision, and considering the North line of the NW1/4SE1/4 of said Section 15 to bear S89°43'12"W with all bearings herein being relative thereto; thence S89°42'52"W, along the South line of West Ouray Avenue, a distance of 275.00 feet to the Northwest corner of Lot 11, Block 3 of said Carpenter's Subdivision No. 2; thence N00°11'05"W a distance of 6.17 feet; thence N43°42'48"E a distance of 3.60 feet; thence N87°36'40"E a distance of 257.53 feet; thence S40°00'00"E a distance of 23.67 feet, more or less, to the point of beginning.

Containing 3,626.78 square feet, or 0.083 acres, more or less, as described.

Parcel No. 6

A portion of right of way for West Ouray Avenue (platted as Apple Street) and Peach Street abutting the North half of Block 4, Carpenter's Subdivision No. 2, as same is recorded in Plat Book 1, Page 14 in the office of the Mesa County Clerk and Recorder, more particularly described as follows: Beginning at the Northeast corner of Lot 1, Block 4 said Carpenter's Subdivision No. 2, and considering the North line of the NW1/4SE1/4 of said Section 15 to bear S89°43'12"W with all bearings herein being relative thereto; thence S89°42'52"W, along the South line of West Ouray Avenue, a distance of 275.00 feet to the Northwest corner of Lot 11, Block 4; thence S00°11'05"E, along the East line of Peach Street, a distance of 125.00 feet to the Southwest Corner of said Lot 11; thence S 89°48'55"W, along the Westerly extension of the South line of said Lot 11, a distance of 13.51 feet; thence N00°10'47"W a distance of 131.56 feet; thence N45°15'30"E a distance of 20.55 feet; thence N89°42'52"E a distance of 258.52 feet; thence S50°00'00"E a distance of 20.08 feet, more or less, to the point of beginning.

Containing 7,536.58 square feet, or 0.173 acres, more or less, as described.

Parcel No. 7

The East 7.0 feet of the right of way of Peach Street as it lies adjacent to and abutting Lot 12, Block 4 Carpenter's Subdivision No. 2, as same is recorded in Plat Book 1, Page 14 in the office of the Mesa County Clerk and Recorder, terminating at the Westerly extension of the North and South lines of said Lot 12.

Containing 875.00 square feet, more or less, as described.

Parcel No. 8

The East 125 feet of that alley right of way lying within Block 4, Carpenter's Subdivision No. 2, as same is recorded in Plat Book 1, Page 14 in the office of the Mesa County Clerk and Recorder and terminating at the Northerly extension of the West line of Lot 18 and at the East line of said Block 4.

Containing 2,500.00 square feet, or 0.057 acres, more or less, as described.

Parcel No. 9

A portion of the right of way of Grand Avenue abutting Coleman Subdivision, as recorded in Plat Book 16, Page 268 in the office of the Mesa County Clerk and Recorder, and the North half of Block 7, Carpenter's Subdivision No. 2 as recorded in Plat Book 1, Page 14 in said office, more particularly described as follows: Beginning at the Northeast corner of Lot 1, Block 7, said Carpenter's Subdivision No. 2, and considering the North line of the NW1/4SE1/4 of said Section 15 to bear S89°43'12"W with all bearings herein relative thereto; thence S89°43'12"W, along the South line of Grand Avenue, a distance of 417.78 feet, more or less, to a point on the West line of said Block 7; thence N40°48'56"W, along the Northwesterly extension of the West line of said Block 7, a distance of 39.47 feet the North line of the NW1/4SE1/4 of said Section 15; thence N89°43'12"E, along the North line of the NW1/4SE1/4 of said Section 15, a distance of 443.45 feet to a point on the Northerly extension of the East line of said Lot 1; thence S00°15'04"E, along said Northerly extension, a distance of 30.00 feet, more or less, to the point of beginning.

Containing 12,918.51 square feet, or 0.297 acres, more or less, as described.

See Exhibit "A" attached hereto and incorporated by this reference as if fully set forth.

Provided, however, that the Peach Street of way vacated hereby in said Parcel No.'s 1 and 2 is reserved as a multipurpose easement for the use of City approved public utilities as a perpetual easement for the installation, operation, maintenance and repair of utilities and appurtenances including, but not limited to, electric lines, cable TV lines,



natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, equivalent other public utility providers and appurtenant facilities.

Also provided that all of said Parcel No. 1 and the north 117.00 feet of said Parcel No. 2 be reserved as an ingress/egress easement for the use of the public.

Also provided that said the East/West alley within said Parcel 3 herein vacated be reserved as a multipurpose easement for the use of City-approved utilities and public providers as a perpetual easement for the installation, operation, maintenance and repair of utilities and appurtenances including, but not limited to, electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, traffic control facilities, street lighting, landscaping, trees and grade structures.

Also provided that said Parcels 4 through 9 herein vacated be reserved as multipurpose easements for the use of City-approved utilities and public providers as perpetual easements for the installation, operation, maintenance and repair of utilities and appurtenances including, but not limited to, electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, traffic control facilities, street lighting, landscaping, trees and grade structures.

Introduced for first reading on this \_\_\_\_\_ day of \_\_\_\_\_, 2007

PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

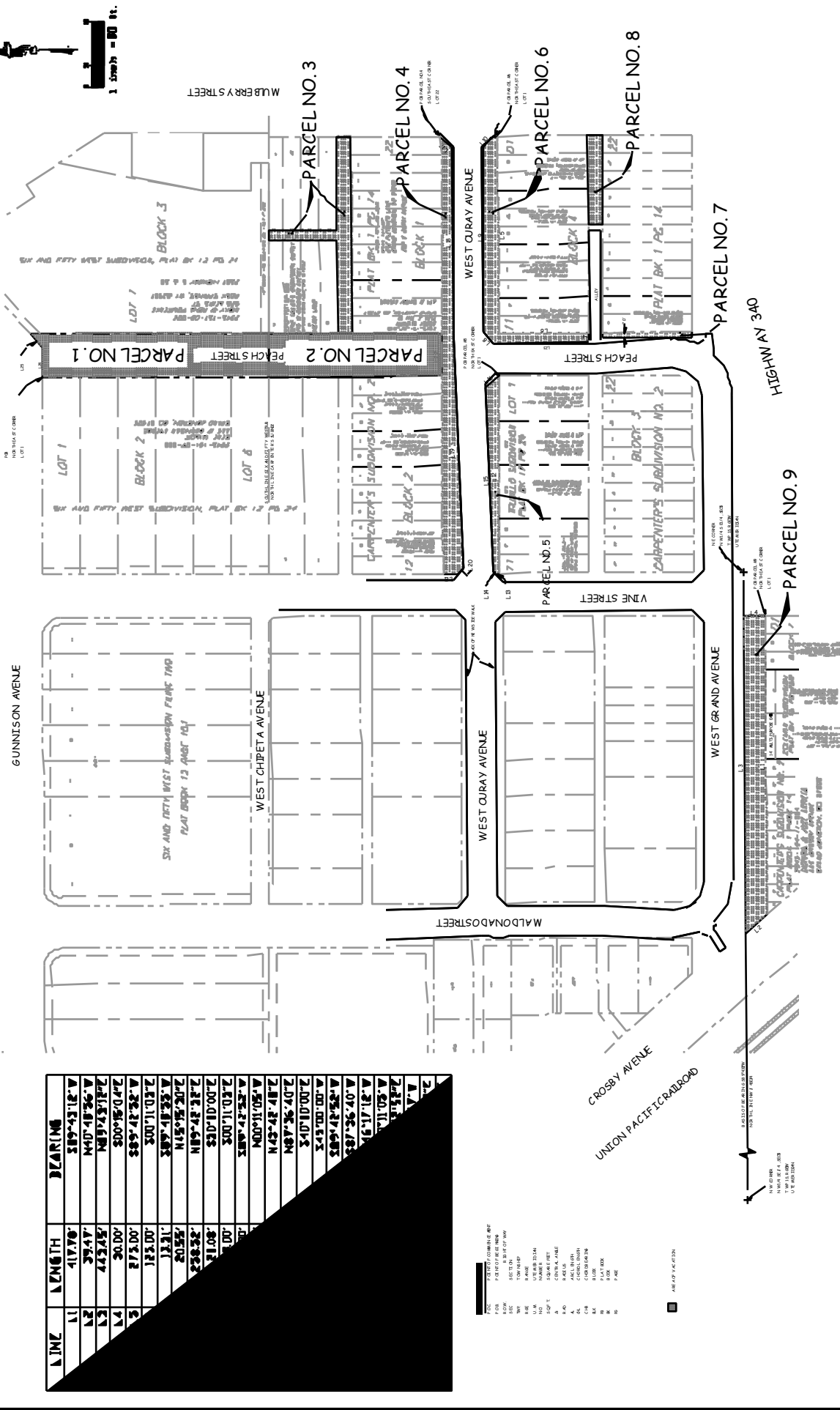
ATTEST:

\_\_\_\_\_  
President of City Council

\_\_\_\_\_  
City Clerk

# Exhibit A

## EL POSO ROW VACATION



| LINE | LENGTH      | BEARING     |
|------|-------------|-------------|
| 11   | 417.70      | S89°43'12"W |
| 12   | 39.47       | N40°48'36"W |
| 13   | 443.45      | N81°43'18"W |
| 14   | 30.00       | S00°36'04"E |
| 15   | 873.00      | S89°48'32"W |
| 16   | 183.00      | S00°11'03"E |
| 17   | 20.55       | S89°48'32"W |
| 18   | 228.35      | N89°48'32"W |
| 19   | 21.08       | S10°10'00"E |
| 20   | 100.00      | S00°11'03"E |
| 21   | 100.00      | N00°11'05"W |
| 22   | 143°48'48"E | N43°48'48"E |
| 23   | 187°36'40"E | N87°36'40"E |
| 24   | 349°00'00"W | S49°00'00"W |
| 25   | 589°48'32"W | S89°48'32"W |
| 26   | 587°36'40"W | S87°36'40"W |
| 27   | 15°17'12"W  | S15°17'12"W |
| 28   | 11°03'12"W  | S11°03'12"W |
| 29   | 11°03'12"W  | S11°03'12"W |
| 30   | 11°03'12"W  | S11°03'12"W |
| 31   | 11°03'12"W  | S11°03'12"W |
| 32   | 11°03'12"W  | S11°03'12"W |
| 33   | 11°03'12"W  | S11°03'12"W |
| 34   | 11°03'12"W  | S11°03'12"W |
| 35   | 11°03'12"W  | S11°03'12"W |
| 36   | 11°03'12"W  | S11°03'12"W |
| 37   | 11°03'12"W  | S11°03'12"W |
| 38   | 11°03'12"W  | S11°03'12"W |
| 39   | 11°03'12"W  | S11°03'12"W |
| 40   | 11°03'12"W  | S11°03'12"W |
| 41   | 11°03'12"W  | S11°03'12"W |
| 42   | 11°03'12"W  | S11°03'12"W |
| 43   | 11°03'12"W  | S11°03'12"W |
| 44   | 11°03'12"W  | S11°03'12"W |
| 45   | 11°03'12"W  | S11°03'12"W |
| 46   | 11°03'12"W  | S11°03'12"W |
| 47   | 11°03'12"W  | S11°03'12"W |
| 48   | 11°03'12"W  | S11°03'12"W |
| 49   | 11°03'12"W  | S11°03'12"W |
| 50   | 11°03'12"W  | S11°03'12"W |
| 51   | 11°03'12"W  | S11°03'12"W |
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| 54   | 11°03'12"W  | S11°03'12"W |
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| 59   | 11°03'12"W  | S11°03'12"W |
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| 64   | 11°03'12"W  | S11°03'12"W |
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| 69   | 11°03'12"W  | S11°03'12"W |
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| 80   | 11°03'12"W  | S11°03'12"W |
| 81   | 11°03'12"W  | S11°03'12"W |
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| 84   | 11°03'12"W  | S11°03'12"W |
| 85   | 11°03'12"W  | S11°03'12"W |
| 86   | 11°03'12"W  | S11°03'12"W |
| 87   | 11°03'12"W  | S11°03'12"W |
| 88   | 11°03'12"W  | S11°03'12"W |
| 89   | 11°03'12"W  | S11°03'12"W |
| 90   | 11°03'12"W  | S11°03'12"W |
| 91   | 11°03'12"W  | S11°03'12"W |
| 92   | 11°03'12"W  | S11°03'12"W |
| 93   | 11°03'12"W  | S11°03'12"W |
| 94   | 11°03'12"W  | S11°03'12"W |
| 95   | 11°03'12"W  | S11°03'12"W |
| 96   | 11°03'12"W  | S11°03'12"W |
| 97   | 11°03'12"W  | S11°03'12"W |
| 98   | 11°03'12"W  | S11°03'12"W |
| 99   | 11°03'12"W  | S11°03'12"W |
| 100  | 11°03'12"W  | S11°03'12"W |

PREPARED BY: [Signature]  
 DATE: [Date]  
 PROJECT: EL POSO ROW VACATION  
 SCALE: AS SHOWN  
 SHEET NO. 1 OF 1  
 DRAWING NO. [Number]

PUBLIC WORKS AND UTILITIES REAL ESTATE DIVISION  
 FIELD JUNCTION  
 serving the community  
 FL POSO ROW VACATION  
 SHEET NO. 1 OF 1  
 DATE: [Date]

**Attach 7**  
**Setting a Hearing on Zoning the Hall 22 Road Commercial Annexation**  
**CITY OF GRAND JUNCTION**

| CITY COUNCIL AGENDA                   |   |     |                      |     |                    |                                 |
|---------------------------------------|---|-----|----------------------|-----|--------------------|---------------------------------|
| <b>Subject</b>                        | Zoning the Hall 22 Road Commercial Annexation, located at 778.22 Road |     |                      |     |                    |                                 |
| <b>Meeting Date</b>                   | February 21, 2007   |     |                      |     |                    |                                 |
| <b>Date Prepared</b>                  | February 15, 2007   |     |                      |     | File #GPA-2006-240 |                                 |
| <b>Author</b>                         | Senta L. Costello   |     | Associate Planner    |     |                    |                                 |
| <b>Presenter Name</b>                 | David Thornton  |     | Principal Planner    |     |                    |                                 |
| <b>Report results back to Council</b> | X   | No  |                      | Yes | <b>When</b>        |                                 |
| <b>Citizen Presentation</b>           |   | Yes | X                    | No  | <b>Name</b>        |                                 |
|                                       | <b>Workshop</b>   | X   | <b>Formal Agenda</b> | X   | <b>Consent</b>     | <b>Individual Consideration</b> |

**Summary:** Request to zone the 52.15 acre Hall 22 Road Commercial Annexation, located at 778 22 Road, to I-1 (Light Industrial).

**Budget:** N/A

**Action Requested/Recommendation:** Introduce a proposed ordinance and set a public hearing for March 7, 2007.

**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**

|                                     |              |   |  |           |
|-------------------------------------|--------------|---|--|-----------|
| <b>Location:</b>                    |              | 778 22 Road   |  |           |
| <b>Applicants:</b>                  |              | Owner: W.T. Hall and Gaynell D. Colaric, W.T. Hall and Norma Hall; Developer/Representative: HallCO, LLC – Douglas A. Colaric |  |           |
| <b>Existing Land Use:</b>           |              | Vacant / Storage  |  |           |
| <b>Proposed Land Use:</b>           |              | Commercial / Industrial   |  |           |
| <b>Surrounding Land Use:</b>        | <b>North</b> | Warehousing/Storage/Residential/Vacant  |  |           |
|                                     | <b>South</b> | Warehousing/Storage   |  |           |
|                                     | <b>East</b>  | Vacant  |  |           |
|                                     | <b>West</b>  | Vacant/Residential  |  |           |
| <b>Existing Zoning:</b>             |              | County Planned Industrial/AFT   |  |           |
| <b>Proposed Zoning:</b>             |              | City I-1  |  |           |
| <b>Surrounding Zoning:</b>          | <b>North</b> | County Planned Industrial   |  |           |
|                                     | <b>South</b> | City I-1  |  |           |
|                                     | <b>East</b>  | County AFT  |  |           |
|                                     | <b>West</b>  | City I-1  |  |           |
| <b>Growth Plan Designation:</b>     |              | Commercial /Industrial  |  |           |
| <b>Zoning within density range?</b> | X            | <b>Yes</b>  |  | <b>No</b> |

**Staff Analysis:**

**Background:**

The Hall 22 Road Commercial Annexation was approved by City Council on December 6, 2006. The effective date of the annexation was January 7, 2007. The Future Land Use Map was amended on January 3, 2007 by the City Council to reflect a Commercial/Industrial land use category for the entire site.

On March 22, 2006 the City Council and Mesa County Board of County Commissioners approved changes to the Persigo 201 sewer service boundary. The boundary change includes this property.

Mesa County rezoned these two properties from AFT to Planned Industrial in 1981, the current county zoning for both properties. Both properties are proposed for future light industrial with no specific plans for the site.

The request to zone the two parcels, totaling 52.15 acres, to a Light Industrial (I-1) will allow the property owners to combine the properties with a third adjacent property to the west and south which is already zoned I -1 in the City.

A neighborhood meeting was held August 14, 2006 with four people in attendance. At the time of this staff report there has been no noted public opposition to this Zoning request.

**Zone of Annexation:** The requested zone of annexation to the I-1 district is consistent with the Growth Plan designation of Commercial / Industrial. The existing County zoning is AFT/PI (Planned Industrial). 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 amendment is consistent with the following goals and policies of the Growth Plan:

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

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

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

Policy 5.2: The City will encourage development that uses existing facilities and is compatible with existing development.

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

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

- 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: The City continues to hear from the industrial community that there is an inadequate supply of available industrial land within the Grand Junction area. Zoning the Hall property I-1 will add additional needed industrial land opportunities for the future growth of our community.

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.

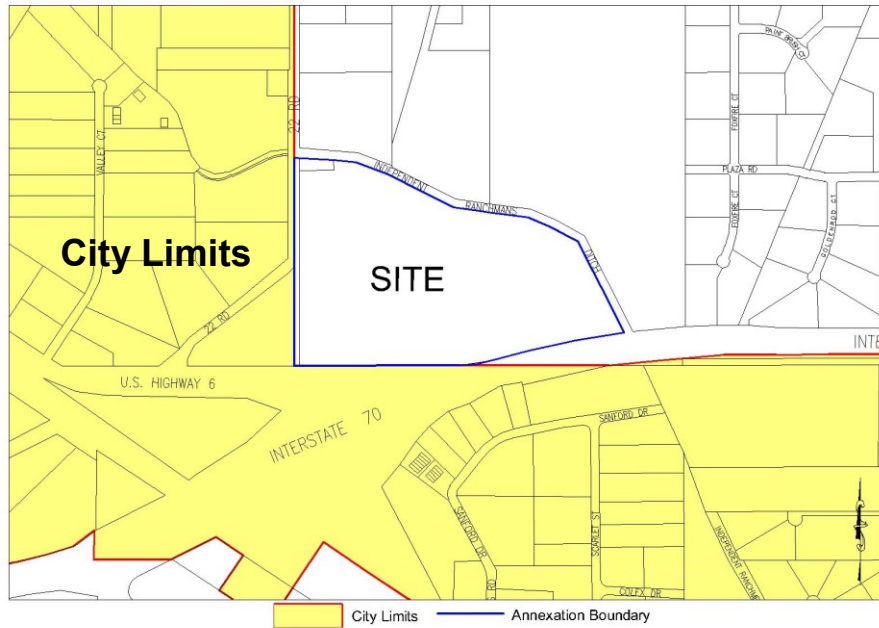
- a. **C-2**
- b. **I-O**
- c. **M-U**

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 I-1 district to be consistent with the Growth Plan and Sections 2.6 and 2.14 of the Zoning and Development Code.

# Site Location Map

Figure 1



# Aerial Photo Map

Figure 2







**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE ZONING THE HALL 22 ROAD COMMERCIAL ANNEXATION TO  
I-1**

**LOCATED AT 778 22 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 Hall 22 Road Commercial Annexation to the I-1 zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

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

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

The following property be zoned I-1 (Light Industrial).

A certain parcel of land located in the South half of the Northwest Quarter (S 1/2 NW 1/4) and the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section 31, Township 1 North, Range 1 West, of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the Southwest corner of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 31 and assuming the West line of the Northwest Quarter (NW 1/4) of said Section 31 to bear N00°05'21"E with all bearings contained herein relative thereto; thence N00°05'21"E along the West line a distance of 1,320.86 feet to the Northwest corner of the SW 1/4 NW 1/4 of said Section 31; thence N00°05'12"E along said West line of the NW 1/4 NW 1/4 a distance of 98.95 feet; thence S85°01'27"E a distance of 425.22 feet; thence S74°31'00"E a distance of 116.13 feet; thence S62°52'11"E a distance of 152.99 feet; thence S63°32'38"E a distance of 99.76 feet; thence S62°29'52"E a distance of 334.39 feet; thence S77°35'34"E a distance of 162.47 feet; thence S84°45'59"E a distance of 191.68 feet; thence S80°51'35"E a distance of 82.63 feet; thence S73°43'16"E a distance of 98.15

feet; thence S66°33'42"E a distance of 123.73 feet; thence S63°00'06"E a distance of 176.30 feet; thence S53°55'23"E a distance of 65.91 feet; thence S34°37'34"E a distance of 82.60 feet; thence S26°31'10"E a distance of 282.99 feet; thence S23°47'59"E a distance of 252.23 feet; thence S23°47'46"E a distance of 72.41 feet to a point on the North line of Interstate 70; thence along the North line of Interstate 70 right of way, 699.68 feet along the arc of a 5,830.00 foot radius curve concave Southeast, having a central angle of 06°52'35" and a chord that bears S79°43'58"W a distance 699.26 feet; thence continuing along said North line S75°28'24"W a distance of 247.30 feet; thence continuing along said North line 112.42 feet along the arc of a 2,242.00 foot radius curve concave Northwest, having a central angle of 02°52'23" and a chord that bears S80°52'46"W a distance 112.41 feet to a point on the South line of the SW 1/4 NW 1/4 of said Section 31; thence N89°58'33"W along said South line a distance of 1,174.89 feet, more or less, to the Point of Beginning.

Said parcel contains 52.15 acres (2,271,868 square feet), more or less, as described.

**INTRODUCED** on first reading the \_\_\_\_ day of \_\_\_\_\_, 2007 and ordered published.

**ADOPTED** on second reading the \_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:

\_\_\_\_\_  
President of the Council

\_\_\_\_\_  
City Clerk

**Attach 8**  
**Setting a Hearing on Zoning the Kelley Annexation**  
**CITY OF GRAND JUNCTION**

| CITY COUNCIL AGENDA                   |                 |   |                      |                                     |                                     |                |                                 |
|---------------------------------------|-----------------|---|----------------------|-------------------------------------|-------------------------------------|----------------|---------------------------------|
| <b>Subject</b>                        |                 | Zoning the Kelley Annexation, located at 849 21 ½ Road. |                      |                                     |                                     |                |                                 |
| <b>Meeting Date</b>                   |                 | February 21, 2007                                       |                      |                                     |                                     |                |                                 |
| <b>Date Prepared</b>                  |                 | February 15, 2007                                       |                      |                                     | File #GPA-2006-249                  |                |                                 |
| <b>Author</b>                         |                 | Senta L. Costello                                       |                      | Associate Planner                   |                                     |                |                                 |
| <b>Presenter Name</b>                 |                 | David Thornton  |                      | Principal Planner                   |                                     |                |                                 |
| <b>Report results back to Council</b> |                 | <input checked="" type="checkbox"/>                     | <b>No</b>            | <input type="checkbox"/>            | <b>Yes</b>                          | <b>When</b>    |                                 |
| <b>Citizen Presentation</b>           |                 | <input type="checkbox"/>                                | <b>Yes</b>           | <input checked="" type="checkbox"/> | <b>No</b>                           | <b>Name</b>    |                                 |
| <input checked="" type="checkbox"/>   | <b>Workshop</b> | <input checked="" type="checkbox"/>                     | <b>Formal Agenda</b> |                                     | <input checked="" type="checkbox"/> | <b>Consent</b> | <b>Individual Consideration</b> |

**Summary:** Request to zone the 14.27 acre Kelley Annexation, located at 849 21 ½ Road, to I-1 (Light Industrial).

**Budget:** N/A

**Action Requested/Recommendation:** Introduce a proposed ordinance and set a public hearing for March 7, 2007.

**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 |              |  |            |
|---------------------------------------|--------------|--|------------|
| <b>Location:</b>                      |              | 849 21 ½ Road  |            |
| <b>Applicants:</b>                    |              | Owner/Developer: Randi L. and Coreen D. Kelley<br>Representative: Brian Bray |            |
| <b>Existing Land Use:</b>             |              | Residential/Agricultural   |            |
| <b>Proposed Land Use:</b>             |              | Commercial/Industrial  |            |
| <b>Surrounding Land Use:</b>          | <b>North</b> | Residential/Agricultural   |            |
|                                       | <b>South</b> | Vacant   |            |
|                                       | <b>East</b>  | Commercial/Industrial  |            |
|                                       | <b>West</b>  | Residential/Agricultural   |            |
| <b>Existing Zoning:</b>               |              | County AFT   |            |
| <b>Proposed Zoning:</b>               |              | City I-1   |            |
| <b>Surrounding Zoning:</b>            | <b>North</b> | County AFT   |            |
|                                       | <b>South</b> | County PUD – Undeveloped   |            |
|                                       | <b>East</b>  | County PUD – Commercial/Industrial type use                                  |            |
|                                       | <b>West</b>  | County AFT   |            |
| <b>Growth Plan Designation:</b>       |              | Commercial/Industrial  |            |
| <b>Zoning within density range?</b>   |              | <b>X</b>   | <b>Yes</b> |
|                                       |              |  | <b>No</b>  |

**Staff Analysis:**

**BACKGROUND:**

The Kelley Annexation was approved by City Council on November 15, 2006. The effective date of the annexation was December 17, 2006. The Future Land Use map was amended by City Council on January 3, 2007 to reflect a Commercial/Industrial land use category for this property.

This request is to zone one parcel of land totaling 10.7 acres to a Light Industrial (I-1) zone district. The area north of H Road to approximately the H ½ Road alignment has historically been zoned and developed for light industrial land uses in unincorporated Mesa County. This property is bordered by such zoning and land uses to the south and east.

On March 22, 2006 the City Council and Mesa County Board of County Commissioners approved changes to the Persigo 201 sewer service boundary. The boundary change includes this property.

A neighborhood meeting was held September 27, 2006 with approximately ten people in attendance. At the time of this staff report there has been no noted public opposition to this Zoning request.

**Zone of Annexation:** The requested zone of annexation to the I-1 district is consistent with the Growth Plan designation of Commercial / Industrial. The existing County zoning is AFT. 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 amendment is consistent with the following goals and policies of the Growth Plan:

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

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

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

Policy 5.2: The City will encourage development that uses existing facilities and is compatible with existing development.

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

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

- 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: The City continues to hear from the industrial community that there is an inadequate supply of available industrial land within the Grand Junction area. Zoning the Kelley property I-1 will add additional needed industrial land opportunities for the future growth of our community.

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. **C-2**
- e. **I-O**
- f. **M-U**

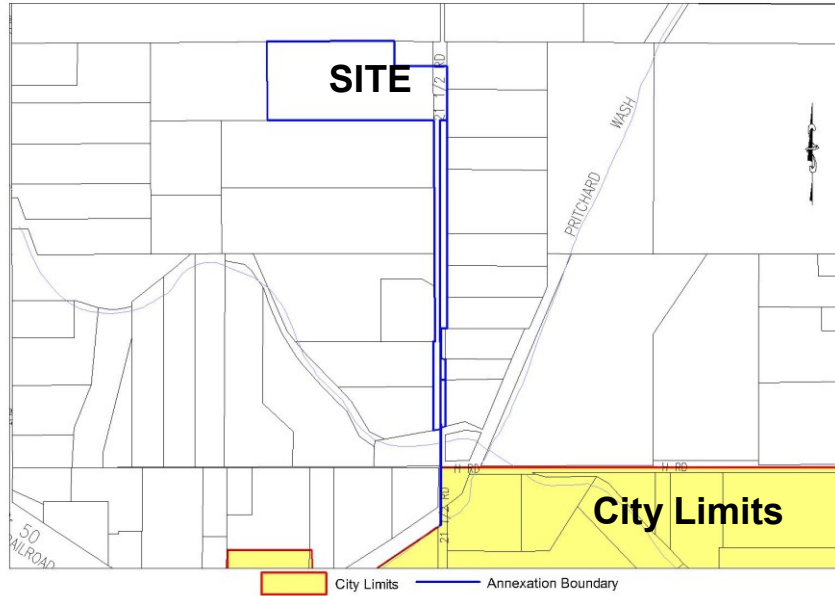
If the City Council chooses to recommend one of the alternative zone designations, specific alternative findings must be made.

**PLANNING COMMISSION RECOMMENDATION:** The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the I-1 district to be consistent with the Growth Plan and Sections 2.6 and 2.14 of the Zoning and Development Code.

# Site Location Map

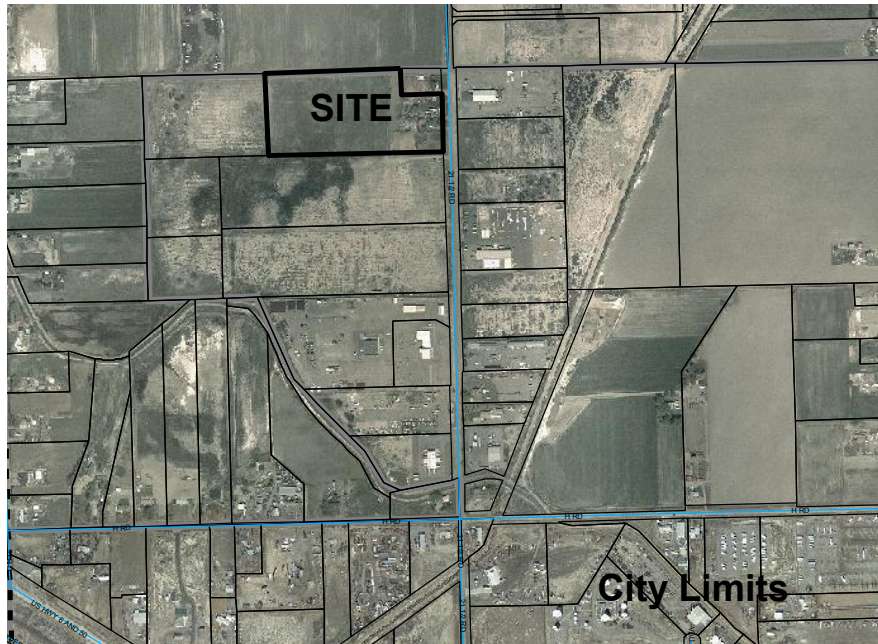
Figure 1

Kelley Annexations #1-3



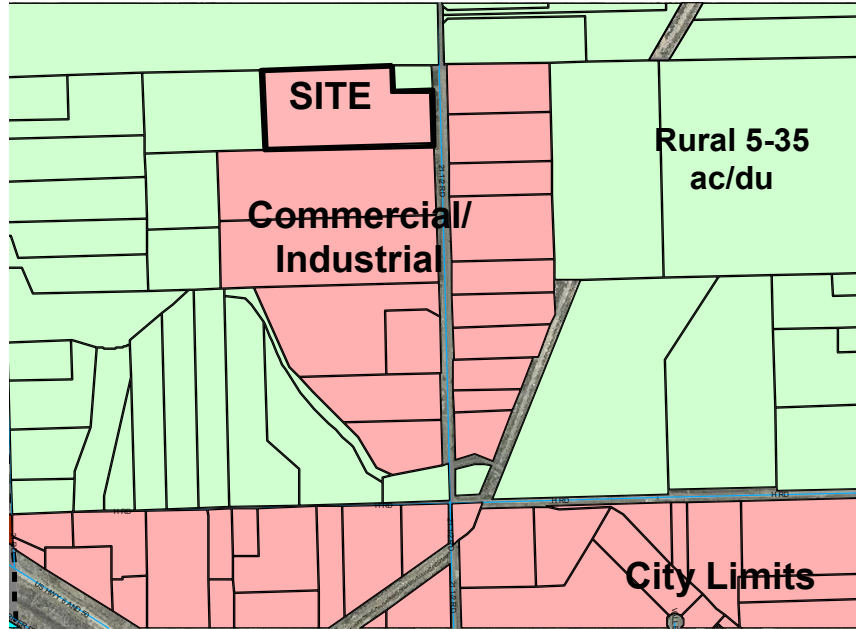
# Aerial Photo Map

Figure 2



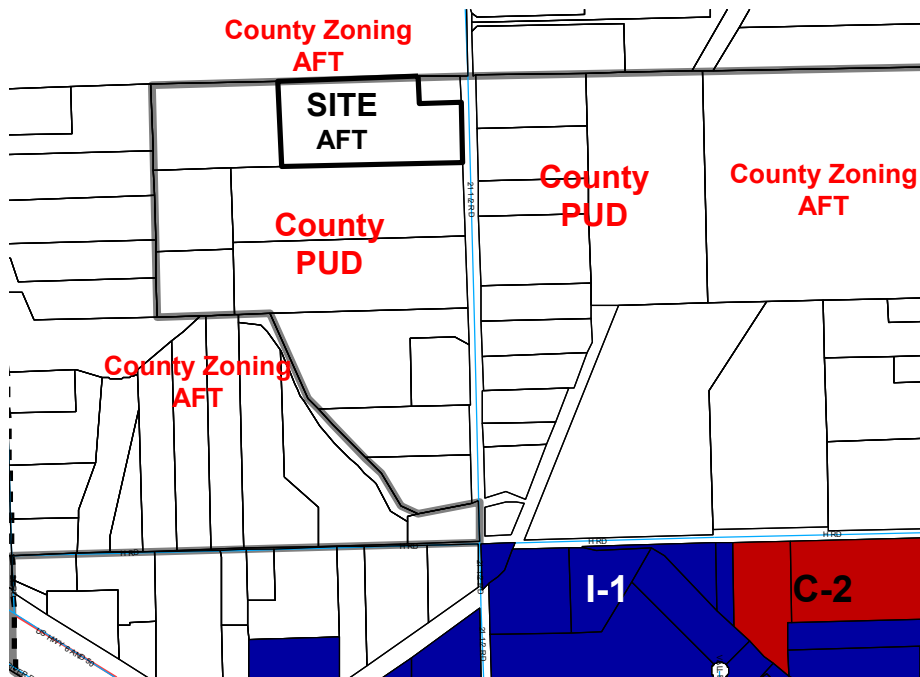
# Future Land Use Map

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."



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE ZONING THE KELLEY ANNEXATION TO  
I-1**

**LOCATED AT 849 21 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 Kelley Annexation to the I-1 zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

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

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

The following property be zoned I-1 (Light Industrial).

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.

And also

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.

And also

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.

**INTRODUCED** on first reading the \_\_\_\_ day of \_\_\_\_\_, 2007 and ordered published.

**ADOPTED** on second reading the \_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:

\_\_\_\_\_  
President of the Council

\_\_\_\_\_  
City Clerk

**Attach 9**

**Setting a Hearing on Rezoning Property Located at 641 Horizon Drive  
CITY OF GRAND JUNCTION**

| CITY COUNCIL AGENDA                   |   |     |                      |                    |                |                                 |
|---------------------------------------|---|-----|----------------------|--------------------|----------------|---------------------------------|
| <b>Subject</b>                        | Rezoning a property located at 641 Horizon Drive. |     |                      |                    |                |                                 |
| <b>Meeting Date</b>                   | February 21, 2007                                 |     |                      |                    |                |                                 |
| <b>Date Prepared</b>                  | February , 2007                                   |     |                      | File #PFP-2006-296 |                |                                 |
| <b>Author</b>                         | Ken Kovalchik                                     |     | Senior Planner       |                    |                |                                 |
| <b>Presenter Name</b>                 | Ken Kovalchik                                     |     | Senior Planner       |                    |                |                                 |
| <b>Report results back to Council</b> | X   | No  |                      | Yes                | When           |                                 |
| <b>Citizen Presentation</b>           |   | Yes | X                    | No                 | Name           |                                 |
|                                       | <b>Workshop</b>                                   | X   | <b>Formal Agenda</b> | X                  | <b>Consent</b> | <b>Individual Consideration</b> |

**Summary:** Request approval of a rezone of 7.47 acres from RSF-1 (Residential Single Family 1 du/ac) to RSF-4 (Residential Single Family 4 du/ac). If approved the applicant is proposing a 4 lot single-family subdivision on 1 acre of land. The remaining acreage will remain in its current use as a church. The applicant has submitted a preliminary/final plan in conjunction with the rezone application. The preliminary plan will be presented to the Planning Commission upon approval of the rezone.

**Budget:** N/A

**Action Requested/Recommendation:** Introduce a proposed ordinance and set a public hearing for March 7, 2007.

**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**

|                                     |              |   |            |           |
|-------------------------------------|--------------|---|------------|-----------|
| <b>Location:</b>                    |              | Northeast corner 26 ½ Road and Horizon Drive.   |            |           |
| <b>Applicants:</b>                  |              | Property Owner: International Church of Foursquare<br>Representative: Ennis Consulting and Investments, LLC.  |            |           |
| <b>Existing Land Use:</b>           |              | Church  |            |           |
| <b>Proposed Land Use:</b>           |              | 4 lot single-family subdivision   |            |           |
| <b>Surrounding Land Use:</b>        | <b>North</b> | Grand Valley Canal, Single-family residential   |            |           |
|                                     | <b>South</b> | Single-family residential, vacant (St. Paul Evangelical Lutheran Church Subdivision)                          |            |           |
|                                     | <b>East</b>  | Single family residential (Foursquare Minor Subdivision), vacant, multi-family residential (Westwood Estates) |            |           |
|                                     | <b>West</b>  | vacant  |            |           |
| <b>Existing Zoning:</b>             |              | RSF-1   |            |           |
| <b>Proposed Zoning:</b>             |              | RSF-4   |            |           |
| <b>Surrounding Zoning:</b>          | <b>North</b> | RSF-1   |            |           |
|                                     | <b>South</b> | RSF-1 and R-O   |            |           |
|                                     | <b>East</b>  | RSF-1 and PD  |            |           |
|                                     | <b>West</b>  | RSF-1 and RSF-2   |            |           |
| <b>Growth Plan Designation:</b>     |              | Residential Medium (4-8 du/ac)  |            |           |
| <b>Zoning within density range?</b> |              | <b>X</b>  | <b>Yes</b> | <b>No</b> |

**Staff Analysis:**

The request is to rezone the subject parcel from the RSF-1 zone district to the RSF-4 zone district. If approved the applicant is proposing a 4 lot single-family subdivision on 1 acre of land. The remaining acreage will remain in its current use as a church. The

applicant has submitted a preliminary/final plan in conjunction with the rezone application. The preliminary plan will be presented to the Planning Commission upon approval of the rezone.

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.

Applicant's Response: This property is surrounded on three sides by residential development. To the south are high density condo units; to the west are similar single-family residences as this development and to the north, larger residential acreages. To the east are single-family homes on various sized lots. The proposed development blends in very well to the neighborhood and acts as a transition to the higher density lots.

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

Applicants Response: All public services are provided and creates no hardship concerning availability.

Staffs 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.

Staff's Response: Staff finds the RSF-4 zone will provide a higher density development than the current zoning. The proposed zone district will allow for more compact development.

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. RMF-5
- h. 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 RSF-4 district to be consistent with the Growth Plan and Sections 2.6 and 2.14 of the Zoning and Development Code.



# Site Location Map

Figure 1



# Aerial Photo Map

Figure 2



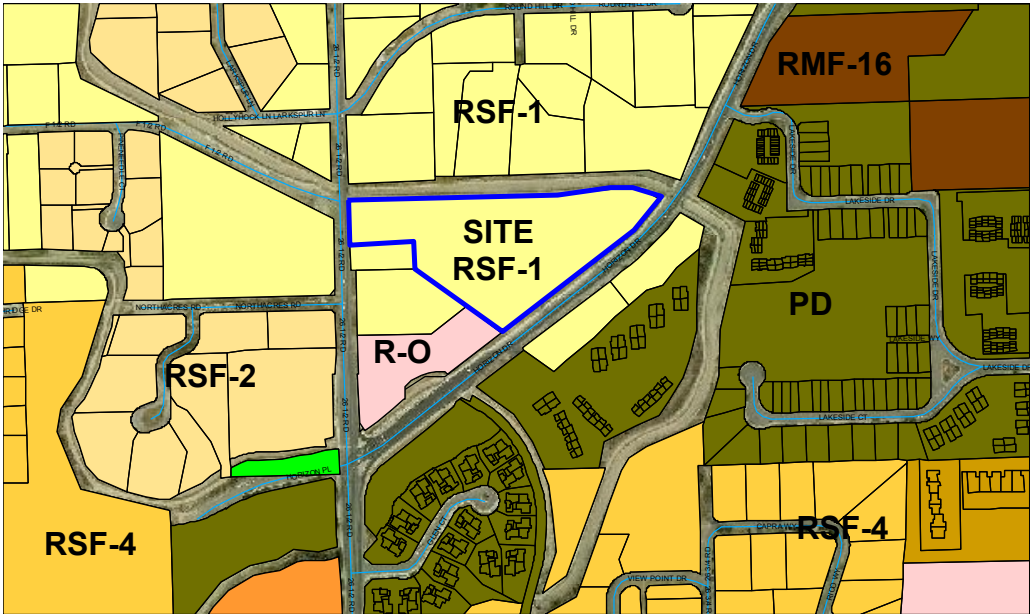
# Future Land Use Map

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 REZONING THE LOGAN CREEK SUBDIVISION  
FROM RSF-1 TO RSF-4**

**LOCATED AT 641 HORIZON DRIVE**

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Logan Creek Subdivision 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).

A PARCEL OF LAND SITUATED IN THE SE1/4 OF SECTION 2, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE PRINCIPAL MERIDIAN, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 1, FOURSQUARE MINOR SUBDIVISION THEREOF RECORDED ON OCTOBER 28, 1994 IN PLAT BOOK 14 AT PAGE 290 AS RECEPTION NO 1699442 IN THE MESA COUNTY CLERK AND RECORDER'S OFFICE.  
SAID PARCEL OF LAND CONTAINING 7.480 ACRES, MORE OR LESS.

TOGETHER WITH: CANAL TRACT A

A PARCEL OF LAND SITUATED IN THE SE1/4 OF SECTION 2, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO; SAID PARCEL BOUNDARY BEING SOUTHERLY OF THE CENTERLINE OF THE GRAND VALLEY HIGHLINE CANAL,

WESTERLY OF HORIZON DRIVE, EASTERLY OF 26 1/2 ROAD, NORTHERLY OF LOT 1, FOUR SQUARE SUBDIVISION THEREOF RECORDED AS RECEPTION NO. 1699442 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER 1/4 CORNER OF SAID SECTION 2; THENCE S00°01'20"W ALONG THE WESTERLY BOUNDARY OF SAID SE 1/4 A DISTANCE OF 311.26 FEET; THENCE LEAVING SAID WESTERLY BOUNDARY S89°44'00"E A DISTANCE OF 30.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF 26 1/2 ROAD SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT 1, FOURSQUARE SUBDIVISION RECORDED OCTOBER 28, 1994 AS RECEPTION NO. 1699442 IN THE MESA COUNTY CLERK AND RECORDER'S OFFICE, THE POINT OF BEGINNING; THENCE N00°01'20"E A DISTANCE OF 42.89 FEET TO A POINT IN THE CENTERLINE OF GRAND VALLEY HIGHLINE CANAL; THENCE ALONG SAID CENTERLINE THE FOLLOWING FIVE (5) COURSES:

- 1). S87°13'45"E A DISTANCE OF 69.89 FEET
- 2). N89°50'41"E A DISTANCE OF 143.70 FEET
- 3). N89°15'23"E A DISTANCE OF 244.92 FEET
- 4). N89°23'42"E A DISTANCE OF 223.79 FEET
- 5). N87°57'00"E A DISTANCE OF 187.62 FEET TO THE SOUTHWEST CORNER OF A PARCEL OF LAND RECORDED AT BOOK 3695 PAGE 712 IN THE MESA COUNTY CLERK AND RECORDER'S OFFICE; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID PARCEL THE FOLLOWING FOUR (4) COURSES:

- 1). N87°50'12"E A DISTANCE OF 162.94 FEET
- 2). S77°31'18"E A DISTANCE OF 17.48 FEET
- 3). S76°48'39"E A DISTANCE OF 69.51 FEET
- 4). S63°08'07"E A DISTANCE OF 63.15 FEET TO A POINT ON THE NORTHWESTERLY RIGHT OF WAY OF HORIZON DRIVE AS RECORDED AT BOOK 3604, PAGE 460 IN THE MESA COUNTY CLERK AND RECORDER'S OFFICE; THENCE ALONG SAID NORTHWESTERLY RIGHT OF WAY, ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1,096.30 FEET AND A CENTRAL ANGLE OF 2°31'13", A DISTANCE OF 48.22 FEET (CHORD BEARS S38°19'02"W A DISTANCE OF 48.22 FEET) TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE LEAVING SAID NORTHWESTERLY RIGHT OF WAY ALONG THE NORTHERLY BOUNDARY OF SAID LOT 1 THE FOLLOWING FIVE (5) COURSES:

- 1). N57°52'19"W A DISTANCE OF 49.98 FEET
- 2). N77°09'25"W A DISTANCE OF 57.91 FEET
- 3). N87°04'30"W A DISTANCE OF 59.57 FEET
- 3). S85°38'44"W A DISTANCE OF 240.53 FEET
- 4). N89°44'00"W A DISTANCE OF 745.60 FEET TO THE POINT OF BEGINNING. SAID PARCEL OF LAND CONTAINING 1.194 ACRES, MORE OR LESS.

TOGETHER WITH: CANAL TRACT B

A PARCEL OF LAND SITUATED IN THE SE1/4 OF SECTION 2, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO; SAID PARCEL BOUNDARY BEING EASTERLY OF HORIZON DRIVE, NORTHERLY OF LOT 3, FOUR SQUARE SUBDIVISION THEREOF RECORDED AS RECEPTION NO. 1699442, SOUTHERLY OF THE CENTERLINE OF THE GRAND VALLEY HIGHLINE CANAL AND WESTERLY OF THE CENTERLINE OF THE INDEPENDENT RANCHMEN'S DITCH BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1 AS RECORDED AT SAID RECEPTION NO. 1699442; THENCE S57°52'19"E A DISTANCE OF 90.71 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY OF SAID HORIZON DRIVE, SAID POINT ALSO BEING THE NORTHWESTERLY CORNER OF SAID LOT 3, THE POINT OF BEGINNING; THENCE ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1,186.31 FEET AND A CENTRAL ANGLE OF 2°08'30", A DISTANCE OF 44.34 FEET (CHORD BEARS N37°56'19"E A DISTANCE OF 44.34 FEET) TO A POINT IN THE CENTERLINE OF SAID GRAND VALLEY HIGHLINE CANAL; THENCE LEAVING SAID RIGHT-OF-WAY S56°17'19"E ALONG SAID CENTERLINE A DISTANCE OF 84.15 FEET TO A POINT IN THE CENTERLINE OF SAID INDEPENDENT RANCHMEN'S DITCH; THENCE LEAVING SAID CENTERLINE OF THE GRAND VALLEY HIGHLINE CANAL S22°48'29"W ALONG SAID CENTERLINE OF THE INDEPENDENT RANCHMEN'S DITCH A DISTANCE OF 42.34 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF SAID LOT 3; THENCE LEAVING SAID CENTERLINE N57°52'19"W ALONG SAID NORTHERLY BOUNDARY A DISTANCE OF 95.47 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 0.088 ACRES, MORE OR LESS.

CONTAINING 8.762 Acres (381,672 Sq. Ft.), more or less, as described.

**INTRODUCED** on first reading the \_\_\_\_ day of \_\_\_\_\_, 2007 and ordered published.

**ADOPTED** on second reading the \_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:

\_\_\_\_\_  
President of the Council

\_\_\_\_\_  
City Clerk

**Attach 10**  
**Setting a Hearing on the Dyer/Green/Ottenberg Annexation**  
**CITY OF GRAND JUNCTION**

| CITY COUNCIL AGENDA                   |   |     |                      |                   |                    |                |                                 |
|---------------------------------------|---|-----|----------------------|-------------------|--------------------|----------------|---------------------------------|
| <b>Subject</b>                        | Dyer/Green/Ottenberg Annexation - Located at 2981, 2991, 2993 and 2995 B Road |     |                      |                   |                    |                |                                 |
| <b>Meeting Date</b>                   | February 21, 2007   |     |                      |                   |                    |                |                                 |
| <b>Date Prepared</b>                  | February 12, 2007   |     |                      |                   | File #ANX-2007-008 |                |                                 |
| <b>Author</b>                         | Faye Hall   |     |                      | Associate Planner |                    |                |                                 |
| <b>Presenter Name</b>                 | Faye Hall   |     |                      | Associate Planner |                    |                |                                 |
| <b>Report results back to Council</b> | X   | No  |                      | Yes               | <b>When</b>        |                |                                 |
| <b>Citizen Presentation</b>           |   | Yes | X                    | No                | <b>Name</b>        |                |                                 |
|                                       | <b>Workshop</b>   | X   | <b>Formal Agenda</b> |                   | X                  | <b>Consent</b> | <b>Individual Consideration</b> |

**Summary:** Request to annex 18.68 acres, located at 2981, 2991, 2993 and 2995 B Road. The Dyer/Green/Ottenburg Annexation consists of four parcels and is a two part serial annexation.

**Budget:** N/A

**Action Requested/Recommendation:** Adopt a Resolution referring the petition for the Dyer/Green/Ottenburg Annexation and introduce the proposed Ordinances and set a hearing for April 4, 2007.

**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 |              |  |            |  |           |
|---------------------------------------|--------------|--|------------|--|-----------|
| <b>Location:</b>                      |              | 2981, 2991, 2993 and 2995 B Road   |            |  |           |
| <b>Applicants:</b>                    |              | Owners: David and Susan Deppe, Kenneth and Kellie Ottenburg, Thomas and Marcia Dyer, Laura Green<br>Representative: Vortex Engineering Inc – Robert Jones II<br>Developer: Landmark Development Co LLC – Cathy Horen |            |  |           |
| <b>Existing Land Use:</b>             |              | Residential and Agriculture  |            |  |           |
| <b>Proposed Land Use:</b>             |              | Residential  |            |  |           |
| <b>Surrounding Land Use:</b>          | <b>North</b> | Residential – Chipeta Pines Subdivision  |            |  |           |
|                                       | <b>South</b> | Residential  |            |  |           |
|                                       | <b>East</b>  | Residential  |            |  |           |
|                                       | <b>West</b>  | Public – Mesa View Elementary School   |            |  |           |
| <b>Existing Zoning:</b>               |              | County RSF-R   |            |  |           |
| <b>Proposed Zoning:</b>               |              | City RSF-4   |            |  |           |
| <b>Surrounding Zoning:</b>            | <b>North</b> | City PD – 3.9 units per acre   |            |  |           |
|                                       | <b>South</b> | County RSF-R   |            |  |           |
|                                       | <b>East</b>  | City RSF-4   |            |  |           |
|                                       | <b>West</b>  | County RSF-R   |            |  |           |
| <b>Growth Plan Designation:</b>       |              | Residential Medium Low 2-4 du/ac   |            |  |           |
| <b>Zoning within density range?</b>   |              | <b>X</b>   | <b>Yes</b> |  | <b>No</b> |

**Staff Analysis:**

**ANNEXATION:**

This annexation area consists of 18.68 acres of land and is comprised of four 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

Dyer/Green/Ottenburg 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><b>ANNEXATION SCHEDULE</b></i> |   |
|-----------------------------------|---|
| <b>February 21, 2007</b>          | Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use |
| <b>February 27, 2007</b>          | Planning Commission considers Zone of Annexation  |
| <b>March 7, 2007</b>              | Introduction Of A Proposed Ordinance on Zoning by City Council                                  |
| <b>April 4, 2007</b>              | Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council              |
| <b>May 6, 2007</b>                | Effective date of Annexation and Zoning   |

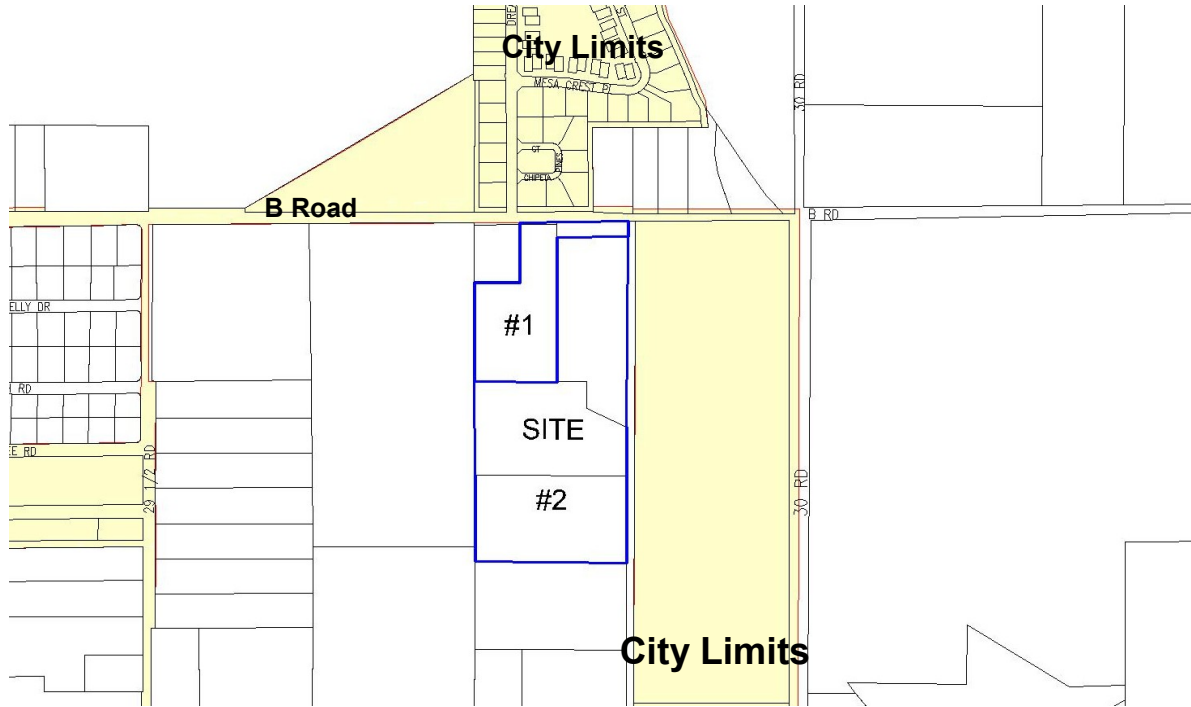


**DYER/GREEN/OTTENBURG ANNEXATION SUMMARY**

|                                       |                                   |                           |
|---------------------------------------|-----------------------------------|---------------------------|
| <b>File Number:</b>                   | ANX-2007-008                      |                           |
| <b>Location:</b>                      | 2981, 2991, 2993 and 2995 B Road  |                           |
| <b>Tax ID Number:</b>                 | 2943-321-00-167, 102, 156 and 157 |                           |
| <b>Parcels:</b>                       | 4                                 |                           |
| <b>Estimated Population:</b>          | 6                                 |                           |
| <b># of Parcels (owner occupied):</b> | 4                                 |                           |
| <b># of Dwelling Units:</b>           | 4                                 |                           |
| <b>Acres land annexed:</b>            | 18.68 acres                       |                           |
| <b>Developable Acres Remaining:</b>   | 18.68 acres                       |                           |
| <b>Right-of-way in Annexation:</b>    | None                              |                           |
| <b>Previous County Zoning:</b>        | County RSF-R                      |                           |
| <b>Proposed City Zoning:</b>          | City RSF-4                        |                           |
| <b>Current Land Use:</b>              | Residential and Agriculture       |                           |
| <b>Future Land Use:</b>               | Residential                       |                           |
| <b>Values:</b>                        | <b>Assessed:</b>                  | \$76,730                  |
|                                       | <b>Actual:</b>                    | \$761,370                 |
| <b>Address Ranges:</b>                | 2981 thru 2995 (odd only) B Road  |                           |
| <b>Special Districts:</b>             | <b>Water:</b>                     | Ute Water                 |
|                                       | <b>Sewer:</b>                     | Orchard Mesa Sanitation   |
|                                       | <b>Fire:</b>                      | Grand Junction Rural Fire |
|                                       | <b>Irrigation/<br/>Drainage:</b>  | Orchard Mesa Irrigation   |
|                                       | <b>School:</b>                    | District 51               |
|                                       | <b>Pest:</b>                      | Grand Valley Mosquito     |

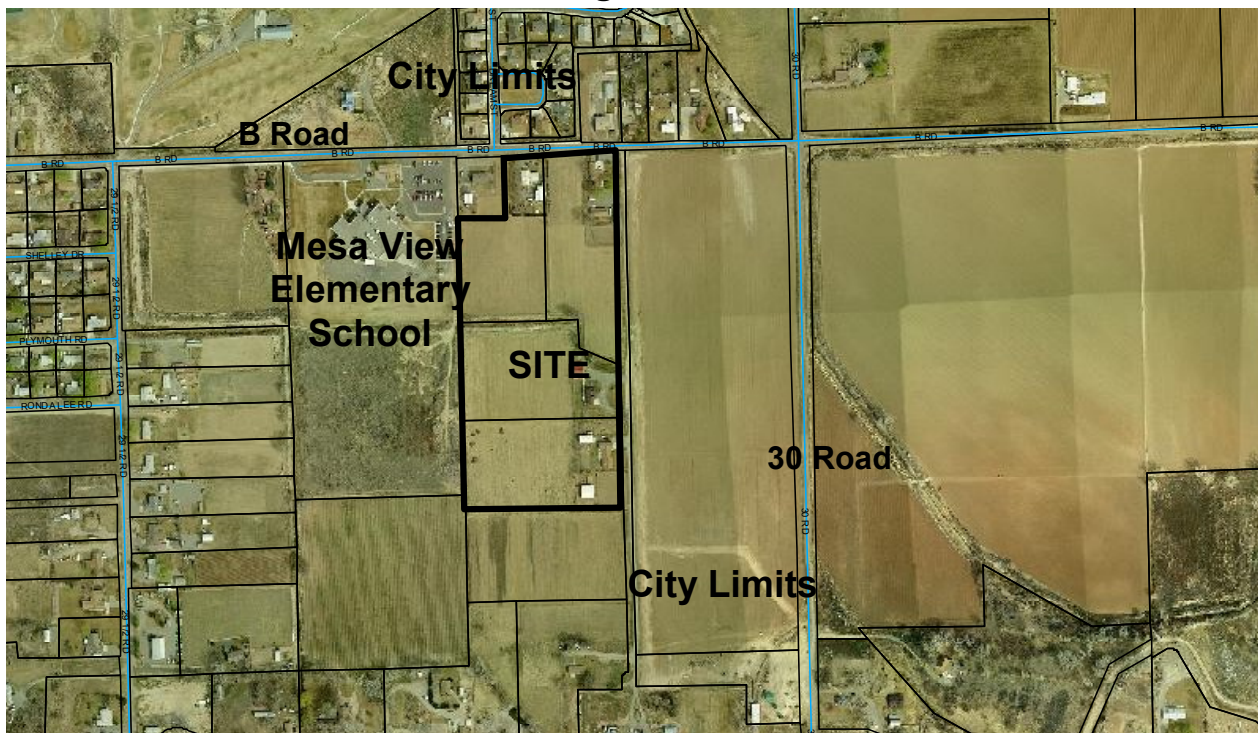
# Site Location Map

Figure 1



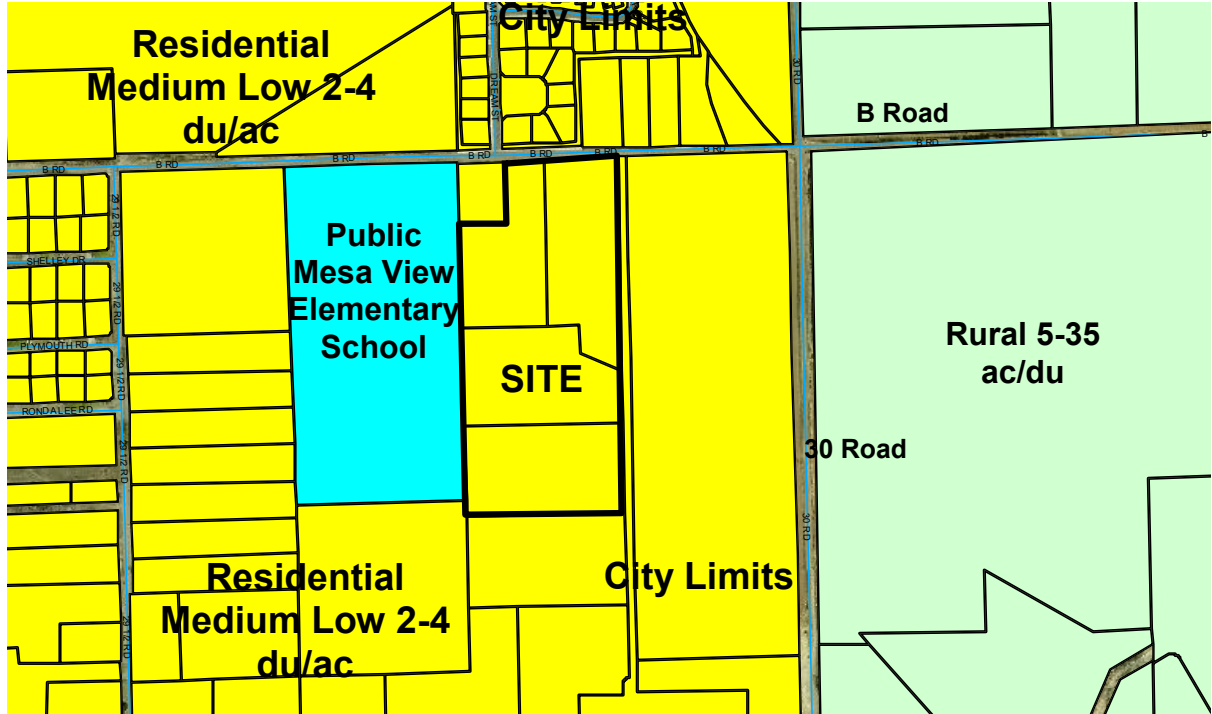
# Aerial Photo Map

Figure 2



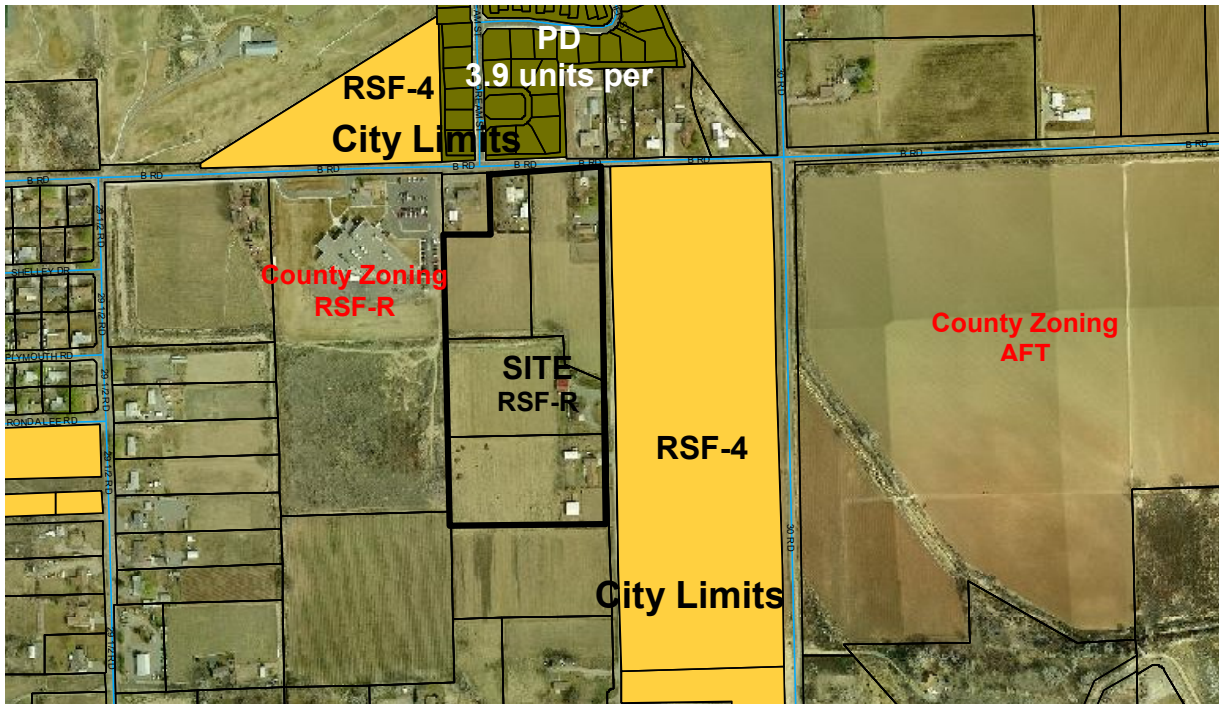
# Future Land Use Map

Figure 3



# Existing City and County Zoning

Figure 4



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

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

**NOTICE IS HEREBY GIVEN** that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 21<sup>st</sup> of February, 2007, 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**

**DYER/GREEN/OTTENBURG ANNEXATION**

**LOCATED AT 2981, 2991, 2993 AND 2995 B ROAD**

WHEREAS, on the 21<sup>st</sup> day of February, 2007, 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:

**DYER/GREEN/OTTENBURG ANNEXATION #1**

A certain parcel of land lying in the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section 32, 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 that certain parcel of land as described in Book 2908, Page 495, Public Records, Mesa County, Colorado, and assuming the North line of said parcel bears N89°52'02"E with all other bearings contained herein being relative thereto; thence S00°15'28"W along the East line of said parcel a distance of 50.00 feet; thence S89°52'02"W a distance of 289.89 feet to a point on the West line of said parcel; thence S00°15'54"W along said West line a distance of 583.49 feet to the Southeast corner of that certain parcel of land as described in Book 3046, Pages 522-523, Public Records, Mesa County, Colorado; thence N89°43'58"W along the South line of said parcel a distance of 335.34 feet to the Southwest corner of said parcel, also being a point on the West line of the NE 1/4 of the NE 1/4 of said Section 32; thence N00°11'54"E along said West line a distance of 397.28 feet to the Southwest corner of that certain parcel of land as described in Book 3065, Page 311, Public Records, Mesa County, Colorado; thence S89°44'21"E along the South line of said parcel a distance of 185.44 feet to the Southeast corner of said parcel; thence N00°15'34"E along the East line of said parcel a distance of 235.14 feet to a point on the South line of B Road; thence N89°52'02"E along said South line being a line 30.00 feet South of and parallel with the North line of the NE 1/4 of the NE 1/4 of said Section 32, a distance of 440.29 feet, more or less, to the Point of Beginning.

Said parcel contains 4.21 acres (183,256 square feet), more or less, as described.

## DYER/GREEN/OTTENBURG ANNEXATION #2

A certain parcel of land lying in the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) and the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section 32, 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 that certain parcel of land as described in Book 2908, Page 495, Public Records, Mesa County, Colorado, and assuming the North line of said parcel bears  $N89^{\circ}52'02''E$  with all other bearings contained herein being relative thereto; thence  $S00^{\circ}15'28''W$  along the East line of said parcel a distance of 50.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning  $S00^{\circ}15'28''W$  along said East line a distance of 1323.16 feet to the Southeast corner of that certain parcel of land as described in Book 3774, Page 184, Public Records, Mesa County, Colorado; thence  $N89^{\circ}44'26''W$  along the South line of said parcel a distance of 624.54 feet to the Southwest corner of said parcel, also being a point on the West line of the SE 1/4 of the NE 1/4 of said Section 32; thence  $N00^{\circ}11'50''E$  along said West line a distance of 80.58 feet to the Northwest corner of the SE 1/4 NE 1/4 of said Section 32; thence  $N00^{\circ}11'54''E$  along the West line of the NE 1/4 of the NE 1/4 of said Section 32 a distance of 1054.43 feet to the Southwest corner of that certain parcel of land as described in Book 3046, Pages 522-523, Public Records, Mesa County, Colorado; thence  $S89^{\circ}43'58''E$  along the South line of said parcel a distance of 335.34 feet to the Southeast corner of said parcel; thence  $N00^{\circ}15'54''E$  along the East line of said parcel a distance of 583.49 feet; thence  $N89^{\circ}52'02''E$  along a line being 80.00 feet South of and parallel with the North line of the NE 1/4 of the NE 1/4 of said Section 32, a distance of 289.89 feet, more or less, to the Point of Beginning.

Said parcel contains 14.47 acres (630,461 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 4<sup>th</sup> day of April, 2007, in the City Hall auditorium, located at 250 North 5<sup>th</sup> 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 \_\_\_\_\_, 2007.

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><b>DATES PUBLISHED</b></i> |
|-------------------------------|
| <b>February 23, 2007</b>      |
| <b>March 2, 2007</b>          |
| <b>March 9, 2007</b>          |
| <b>March 16, 2007</b>         |



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**DYER/GREEN/OTTENBURG ANNEXATION #1**

**APPROXIMATELY 4.21 ACRES**

**LOCATED AT 2981 B ROAD AND A PORTION OF 2991 B ROAD**

**WHEREAS**, on the 21<sup>st</sup> day of February, 2007, 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 4<sup>th</sup> day of April, 2007; 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:

**DYER/GREEN/OTTENBURG ANNEXATION #1**

A certain parcel of land lying in the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section 32, 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 that certain parcel of land as described in Book 2908, Page 495, Public Records, Mesa County, Colorado, and assuming the North line of said parcel bears N89°52'02"E with all other bearings contained herein being relative thereto; thence S00°15'28"W along the East line of said parcel a distance of 50.00 feet; thence S89°52'02"W a distance of 289.89 feet to a point on the West line of said parcel; thence S00°15'54"W along said West line a distance of 583.49 feet to the Southeast corner of that certain parcel of land as described in Book 3046, Pages 522-

523, Public Records, Mesa County, Colorado; thence N89°43'58"W along the South line of said parcel a distance of 335.34 feet to the Southwest corner of said parcel, also being a point on the West line of the NE 1/4 of the NE 1/4 of said Section 32; thence N00°11'54"E along said West line a distance of 397.28 feet to the Southwest corner of that certain parcel of land as described in Book 3065, Page 311, Public Records, Mesa County, Colorado; thence S89°44'21"E along the South line of said parcel a distance of 185.44 feet to the Southeast corner of said parcel; thence N00°15'34"E along the East line of said parcel a distance of 235.14 feet to a point on the South line of B Road; thence N89°52'02"E along said South line being a line 30.00 feet South of and parallel with the North line of the NE 1/4 of the NE 1/4 of said Section 32, a distance of 440.29 feet, more or less, to the Point of Beginning.

Said parcel contains 4.21 acres (183,256 square feet), more or less, as described.

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

**INTRODUCED** on first reading on the \_\_\_\_ day of \_\_\_\_\_, 2007 and ordered published.

**ADOPTED** on second reading the \_\_\_\_ day of \_\_\_\_\_, 2007.

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**

**DYER/GREEN/OTTENBURG ANNEXATION #2**

**APPROXIMATELY 14.47 ACRES**

**LOCATED AT 2993, 2995 AND THE MAJORITY OF 2991 B ROAD**

**WHEREAS**, on the 21<sup>st</sup> day of February, 2007, 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 4<sup>th</sup> day of April, 2007; 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:

**DYER/GREEN/OTTENBURG ANNEXATION #2**

A certain parcel of land lying in the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) and the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section 32, 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 that certain parcel of land as described in Book 2908, Page 495, Public Records, Mesa County, Colorado, and assuming the North line of said parcel bears N89°52'02"E with all other bearings contained herein being relative thereto; thence S00°15'28"W along the East line of said parcel a distance of 50.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning S00°15'28"W along said East line a distance of 1323.16 feet to the Southeast corner of

that certain parcel of land as described in Book 3774, Page 184, Public Records, Mesa County, Colorado; thence N89°44'26"W along the South line of said parcel a distance of 624.54 feet to the Southwest corner of said parcel, also being a point on the West line of the SE 1/4 of the NE 1/4 of said Section 32; thence N00°11'50"E along said West line a distance of 80.58 feet to the Northwest corner of the SE 1/4 NE 1/4 of said Section 32; thence N00°11'54"E along the West line of the NE 1/4 of the NE 1/4 of said Section 32 a distance of 1054.43 feet to the Southwest corner of that certain parcel of land as described in Book 3046, Pages 522-523, Public Records, Mesa County, Colorado; thence S89°43'58"E along the South line of said parcel a distance of 335.34 feet to the Southeast corner of said parcel; thence N00°15'54"E along the East line of said parcel a distance of 583.49 feet; thence N89°52'02"E along a line being 80.00 feet South of and parallel with the North line of the NE 1/4 of the NE 1/4 of said Section 32, a distance of 289.89 feet, more or less, to the Point of Beginning.

Said parcel contains 14.47 acres (630,461 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 \_\_\_\_\_, 2007 and ordered published.

**ADOPTED** on second reading the \_\_\_\_ day of \_\_\_\_\_, 2007.

Attest:

\_\_\_\_\_  
President of the Council

\_\_\_\_\_  
City Clerk

**Attach 11**  
**Setting a Hearing on the Home Lumber Annexation**  
**CITY OF GRAND JUNCTION**

| CITY COUNCIL AGENDA                   |  |     |                      |                   |                    |                |                                 |
|---------------------------------------|--|-----|----------------------|-------------------|--------------------|----------------|---------------------------------|
| <b>Subject</b>                        | Home Lumber Annexation - Located at 2771, 2773 and 2779 D Road |     |                      |                   |                    |                |                                 |
| <b>Meeting Date</b>                   | February 21, 2007  |     |                      |                   |                    |                |                                 |
| <b>Date Prepared</b>                  | February 12, 2007  |     |                      |                   | File #ANX-2006-360 |                |                                 |
| <b>Author</b>                         | Faye Hall  |     |                      | Associate Planner |                    |                |                                 |
| <b>Presenter Name</b>                 | Faye Hall  |     |                      | Associate Planner |                    |                |                                 |
| <b>Report results back to Council</b> | X  | No  |                      | Yes               | <b>When</b>        |                |                                 |
| <b>Citizen Presentation</b>           |  | Yes | X                    | No                | <b>Name</b>        |                |                                 |
|                                       | <b>Workshop</b>  | X   | <b>Formal Agenda</b> |                   | X                  | <b>Consent</b> | <b>Individual Consideration</b> |

**Summary:** Request to annex 15.79 acres, located at 2771, 2773, and 2779 D Road. The Home Lumber Annexation consists of three parcels.

**Budget:** N/A

**Action Requested/Recommendation:** Adopt a Resolution referring the petition for the Home Lumber Annexation and introduce the proposed Ordinance and set a hearing for April 4, 2007.

**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 |              |   |            |
|---------------------------------------|--------------|---|------------|
| <b>Location:</b>                      |              | 2771, 2773 and 2779 D Road                            |            |
| <b>Applicants:</b>                    |              | Owners: William Jarvis Jr. and Robert & Diana Fulcher |            |
| <b>Existing Land Use:</b>             |              | Salvage yard and building material storage            |            |
| <b>Proposed Land Use:</b>             |              | No change   |            |
| <b>Surrounding Land Use:</b>          | <b>North</b> | Industrial – Railroad Humpyard                        |            |
|                                       | <b>South</b> | Vacant  |            |
|                                       | <b>East</b>  | Industrial  |            |
|                                       | <b>West</b>  | Industrial – Residence                                |            |
| <b>Existing Zoning:</b>               |              | County I-2  |            |
| <b>Proposed Zoning:</b>               |              | City I-1  |            |
| <b>Surrounding Zoning:</b>            | <b>North</b> | City I-1  |            |
|                                       | <b>South</b> | County I-2  |            |
|                                       | <b>East</b>  | County I-2  |            |
|                                       | <b>West</b>  | City I-2  |            |
| <b>Growth Plan Designation:</b>       |              | Industrial  |            |
| <b>Zoning within density range?</b>   |              | <b>X</b>  | <b>Yes</b> |
|                                       |              |   | <b>No</b>  |

**Staff Analysis:**

**ANNEXATION:**

This annexation area consists of 15.79 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.

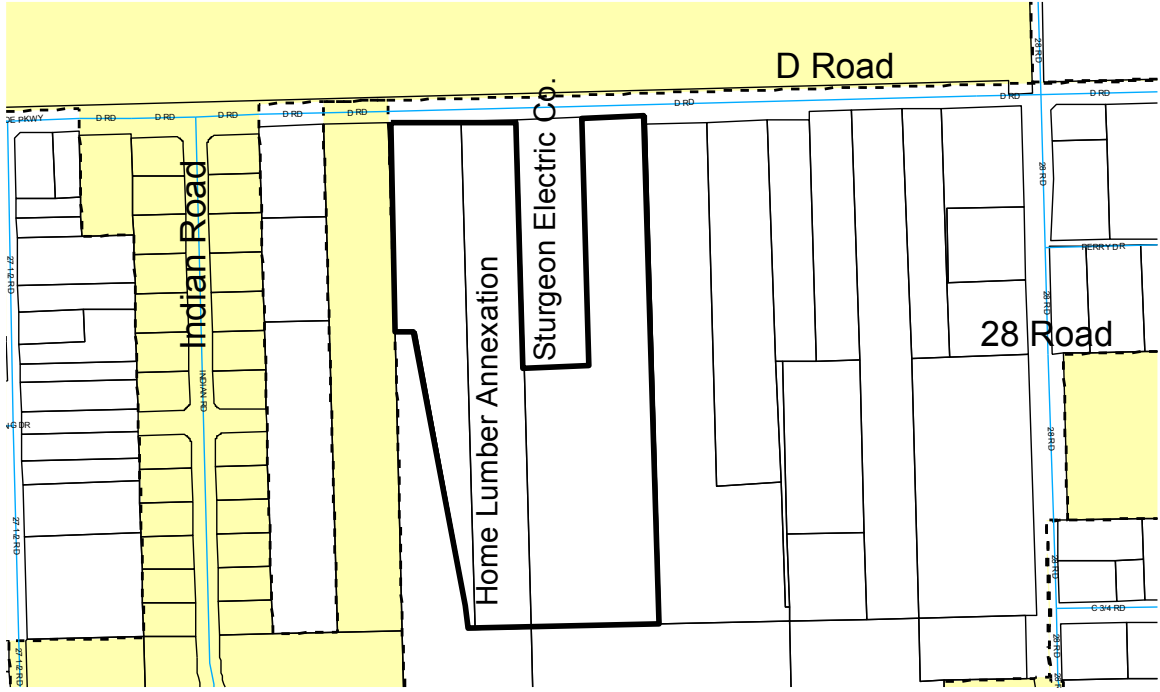
It is staff's opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Home Lumber Annexation is eligible to be annexed because of compliance with the following:

- 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 Home Lumber Annexation inadvertently completes an enclave of incorporated land. Enclaves are small areas of unincorporated Mesa County that are entirely surrounded by the limits of the City of Grand Junction. Included in the Persigo Agreement is a provision to close all enclaves by bringing them into the City in a timely fashion in accordance with state annexation laws. State Annexation statutes require a minimum of 3 years before an area that is enclaved by a City to be unilaterally annexed by that city.

There is one property located at 2775 D Road (see map below) that is within this enclave and is owned by Sturgeon Electric Co. Inc, with an acreage of 2.376 acres. No dates have been established at this point for annexing the Sturgeon Electric Co. Inc, properties as an enclave annexation, but under the Persigo Agreement it shall occur within 5 years. The owner of the property will be notified by mail of this enclave happening as a result of the Home Lumber Annexation, then when the enclave annexation is scheduled sometime between 3 and 5 years from now, the owner will be notified again with an established timeline.





The following annexation and zoning schedule is being proposed.

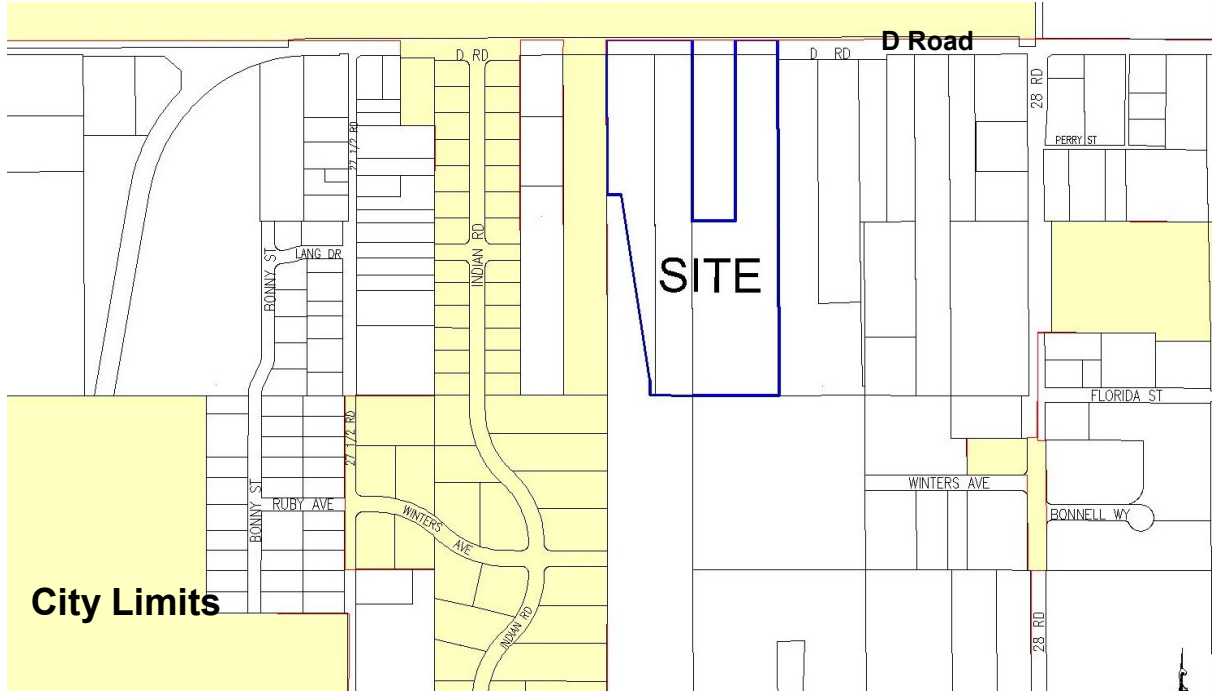
| <i><u>ANNEXATION SCHEDULE</u></i> |   |
|-----------------------------------|---|
| <b>February 21, 2007</b>          | Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use |
| <b>February 27, 2007</b>          | Planning Commission considers Zone of Annexation  |
| <b>March 7, 2007</b>              | Introduction Of A Proposed Ordinance on Zoning by City Council                                  |
| <b>April 4, 2007</b>              | Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council              |
| <b>May 6, 2007</b>                | Effective date of Annexation and Zoning   |

### HOME LUMBER ANNEXATION SUMMARY

|                                       |                                  |  |
|---------------------------------------|----------------------------------|--|
| <b>File Number:</b>                   |                                  | ANX-2006-360                                       |
| <b>Location:</b>                      |                                  | 2771, 2773 AND 2779 D Road                         |
| <b>Tax ID Number:</b>                 |                                  | 2945-241-00-246, 015 and 012                       |
| <b>Parcels:</b>                       |                                  | 3  |
| <b>Estimated Population:</b>          |                                  | 0  |
| <b># of Parcels (owner occupied):</b> |                                  | 0  |
| <b># of Dwelling Units:</b>           |                                  | 0  |
| <b>Acres land annexed:</b>            |                                  | 15.79 acres  |
| <b>Developable Acres Remaining:</b>   |                                  | 15.57 acres  |
| <b>Right-of-way in Annexation:</b>    |                                  | .218 acres (9505 sq ft)                            |
| <b>Previous County Zoning:</b>        |                                  | I-2  |
| <b>Proposed City Zoning:</b>          |                                  | I-1  |
| <b>Current Land Use:</b>              |                                  | Industrial   |
| <b>Future Land Use:</b>               |                                  | Industrial   |
| <b>Values:</b>                        | <b>Assessed:</b>                 | \$234,700  |
|                                       | <b>Actual:</b>                   | \$809,290  |
| <b>Address Ranges:</b>                |                                  | 2771 thru 2779 D Road (odd only)                   |
| <b>Special Districts:</b>             | <b>Water:</b>                    | Ute Water  |
|                                       | <b>Sewer:</b>                    | Central Grand Valley                               |
|                                       | <b>Fire:</b>                     | Grand Junction Rural Fire                          |
|                                       | <b>Irrigation/<br/>Drainage:</b> | Grand Junction Drainage<br>Grand Valley Irrigation |
|                                       | <b>School:</b>                   | District 51  |
|                                       | <b>Pest:</b>                     | Grand River Mosquito                               |

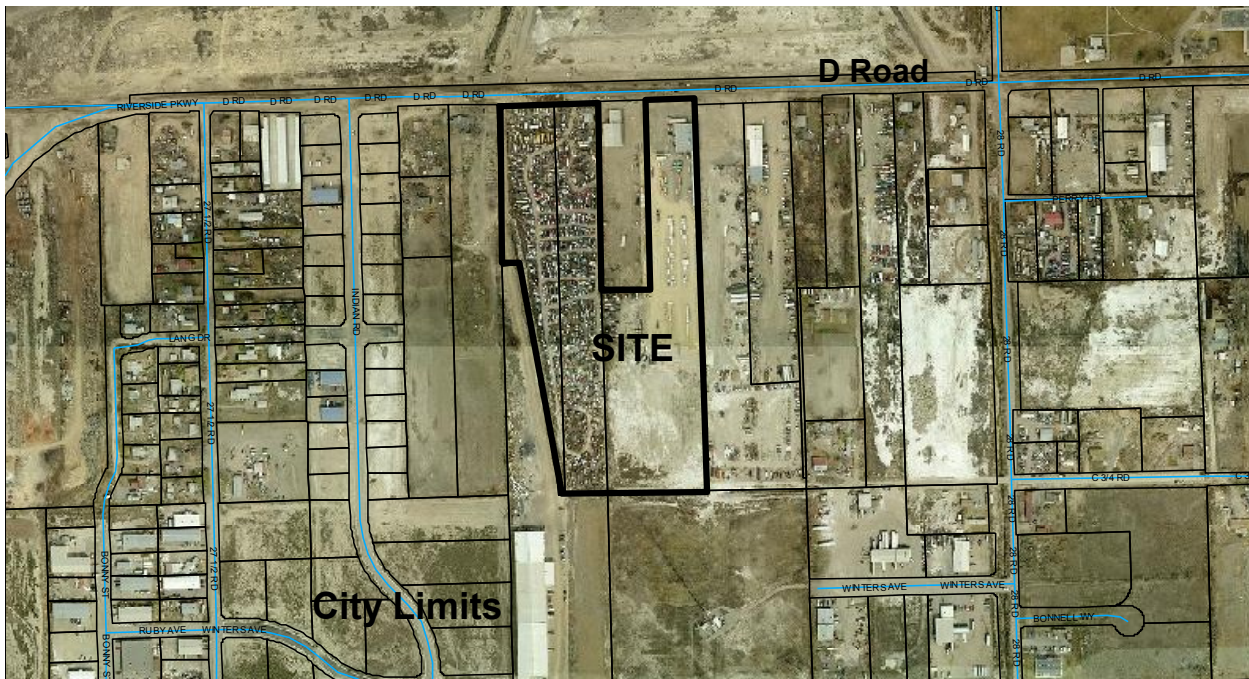
# Site Location Map

Figure 1



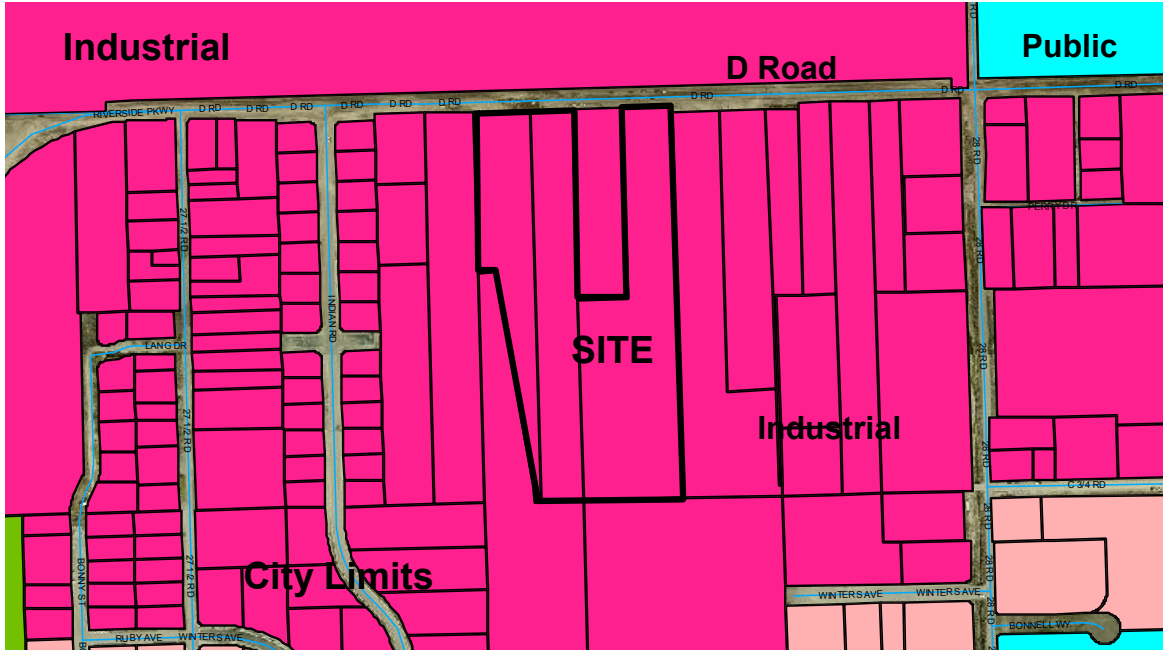
# Aerial Photo Map

Figure 2



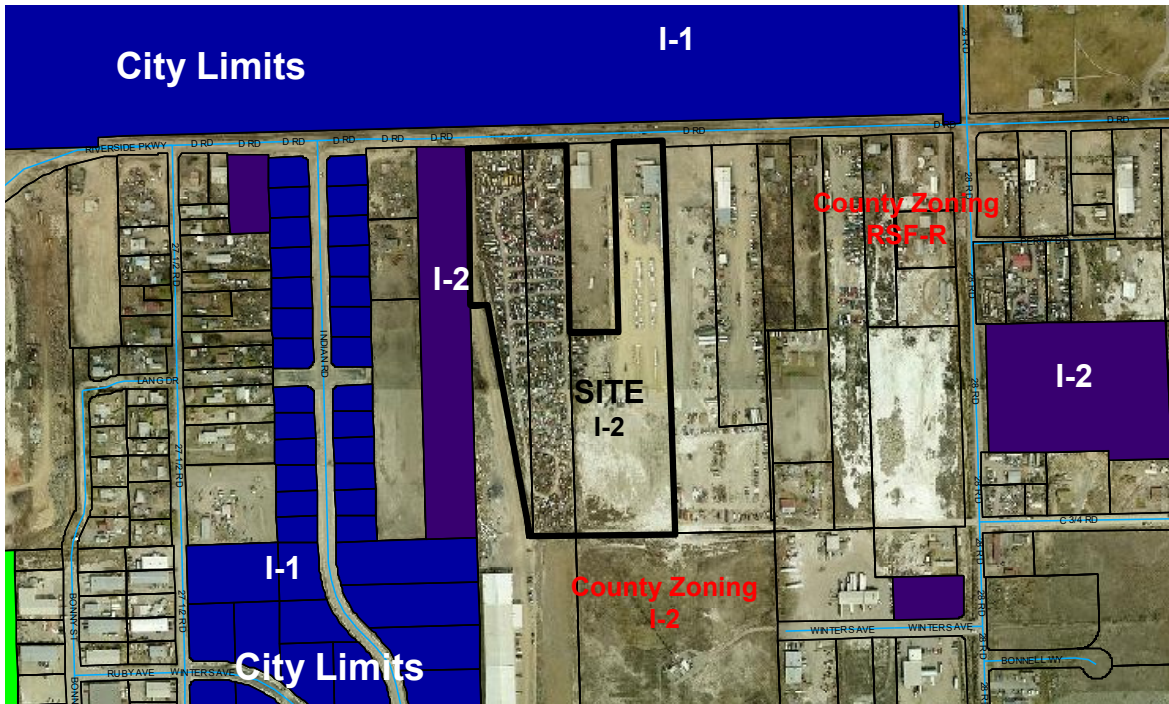
# Future Land Use Map

Figure 3



# Existing City and County Zoning

Figure 4



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

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

**NOTICE IS HEREBY GIVEN** that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 21<sup>st</sup> of February, 2007, 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**

**HOME LUMBER ANNEXATION**

**LOCATED AT 2771, 2773 AND 2779 D ROAD AND A PORTION OF THE D ROAD  
RIGHT OF WAY.**

WHEREAS, on the 21<sup>st</sup> day of February, 2007, 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:

**HOME LUMBER ANNEXATION**

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

COMMENCING at the Northeast corner of Section 24 and assuming the North line of the NE 1/4 of said Section 24 bears N89°59'19"W with all other bearings contained herein being relative thereto; thence N89°59'19"W along said North line of Section 24 a distance of 983.34 feet to a point on the East line of that certain parcel of land described in Book 3993, Page 492, Public Records of Mesa County, Colorado, and the POINT OF BEGINNING; thence S00°10'42"W along the East line of said parcel a distance of 1322.82 feet to the Southeast corner of said parcel, said corner also being a point on the South line of the NE 1/4 NE 1/4 of said Section 24; thence N89°52'14"W along said South line a distance of 328.18 feet to the Southwest corner of said NE 1/4 NE 1/4; thence N89°52'24"W along the South line of the NW 1/4 NE 1/4 of said Section 24 a distance of 162.88 feet to the Southwest corner of that certain parcel of land described in Book 3901, Page 371, Public Records of Mesa County, Colorado; thence N04°22'50"W along the West line of said parcel a distance of 56.63 feet; thence N08°41'22"W along said West line a distance of 710.83 feet; thence N89°43'39"W a distance of 55.69 feet to a point on the East line of that certain parcel of land described in Book 4017, Page 424, Public Records of Mesa County, Colorado, said East line also being the East line of the Pine Industrial No. 1 Annexation No. 1, City of Grand Junction, Ordinance Number 3942; thence N00°06'23"E along the East line of said parcel, a distance of 590.44 feet to a point on the South line of the Darren Davidson Annexation, as same is recorded with the City of Grand Junction, Ordinance Number 3205; thence S89°59'19"E along a line 28.00 feet North of and parallel with, the North

line of the NW 1/4 NE 1/4 of said Section 24, a distance of 327.60 feet; thence S00°09'41"E along the West line of the NE 1/4 NE 1/4 of said Section 24, a distance of 689.07 feet to the Southwest corner of that certain parcel of land described in Book 3880, Page 338, Public Records of Mesa County, Colorado, thence S89°55'46"E along the South line of said parcel a distance of 163.99 feet; thence N00°10'11"W along the East line of said parcel a distance of 689.24 feet to a point on the South line of said Darren Davidson Annexation; thence S89°59'19"E along a line 28.00 feet North of and parallel with, the North line of the NE 1/4 NE 1/4 of said Section 24, a distance of 163.89 feet; thence S00°10'42"E a distance of 28.00 feet, more or less, to the Point of Beginning.

Said parcel contains 15.79 acres (687,730 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 4<sup>th</sup> day of April, 2007, in the City Hall auditorium, located at 250 North 5<sup>th</sup> 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 \_\_\_\_\_, 2007.

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><b>DATES PUBLISHED</b></i> |
|-------------------------------|
| <b>February 23, 2007</b>      |
| <b>March 2, 2007</b>          |
| <b>March 9, 2007</b>          |
| <b>March 16, 2007</b>         |

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**HOME LUMBER ANNEXATION**

**APPROXIMATELY 15.79 ACRES**

**LOCATED AT 2771, 2773 AND 2779 D ROAD AND A PORTION OF THE D ROAD  
RIGHT OF WAY**

**WHEREAS**, on the 21<sup>st</sup> day of February, 2007, 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 4<sup>th</sup> day of April, 2007; 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:

**HOME LUMBER ANNEXATION**

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

COMMENCING at the Northeast corner of Section 24 and assuming the North line of the NE 1/4 of said Section 24 bears N89°59'19"W with all other bearings contained herein being relative thereto; thence N89°59'19"W along said North line of Section 24 a distance of 983.34 feet to a point on the East line of that certain parcel of land described in Book 3993, Page 492, Public Records of Mesa County, Colorado, and the

POINT OF BEGINNING; thence S00°10'42"W along the East line of said parcel a distance of 1322.82 feet to the Southeast corner of said parcel, said corner also being a point on the South line of the NE 1/4 NE 1/4 of said Section 24; thence N89°52'14"W along said South line a distance of 328.18 feet to the Southwest corner of said NE 1/4 NE 1/4; thence N89°52'24"W along the South line of the NW 1/4 NE 1/4 of said Section 24 a distance of 162.88 feet to the Southwest corner of that certain parcel of land described in Book 3901, Page 371, Public Records of Mesa County, Colorado; thence N04°22'50"W along the West line of said parcel a distance of 56.63 feet; thence N08°41'22"W along said West line a distance of 710.83 feet; thence N89°43'39"W a distance of 55.69 feet to a point on the East line of that certain parcel of land described in Book 4017, Page 424, Public Records of Mesa County, Colorado, said East line also being the East line of the Pine Industrial No. 1 Annexation No. 1, City of Grand Junction, Ordinance Number 3942; thence N00°06'23"E along the East line of said parcel, a distance of 590.44 feet to a point on the South line of the Darren Davidson Annexation, as same is recorded with the City of Grand Junction, Ordinance Number 3205; thence S89°59'19"E along a line 28.00 feet North of and parallel with, the North line of the NW 1/4 NE 1/4 of said Section 24, a distance of 327.60 feet; thence S00°09'41"E along the West line of the NE 1/4 NE 1/4 of said Section 24, a distance of 689.07 feet to the Southwest corner of that certain parcel of land described in Book 3880, Page 338, Public Records of Mesa County, Colorado, thence S89°55'46"E along the South line of said parcel a distance of 163.99 feet; thence N00°10'11"W along the East line of said parcel a distance of 689.24 feet to a point on the South line of said Darren Davidson Annexation; thence S89°59'19"E along a line 28.00 feet North of and parallel with, the North line of the NE 1/4 NE 1/4 of said Section 24, a distance of 163.89 feet; thence S00°10'42"E a distance of 28.00 feet, more or less, to the Point of Beginning.

Said parcel contains 15.79 acres (687,730 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 \_\_\_\_\_, 2007 and ordered published.

**ADOPTED** on second reading the \_\_\_\_ day of \_\_\_\_\_, 2007.

Attest:

\_\_\_\_\_  
President of the Council

\_\_\_\_\_  
City Clerk

**Attach 12**

**Two Rivers Convention Center HVAC Remodel**

**CITY OF GRAND JUNCTION**

| CITY COUNCIL AGENDA                   |                 |   |                      |   |     |                |                                 |
|---------------------------------------|-----------------|---|----------------------|---|-----|----------------|---------------------------------|
| <b>Subject</b>                        |                 | Two Rivers Convention Center HVAC Remodel |                      |   |     |                |                                 |
| <b>Meeting Date</b>                   |                 | February 21, 2007                         |                      |   |     |                |                                 |
| <b>Date Prepared</b>                  |                 | February 13, 2007                         |                      |   |     |                |                                 |
| <b>Author</b>                         |                 | Scott Hockins                             |                      | Senior Buyer  |     |                |                                 |
| <b>Presenter Name</b>                 |                 | Joe Stevens<br>Jay Valentine              |                      | Parks and Recreation Director<br>Purchasing Manager |     |                |                                 |
| <b>Report results back to Council</b> |                 | X   | No                   |   | Yes | <b>When</b>    |                                 |
| <b>Citizen Presentation</b>           |                 |   | Yes                  | X   | No  | <b>Name</b>    |                                 |
|                                       | <b>Workshop</b> | X   | <b>Formal Agenda</b> |   | X   | <b>Consent</b> | <b>Individual Consideration</b> |

**Summary:** This approval request is for the award of a construction contract for the remodel of the HVAC (Heating, Ventilation, and Air Conditioning) system at Two Rivers Convention Center.

**Budget:** A budget amount of \$834,000 has been allocated in the 2007 Two Rivers Convention Center Capital Improvement Project (CIP) budget. The original budget estimate was set by Burke and Associates, Mechanical Engineers, the firm hired to represent the City on this project. The budget projection, as it turned out, was substantially underestimated due to the complexity of the project, i.e. retro fitting a new system into an older building, as well as construction costs increasing at unforeseen rates. To make up the gap between the original budget and the actual low bid cost, \$115,000 will be transferred from the Sales Tax CIP fund budgeted in 2007 for the *River Room Lighting* project, and \$114,600 will be transferred from the same fund budgeted for the addition of a second *Section Dividing Door in the River Room*. A grand total of \$1,063,600 of 2007 budgeted funds will be used for this project.

**Action Requested/Recommendation:** Authorize the City Purchasing Division to enter into a contract, in the amount of \$1,063,600 with Coockey's Mechanical, Inc. for the completion of the remodel.

**Attachments:** N/A

**Background Information:** The current HVAC system which heats and cools the two large meeting rooms at Two Rivers Convention Center is in disrepair due to age and condition. This system was not replaced as part of the remodel in 2001. The proposed

work includes demolition and removal of the current system, and replaced with a modern, more energy efficient system. As a result of the construction, Two Rivers Convention Center will have a 14 working day continuous shut down of the concourse and the two large meeting rooms to the North of the concourse. The shutdown is scheduled to begin in mid June.

Under direction of the Parks Department, a replacement system has been drawn by Burke and Associates, Mechanical Engineers. The solicitation was advertised in The Daily Sentinel, and sent to a source list of contractors including the Western Colorado Contractors Association (WCCA).

Original designs included a \$326,600 garage ceiling insulation and heating system intended to keep the temperature in the exhibit hall rooms more moderate with less heat fluctuation. This design has been excluded from the scope of the current project as dictated by budget restraints.

The two companies submitted responsive and responsible bids in the following amounts:

- Coockey's Mechanical, Inc., Grand Junction \$1,063,600
- 2H Mechanical, LLC, Grand Junction \$1,179,640

**Attach 13**

**Construction Contract for Ranchmen's Ditch Flood Control Project, Phase I  
CITY OF GRAND JUNCTION**

| CITY COUNCIL AGENDA                   |   |            |                                    |            |                |                                   |
|---------------------------------------|---|------------|------------------------------------|------------|----------------|-----------------------------------|
| <b>Subject</b>                        | Construction Contract for Ranchmen's Ditch Flood Control Project, Phase I |            |                                    |            |                |                                   |
| <b>Meeting Date</b>                   | February 21, 2007   |            |                                    |            |                |                                   |
| <b>Date Prepared</b>                  | February 15, 2007   |            |                                    |            | <b>File #</b>  |                                   |
| <b>Author-</b>                        | Dave Donohue  |            | Project Engineer                   |            |                |                                   |
| <b>Presenter Name</b>                 | Tim Moore   |            | Public Works and Planning Director |            |                |                                   |
| <b>Report results back to Council</b> | X   | <b>No</b>  |                                    | <b>Yes</b> | <b>When</b>    |                                   |
| <b>Citizen Presentation</b>           |   | <b>Yes</b> | X                                  | <b>No</b>  | <b>Name</b>    |                                   |
|                                       | <b>Workshop</b>   | X          | <b>Formal Agenda</b>               |            | <b>Consent</b> | X <b>Individual Consideration</b> |

**Summary:** Phase I of the Ranchmen's Ditch Flood Control Project (Big Pipe) will construct the Airport Detention Basins (two), the Bookcliff Country Club detention basin, triple 78" stormwater culverts from Barnes and Noble to Leach Creek, and channel improvements to Leach Creek (including wetlands mitigation) from I-70B to the Colorado River.

**Budget:** Sufficient funds exist in the 2007 Fund 202 budget to pay for all costs associated with construction of Phase I of this project:

|  |                        |
|--|------------------------|
| <b>2007 202-Fund Budget</b>                                    | <b>\$9,800,000.00</b>  |
| <b>Construction Contract Cost (awarded w/ this Action)</b>     | <b>\$7,274,730.22</b>  |
| Project Design and Admin Cost (2007 to date)                   | \$19,023.00            |
| ROW/Easement Acquisition Cost                                  | \$214,100.00           |
| Construction Management Cost, Phase I (estimated)              | \$100,000.00           |
| <b>Total Estimated Costs Related to this Request (Phase I)</b> | <b>\$7,607,853.20</b>  |
| <b>2007 Remaining Funds</b>                                    | <b>\$2,192,147.00</b>  |
| <b>Total Projected Project Budget</b>                          | <b>\$14,000,000.00</b> |
| Phase I Design, Admin, ROW, Const. Mgt.                        | \$333,123.00           |
| <b>Phase I Construction (this Action)</b>                      | <b>\$7,274,730.22</b>  |
| Phase II Design, Admin, ROW, Const. Mgt.                       | \$260,000.00           |
| Phase II Construction  | \$5,809,100.00         |
| Current Project Budget   | \$12,300,000.00        |
| Current Unfunded Projection                                    | \$1,700,000.00         |

Staff will prepare budget options for the unfunded portion of the project this summer during the 2008/2009 budget process.

The following bids were received for this project:

|                         |                 |
|-------------------------|-----------------|
| Mendez Inc.             | \$7,316,047.67  |
| Parker Excavating, Inc. | \$9,300,829.65  |
| Kiewit Western Company  | \$12,580,964.85 |
| Scott Contracting, Inc. | \$7,274,730.22  |
| BT Construction, Inc.   | \$9,067,397.90  |
| Pate Construction       | \$8,408,553.00  |
| SEMA                    | \$7,983,206.00  |
|                         |                 |
| Engineer's Estimate     | \$7,696,456.20  |

**Action Requested/Recommendation:** Authorize the City Manager to enter into a construction contract with Scott Contracting, Inc., in the amount of \$7,274,730.22.

**Background Information:** When flood plain mapping for Ranchmen's Ditch was performed by the Federal Emergency Management Agency (FEMA) in the late 1980's, an error was made by FEMA that resulted in the mapped flood plain appearing much smaller than it actually was. This error was discovered by the City during the design of detention basins for the upper portion of Ranchmen's Ditch. Analysis performed by the City showed that flows associated with the 100 yr storm event would be more than three times as large as those estimated by FEMA. In 2002, the City undertook a project to remap the floodplain and prepare plans for a project to improve the capacity of the drainage way and reduce or eliminate the flood risk associated with the 100 yr storm event.

After examining several alternatives including detention and various alignments for large capacity storm sewers and open channels, the City selected the current "Big Pipe" alignment. The Big Pipe alternative entails construction of large diameter storm sewers along the current alignment of Ranchmen's Ditch and channel improvements to Leach Creek below the confluence of Leach Creek and Ranchmen's Ditch.

In 2005 the City filed a Conditional Letter of Map Revision request with FEMA to obtain assurance from FEMA that the improvements associated with the Big Pipe project would result in a proper remapping of the floodplain. In October of 2005, the City received the desired CLOMR for Ranchmen's Ditch from FEMA. The CLOMR showed that the number of properties included within the floodplain would drop from the current 386 to 3 following construction of the Big Pipe improvements.

Phase I of the project includes construction of twin detention basins at Walker Field Airport, a single detention basin at Bookcliff Country Club, installation of triple 78" storm sewers from Barnes and Noble to Leach Creek, and channel improvements to Leach Creek from upstream of I-70B to the Colorado River. Construction on Phase I will commence on March 5<sup>th</sup>. The majority of the storm sewer installation across the southern Mesa Mall parking lot will be completed near the end of August. Work on Leach Creek will be completed in March, 2008.

Construction for Phase I will commence in the middle of November, 2007 and extend into June, 2008. Phase II will include installing twin 90" storm sewers between 24 ½ and 25 ½ Rd. (in the location of the current open ditch), installing additional storm sewer of 72" and 60" diameter next to the existing 72" storm sewer that extends from 25 ½ Rd. to Meander Drive just west of 1<sup>st</sup> St., and installing 600 ft of cured-in-place pipe near 1<sup>st</sup> St. The bulk of the work associated with Phase II will be completed during the irrigation off-season between mid-November, 2007 and the end of March, 2008.



**Attach 14**  
**MOU with Mesa County for the 29 Road Interchange at I-70B**  
**CITY OF GRAND JUNCTION**

| CITY COUNCIL AGENDA                   |                 |   |                      |                                     |            |                          |                |                                     |                                 |
|---------------------------------------|-----------------|---|----------------------|-------------------------------------|------------|--------------------------|----------------|-------------------------------------|---------------------------------|
| <b>Subject</b>                        |                 | Memorandum of Understanding with Mesa County for the 29 Rd Interchange at I-70B |                      |                                     |            |                          |                |                                     |                                 |
| <b>Meeting Date</b>                   |                 | February 21, 2007   |                      |                                     |            |                          |                |                                     |                                 |
| <b>Date Prepared</b>                  |                 | February 15, 2007   |                      |                                     |            | <b>File #</b>            |                |                                     |                                 |
| <b>Author</b>                         |                 | Trent Prall   |                      | Engineering Manager                 |            |                          |                |                                     |                                 |
| <b>Presenter Name</b>                 |                 | Tim Moore   |                      | Public Works and Planning Director  |            |                          |                |                                     |                                 |
| <b>Report results back to Council</b> |                 | <input checked="" type="checkbox"/>   | <b>No</b>            | <input type="checkbox"/>            | <b>Yes</b> | <b>When</b>              |                |                                     |                                 |
| <b>Citizen Presentation</b>           |                 | <input type="checkbox"/>  | <b>Yes</b>           | <input checked="" type="checkbox"/> | <b>No</b>  | <b>Name</b>              |                |                                     |                                 |
| <input type="checkbox"/>              | <b>Workshop</b> | <input checked="" type="checkbox"/>   | <b>Formal Agenda</b> |                                     |            | <input type="checkbox"/> | <b>Consent</b> | <input checked="" type="checkbox"/> | <b>Individual Consideration</b> |

**Summary:** The proposed Memorandum of Understanding with Mesa County supersedes and replaces a January 31, 2005 MOU covering the funding and project management of the design and construction of the 29 Rd Interchange at I-70B.

**Budget:** Project funding identified in the MOU is as follows:

| Fund Source  | 1601 process 2005 | 2006             | Final Design 2007  | Construction 2008  | Construction 2009   | Construction 2010  | Total Portion of the Project |
|--------------|-------------------|------------------|--------------------|--------------------|---------------------|--------------------|------------------------------|
| City         | \$726,438         | \$290,496        | \$0                | \$0                | \$5,700,000         | \$5,283,066        | \$12,000,000                 |
| County       | 0                 | \$0              | \$2,750,000        | \$2,750,000        | \$6,000,000         | \$500,000          | \$12,000,000                 |
| <b>TOTAL</b> | <b>\$726,438</b>  | <b>\$290,496</b> | <b>\$2,750,000</b> | <b>\$2,750,000</b> | <b>\$11,700,000</b> | <b>\$5,783,066</b> | <b>\$24,000,000</b>          |

**Action Requested/Recommendation:** Authorize the Mayor to Sign a Memorandum of Understanding with Mesa County for the 29 Rd / I-70B Interchange.

**Attachments:**

Proposed Memorandum of Understanding.

**Background Information:**

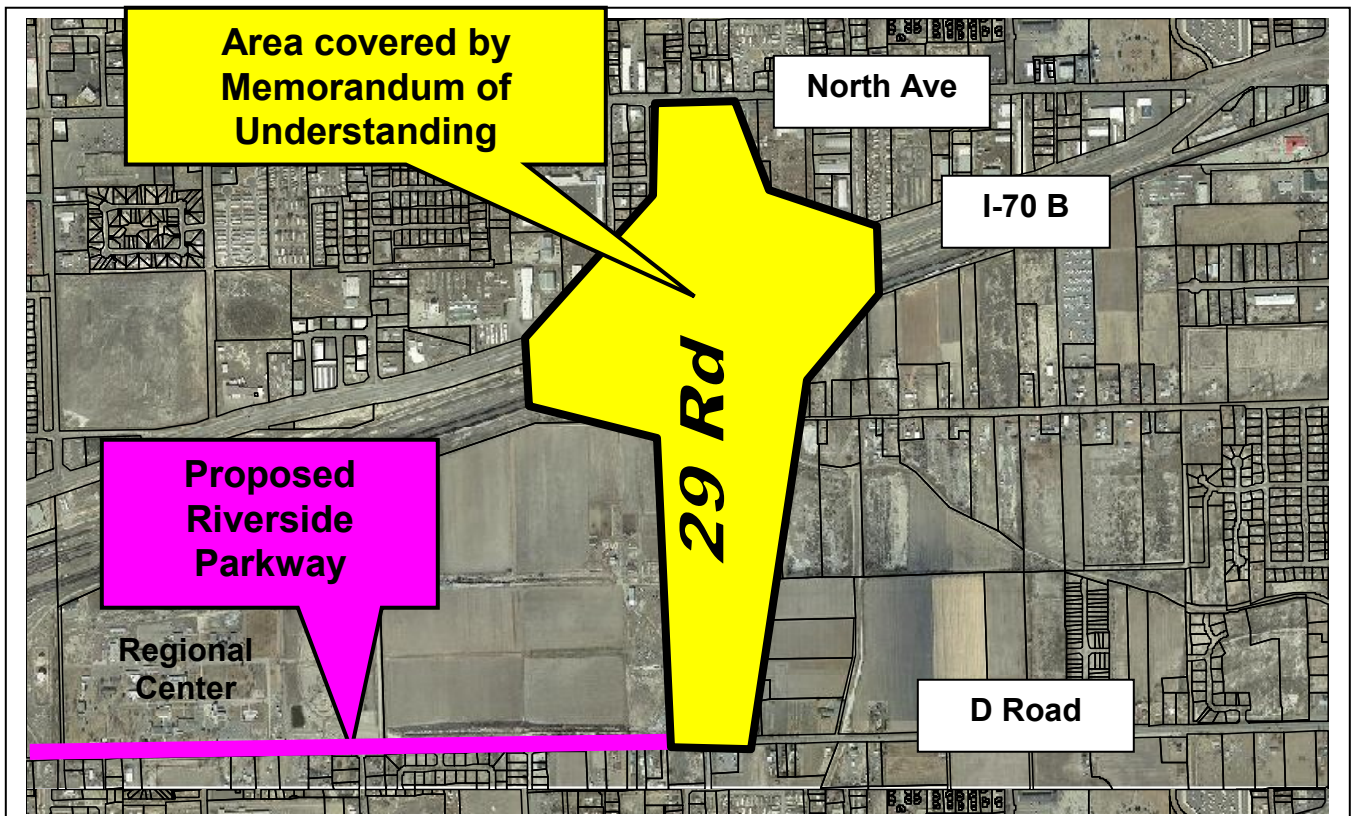
Both the City and the County have responsibilities for developing and implementing transportation plans and authorizing capital improvements under their respective jurisdiction. The parties recognize that transportation-related improvement decisions by one affect similar decisions by the other and that cooperative planning and spending can maximize the whole community's resources that are more available for improvements. The parties further recognize the need to make significant improvements to the 29 Road corridor. Portions of this corridor from the Union Pacific

Railroad track to I-70 straddle the meandering city limits line. It is further recognized that it is in the best interests of the Parties to work cooperatively in the planning and construction of these improvements.

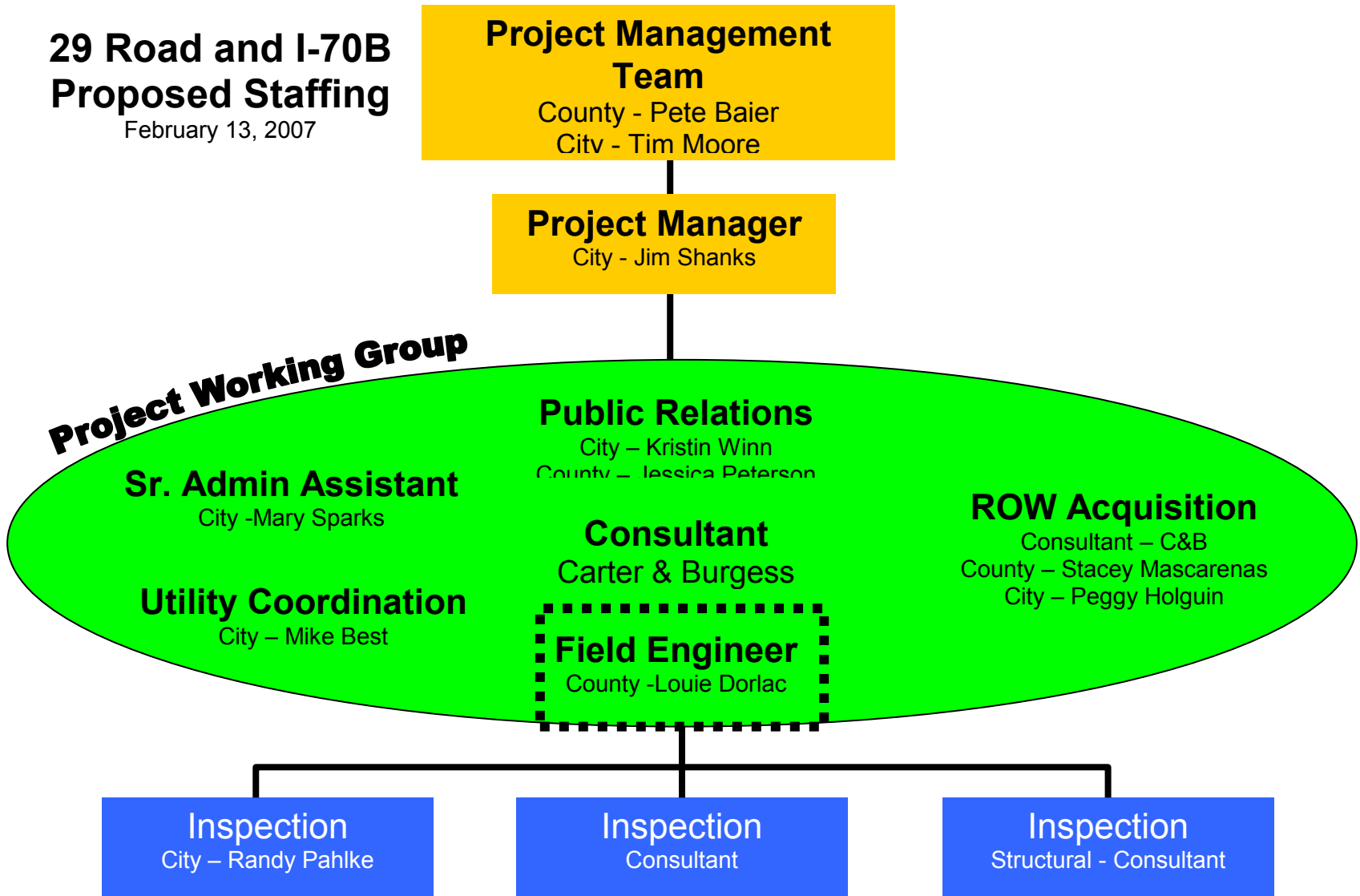
The purpose of this agreement is to establish the lines of communication and responsibility for the various work items necessary to accomplish the construction of 29 Road from D Road to North Avenue. This agreement also establishes the intention of both the City and County to cooperatively fund their share of the planning, design, bidding and construction of the 29 Road and I-70B interchange to best compliment the budget responsibilities of each entity. With the 1601 CDOT planning process completed, in 2005-2006, this agreement covers the remaining tasks including final design and construction. Final design services includes services including; final engineering design, Public Utilities Commission permits, Union Pacific Railroad Construction and Maintenance Agreements, Colorado Department of Transportation Permits and Right of Way acquisition services. Final design services will begin in February 2007 followed by eighteen months of construction from Fall 2008 to Spring 2010.

This MOU, as drafted, has the City and County co-managing the project through their respective Public Works Directors. The City will provide a Project Manager and the County will provide a Project Engineering Manager. The City and County will jointly negotiate the Railroad Construction and Maintenance Agreements and the Public Utilities Commission rail crossing permit. The City and County will manage their respective right of way acquisitions with the assistance of the Consultant.

#### VICINITY MAP



**29 Road and I-70B  
Proposed Staffing**  
February 13, 2007



**Project Management Team**

County - Pete Baier  
City - Tim Moore

**Project Manager**

City - Jim Shanks

**Project Working Group**

**Sr. Admin Assistant**

City - Mary Sparks

**Utility Coordination**

City - Mike Best

**Public Relations**

City - Kristin Winn  
County - Jessica Peterson

**Consultant**

Carter & Burgess

**Field Engineer**

County - Louie Dorlac

**ROW Acquisition**

Consultant - C&B  
County - Stacey Mascarenas  
City - Peggy Holguin

**Inspection**

City - Randy Pahlke

**Inspection**

Consultant

**Inspection**

Structural - Consultant

**Memorandum of Understanding**  
**between**  
**The City of Grand Junction and Mesa County, Colorado**  
**for the**  
**Construction of the 29 Road and I-70 B Interchange**

**The parties to this Memorandum of Understanding (AGREEMENT) are the Board of County Commissioners of Mesa County, Colorado, (COUNTY) and the City Council of the City of Grand Junction, Colorado (CITY).**

I. Introduction

Both the City and the County (“the Parties” or “Parties”) have responsibilities for developing and implementing transportation plans and authorizing capital improvements under their respective jurisdiction. The Parties recognize that transportation-related improvement decisions by one party effect similar decisions by the other and that cooperative planning and spending can maximize the community’s resources that are available for improvements. The Parties further recognize the need to make significant improvements to the 29 Road corridor (the “Project”). Portions of this corridor from the Union Pacific Railroad track to I-70 straddle the meandering City limits line. It is further recognized that it is in the best interests of the Parties to work cooperatively in the planning and construction of these improvements.

II. Purpose

This AGREEMENT supersedes and replaces the 2005 AGREEMENT (MCA 2005-014) between the CITY and COUNTY dated January 31, 2005. The purpose of this AGREEMENT is to establish the lines of communication and responsibility for the various work items necessary to accomplish the construction of 29 Road from D Road to North Avenue. This AGREEMENT also establishes the intention of both the CITY and COUNTY to cooperatively fund their share of the planning, design, bidding and construction of the 29 Road and I-70B interchange to best complement the other budget responsibilities of each entity.

The CDOT 1601 Planning process for the Project was completed in 2006. The project schedule proposes to complete final design and ROW acquisition in 2007-mid 2008, followed by construction in late 2008 through Spring 2010.

### III. Procedure

Now, therefore, it is agreed that the parties will:

- 1) Include projections in their respective Capital Improvement Plans to cover the cost of the Project. The Parties will make every effort to budget funds through the phases as shown below:

| Fund Source | 1601 process 2005 | 2006      | Final Design 2007 | Construction 2008 | Construction 2009 | Construction 2010 | Total Portion of the Project |
|-------------|-------------------|-----------|-------------------|-------------------|-------------------|-------------------|------------------------------|
| City        | \$726,438         | \$290,496 | \$0               | \$0               | \$5,700,000       | \$5,283,066       | \$12,000,000                 |
| County      | 0                 | \$0       | \$2,750,000       | \$2,750,000       | \$6,000,000       | \$500,000         | \$12,000,000                 |
| TOTAL       | \$726,438         | \$290,496 | \$2,750,000       | \$2,750,000       | \$11,700,000      | \$5,783,066       | \$24,000,000                 |

- 2) The Parties agree to carry over any unexpended funds for this Project from year to year to maintain the overall budget for the Project.
- 3) The City shall contract with a Consulting Engineer for final design services. The Consultant will prepare all legal descriptions for right-of-way needed for the Project. Each party will acquire the necessary right-of-way within its jurisdiction with the assistance of the design consultant. The cost of developing all right-of-way legal descriptions and the consultant costs for acquiring those right-of-ways will be Project costs, the local share of which will be shared equally between the CITY and COUNTY. Each party will pay its own acquisition costs for properties acquired in its jurisdiction at each property closing.
- 4) The CITY and COUNTY will co-manage the project from final design through bidding and construction. The Project Management Team will consist of the respective Public Works Directors for both the City and County. The City will provide a Project Manager, Project Engineer, Utility Coordinator and Administrative Assistant. The County will provide an Engineering Manager. Both the City and County will perform their respective public relations and right-of-way acquisition duties, coordinated through the Project Manager. The cost of the management of the Project from final design through construction will be a Project cost, the local share of which will be shared equally between the CITY and COUNTY. Final design services includes: final design, Public Utilities Commission permits, Union Pacific Railroad Construction and Maintenance Agreements and Colorado Department of Transportation Permits.

Following approval of an invoice from the CITY, the COUNTY will reimburse the CITY for the COUNTY'S share of the actual costs of Project administration and management, final design and right of way acquisition.

- 5) To minimize the effect of the receiving revenue limitations on either Party, contracts may be written so that payments may be made directly to the contractor(s) by either the CITY or the COUNTY for separate portions of progress payments. Following receipt of such a contract and upon approval of an invoice from a contractor(s), the contracting party (CITY or COUNTY) will make payments directly to the contractor(s).
- 6) The CITY and the COUNTY may not necessarily pay exactly equal shares of every individual portion of the Project; however, both Parties agree that the total local share of the Project actual cost will be divided equally. The Parties further agree that the total funding expected of either party will not exceed the levels presented in the above table except by mutual, written modification of this AGREEMENT.
- 7) The Project will generally include the construction of five travel lanes with curb, gutter and sidewalk on both sides with the exception of the interchange which will be limited to sidewalk only on the west side. The Project will also incorporate an underground storm drain and all necessary appurtenant work. Additional turn lanes may be constructed at major intersections. The general configuration of the street will not be changed except by mutual, written modification of this AGREEMENT. All work will be designed and constructed to City/CDOT standards.

#### IV. Administration

- A. Nothing in this AGREEMENT will be construed as limiting or affecting in any way the authority or legal responsibility of the COUNTY or the CITY, or as binding either party to perform beyond the respective authority of each, or as requiring either party to assume or expend any sum in the excess of appropriations available.
- B. This AGREEMENT shall become effective when signed by the Parties hereto. The Parties may amend this AGREEMENT by mutual written attachment as the need arises. Any party may formally terminate this AGREEMENT after 30 days notice in writing to the other in the intention to do so and fulfillment of all outstanding legal obligations.

- C. The CITY will advertise, receive bids, and award a bid upon recommendation of the Project Management team. The CITY shall include all of the terms and conditions regarding bonding, insurance and indemnification provisions as part of the CITY'S contract so that the project is protected.

In Witness whereof, the parties herein have caused this document to be executed as of the date of the last signature shown below.

\_\_\_\_\_  
Chairman of the Board  
Mesa County Board of Commissioners

ATTEST:

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mayor  
Grand Junction City Council

ATTEST:

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Date

**Attach 15**

**Amendment of Engineering Services Contract for 29 Road and I-70B Interchange  
CITY OF GRAND JUNCTION**

| CITY COUNCIL AGENDA                   |   |     |                      |                                    |               |                |                                 |
|---------------------------------------|---|-----|----------------------|------------------------------------|---------------|----------------|---------------------------------|
| <b>Subject</b>                        | Amendment No. 2 of Engineering Services Contract with Carter and Burgess for 29 Rd and I-70 B Interchange |     |                      |                                    |               |                |                                 |
| <b>Meeting Date</b>                   | February 21, 2007   |     |                      |                                    |               |                |                                 |
| <b>Date Prepared</b>                  | February 15, 2007   |     |                      |                                    | <b>File #</b> |                |                                 |
| <b>Author</b>                         | Trent Prall   |     |                      | Engineering Manager                |               |                |                                 |
| <b>Presenter Name</b>                 | Tim Moore   |     |                      | Public Works and Planning Director |               |                |                                 |
| <b>Report results back to Council</b> | X   | No  |                      | Yes                                | <b>When</b>   |                |                                 |
| <b>Citizen Presentation</b>           |   | Yes | X                    | No                                 | <b>Name</b>   |                |                                 |
|                                       | <b>Workshop</b>   | X   | <b>Formal Agenda</b> |                                    | X             | <b>Consent</b> | <b>Individual Consideration</b> |

**Summary:** This amendment is the 2<sup>nd</sup> of three planned amendments to the existing contract with the engineering firm of Carter and Burgess. This scope of services covers the preparation of final design of the 29 Road and I-70B Interchange.

**Budget:** The overall project budget is as follows:

|  |           |                  |                     |
|--|-----------|------------------|---------------------|
| <b>Total Project Budget (Includes Mesa County Portion)</b> |           | \$               | 24,000,000          |
| 1601 Process / 30% plans / contract admin                  |           | \$               | 1,016,934           |
| <b>Final Design</b>  | <b>\$</b> | <b>1,100,000</b> |                     |
| <b>ROW / Easement Acquisition including title work</b>     | <b>\$</b> | <b>150,000</b>   |                     |
| <b>Total This Amendment</b>                                | <b>\$</b> | <b>1,250,000</b> | <b>\$ 1,250,000</b> |
| Project Administration                                     |           | \$               | 200,000             |
| Construction Oversight                                     |           | \$               | 1,868,000           |
| Construction   |           | \$               | 16,500,000          |
| Right of Way Easements                                     |           | \$               | 2,150,000           |
| Totals   |           | \$               | 22,984,934          |
| Remaining / Contingency                                    |           | \$               | 1,015,066           |

|                                       |                    |
|---------------------------------------|--------------------|
| This amendment:                       | \$1,250,000        |
| Previously authorized:                | \$ 990,312         |
| <u>Total Carter Burgess Contract:</u> | <u>\$2,240,312</u> |

The current City budget is not affected for this contract. As per the Memorandum of Understanding, Mesa County will pay the consultant directly as part of their 50% share of the project.



**Action Requested/Recommendation:** Authorize the City Manager to amend the existing contract with Carter and Burgess for a total fee of \$2,240,312.

**Attachments:** None.

**Background Information:**

This is the second of three anticipated amendments.

The City Council approved the original contract with the engineering firm of Carter and Burgess to begin the CDOT 1601 interchange approval process in January 2005 (shown as **Task A** on table below) assuming that an Environmental Assessment would not be required.

In July 2005 City Council approved Amendment #1 which included:

**Task B** Modified the 1601 contract to include an Environmental Assessment.

Final Design and Right of way acquisition within the 1601 study area were withheld from the previous amendment as alignments were unknown at the time to accurately project a budget. This contract amendment covers the following:

**Task C** Right of way acquisition labor within the 1601 study area.

**Task D** Final design and prepare bid documents and assist the City during the bid phase. Final design services include: Public Utilities Commission permits, Union Pacific Railroad Right of Entry, Colorado Department of Transportation Permits and Phase II Environmental Assessments.

The table below identifies the tasks currently under contract with Carter Burgess, this proposed amendment, as well as potential future work that could also go to Carter Burgess.

| Engineering Task |  | Value            | Status                            |
|------------------|--|------------------|-----------------------------------|
| A.               | 1601 Including 30% Preliminary Engineering                                       | \$ 754,920       | Original contract approved 1/5/05 |
| B.               | Modified 1601 Planning Process   | \$ 235,392       | Amendment #1 approved 7/20/05     |
| <b>C.</b>        | <b>ROW acquisition labor</b>   | \$ 150,000       | <b>This Amendment</b>             |
| <b>D.</b>        | <b>Final Design and bid phase assistance</b>                                     | \$ 1,100,000     | <b>This Amendment</b>             |
| E.               | Project Construction Administration as City's "owners/rep" including inspection. | To be negotiated | Yet to be determined              |
|                  | *Does not include legal work for any condemnations                               | \$ 2,240,312     |                                   |
|                  |  |                  |                                   |

**Timeline:** Carter and Burgess is proposing to complete final design by August 2008. Construction is slated for Fall 2008 through Spring 2010.

**Attach 16**  
**Infill and Redevelopment Request, Big Tree Subdivision**  
**CITY OF GRAND JUNCTION**

| CITY COUNCIL AGENDA                   |  |                                     |                                     |            |                                     |                                 |
|---------------------------------------|--|-------------------------------------|-------------------------------------|------------|-------------------------------------|---------------------------------|
| <b>Subject</b>                        | Infill and Redevelopment Request, Big Tree Subdivision |                                     |                                     |            |                                     |                                 |
| <b>Meeting Date</b>                   | February 21, 2007                                      |                                     |                                     |            |                                     |                                 |
| <b>Date Prepared</b>                  | February 15, 2007                                      |                                     |                                     |            | <b>File #</b>                       |                                 |
| <b>Author</b>                         | Tim Moore  |                                     | Public Works and Planning Director  |            |                                     |                                 |
| <b>Presenter Name</b>                 | Tim Moore  |                                     | Public Works and Planning Director  |            |                                     |                                 |
| <b>Report results back to Council</b> | <input checked="" type="checkbox"/>                    | <b>No</b>                           | <input type="checkbox"/>            | <b>Yes</b> | <b>When</b>                         |                                 |
| <b>Citizen Presentation</b>           | <input type="checkbox"/>                               | <b>Yes</b>                          | <input checked="" type="checkbox"/> | <b>No</b>  | <b>Name</b>                         |                                 |
|                                       | <b>Workshop</b>  | <input checked="" type="checkbox"/> | <b>Formal Agenda</b>                |            | <input type="checkbox"/>            | <b>Consent</b>                  |
|                                       |  |                                     |                                     |            | <input checked="" type="checkbox"/> | <b>Individual Consideration</b> |

**Summary:** The developer of The Big Tree Subdivision, located at 2256 North 17<sup>th</sup> Street, is requesting assistance from the Infill and Redevelopment Program in an amount not to exceed \$10,000. Those funds will be used specifically for the construction of half street improvements on North 17<sup>th</sup> Street.

**Budget:** Mark Fenn is requesting \$10,000 from the City of Grand Junction from the 2007 Infill and Redevelopment Fund budget.

**Action Requested/Recommendation:** Approve the request to reimburse half street improvements on North 17<sup>th</sup> Street in an amount not to exceed \$10,000.

**Attachments:** Infill/Redevelopment Application from Big Tree Subdivision

**Background Information:** This request was reviewed by the staff responsible for making a recommendation to the City Council regarding the Infill and Redevelopment Program. It is within the infill boundaries defined by the City Council and meets the criteria to qualify for funding from the program.

The City of Grand Junction standards require that the new subdivision access North 17<sup>th</sup> Street, and the Transportation Capacity Payment system directs that the developer must actually build half street improvements to North 17<sup>th</sup> Street as a part of the subdivision construction. The small subdivision (an addition of 3 single family lots) would have to bear the full burden of that cost.

While the developer has estimated the costs to be \$5,307.50, City staff has estimated the cost to be significantly higher. Therefore staff is recommending a reimbursement of the costs necessary to construct half street improvements as required by City standards in an amount not to exceed \$10,000.

Additional information will be presented at the meeting.

# Site Location Map

Figure 1



# Infill / Redevelopment Application

**Applicant: Ciavonne, Roberts & Assoc**  
**Street Address: 844 Grand Ave.**  
**City/State/Zip: Grand Junction, Co 81501**  
**Telephone: 241-0745 Fax Number: 241-0765**  
**Email Address: keith@ciavonne.com**

**Project Name/Description/Location:**

*Mark Fenn, developer of the Big Tree Subdivision, represented by Ciavonne, Roberts, and Associates is requesting infill assistance for the proposed subdivision of a 0.50 acre site located at 2256 N. 17<sup>th</sup> Street (2945-122-00-051). The site exists as mostly vacant land with one duplex unit located along the frontage of N. 17<sup>th</sup> Street. The proposed subdivision calls for the addition of 3 single family lots for a total of 5 units(1 duplex, 3 single family) on 4 lots which are accessed by a shared drive or "autocourt", and N. 17<sup>th</sup> Street. A landscape strip along N. 17<sup>th</sup> Street is being required as a buffer between two zones of different densities.*

**Please answer the following questions**  
**Please attach additional paper if needed.**

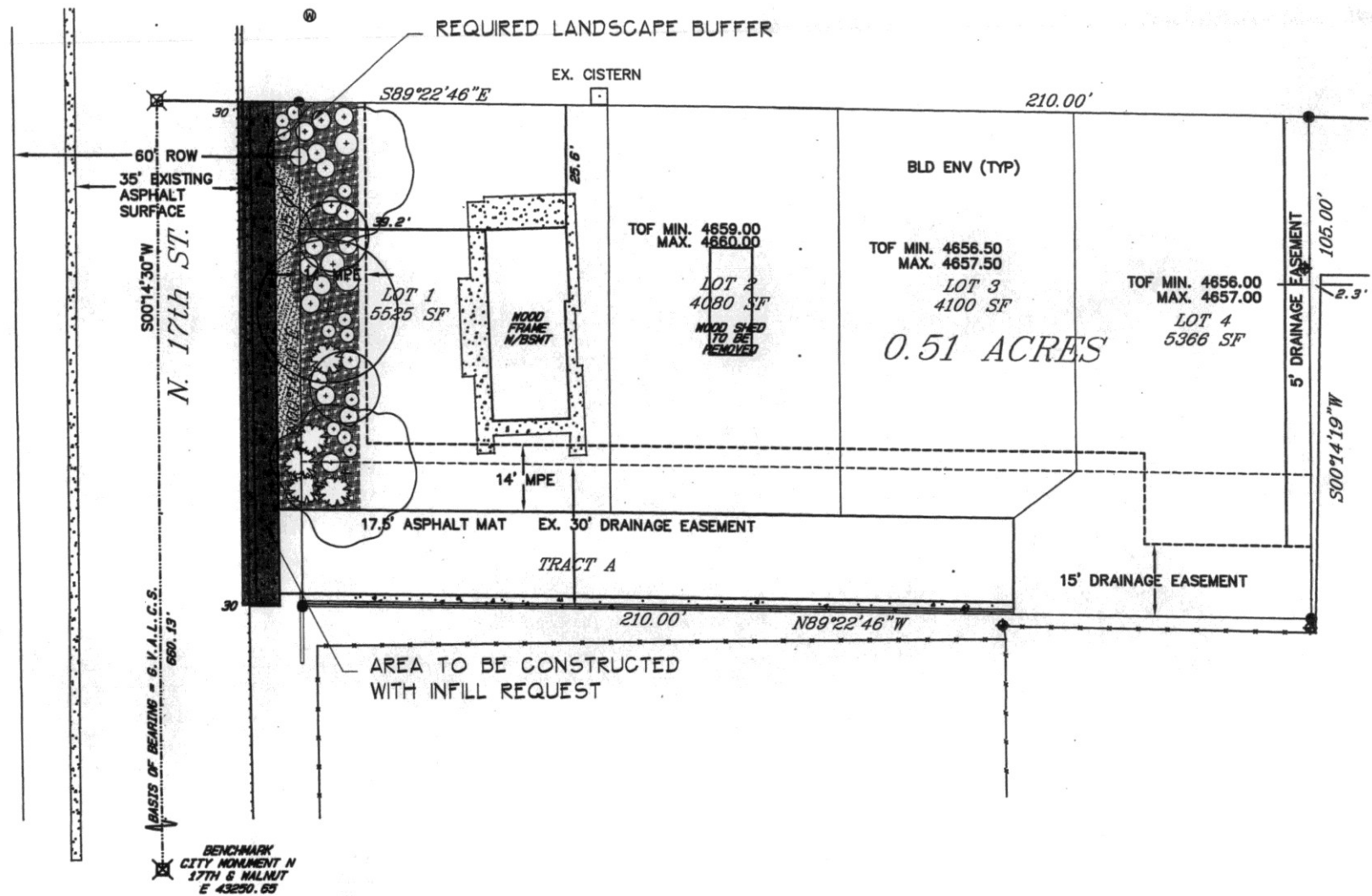
**1. Is the site within the City's geographically mapped area for:  Infill  Redevelopment**

**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 proposed site is in a primary residential area located one block north of Orchard Elementary School and south of the Grand Valley Mainline Canal along N. 17<sup>th</sup> Street. The site, and the parcels adjacent to the north, east, and south have a zoning designation of RMF-24. The surrounding area is mostly RMF-8 zoning with some RMF-16 and PD zoning designations within ¼ of a mile to the west. It has often been declared by the City of Grand Junction, and supported by the community, that providing residential housing near existing infrastructure such as utilities and schools is a very positive approach to development and helps retain the rural feel of the valley by reducing "urban sprawl". Big Tree Subdivision aims to implement this thinking with the financial assistance of the City of Grand Junction's Infill Development program.*

**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.**



# INFILL APPLICATION EXHIBIT BIG TREE SUBDIVISION

CIAVONNE, ROBERTS & ASSOC., INC.  
 LANDSCAPE AND PLANNING ARCHITECTS  
 844 GRAND AVENUE  
 GRAND JUNCTION, CO 81501





1229 North 23<sup>rd</sup> Street, Suite 201 • Grand Junction, Colorado 81501  
(970) 241-6027 • Fax: (970) 256-7992  
www.rhinoengineers.com • email: reinc23@qwest.net

October 18, 2006

Mark Fenn  
1015 North 7<sup>th</sup> Street  
Grand Junction, CO 81501

Re: **Design Engineering Services**  
2256 N. 17<sup>th</sup> Street- Big Tree Subdivision  
Grand Junction, Colorado

Dear Mark,

*Rhino Engineering, Inc.* is pleased to submit this proposal to respond to the City of Grand Junction's Review Comments for the project. This proposal specifically addresses design engineering for 17<sup>th</sup> Street, adjacent to the proposed Big Tree Subdivision.

We will complete the below described tasks to re-submit this project to the City of Grand Junction's Community Development per their review requirements and previous comments.

| <i>Task</i>  | <i>Amount</i>            |
|--|--------------------------|
| <b>Engineering Plans</b>                                 | <b>\$2,100.00</b>        |
| Site Plan (revised)                                      |                          |
| Grading & Drainage Plan (revised)                        |                          |
| Final Drainage Report (revised as necessary) or Addendum |                          |
| Exhibit B - DIA  |                          |
| Field Investigations                                     |                          |
| Project Coordination                                     |                          |
| <b><i>Subtotal Engineering Items</i></b>                 | <b><i>\$2,100.00</i></b> |
| <b>Total Direct Costs</b>                                | <b><u>\$2,100.00</u></b> |
| Reproductions/Copies                                     | \$30.00                  |
| Mileage  | \$25.00                  |
| <b><i>Subtotal Indirect Costs</i></b>                    | <b><i>\$55.00</i></b>    |
| <b><i>Total Costs</i></b>                                | <b><u>\$2,155.00</u></b> |

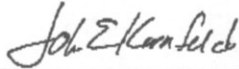
The above is an estimate to perform the specified engineering services. Any meeting attendance, including meetings with the Community Development's staff will be billed at time and material.

*Serving Colorado, Utah & Nevada*

The estimate for the engineering design services resubmittal (above described tasks) to complete the project through the submittal is \$2,155.00. Responses to comments after this submittal, if any, will be billed at actual time.

Again, thanks for inviting us to submit this proposal. We look forward to working with you on this project. If this scope of work proposal is acceptable to you, please acknowledge acceptance by signing the attached Authorization for Professional Services. Upon receipt of signature, I will begin the work. If you have any questions, please call me.

Sincerely,  
RHINO ENGINEERING, INC.



By: John E. Kornfeld, P.E.  
Principal

xc: File (2256 N 17<sup>th</sup> Street, Proposal for Engineering Design Services)

### IMPROVEMENTS COST ESTIMATE

DATE: 18-Oct-04  
DEVELOPMENT NAME: Big Tree Subdivision  
LOCATION: 2256 N. 17th Street  
PRINTED NAME OF PERSON PREPARING: Stephen P. Pitton

|   |    |     |           |                 |
|---|----|-----|-----------|-----------------|
| Mobilization                                      | LS | 1   | \$ 500.00 | \$ 500.00       |
| Quality Control/ Inspection                       | LS | 1   | \$ 500.00 | \$ 500.00       |
| Sawcut Existing Surface (1' width)                | LF | 105 | \$ 1.00   | \$ 105.00       |
| Replacement Asphalt                               | LF | 105 | \$ 3.50   | \$ 367.50       |
| Drive Over Curb, Gutter, and Sidewalk (6.5' Wide) | LF | 105 | \$ 16.00  | \$ 1,680.00     |
| <b>TOTAL</b>                                      |    |     | <b>\$</b> | <b>3,152.50</b> |



**Attach 17**

**Public Hearing – Vacating a Right-of-Way Adjacent to 2953 Highway 50  
CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

| <i>CITY COUNCIL AGENDA</i>            |                 |   |                      |   |                   |                   |                |   |                                 |
|---------------------------------------|-----------------|---|----------------------|---|-------------------|-------------------|----------------|---|---------------------------------|
| <b>Subject</b>                        |                 | Right-of-Way Vacation – 2953 Highway 50 |                      |   |                   |                   |                |   |                                 |
| <b>Meeting Date</b>                   |                 | February 21, 2007                       |                      |   |                   |                   |                |   |                                 |
| <b>Date Prepared</b>                  |                 | January 15, 2007                        |                      |   |                   | File #VR-2006-307 |                |   |                                 |
| <b>Author</b>                         |                 | Ronnie Edwards                          |                      |   | Associate Planner |                   |                |   |                                 |
| <b>Presenter Name</b>                 |                 | Ronnie Edwards                          |                      |   | Associate Planner |                   |                |   |                                 |
| <b>Report results back to Council</b> |                 | X                                       | <b>No</b>            |   | <b>Yes</b>        | <b>When</b>       |                |   |                                 |
| <b>Citizen Presentation</b>           |                 |   | <b>Yes</b>           | X | <b>No</b>         | <b>Name</b>       |                |   |                                 |
|                                       | <b>Workshop</b> | X                                       | <b>Formal Agenda</b> |   |                   |                   | <b>Consent</b> | X | <b>Individual Consideration</b> |

**Summary:** A request to vacate the cul-de-sac bulb located in Buena Vista Drive adjacent to 2953 Highway 50.

**Budget:** N/A

**Action Requested/Recommendation:** Hold a Public Hearing and consider final passage of the Right-of-Way Vacation Ordinance.

**Background Information:** See attached.

**Attachments:**

1. Site/Aerial Map
2. Future Land Use/Zoning Map
3. Ordinance/Exhibit Map
4. Multi-purpose Easement Conveyance/Exhibit Map

| <b>BACKGROUND INFORMATION</b>       |              |                                    |            |  |           |
|-------------------------------------|--------------|------------------------------------|------------|--|-----------|
| <b>Location:</b>                    |              | 2953 Highway 50                    |            |  |           |
| <b>Applicants:</b>                  |              | City of Grand Junction             |            |  |           |
| <b>Existing Land Use:</b>           |              | Right-of-Way                       |            |  |           |
| <b>Proposed Land Use:</b>           |              | Residential/Multi-purpose Easement |            |  |           |
| <b>Surrounding Land Use:</b>        | <b>North</b> | Residential Single Family          |            |  |           |
|                                     | <b>South</b> | Residential Single Family          |            |  |           |
|                                     | <b>East</b>  | Residential Single Family          |            |  |           |
|                                     | <b>West</b>  | Residential Single Family          |            |  |           |
| <b>Existing Zoning:</b>             |              | County RSF-R                       |            |  |           |
| <b>Proposed Zoning:</b>             |              | N/A                                |            |  |           |
| <b>Surrounding Zoning:</b>          | <b>North</b> | County RSF-R                       |            |  |           |
|                                     | <b>South</b> | City RSF-4                         |            |  |           |
|                                     | <b>East</b>  | County RSF-R                       |            |  |           |
|                                     | <b>West</b>  | County RSF-R                       |            |  |           |
| <b>Growth Plan Designation:</b>     |              | Residential Medium-Low (2-4 du/ac) |            |  |           |
| <b>Zoning within density range?</b> |              | N/A                                | <b>Yes</b> |  | <b>No</b> |

**PROJECT DESCRIPTION:** The proposal is to vacate the cul-de-sac bulb adjacent to Buena Vista Drive, retaining the area as a multi-purpose easement, and obtaining a 10' multi-purpose easement adjacent to Buena Vista Drive from the vacated area to Highway 50.

**ANALYSIS:**

1. Background:

The applicant proposes to vacate a portion of the right-of-way, which is the bulb portion of an offset cul-de-sac, leaving the remainder of the road right-of-way for what is now the constructed Buena Vista Drive. The road was originally platted, but not constructed, as a stub with a cul-de-sac turnaround to Orchard Mesa Irrigation District property. The property was sold to a developer and annexed as part of Red Tail Ridge Filing One

development in 2003. The subject area is presently part of the front yard of 2953 Highway 50 and contains an encroachment of an accessory structure associated with the single family residence. The proposed vacation will not affect the current infrastructure configuration. The adjacent property owner will be required to dedicate a 10' multi-purpose easement adjacent to Buena Vista Drive from the subject area to Highway 50 to resolve some minor encroachment for the roadway prism slope. The bulb portion of the offset cul-de-sac will be retained as a multi-purpose easement, as it has not been determined by the applicant or the property owner whether there are existing utility service lines in subject area.

2. Consistency with the Growth Plan:

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

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

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

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

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

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

No parcel will be landlocked by the requested vacation as the adjacent property will continue to have direct access from Buena Vista Drive. The subject area will be retained as a multi-purpose easement.

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

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

*j. There shall be no adverse impacts on the health, safety, and/or welfare of the general community and the quality of public facilities*

*and services provided to any parcel of land shall not be reduced (e.g. police/fire protection and utility services).*

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

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

Provision of adequate public facilities and services will not be inhibited to any property. The bulb portion of the offset cul-de-sac will be retained as a multi-purpose easement and a 10' multi-purpose easement will be dedicated to resolve some minor encroachment for the roadway prism slope from the subject area to Highway 50.

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

This proposal provides a benefit to the City as the vacated area will become the responsibility of the owner of the abutting property for maintenance. The City will benefit by retaining the subject area as a multi-purpose easement, as well as a 10' multi-purpose easement adjacent to Buena Vista Drive for public use.

#### FINDINGS OF FACT/CONCLUSIONS:

After reviewing the right-of-way Vacation application, VR-2006-307, for the vacation of the cul-de-sac bulb adjacent to Buena Vista Drive, City Council makes the following findings of fact and conclusions:

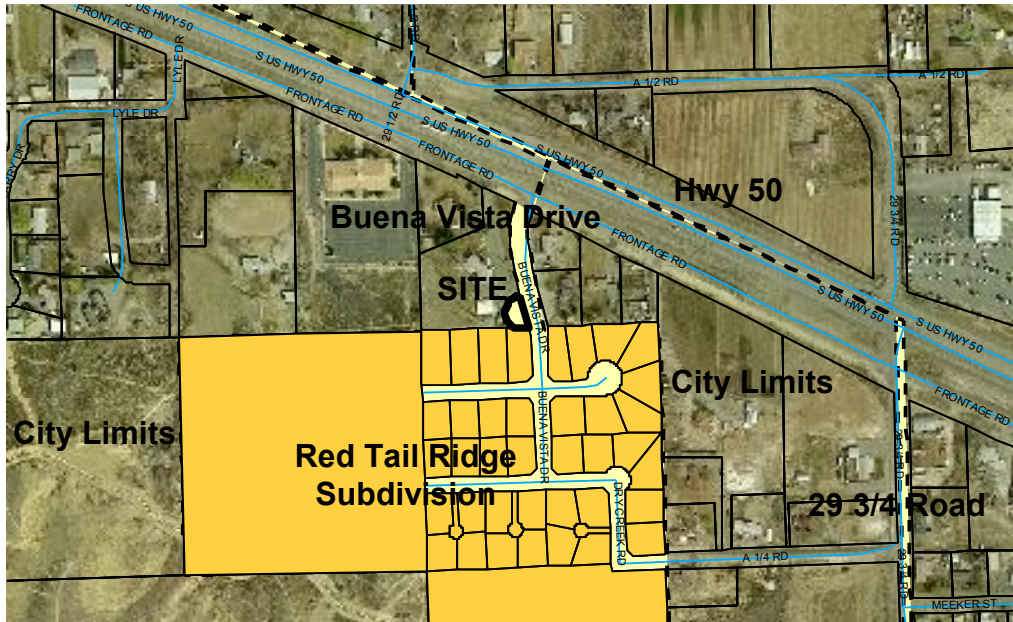
1. The requested right-of-way vacation is consistent with the Growth Plan.
2. The review criteria in Section 2.11.C of the Zoning and Development Code have all been met.
3. The subject area being vacated will be retained as a multi-purpose easement.
4. A 10' multi-purpose easement will be dedicated to the City to resolve a minor encroachment for the roadway prism slope.

#### PLANNING COMMISSION RECOMMENDATION:

At their January 9, 2007 hearing, Planning Commission recommended approval of the Right-of-Way Vacation request.

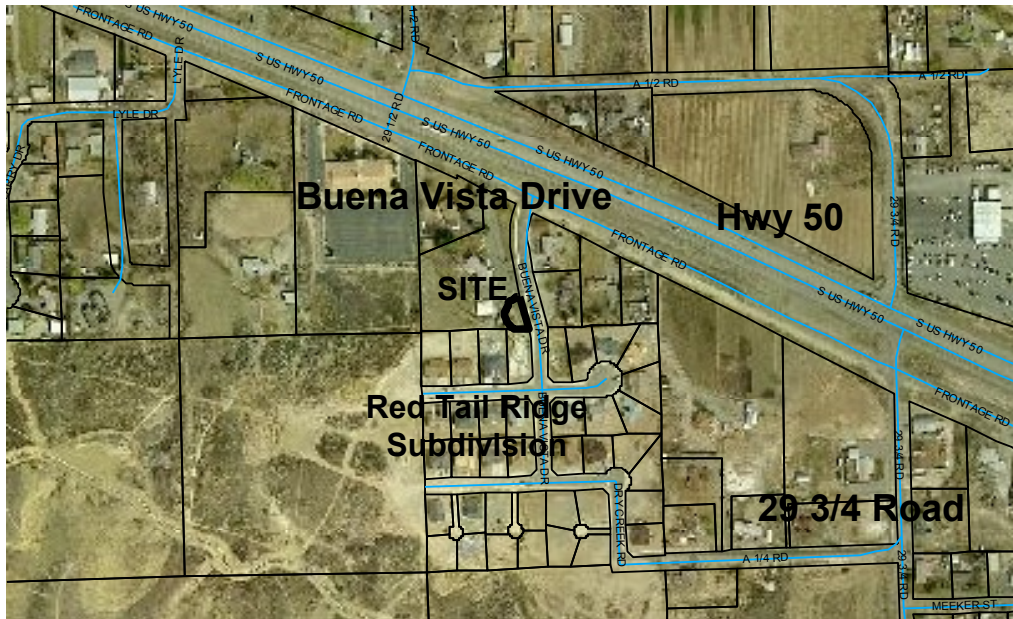
# Site Location Map

Figure 1



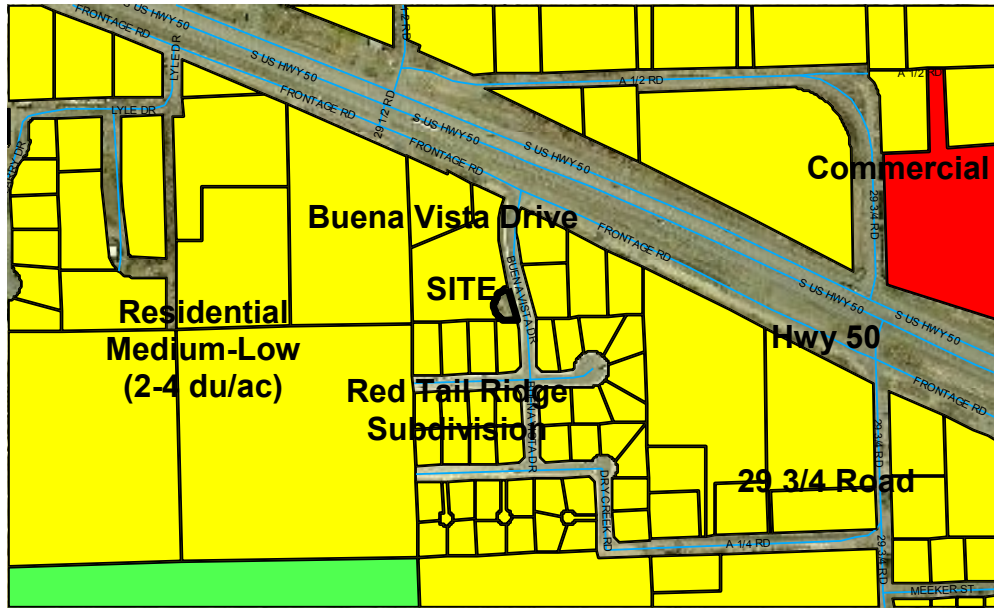
# Aerial Photo Map

Figure 2



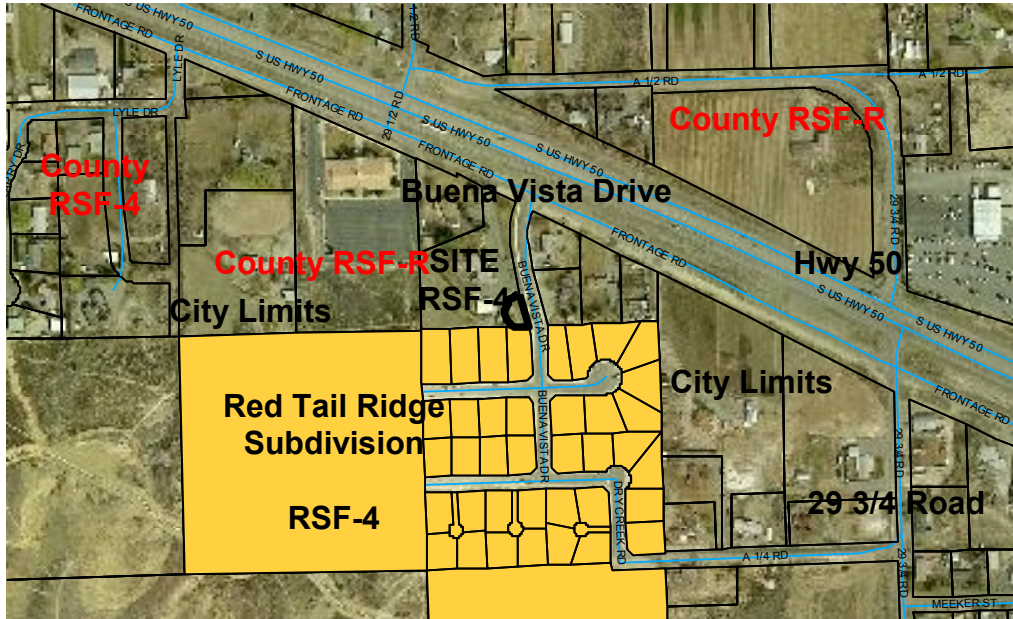
# Future Land Use Map

Figure 3



# Existing City and County Zoning

Figure 4



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



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE VACATING RIGHT-OF-WAY  
LOCATED ADJACENT TO 2953 HIGHWAY 50  
IN BUENA VISTA DRIVE**

Recitals:

A request to vacate the bulb portion of an offset cul-de-sac adjacent to 2953 Highway 50 has been submitted to the City of Grand Junction. The City will reserve and retain the area by incorporating said area into a Multi-Purpose Easement on, along, over, under, through and across the entire area of the right-of-way to be vacated. The adjacent property owner will be required to dedicate a 10' multi-purpose easement adjacent to Buena Vista Drive from the subject area to Highway 50 to resolve a minor encroachment for the roadway prism slope.

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

The Planning Commission, having heard and considered the request, found the criteria of the Zoning Code to have been met, and recommends that the vacation be approved as requested subject to the condition that the City shall reserve and retain the area in a Multi-Purpose Easement, on, along, over, under, through and across the entire area of the hereinafter described right-of-way adjacent to 2953 Highway 50, as well as obtaining a 10' multi-purpose easement adjacent to Buena Vista Drive from the subject area to Highway 50.

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

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

**EXHIBIT A**

A parcel of land situate within the Re-plat of Buena Vista Subdivision adjacent to Lot 3 as recorded in Plat Book 9 at Page 167 of the Mesa County records, being more particularly described as follows:

Commencing at the C-S 1/16 corner of Section 32, Township 1 South, Range 1 East of the Ute Meridian, the basis of bearing being N89°31'13"E to the SE 1/16 corner of said Section 32; thence N00°02'06"W a distance of 657.71 feet to the southwest corner of

said Lot 3; thence N89°35'19"E a distance of 299.30 feet along the south line of said Lot 3 to the point of beginning, being the south corner of said Cul-de-sac to be vacated; thence along the arc of a non-tangent curve to the right 157.08 feet, having a central angle of 114°35'30" and a radius of 50.00 feet, the chord of which bears N09°24'41"W a distance of 100.00 feet; thence S09°24'41"E a distance of 100.00 feet along said chord to the point of beginning. Said parcel contains 3927 square feet, more or less.

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

Introduced for first reading on this 17<sup>th</sup> day of January, 2007

PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2007

ATTEST:

\_\_\_\_\_  
President of City Council

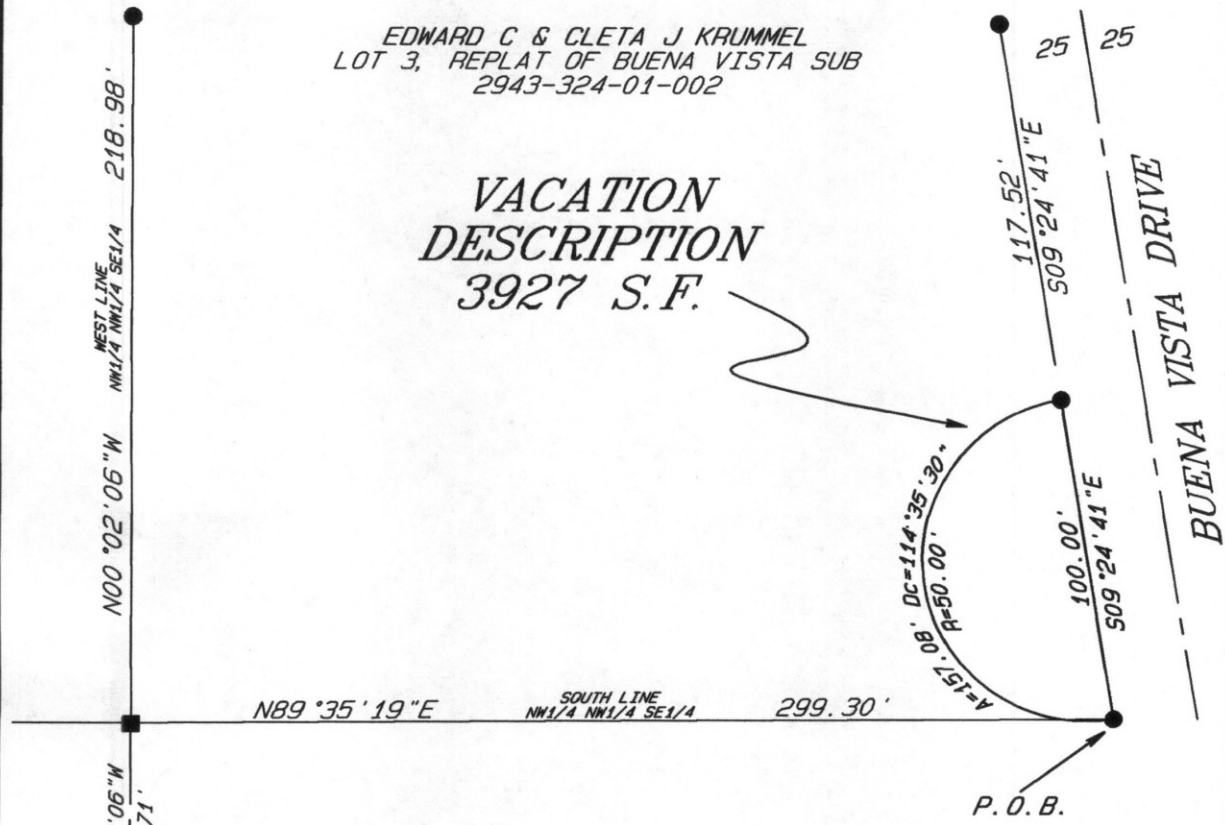
\_\_\_\_\_  
City Clerk



# EXHIBIT A

EDWARD C & CLETA J KRUMMEL  
LOT 3, REPLAT OF BUENA VISTA SUB  
2943-324-01-002

VACATION  
DESCRIPTION  
3927 S.F.



SE 1/16 COR.  
SEC. 32  
MCSM #517-1

N89°31'13"E  
1309.32'

BASIS OF BEARING

C-S 1/16 COR.  
SEC. 32  
MCSM #561



SCALE 1" = 100'

D H SURVEYS INC.  
(970) 245-8749  
JOB #665-02-01

## GRANT OF MULTI-PURPOSE EASEMENT

**Edward C. Krummel and Clela J. Krummel, Grantors**, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00), the receipt and sufficiency of which is hereby acknowledged, has granted and conveyed, and by these presents does hereby grant and convey to the **City of Grand Junction, a Colorado home rule municipality, Grantee**, whose address is 250 North 5th Street, Grand Junction, Colorado 81501, a Perpetual Multi-Purpose Easement for the use and benefit of Grantee and for the use and benefit of the Public Utilities, as approved by Grantee, as a perpetual easement for the installation, operation, maintenance, repair and replacement of utilities and appurtenances related thereto, as approved by Grantee, including, but not limited to, electric lines, cable television lines, natural gas pipelines, sanitary sewer lines, storm sewers and storm water drainage facilities, water lines, telephone lines, and also for the installation, operation maintenance, repair and replacement of traffic control facilities, street lighting, landscaping, trees and grade structures, as approved by Grantee, on, along, over, under, through and across the following described parcel of land, to wit:

A certain multi-purpose easement Located in the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 32, Township 1 South, Range 1 East, Ute Principal Meridian, County of Mesa, State of Colorado being more particularly described as follows:

The East 10.00 feet of a portion of Lot 3, Replat of Buena Vista Subdivision Except Lots 1 & 2 recorded in Plat Book 9, Page 167 of the Mesa County, Colorado public records.

Lying north of the right-of-way of the 50.00 foot cul-de-sac of Buena Vista Drive.

Said easement containing 2,536 square feet more or less as described herein and depicted on "**Exhibit A**" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns forever, together with the right of ingress and egress for workers and equipment to survey, maintain, operate, repair, replace, control and use said Easement, and to remove objects interfering therewith, including the trimming of trees and bushes as may be required to permit the operation of standard utility construction and repair machinery, the said Grantors hereby covenanting with Grantee that the Easement area shall not be burdened or overburdened by the installation, construction or placement of any structures or any other item or fixture which might be detrimental to the facilities of Grantee and/or the Public Utilities or which might act to prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the Easement area, the said Grantors hereby further covenanting with Grantee that Grantors have good title to the aforescribed premises; they have good and lawful right to grant this Easement;

that they will warrant and forever defend the title and quiet possession thereof against the lawful claims and demands of all persons whomsoever.

Executed and delivered this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Edward C. Krummel

\_\_\_\_\_  
Cleta J. Krummel

State of Colorado    )  
                                  )ss.  
County of Mesa        )

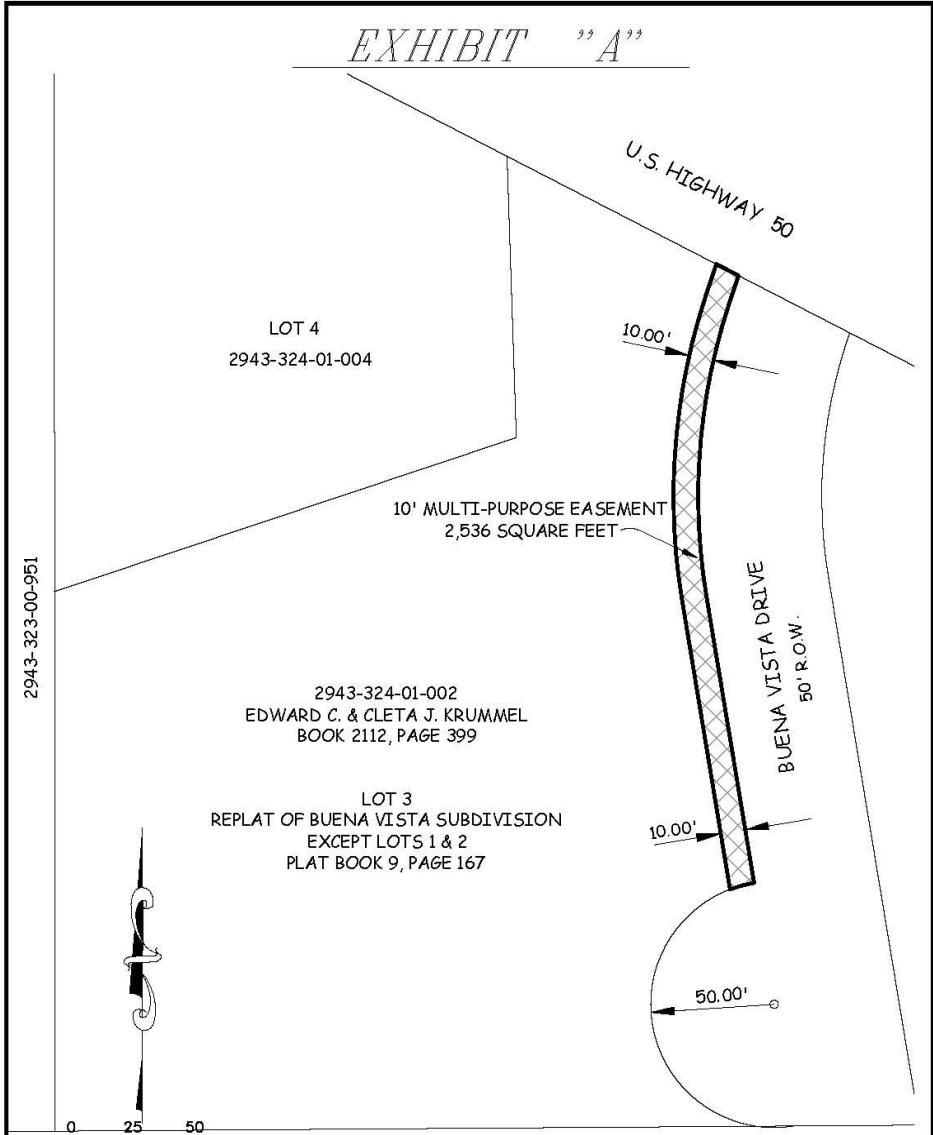
The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2007, by Edward C. Krummel and Cleta J. Krummel.

My commission expires \_\_\_\_\_.

Witness my hand and official seal.

\_\_\_\_\_  
Notary Public

*EXHIBIT "A"*



2943-323-00-951

LOT 4  
2943-324-01-004

10' MULTI-PURPOSE EASEMENT  
2,536 SQUARE FEET

2943-324-01-002  
EDWARD C. & CLETA J. KRUMMEL  
BOOK 2112, PAGE 399

LOT 3  
REPLAT OF BUENA VISTA SUBDIVISION  
EXCEPT LOTS 1 & 2  
PLAT BOOK 9, PAGE 167

10.00'

10.00'

50.00'

BUENA VISTA DRIVE  
50' R.O.W.

U.S. HIGHWAY 50



0 25 50  
1 inch = 50 ft.

RED TAIL RIDGE SUBDIVISION  
BOOK 3710, PAGES 279 & 280

The sketch and description shown hereon has been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This sketch does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.



DRAWN BY: I.L.P.  
DATE: 9-16-2006  
SCALE: 1" = 50'  
APPR. BY: PTK

2943-324-01-002

10' MULTI-PURPOSE EASEMENT TO  
THE CITY OF GRAND JUNCTION



**Attach 18**  
**Public Hearing – The Sunlight Annexation**  
**CITY OF GRAND JUNCTION**

| CITY COUNCIL AGENDA                   |   |     |               |                   |                    |         |   |                          |
|---------------------------------------|---|-----|---------------|-------------------|--------------------|---------|---|--------------------------|
| <b>Subject</b>                        | Sunlight Annexation - Located at 172 and 174 Sunlight Drive |     |               |                   |                    |         |   |                          |
| <b>Meeting Date</b>                   | February 21, 2007   |     |               |                   |                    |         |   |                          |
| <b>Date Prepared</b>                  | January 15, 2007  |     |               |                   | File #ANX-2006-348 |         |   |                          |
| <b>Author</b>                         | Ronnie Edwards  |     |               | Associate Planner |                    |         |   |                          |
| <b>Presenter Name</b>                 | Ronnie Edwards  |     |               | Associate Planner |                    |         |   |                          |
| <b>Report results back to Council</b> | X   | No  |               | Yes               | When               |         |   |                          |
| <b>Citizen Presentation</b>           |   | Yes | X             | No                | Name               |         |   |                          |
|                                       | Workshop  | X   | Formal Agenda |                   |                    | Consent | X | Individual Consideration |

**Summary:** Request to annex 11.29 acres, located at 172 and 174 Sunlight Drive. The Sunlight Annexation consists of two parcels, including a portion of 28 1/2 Road, and is a four part serial annexation. No zoning designation is requested at this time.

**Budget:** N/A

**Action Requested/Recommendation:** Adopt a Resolution accepting the petition for the Sunlight Annexation and Hold a Public Hearing to Consider the Final Passage of the Annexation Ordinance.

**Background Information:** See attached Staff Report/Background Information

**Attachments:**

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

| STAFF REPORT / BACKGROUND INFORMATION |              |  |            |  |           |
|---------------------------------------|--------------|--|------------|--|-----------|
| <b>Location:</b>                      |              | 172 and 174 Sunlight Drive             |            |  |           |
| <b>Applicants:</b>                    |              | Freestyle, Inc. – Ted Munkres          |            |  |           |
| <b>Existing Land Use:</b>             |              | Vacant                                 |            |  |           |
| <b>Proposed Land Use:</b>             |              | Residential                            |            |  |           |
| <b>Surrounding Land Use:</b>          | <b>North</b> | Residential Single Family/Vacant       |            |  |           |
|                                       | <b>South</b> | Residential Single Family              |            |  |           |
|                                       | <b>East</b>  | Residential Single Family              |            |  |           |
|                                       | <b>West</b>  | Residential Single Family/Vacant       |            |  |           |
| <b>Existing Zoning:</b>               |              | County RSF-4                           |            |  |           |
| <b>Proposed Zoning:</b>               |              | Future Planned Residential Development |            |  |           |
| <b>Surrounding Zoning:</b>            | <b>North</b> | County RSF-4 and PD                    |            |  |           |
|                                       | <b>South</b> | County RSF-4                           |            |  |           |
|                                       | <b>East</b>  | County RSF-4                           |            |  |           |
|                                       | <b>West</b>  | County RSF-4                           |            |  |           |
| <b>Growth Plan Designation:</b>       |              | Residential Medium-Low (2-4 du/ac)     |            |  |           |
| <b>Zoning within density range?</b>   |              | <b>X</b>                               | <b>Yes</b> |  | <b>No</b> |

**Staff Analysis:**

**ANNEXATION:**

This annexation area consists of 11.29 acres of land, including a portion of 28 1/2 Road, and is comprised of two parcels. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

It is staff's opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Sunlight 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.

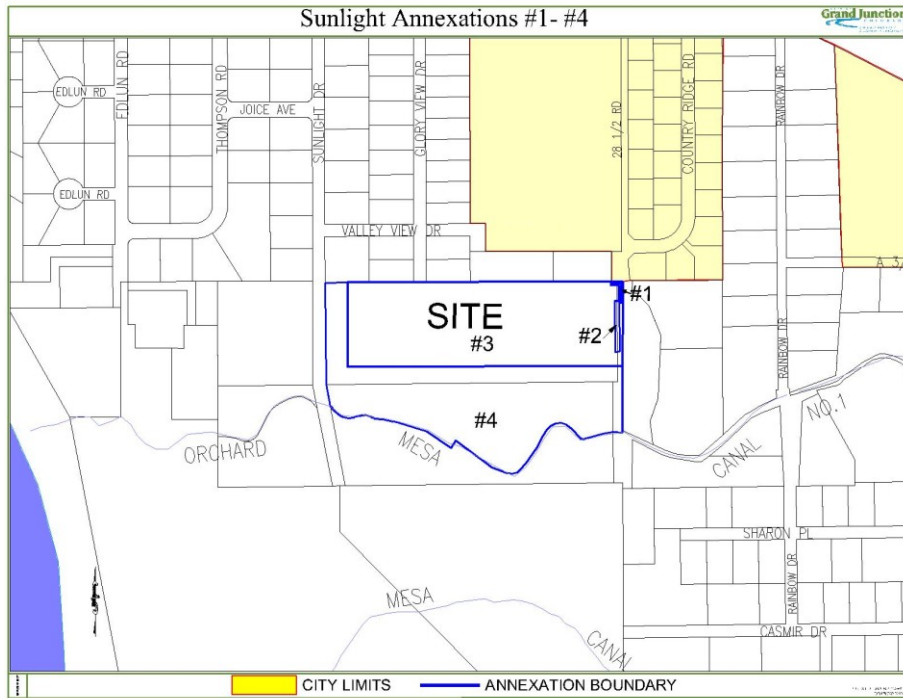
| <i><b>ANNEXATION SCHEDULE</b></i> |   |
|-----------------------------------|---|
| <b>January 17, 2007</b>           | Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use |
| <b>TO BE DETERMINED</b>           | Planning Commission considers Zone of Annexation  |
| <b>TO BE DETERMINED</b>           | Introduction Of A Proposed Ordinance on Zoning by City Council                                  |
| <b>February 21, 2007</b>          | Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council              |
| <b>March 25, 2007</b>             | Effective date of Annexation and Zoning   |

**ZONING:** The applicant has requested deferral to apply a zone district to the annexation to allow them time to propose a Planned Development (PD) zone district in conjunction with a Preliminary Plan.

**SUNLIGHT ANNEXATION SUMMARY**

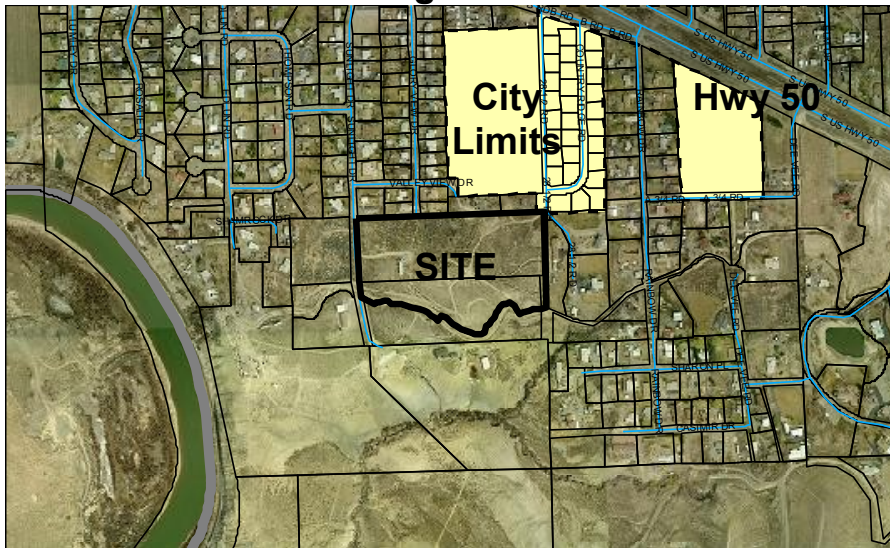
|                                       |                                     |                                    |
|---------------------------------------|-------------------------------------|------------------------------------|
| <b>File Number:</b>                   | ANX-2006-348                        |                                    |
| <b>Location:</b>                      | 172 and 174 Sunlight Drive          |                                    |
| <b>Tax ID Number:</b>                 | 2943-312-00-025 and 2943-312-00-105 |                                    |
| <b>Parcels:</b>                       | 2                                   |                                    |
| <b>Estimated Population:</b>          | 2                                   |                                    |
| <b># of Parcels (owner occupied):</b> | 0                                   |                                    |
| <b># of Dwelling Units:</b>           | 1                                   |                                    |
| <b>Acres land annexed:</b>            | 11.29 acres                         |                                    |
| <b>Developable Acres Remaining:</b>   | 10.971 acres                        |                                    |
| <b>Right-of-way in Annexation:</b>    | .319 acres along 28 1/2 Road        |                                    |
| <b>Previous County Zoning:</b>        | RSF-4                               |                                    |
| <b>Proposed City Zoning:</b>          | Future Planned Residential          |                                    |
| <b>Current Land Use:</b>              | Vacant                              |                                    |
| <b>Future Land Use:</b>               | Residential                         |                                    |
| <b>Values:</b>                        | <b>Assessed:</b>                    | \$11,210                           |
|                                       | <b>Actual:</b>                      | \$140,540                          |
| <b>Address Ranges:</b>                | 2832 to 2849 (Odd and Even)         |                                    |
| <b>Special Districts:</b>             | <b>Water:</b>                       | Ute Water District                 |
|                                       | <b>Sewer:</b>                       | Orchard Mesa Sanitation            |
|                                       | <b>Fire:</b>                        | Grand Junction Rural Fire District |
|                                       | <b>Irrigation/<br/>Drainage:</b>    | Orchard Mesa Irrigation            |
|                                       | <b>School:</b>                      | District 51                        |
|                                       | <b>Pest:</b>                        | Grand River Mosquito District      |





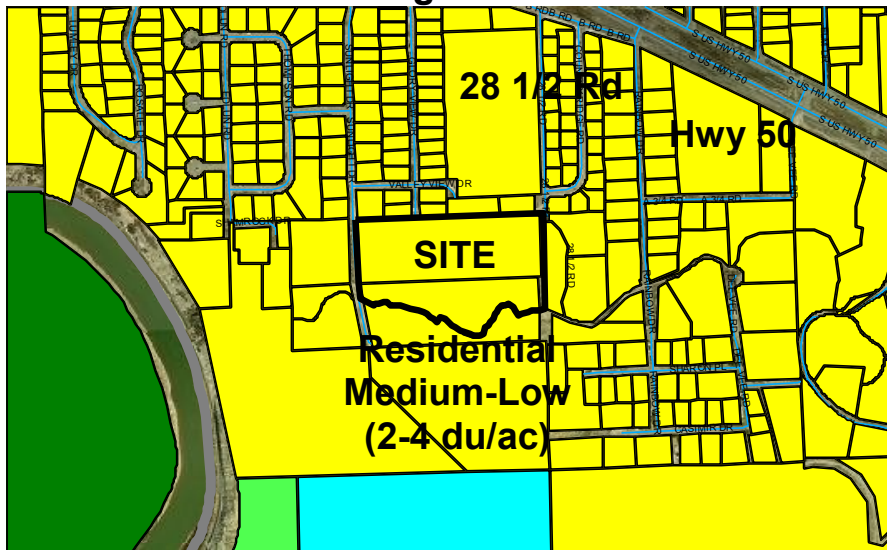
# Aerial Photo Map

Figure 2



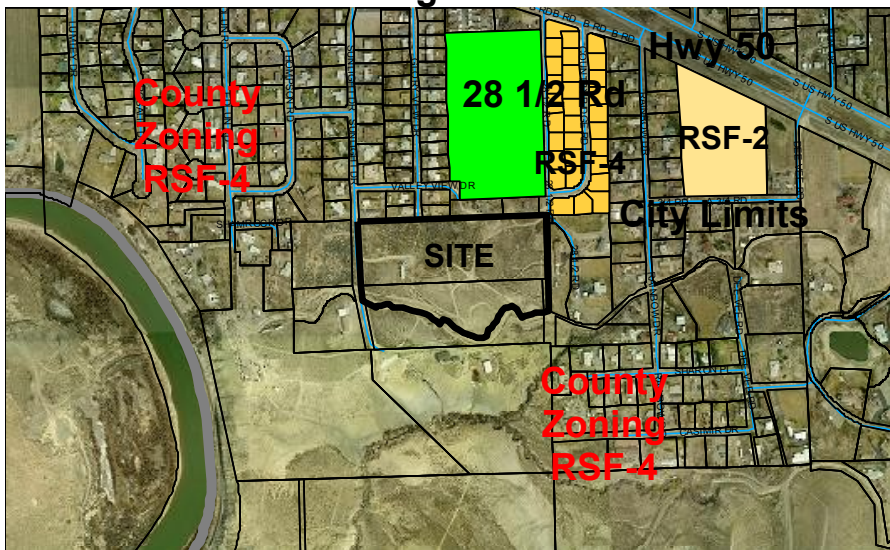
# Future Land Use Map

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."

**RESOLUTION NO. \_\_\_\_**

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

**SUNLIGHT ANNEXATION**

**LOCATED AT 172 AND 174 SUNLIGHT DRIVE, INCLUDING A  
PORTION OF 28 1/2 ROAD RIGHT-OF-WAY**

**IS ELIGIBLE FOR ANNEXATION**

WHEREAS, on the 17th day of January, 2007, 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:

**SUNLIGHT ANNEXATION**

A Serial Annexation Comprising of Sunlight Annexation No. 1, Sunlight Annexation No. 2, Sunlight Annexation No. 3 and Sunlight Annexation No. 4

Sunlight Annexation No. 1  
2943-312-00-025 & 2943-312-00-105

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

Beginning at the Northeast corner of the SE 1/4 NW 1/4 of said Section 31, and assuming the North line of the SE 1/4 NW 1/4 of said Section 31 to bear N89°57'24"E with all bearings contained herein relative thereto; thence S00°08'16"E along the East line of the SE 1/4 NW 1/4 of said Section 31 a distance of 63.00 feet; thence S89°57'24"W a distance of 5.00 feet; thence N00°08'16"W along a line being 5.00 feet West of and parallel with said East line a distance of 58.00 feet to a point on a line being 5.00 feet South of and parallel with the North line of the SE 1/4 NW 1/4 of said Section 31; thence S89°57'24"W along said parallel line a distance of 28.00 feet; thence N00°08'16"W a distance of 5.00 feet to a point on the North line of the SE 1/4 NW 1/4 of said Section 31; thence N89°57'24"E along said North line a distance of 33.00 feet, more or less, to the Point of Beginning.

Said parcel contains 0.01 acres (455 square feet), more or less, as described.

Sunlight Annexation No. 2  
2943-312-00-025 & 2943-312-00-105

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

Beginning at the Northeast corner of the SE 1/4 NW 1/4 of said Section 31, and assuming the North line of the SE 1/4 NW 1/4 of said Section 31 to bear N89°57'24"E with all bearings contained herein relative thereto; thence S00°08'16"E along the East line of the SE 1/4 NW 1/4 of said Section 31 a distance of 63.00 feet; thence S89°57'24"W a distance of 5.00 feet; thence N00°08'16"W along a line being 5.00 feet West of and parallel with said East line a distance of 58.00 feet to a point on a line being 5.00 feet South of and parallel with the North line of the SE 1/4 NW 1/4 of said Section 31; thence S89°57'24"W along said parallel line a distance of 28.00 feet; thence N00°08'16"W a distance of 5.00 feet to a point on the North line of the SE 1/4 NW 1/4 of said Section 31; thence N89°57'24"E along said North line a distance of 33.00 feet, more or less, to the Point of Beginning.

Said parcel contains 0.07 acres (3065 square feet), more or less, as described.

Sunlight Annexation No. 3  
2943-312-00-025 & 2943-312-00-105

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

Commencing at the Northeast corner of the SE 1/4 NW 1/4 of said Section 31, and assuming the North line of the SE 1/4 NW 1/4 of said Section 31 to bear N89°57'24"E with all bearings contained herein relative thereto; thence S00°08'16"E along the East line of the SE 1/4 NW 1/4 of said Section 31 a distance of 68.00 feet to the Point Of Beginning; thence S00°08'16"E along said East line a distance of 212.58 feet; thence S89°58'03"W a distance of 896.16 feet; thence N00°01'39"W a distance of 280.41 feet to a point on the North line of the SE 1/4 NW 1/4 of said Section 31; thence N89°57'24"E along the North line of said SE 1/4 NW 1/4 a distance of 857.12 feet; thence S00°08'16"E a distance of 10.00 feet; thence N89°57'24"E along a line being 10.00 feet South of and parallel with the North line of said SE 1/4 NW 1/4 a distance of 27.00 feet; thence S00°08'16"E along a line being 11.50 feet West of and parallel with

said East line of the SE 1/4 NW 1/4 a distance of 53.00 feet; thence S89°57'24"W a distance of 13.50 feet; thence S00°08'16"E along a line being 25.00 feet West of and parallel with said East line of the SE 1/4 NW 1/4 a distance of 165.00 feet; thence N89°57'24"E a distance of 15.00 feet; thence N00°08'16"W along a line being 10.00 feet West of and parallel with said East line of the SE 1/4 NW 1/4 a distance of 160.00 feet; thence N89°57'24"E a distance of 10.00 feet, more or less, to the Point of Beginning.

Said parcel contains 5.69 acres (247,769 square feet), more or less, as described.

Sunlight Annexation No. 4  
2943-312-00-025 & 2943-312-00-105

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

Commencing at the Northeast corner of the SE 1/4 NW 1/4 of said Section 31, and assuming the North line of the SE 1/4 NW 1/4 of said Section 31 to bear N89°57'24"E with all bearings contained herein relative thereto; thence S00°08'16"E along the East line of the SE 1/4 NW 1/4 of said Section 31 a distance of 280.58 feet to the Point of Beginning; thence S00°08'16"E along the East line of the SE 1/4 NW 1/4 of said Section 31 a distance of 214.03 feet; thence S89°51'44"W a distance of 30.00 feet to a point on the West right of way of 28 1/2 Road recorded in Book 2424, Page 593 of the Mesa County, Colorado public records; thence along the Northerly sideline of a canal easement recorded in Book 2398, Pages 49 through 51, of the Mesa County, Colorado public records the following fourteen (14) courses: (1) S81°22'39"W a distance of 33.73 feet; (2) thence 57.13 feet along the arc of a 270.04 foot radius curve, concave Southeast, having a central angle of 12°07'15" and a chord bearing S75°19'02"W a distance of 57.02 feet; (3) thence S69°15'24"W a distance of 10.81 feet; (4) thence 8.87 feet along the arc of a 7.43 foot radius curve, concave Northeast, having a central angle of 68°22'34" and a chord bearing N76°34'12"W a distance of 8.35 feet; (5) thence N42°23'49"W a distance of 49.29 feet; (6) thence 88.38 feet along the arc of a 49.03 foot radius curve, concave South, having a central angle of 103°16'38" and a chord bearing S85°58'06"W a distance of 76.89 feet; (7) thence S34°20'02"W a distance of 24.05 feet; (8) thence S28°05'51"W a distance of 44.34 feet; (9) thence S35°12'30"W a distance of 61.65 feet; (10) thence S39°12'47"W a distance of 25.61 feet; (11) thence 49.55 feet along the arc of a 39.66 foot radius curve, concave Northwest, having a central angle of 71°35'03" and a chord bearing S75°00'24"W a distance of 46.39 feet; (12) thence N69°11'59"W a distance of 55.26 feet; (13) thence 4.05 feet along the arc of a 14.47 foot radius curve, concave Northeast, having a central angle of 16°02'57" and a chord bearing N61°10'02"W a distance of 4.04 feet; (14) thence N53°08'05"W a distance of 140.34 feet; thence S35°10'58"W a distance of 27.50 feet to the centerline

of said canal easement; thence along the centerline of said canal easement the following fifteen (15) courses; (1) N56°29'58"W a distance of 96.42 feet; (2) thence N73°26'34"W a distance of 114.21 feet; (3) thence 33.26 feet along the arc of a 177.69 foot radius curve, concave Southwest, having a central angle of 10°43'27" and a chord bearing N78°48'18"W a distance of 33.21 feet; (4) thence N84°10'03"W a distance of 28.15 feet; (5) thence 8.45 feet along the arc of a 16.06 foot radius curve, concave Northeast, having a central angle of 30°08'08" and a chord bearing N69°05'59"W a distance of 8.35 feet; (6) thence N54°01'54"W a distance of 4.98 feet; (7) thence 12.30 feet along the arc of a 24.23 foot radius curve, concave Southwest, having a central angle of 29°05'22" and a chord bearing N68°34'10"W a distance of 12.17 feet; (8) thence N83°06'25"W a distance of 9.64 feet; (9) thence 19.90 feet along the arc of a 43.47 foot radius curve, concave South, having a central angle of 26°14'01" and a chord bearing S83°46'23"W a distance of 19.73 feet; (10) thence S70°39'11"W a distance of 14.85 feet; (11) thence 35.75 feet along the arc of a 48.52 foot radius curve, concave Northwest, having a central angle of 42°13'12" and a chord bearing N88°14'03"W a distance of 34.95 feet; (12) thence N67°07'18"W a distance of 10.21 feet; (13) thence N41°26'43"W a distance of 4.84 feet; (14) thence 31.52 feet along the arc of a 145.02 foot radius curve, concave Southwest, having a central angle of 12°27'14" and a chord bearing N47°40'17"W a distance of 31.46 feet; (15) thence N53°53'51"W a distance of 9.14 feet to the East line of a road right of way recorded in Book 2398, Pages 148 and 149 of the Mesa County, Colorado public records; thence N10°55'00"W along the East line of said road right of way described in Book 2398, Pages 148 and 149 a distance of 78.53 feet to a point on the South line of that certain parcel described in Book 4001, Page 471 of the Mesa County, Colorado public records; thence S89°58'04"W along the South line of said parcel described in Book 4001, Page 471 a distance of 0.78 feet to a point on the East line of a road right of way recorded in Book 788, Page 242, of the Mesa County, Colorado public records; thence N00°01'41"W along the East line of said road right of way described in Book 788, Page 242 a distance of 330.39 feet to a point on the North line of the SE 1/4 NW 1/4 of said Section 31; thence N89°57'24"E along the North line of the SE 1/4 NW 1/4 of said Section 31, a distance of 75.00 feet; thence S00°01'39"E a distance of 280.41 feet; thence N89°58'03"E a distance of 896.16 feet, more or less, to the Point of Beginning.

Said parcel contains 5.52 acres (240,310 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 21st day of February, 2007, in the City Hall auditorium, located at 250 North 5<sup>th</sup> 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 \_\_\_\_\_, 2007.

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**

**SUNLIGHT ANNEXATION NO. 1**

**APPROXIMATELY 0.01 ACRES**

**LOCATED AT 174 SUNLIGHT DRIVE**

**WHEREAS**, on the 17th day of January, 2007, 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 21st day of February, 2007; 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:

**SUNLIGHT ANNEXATION NO. 1**

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

Beginning at the Northeast corner of the SE 1/4 NW 1/4 of said Section 31, and assuming the North line of the SE 1/4 NW 1/4 of said Section 31 to bear N89°57'24"E with all bearings contained herein relative thereto; thence S00°08'16"E along the East line of the SE 1/4 NW 1/4 of said Section 31 a distance of 63.00 feet; thence S89°57'24"W a distance of 5.00 feet; thence N00°08'16"W along a line being 5.00 feet West of and parallel with said East line a distance of 58.00 feet to a point on a line



being 5.00 feet South of and parallel with the North line of the SE 1/4 NW 1/4 of said Section 31; thence S89°57'24"W along said parallel line a distance of 28.00 feet; thence N00°08'16"W a distance of 5.00 feet to a point on the North line of the SE 1/4 NW 1/4 of said Section 31; thence N89°57'24"E along said North line a distance of 33.00 feet, more or less, to the Point of Beginning.

Said parcel contains 0.01 acres (455 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 17<sup>th</sup> day of January, 2007 and ordered published.

**ADOPTED** on second reading the \_\_\_\_ day of \_\_\_\_\_, 2007.

Attest:

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President of the Council

---

City Clerk

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**SUNLIGHT ANNEXATION NO. 2**

**APPROXIMATELY 0.07 ACRES**

**LOCATED AT 174 SUNLIGHT DRIVE**

**WHEREAS**, on the 17th day of January, 2007, 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 21st day of February, 2007; 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:

**SUNLIGHT ANNEXATION NO. 2**

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

Beginning at the Northeast corner of the SE 1/4 NW 1/4 of said Section 31, and assuming the North line of the SE 1/4 NW 1/4 of said Section 31 to bear N89°57'24"E with all bearings contained herein relative thereto; thence S00°08'16"E along the East line of the SE 1/4 NW 1/4 of said Section 31 a distance of 63.00 feet; thence S89°57'24"W a distance of 5.00 feet; thence N00°08'16"W along a line being 5.00 feet West of and parallel with said East line a distance of 58.00 feet to a point on a line

being 5.00 feet South of and parallel with the North line of the SE 1/4 NW 1/4 of said Section 31; thence S89°57'24"W along said parallel line a distance of 28.00 feet; thence N00°08'16"W a distance of 5.00 feet to a point on the North line of the SE 1/4 NW 1/4 of said Section 31; thence N89°57'24"E along said North line a distance of 33.00 feet, more or less, to the Point of Beginning.

Said parcel contains 0.07 acres (3065 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 17<sup>th</sup> day of January, 2007 and ordered published.

**ADOPTED** on second reading the \_\_\_\_\_ day of \_\_\_\_\_, 2007.

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**

**SUNLIGHT ANNEXATION NO. 3**

**APPROXIMATELY 5.69 ACRES**

**LOCATED AT 174 SUNLIGHT DRIVE**

**WHEREAS**, on the 17th day of January, 2007, 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 21st day of February, 2007; 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:

**SUNLIGHT ANNEXATION NO. 3**

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

Commencing at the Northeast corner of the SE 1/4 NW 1/4 of said Section 31, and assuming the North line of the SE 1/4 NW 1/4 of said Section 31 to bear N89°57'24"E with all bearings contained herein relative thereto; thence S00°08'16"E along the East line of the SE 1/4 NW 1/4 of said Section 31 a distance of 68.00 feet to the Point Of Beginning; thence S00°08'16"E along said East line a distance of 212.58 feet; thence S89°58'03"W a distance of 896.16 feet; thence N00°01'39"W a distance of 280.41 feet

to a point on the North line of the SE 1/4 NW 1/4 of said Section 31; thence N89°57'24"E along the North line of said SE 1/4 NW 1/4 a distance of 857.12 feet; thence S00°08'16"E a distance of 10.00 feet; thence N89°57'24"E along a line being 10.00 feet South of and parallel with the North line of said SE 1/4 NW 1/4 a distance of 27.00 feet; thence S00°08'16"E along a line being 11.50 feet West of and parallel with said East line of the SE 1/4 NW 1/4 a distance of 53.00 feet; thence S89°57'24"W a distance of 13.50 feet; thence S00°08'16"E along a line being 25.00 feet West of and parallel with said East line of the SE 1/4 NW 1/4 a distance of 165.00 feet; thence N89°57'24"E a distance of 15.00 feet; thence N00°08'16"W along a line being 10.00 feet West of and parallel with said East line of the SE 1/4 NW 1/4 a distance of 160.00 feet; thence N89°57'24"E a distance of 10.00 feet, more or less, to the Point of Beginning.

Said parcel contains 5.69 acres (247,769 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 17<sup>th</sup> day of January, 2007 and ordered published.

**ADOPTED** on second reading the \_\_\_\_\_ day of \_\_\_\_\_, 2007.

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**

**SUNLIGHT ANNEXATION NO. 4**

**APPROXIMATELY 5.52 ACRES**

**LOCATED AT 172 AND 174 SUNLIGHT DRIVE, INCLUDING  
A PORTION OF 28 1/2 ROAD RIGHT-OF-WAY**

**WHEREAS**, on the 17th day of January, 2007, 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 21st day of February, 2007; 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:

**SUNLIGHT ANNEXATION NO. 4**

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

Commencing at the Northeast corner of the SE 1/4 NW 1/4 of said Section 31, and assuming the North line of the SE 1/4 NW 1/4 of said Section 31 to bear N89°57'24"E with all bearings contained herein relative thereto; thence S00°08'16"E along the East line of the SE 1/4 NW 1/4 of said Section 31 a distance of 280.58 feet to the Point Of Beginning; thence S00°08'16"E along the East line of the SE 1/4 NW 1/4 of said

Section 31 a distance of 214.03 feet; thence S89°51'44"W a distance of 30.00 feet to a point on the West right of way of 28 1/2 Road recorded in Book 2424, Page 593 of the Mesa County, Colorado public records; thence along the Northerly sideline of a canal easement recorded in Book 2398, Pages 49 through 51, of the Mesa County, Colorado public records the following fourteen (14) courses: (1) S81°22'39"W a distance of 33.73 feet; (2) thence 57.13 feet along the arc of a 270.04 foot radius curve, concave Southeast, having a central angle of 12°07'15" and a chord bearing S75°19'02"W a distance of 57.02 feet; (3) thence S69°15'24"W a distance of 10.81 feet; (4) thence 8.87 feet along the arc of a 7.43 foot radius curve, concave Northeast, having a central angle of 68°22'34" and a chord bearing N76°34'12"W a distance of 8.35 feet; (5) thence N42°23'49"W a distance of 49.29 feet; (6) thence 88.38 feet along the arc of a 49.03 foot radius curve, concave South, having a central angle of 103°16'38" and a chord bearing S85°58'06"W a distance of 76.89 feet; (7) thence S34°20'02"W a distance of 24.05 feet; (8) thence S28°05'51"W a distance of 44.34 feet; (9) thence S35°12'30"W a distance of 61.65 feet; (10) thence S39°12'47"W a distance of 25.61 feet; (11) thence 49.55 feet along the arc of a 39.66 foot radius curve, concave Northwest, having a central angle of 71°35'03" and a chord bearing S75°00'24"W a distance of 46.39 feet; (12) thence N69°11'59"W a distance of 55.26 feet; (13) thence 4.05 feet along the arc of a 14.47 foot radius curve, concave Northeast, having a central angle of 16°02'57" and a chord bearing N61°10'02"W a distance of 4.04 feet; (14) thence N53°08'05"W a distance of 140.34 feet; thence S35°10'58"W a distance of 27.50 feet to the centerline of said canal easement; thence along the centerline of said canal easement the following fifteen (15) courses; (1) N56°29'58"W a distance of 96.42 feet; (2) thence N73°26'34"W a distance of 114.21 feet; (3) thence 33.26 feet along the arc of a 177.69 foot radius curve, concave Southwest, having a central angle of 10°43'27" and a chord bearing N78°48'18"W a distance of 33.21 feet; (4) thence N84°10'03"W a distance of 28.15 feet; (5) thence 8.45 feet along the arc of a 16.06 foot radius curve, concave Northeast, having a central angle of 30°08'08" and a chord bearing N69°05'59"W a distance of 8.35 feet; (6) thence N54°01'54"W a distance of 4.98 feet; (7) thence 12.30 feet along the arc of a 24.23 foot radius curve, concave Southwest, having a central angle of 29°05'22" and a chord bearing N68°34'10"W a distance of 12.17 feet; (8) thence N83°06'25"W a distance of 9.64 feet; (9) thence 19.90 feet along the arc of a 43.47 foot radius curve, concave South, having a central angle of 26°14'01" and a chord bearing S83°46'23"W a distance of 19.73 feet; (10) thence S70°39'11"W a distance of 14.85 feet; (11) thence 35.75 feet along the arc of a 48.52 foot radius curve, concave Northwest, having a central angle of 42°13'12" and a chord bearing N88°14'03"W a distance of 34.95 feet; (12) thence N67°07'18"W a distance of 10.21 feet; (13) thence N41°26'43"W a distance of 4.84 feet; (14) thence 31.52 feet along the arc of a 145.02 foot radius curve, concave Southwest, having a central angle of 12°27'14" and a chord bearing N47°40'17"W a distance of 31.46 feet; (15) thence N53°53'51"W a distance of 9.14 feet to the East line of a road right of way recorded in Book 2398, Pages 148 and 149 of the Mesa County, Colorado public records; thence N10°55'00"W along the East line of said road right of way described in Book 2398,

Pages 148 and 149 a distance of 78.53 feet to a point on the South line of that certain parcel described in Book 4001, Page 471 of the Mesa County, Colorado public records; thence S89°58'04"W along the South line of said parcel described in Book 4001, Page 471 a distance of 0.78 feet to a point on the East line of a road right of way recorded in Book 788, Page 242, of the Mesa County, Colorado public records; thence N00°01'41"W along the East line of said road right of way described in Book 788, Page 242 a distance of 330.39 feet to a point on the North line of the SE 1/4 NW 1/4 of said Section 31; thence N89°57'24"E along the North line of the SE 1/4 NW 1/4 of said Section 31, a distance of 75.00 feet; thence S00°01'39"E a distance of 280.41 feet; thence N89°58'03"E a distance of 896.16 feet, more or less, to the Point of Beginning.

Said parcel contains 5.52 acres (240,310 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 17<sup>th</sup> day of January, 2007 and ordered published.

**ADOPTED** on second reading the \_\_\_\_\_ day of \_\_\_\_\_, 2007.

Attest:

\_\_\_\_\_  
President of the Council

\_\_\_\_\_  
City Clerk



**Attach 19**  
**Public Hearing – The Shetland Meadows Annexation and Zoning**  
**CITY OF GRAND JUNCTION**

| CITY COUNCIL AGENDA                   |   |                                     |                          |                          |                                     |                                 |
|---------------------------------------|---|-------------------------------------|--------------------------|--------------------------|-------------------------------------|---------------------------------|
| <b>Subject</b>                        | Shetland Meadows Annexation and Zoning, located at 3022 and 3024 D ½ Road |                                     |                          |                          |                                     |                                 |
| <b>Meeting Date</b>                   | February 21, 2007   |                                     |                          |                          |                                     |                                 |
| <b>Date Prepared</b>                  | February 15, 2007   |                                     |                          |                          | File #ANX-2006-344                  |                                 |
| <b>Author</b>                         | Adam Olsen  |                                     | Associate Planner        |                          |                                     |                                 |
| <b>Presenter Name</b>                 | Adam Olsen  |                                     | Associate Planner        |                          |                                     |                                 |
| <b>Report results back to Council</b> | <input checked="" type="checkbox"/>                                       | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <b>When</b>                         |                                 |
| <b>Citizen Presentation</b>           |   | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <b>Name</b>                         |                                 |
|                                       | <b>Workshop</b>   | <input checked="" type="checkbox"/> | <b>Formal Agenda</b>     |                          | <input type="checkbox"/>            | <b>Consent</b>                  |
|                                       |   |                                     |                          |                          | <input checked="" type="checkbox"/> | <b>Individual Consideration</b> |

**Summary:** Request to annex and zone 5.99 acres, located at 3022 and 3024 D ½ Road, to RMF-5 (Residential Multi Family 5 du/ac). The Shetland Meadows Annexation consists of two parcels.

**Budget:** N/A

**Action Requested/Recommendation:** Adopt Resolution accepting the petition for the Shetland Meadows 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 |              |   |            |
|-------------------------------------|--------------|---|------------|
| <b>Location:</b>                    |              | 3022 & 3024 D ½ Road  |            |
| <b>Applicants:</b>                  |              | Zeppelin Investments-Owner<br>Ciavonne Roberts & Assoc.-Representatives |            |
| <b>Existing Land Use:</b>           |              | Residential   |            |
| <b>Proposed Land Use:</b>           |              | Residential   |            |
| <b>Surrounding Land Use:</b>        | <b>North</b> | Residential   |            |
|                                     | <b>South</b> | Residential   |            |
|                                     | <b>East</b>  | Residential   |            |
|                                     | <b>West</b>  | Residential   |            |
| <b>Existing Zoning:</b>             |              | RSF-R   |            |
| <b>Proposed Zoning:</b>             |              | RMF-5   |            |
| <b>Surrounding Zoning:</b>          | <b>North</b> | RSF-R (County)  |            |
|                                     | <b>South</b> | PUD (County)  |            |
|                                     | <b>East</b>  | RMF-5   |            |
|                                     | <b>West</b>  | RSF-R (County)  |            |
| <b>Growth Plan Designation:</b>     |              | RM (Residential Medium 4-8 du/ac)                                       |            |
| <b>Zoning within density range?</b> |              | <b>x</b>  | <b>Yes</b> |
|                                     |              |   | <b>No</b>  |

**Staff Analysis:**

**ANNEXATION:**

This annexation area consists of 5.99 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 Shetland Meadows 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.

| <b><u>ANNEXATION SCHEDULE</u></b> |   |
|-----------------------------------|---|
| January 17, 2007                  | Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use |
| January 23, 2007                  | Planning Commission considers Zone of Annexation  |
| February 7, 2007                  | Introduction Of A Proposed Ordinance on Zoning by City Council                                  |
| February 21, 2007                 | Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council              |
| March 25, 2007                    | Effective date of Annexation and Zoning   |

**SHETLAND MEADOWS ANNEXATION SUMMARY**

|                                       |                                    |                         |
|---------------------------------------|------------------------------------|-------------------------|
| <b>File Number:</b>                   | ANX-2006-344                       |                         |
| <b>Location:</b>                      | 3022 & 3024 D ½ Road               |                         |
| <b>Tax ID Number:</b>                 | 2943-162-00-030<br>2943-162-00-031 |                         |
| <b>Parcels:</b>                       | 2                                  |                         |
| <b>Estimated Population:</b>          | 2                                  |                         |
| <b># of Parcels (owner occupied):</b> | 2                                  |                         |
| <b># of Dwelling Units:</b>           | 2                                  |                         |
| <b>Acres land annexed:</b>            | 5.99                               |                         |
| <b>Developable Acres Remaining:</b>   | 5.99                               |                         |
| <b>Right-of-way in Annexation:</b>    | D ½ Road                           |                         |
| <b>Previous County Zoning:</b>        | RSF-R                              |                         |
| <b>Proposed City Zoning:</b>          | RMF-5                              |                         |
| <b>Current Land Use:</b>              | Residential                        |                         |
| <b>Future Land Use:</b>               | Residential                        |                         |
| <b>Values:</b>                        | <b>Assessed:</b>                   | \$13,660                |
|                                       | <b>Actual:</b>                     | \$271,600               |
| <b>Address Ranges:</b>                | 3022 and 3024 D ½ Road             |                         |
| <b>Special Districts:</b>             | <b>Water:</b>                      | Clifton Water           |
|                                       | <b>Sewer:</b>                      | Central Grand Valley    |
|                                       | <b>Fire:</b>                       | Clifton Fire            |
|                                       | <b>Irrigation/Drainage:</b>        | Grand Junction Drainage |
|                                       | <b>School:</b>                     | District 51             |

**Zone of Annexation:** The requested zone of annexation to the RMF-5 district is consistent with the Growth Plan designation of RM (Residential Medium 4-8 du/ac). The existing County zoning is RSF-R. Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

In order for the zoning to occur, the following questions must be answered and a finding of consistency with the Zoning and Development Code must be made per Section 2.6.A.3 and 4 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-5 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 area to the south of the property is zoned County PUD, but has never been developed. To the north is a subdivision zoned RMF-5 in the City with a density of 4.1 du/ac. To the northeast of the site is a subdivision, zoned RMF-5 in the City with a density of 4.3 du/ac. A County PUD is located to the southeast with a density of 4.8 du/ac and to the east is subdivision currently in the review process in the City, zoned RMF-5 with a proposed density of 4 du/ac.*

*The RMF-5 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 2, Transportation and Access Management, Pear Park Plan: Provide good access to schools, shopping, recreation and residential areas.*

*Goal 3, Transportation and Access Management, Pear Park Plan: Provide efficient circulation for emergency vehicles.*

*Goal 4, Transportation and Access Management, Pear Park Plan: Plan for future street cross-sections, sidewalks, bike lanes and trails.*

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

- 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.

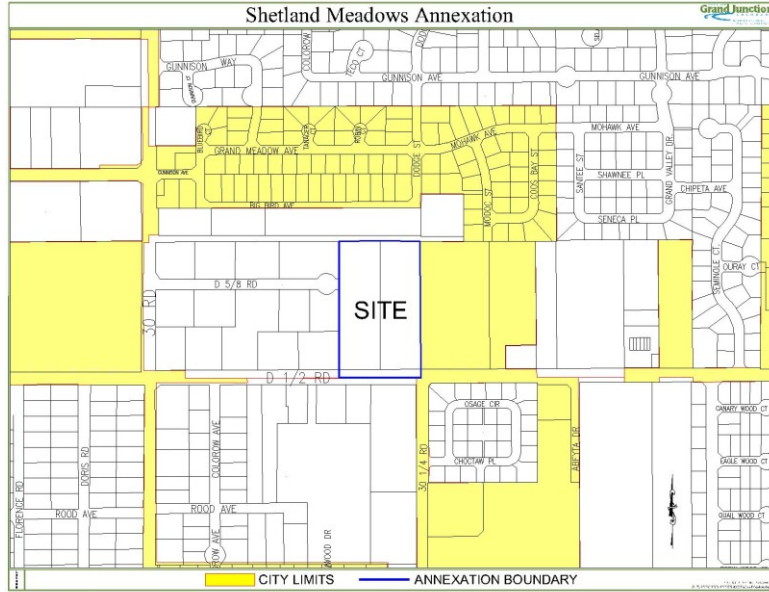
- i. RSF-4
- j. RMF-8

**PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the RMF-5 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



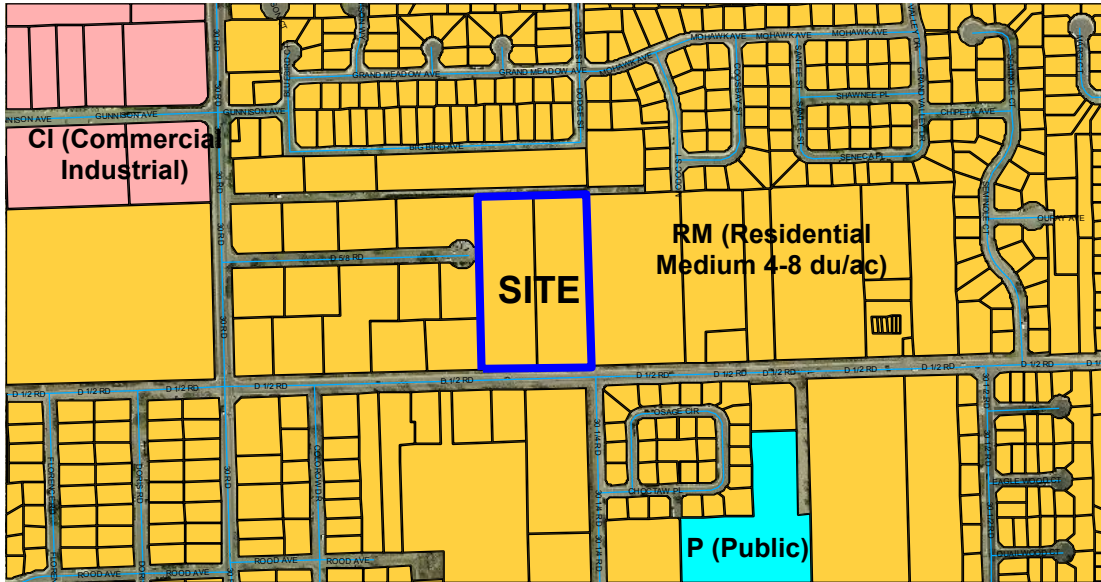
# Aerial Photo Map

Figure 2



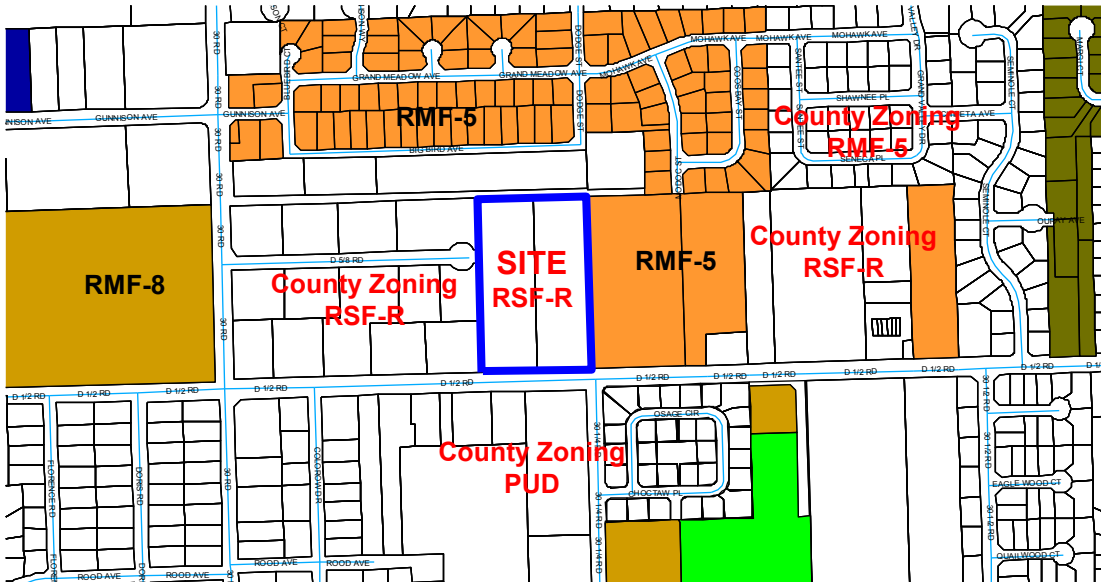
# Future Land Use Map

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  
SHETLAND MEADOWS ANNEXATION  
LOCATED AT 3022 AND 3024 D ½ ROAD  
IS ELIGIBLE FOR ANNEXATION**

WHEREAS, on the 17<sup>th</sup> day of January, 2007, 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:

**SHETLAND MEADOWS ANNEXATION**

A parcel of land located in the Southeast Quarter of the Southwest Quarter of the Northwest Quarter (SE 1/4 SW 1/4 NW 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 Northeast corner of the Southeast Quarter of the Southwest Quarter of the Northwest Quarter (SE 1/4 SW 1/4 NW 1/4) of said Section 16 and assuming the East line of said SE 1/4 SW 1/4 NW 1/4 to bear S00°01'09"E with all bearings contained herein relative thereto, thence S00°01'09"E along said East line a distance of 658.82 feet to a point on the North line of the Fruitvale Meadows Annexation No. 2, City of Grand Junction Ordinance No. 3098, said line also being 1 foot North of and parallel with the South line of the SW 1/4 NW 1/4 of said Section 16; thence S89°56'21"W along said Annexation line a distance of 396.00 feet to a point on the West line of that certain parcel of land as described in Book 4257, Page 747, Public Records, Mesa County, Colorado; thence N00°01'09"W along the West line of said parcel a distance of 658.75 feet to the Northwest corner of said parcel; thence N89°55'42"E along said North line and its continuation, a distance of 396.00 feet, more or less to the Point of Beginning.

Said parcel contains 5.99 acres (260,880 square feet), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 21st day of February, 2007; 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 \_\_\_\_\_, 2007.

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**

**SHETLAND MEADOWS ANNEXATION**

**APPROXIMATELY 5.99 ACRES**

**LOCATED AT 3022 AND 3024 D ½ ROAD**

**WHEREAS**, on the 17th day of January, 2007, 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 21st day of February, 2007; 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:

Shetland Meadows Annexation

A parcel of land located in the Southeast Quarter of the Southwest Quarter of the Northwest Quarter (SE 1/4 SW 1/4 NW 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 Northeast corner of the Southeast Quarter of the Southwest Quarter of the Northwest Quarter (SE 1/4 SW 1/4 NW 1/4) of said Section 16 and assuming the East line of said SE 1/4 SW 1/4 NW 1/4 to bear S00°01'09"E with all bearings contained herein relative thereto, thence S00°01'09"E along said East line a distance of

658.82 feet to a point on the North line of the Fruitvale Meadows Annexation No. 2, City of Grand Junction Ordinance No. 3098, said line also being 1 foot North of and parallel with the South line of the SW 1/4 NW 1/4 of said Section 16; thence S89°56'21"W along said Annexation line a distance of 396.00 feet to a point on the West line of that certain parcel of land as described in Book 4257, Page 747, Public Records, Mesa County, Colorado; thence N00°01'09"W along the West line of said parcel a distance of 658.75 feet to the Northwest corner of said parcel; thence N89°55'42"E along said North line and its continuation, a distance of 396.00 feet, more or less to the Point of Beginning.

Said parcel contains 5.99 acres (260,880 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 17<sup>th</sup> day of January, 2007 and ordered published.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

Attest:

\_\_\_\_\_  
President of the Council

\_\_\_\_\_  
City Clerk

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO. 4031**

**AN ORDINANCE ZONING THE SHETLAND MEADOWS ANNEXATION TO  
RMF-5**

**LOCATED AT 3022 AND 3024 D ½ ROAD**

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Shetland Meadows Annexation to the RMF-5 zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the RMF-5 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-5 (Residential Multi Family 5 du/ac).

**SHETLAND MEADOWS ANNEXATION**

A parcel of land located in the Southeast Quarter of the Southwest Quarter of the Northwest Quarter (SE 1/4 SW 1/4 NW 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 Northeast corner of the Southeast Quarter of the Southwest Quarter of the Northwest Quarter (SE 1/4 SW 1/4 NW 1/4) of said Section 16 and assuming the East line of said SE 1/4 SW 1/4 NW 1/4 to bear S00°01'09"E with all bearings contained herein relative thereto, thence S00°01'09"E along said East line a distance of 658.82 feet to a point on the North line of the Fruitvale Meadows Annexation No. 2, City of Grand Junction Ordinance No. 3098, said line also being 1 foot North of and parallel with the South line of the SW 1/4 NW 1/4 of said Section 16; thence S89°56'21"W

along said Annexation line a distance of 396.00 feet to a point on the West line of that certain parcel of land as described in Book 4257, Page 747, Public Records, Mesa County, Colorado; thence N00°01'09"W along the West line of said parcel a distance of 658.75 feet to the Northwest corner of said parcel; thence N89°55'42"E along said North line and its continuation, a distance of 396.00 feet, more or less to the Point of Beginning.

Said parcel contains 5.99 acres (260,880 square feet), more or less, as described.

Introduced on first reading this 7<sup>th</sup> day of February, 2007 and ordered published.

**ADOPTED** on second reading this \_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:

\_\_\_\_\_  
President of the Council

\_\_\_\_\_  
City Clerk

**Attach 20**  
**Public Hearing – The Costopoulos Annexation and Zoning**  
**CITY OF GRAND JUNCTION**

| CITY COUNCIL AGENDA                   |  |     |                      |                   |                    |  |
|---------------------------------------|--|-----|----------------------|-------------------|--------------------|--|
| <b>Subject</b>                        | Costopoulos Annexation and Zoning, located at 2966, 2968 and 2970 D Road |     |                      |                   |                    |  |
| <b>Meeting Date</b>                   | February 21, 2007  |     |                      |                   |                    |  |
| <b>Date Prepared</b>                  | February 9, 2007   |     |                      |                   | File #ANX-2006-328 |  |
| <b>Author</b>                         | Faye Hall  |     |                      | Associate Planner |                    |  |
| <b>Presenter Name</b>                 | Faye Hall  |     |                      | Associate Planner |                    |  |
| <b>Report results back to Council</b> | X  | No  |                      | Yes               | <b>When</b>        |  |
| <b>Citizen Presentation</b>           |  | Yes | X                    | No                | <b>Name</b>        |  |
|                                       | <b>Workshop</b>  | X   | <b>Formal Agenda</b> |                   |                    | <b>Consent</b> X <b>Individual Consideration</b> |

**Summary:** Request to annex and zone 10.67 acres, located at 2966, 2968 and 2970 D Road, to RMF-8 (Residential Multi-Family 8 units per acre). The Costopoulos Annexation consists of three parcels.

**Budget:** N/A

**Action Requested/Recommendation:** Adopt Resolution accepting the petition for the Costopoulos 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 |              |  |            |
|-------------------------------------|--------------|--|------------|
| <b>Location:</b>                    |              | 2966, 2968 & 2970 D Road   |            |
| <b>Applicants:</b>                  |              | Owners: Marcus & Carol Costopoulos and Hill & Davidson, LLC<br>Representative: Tom Logue |            |
| <b>Existing Land Use:</b>           |              | Residential & Agriculture  |            |
| <b>Proposed Land Use:</b>           |              | Residential  |            |
| <b>Surrounding Land Use:</b>        | <b>North</b> | Future Park  |            |
|                                     | <b>South</b> | Residential & Agriculture  |            |
|                                     | <b>East</b>  | Residential  |            |
|                                     | <b>West</b>  | Residential & Agriculture  |            |
| <b>Existing Zoning:</b>             |              | County RSF-R   |            |
| <b>Proposed Zoning:</b>             |              | City RMF-8   |            |
| <b>Surrounding Zoning:</b>          | <b>North</b> | City RMF-8   |            |
|                                     | <b>South</b> | County RSF-R   |            |
|                                     | <b>East</b>  | City RSF-4   |            |
|                                     | <b>West</b>  | County RSF-R   |            |
| <b>Growth Plan Designation:</b>     |              | Residential Medium 4-8 du/ac   |            |
| <b>Zoning within density range?</b> |              | <b>X</b>   | <b>Yes</b> |
|                                     |              |  | <b>No</b>  |

**Staff Analysis:**

**ANNEXATION:**

This annexation area consists of 10.67 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 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 Costopoulos 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.

| <b><u>ANNEXATION SCHEDULE</u></b> |   |
|-----------------------------------|---|
| <b>January 17, 2007</b>           | Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use |
| <b>January 23, 2007</b>           | Planning Commission considers Zone of Annexation  |
| <b>February 7, 2007</b>           | Introduction Of A Proposed Ordinance on Zoning by City Council                                  |
| <b>February 21, 2007</b>          | Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council              |
| <b>March 25, 2007</b>             | Effective date of Annexation and Zoning   |

| <b><u>COSTOPOULOS ANNEXATION SUMMARY</u></b> |                             |  |
|--|-----------------------------|--|
| <b>File Number:</b>                          |                             | ANX-2006-328                                       |
| <b>Location:</b>                             |                             | 2966, 2968 & 2970 D Road                           |
| <b>Tax ID Number:</b>                        |                             | 2943-174-00-185, 196 & 214                         |
| <b>Parcels:</b>                              |                             | 3  |
| <b>Estimated Population:</b>                 |                             | 5  |
| <b># of Parcels (owner occupied):</b>        |                             | 1  |
| <b># of Dwelling Units:</b>                  |                             | 2  |
| <b>Acres land annexed:</b>                   |                             | 10.67 acres  |
| <b>Developable Acres Remaining:</b>          |                             | 10.62 acres  |
| <b>Right-of-way in Annexation:</b>           |                             | .05 acres (2388 sq ft)                             |
| <b>Previous County Zoning:</b>               |                             | RSF-R  |
| <b>Proposed City Zoning:</b>                 |                             | RMF-8  |
| <b>Current Land Use:</b>                     |                             | Residential & Agriculture                          |
| <b>Future Land Use:</b>                      |                             | Residential  |
| <b>Values:</b>                               | <b>Assessed:</b>            | \$37,830   |
|  | <b>Actual:</b>              | \$210,140  |
| <b>Address Ranges:</b>                       |                             | 2966 thru 2970 even only                           |
| <b>Special Districts:</b>                    | <b>Water:</b>               | Ute Water  |
|  | <b>Sewer:</b>               | Central Grand Valley                               |
|  | <b>Fire:</b>                | Grand Junction Rural Fire                          |
|  | <b>Irrigation/Drainage:</b> | Grand Junction Drainage<br>Grand Valley Irrigation |
|  | <b>School:</b>              | District 51  |

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

In order for the zoning to occur, the following questions must be answered and a finding of consistency with the Zoning and Development Code must be made per Section 2.6.A.3, 4 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 as Flint Ridge Subdivision to the west is also zoned RMF-8 and is conforming to the growth plan and the Pear Park Plan. Flint Ridge has a built density of 6.52 units per acre, which does not include the 3.55 acre park that is in Filing One. Westland Estates Subdivision located to the east is zoned RSF-4, however, there is a ditch that runs north and south between these parcels that staff feels would be a good transition between the two zone districts. Westland Estates has a built density of 2.99 units per acre, which does include tracts and Right of Way.

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

- Adequate public facilities and services are available or will be made available concurrent with the projected impacts of 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 is an area that is seeing a lot of new development in the community and is needed to accommodate the fact that the area is growing with a need for smaller lots and affordable housing developments.

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

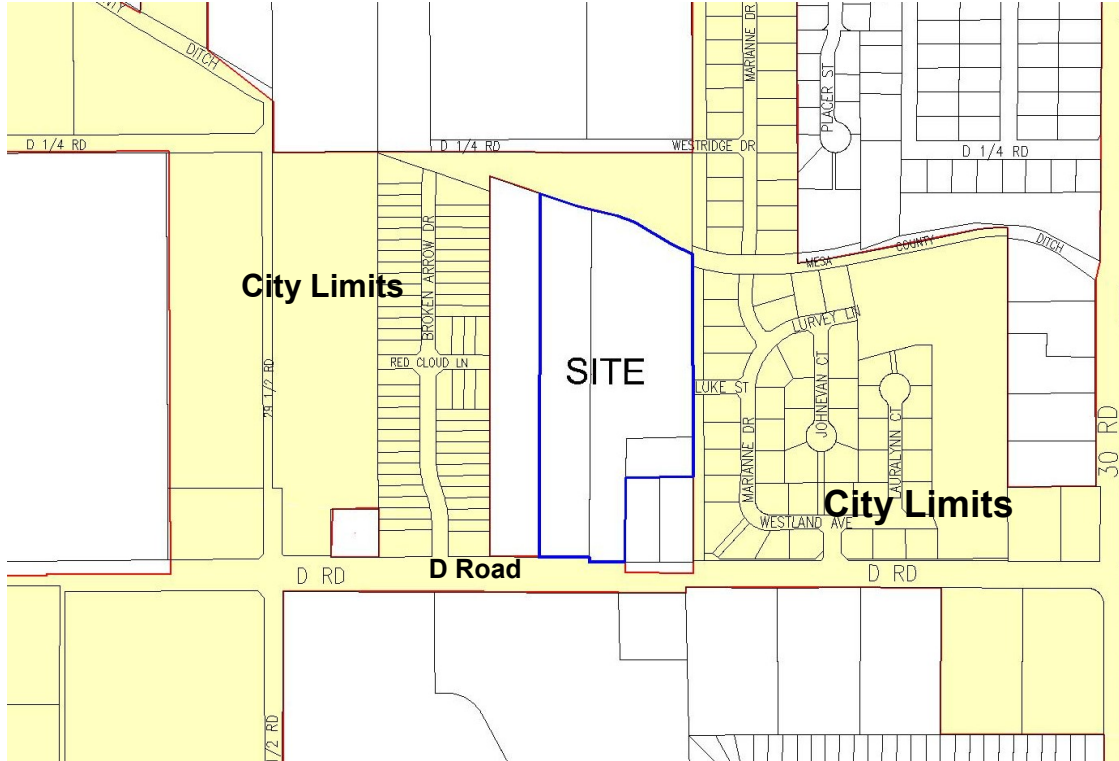
- k. RSF
- l. RMF-5
- m. R-O

**PLANNING COMMISSION RECOMMENDATION:**

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

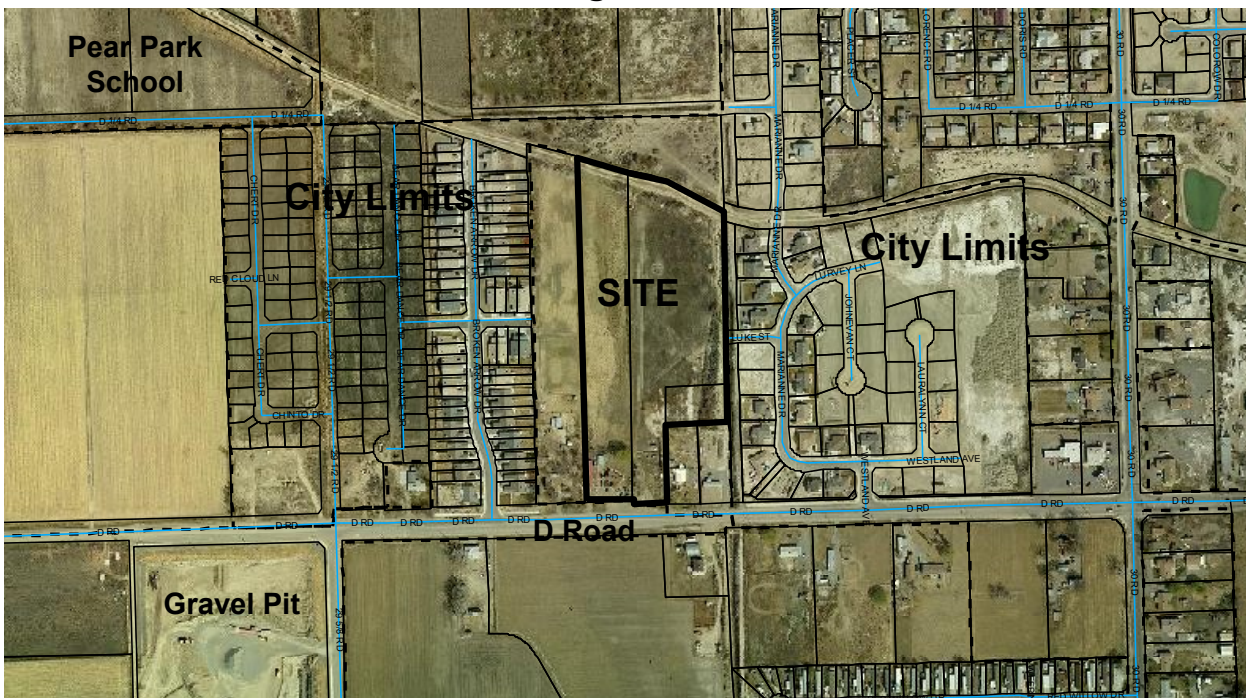
# Site Location Map

Figure 1



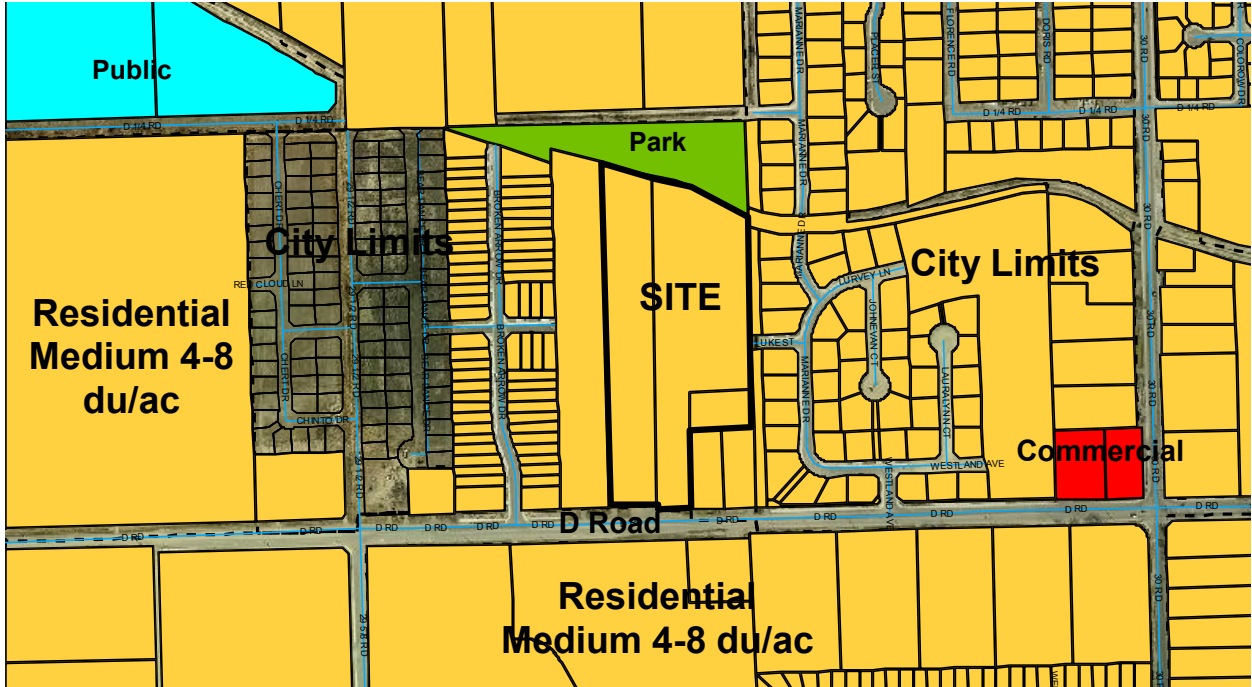
# Aerial Photo Map

Figure 2



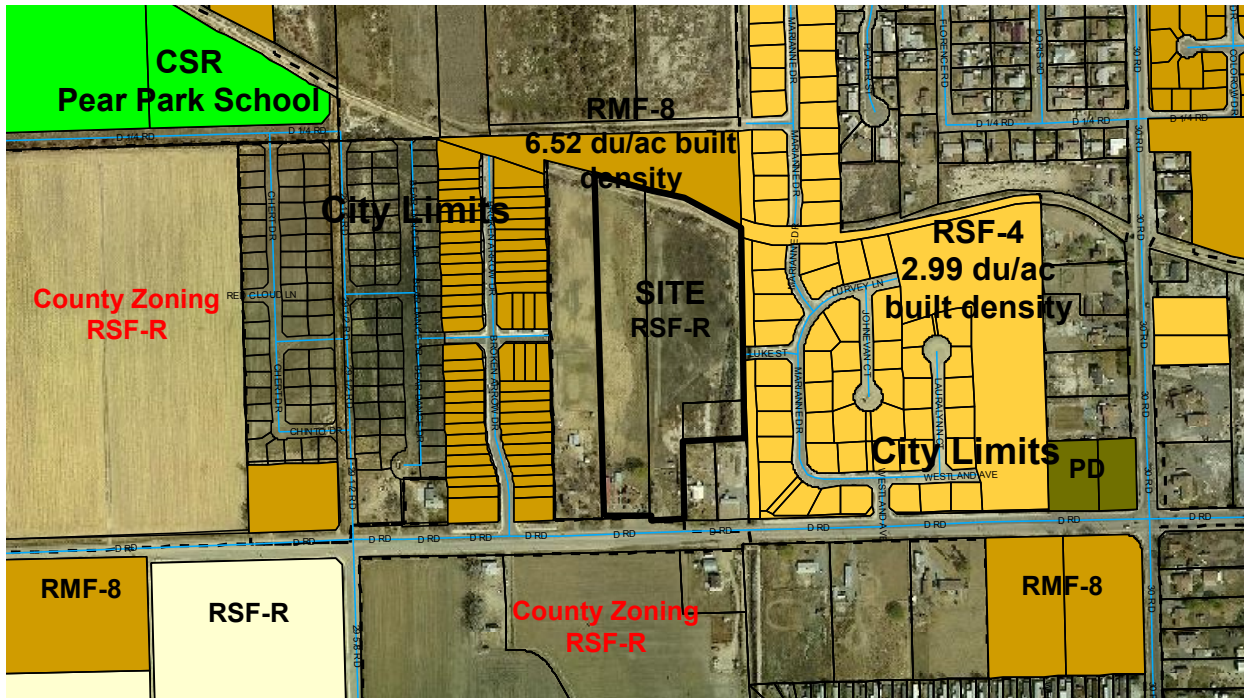
# Future Land Use Map

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  
COSTOPOULOS ANNEXATION**

**LOCATED AT 2966, 2968 AND 2970 D ROAD AND A PORTION OF THE D ROAD  
RIGHT OF WAY**

**IS ELIGIBLE FOR ANNEXATION**

WHEREAS, on the 17<sup>th</sup> day of January, 2007, 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:

**COSTOPOULOS ANNEXATION**

A certain parcel of land lying in the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of Section 17, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Southeast corner of the SW 1/4 SE 1/4 of said Section 17 and assuming the East line of the SW 1/4 SE 1/4 of said Section 17 bears N00°01'01"W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N00°01'01"W along said East line a distance of 295.00 feet to the POINT OF BEGINNING; thence S89°59'02"W a distance of 209.95 feet to the Northwest corner of that certain parcel of land as described in Book 3242, Pages 120-121, Public Records of Mesa County, Colorado; thence S00°00'39"E along the West line of said parcel a distance of 256.02 feet to a point on the Parham Annexation, City of Grand Junction, Ordinance No. 3349; thence S89°58'44"W along said Parham Annexation a distance of 119.39 feet; thence N00°01'13"W a distance of 20.00 feet to the Southeast corner of that certain parcel of land as described in Book 3668, Pages 624-625, Public Records of Mesa County, Colorado, also being a point on the North line of D Road; thence S89°58'44"W along said North line a distance of 159.48 feet to the Southwest corner of said parcel; thence N00°01'47"W along the West line of said parcel a distance of 1133.39 feet to a point on said Parham Annexation and also being a point on the centerline of the Grand Valley Canal; thence along said Parham Annexation the following five (5) courses: (1) S71°47'41"E a distance of 129.55 feet; (2)

thence S76°07'49"E a distance of 132.54 feet; (3) thence S70°42'51"E a distance of 60.07 feet; (4) thence S59°25'31"E a distance of 137.94 feet; (5) thence S67°31'11"E a distance of 67.05 feet to the East line of the SW 1/4 SE 1/4 of said Section 17; thence S00°01'01"E along the East line of said SW 1/4 SE 1/4 of said Section 17 a distance of 702.16 feet, more or less, to the Point of Beginning.

Said parcel contains 10.67 acres (464,991 square feet), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 21<sup>st</sup> day of February, 2007; 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 \_\_\_\_\_, 2007.

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**

**COSTOPOULOS ANNEXATION**

**APPROXIMATELY 10.67 ACRES**

**LOCATED AT 2966, 2968 AND 2970 D ROAD AND A PORTION OF THE D ROAD  
RIGHT OF WAY**

**WHEREAS**, on the 17<sup>th</sup> day of January, 2007, 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 21<sup>st</sup> day of February, 2007; 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:

**COSTOPOULOS ANNEXATION**

A certain parcel of land lying in the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of Section 17, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Southeast corner of the SW 1/4 SE 1/4 of said Section 17 and assuming the East line of the SW 1/4 SE 1/4 of said Section 17 bears N00°01'01"W with all other bearings contained herein being relative thereto; thence from said Point of

Commencement, N00°01'01"W along said East line a distance of 295.00 feet to the POINT OF BEGINNING; thence S89°59'02"W a distance of 209.95 feet to the Northwest corner of that certain parcel of land as described in Book 3242, Pages 120-121, Public Records of Mesa County, Colorado; thence S00°00'39"E along the West line of said parcel a distance of 256.02 feet to a point on the Parham Annexation, City of Grand Junction, Ordinance No. 3349; thence S89°58'44"W along said Parham Annexation a distance of 119.39 feet; thence N00°01'13"W a distance of 20.00 feet to the Southeast corner of that certain parcel of land as described in Book 3668, Pages 624-625, Public Records of Mesa County, Colorado, also being a point on the North line of D Road; thence S89°58'44"W along said North line a distance of 159.48 feet to the Southwest corner of said parcel; thence N00°01'47"W along the West line of said parcel a distance of 1133.39 feet to a point on said Parham Annexation and also being a point on the centerline of the Grand Valley Canal; thence along said Parham Annexation the following five (5) courses: (1) S71°47'41"E a distance of 129.55 feet; (2) thence S76°07'49"E a distance of 132.54 feet; (3) thence S70°42'51"E a distance of 60.07 feet; (4) thence S59°25'31"E a distance of 137.94 feet; (5) thence S67°31'11"E a distance of 67.05 feet to the East line of the SW 1/4 SE 1/4 of said Section 17; thence S00°01'01"E along the East line of said SW 1/4 SE 1/4 of said Section 17 a distance of 702.16 feet, more or less, to the Point of Beginning.

Said parcel contains 10.67 acres (464,991 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 17<sup>th</sup> day of January, 2007 and ordered published.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

Attest:

\_\_\_\_\_  
President of the Council

\_\_\_\_\_  
City Clerk

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**LOCATED AT 2966, 2968 AND 2970 D ROAD**

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Costopoulos 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 units per acre).

**COSTOPOULOS ANNEXATION**

A certain parcel of land lying in the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of Section 17, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Southeast corner of the SW 1/4 SE 1/4 of said Section 17 and assuming the East line of the SW 1/4 SE 1/4 of said Section 17 bears N00°01'01"W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N00°01'01"W along said East line a distance of 295.00 feet to the POINT OF BEGINNING; thence S89°59'02"W a distance of 209.95 feet to the Northwest corner of that certain parcel of land as described in Book 3242, Pages 120-121, Public Records of Mesa County, Colorado; thence S00°00'39"E along the West

line of said parcel a distance of 256.02 feet to a point on the Parham Annexation, City of Grand Junction, Ordinance No. 3349; thence S89°58'44"W along said Parham Annexation a distance of 119.39 feet; thence N00°01'13"W a distance of 20.00 feet to the Southeast corner of that certain parcel of land as described in Book 3668, Pages 624-625, Public Records of Mesa County, Colorado, also being a point on the North line of D Road; thence S89°58'44"W along said North line a distance of 159.48 feet to the Southwest corner of said parcel; thence N00°01'47"W along the West line of said parcel a distance of 1133.39 feet to a point on said Parham Annexation and also being a point on the centerline of the Grand Valley Canal; thence along said Parham Annexation the following five (5) courses: (1) S71°47'41"E a distance of 129.55 feet; (2) thence S76°07'49"E a distance of 132.54 feet; (3) thence S70°42'51"E a distance of 60.07 feet; (4) thence S59°25'31"E a distance of 137.94 feet; (5) thence S67°31'11"E a distance of 67.05 feet to the East line of the SW 1/4 SE 1/4 of said Section 17; thence S00°01'01"E along the East line of said SW 1/4 SE 1/4 of said Section 17 a distance of 702.16 feet, more or less, to the Point of Beginning.

Said parcel contains 10.67 acres (464,991 square feet), more or less, as described.

Introduced on first reading this 7<sup>th</sup> day of February, 2007 and ordered published.

**ADOPTED** on second reading this \_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:

\_\_\_\_\_  
President of the Council

\_\_\_\_\_  
City Clerk

**Attach 21**  
**Public Hearing – The Gummin Annexation**  
**CITY OF GRAND JUNCTION**

| CITY COUNCIL AGENDA                   |  |  |                          |                          |                                     |                          |                                 |                                     |
|---------------------------------------|--|--|--------------------------|--------------------------|-------------------------------------|--------------------------|---------------------------------|-------------------------------------|
| <b>Subject</b>                        |  | Gummin Annexation - located at 2215 Magnus Court |                          |                          |                                     |                          |                                 |                                     |
| <b>Meeting Date</b>                   |  | February 21, 2007                                |                          |                          |                                     |                          |                                 |                                     |
| <b>Date Prepared</b>                  |  | February 12, 2007                                |                          |                          | <b>File #</b> ANX-2006-100          |                          |                                 |                                     |
| <b>Author</b>                         |  | Faye Hall  |                          | Associate Planner        |                                     |                          |                                 |                                     |
| <b>Presenter Name</b>                 |  | Faye Hall  |                          | Associate Planner        |                                     |                          |                                 |                                     |
| <b>Report results back to Council</b> |  | <input checked="" type="checkbox"/>              | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <b>Yes</b>               | <b>When</b>                     |                                     |
| <b>Citizen Presentation</b>           |  | <input type="checkbox"/>                         | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <b>Yes</b>               | <b>No</b>                       |                                     |
|                                       |  | <input type="checkbox"/>                         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <b>Name</b>              |                                 |                                     |
| <b>Workshop</b>                       |  | <input checked="" type="checkbox"/>              | <b>Formal Agenda</b>     |                          |                                     | <input type="checkbox"/> | <b>Consent</b>                  | <input checked="" type="checkbox"/> |
|                                       |  | <input type="checkbox"/>                         |                          |                          |                                     | <input type="checkbox"/> | <b>Individual Consideration</b> |                                     |

**Summary:** Request to annex 6.60 acres, located at 2215 Magnus Court. The Gummin Annexation consists of one parcel.

**Budget:** N/A

**Action Requested/Recommendation:** Adopt Resolution accepting the petition for the Gummin 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 |              |   |            |
|-------------------------------------|--------------|---|------------|
| <b>Location:</b>                    |              | 2215 Magnus Court   |            |
| <b>Applicants:</b>                  |              | Owner: Daniel Gummin<br>Representative & Developer: Sonshine II<br>Development and Construction, LLC – Kim Kerk |            |
| <b>Existing Land Use:</b>           |              | Vacant Residential  |            |
| <b>Proposed Land Use:</b>           |              | Residential   |            |
| <b>Surrounding Land Use:</b>        | <b>North</b> | Residential   |            |
|                                     | <b>South</b> | Vacant Residential  |            |
|                                     | <b>East</b>  | Residential   |            |
|                                     | <b>West</b>  | Vacant Residential  |            |
| <b>Existing Zoning:</b>             |              | County RSF-4  |            |
| <b>Proposed Zoning:</b>             |              | Requesting RSF-2, Recommending RSF-E  |            |
| <b>Surrounding Zoning:</b>          | <b>North</b> | County RSF-4  |            |
|                                     | <b>South</b> | City RSF-E  |            |
|                                     | <b>East</b>  | County RSF-4  |            |
|                                     | <b>West</b>  | County RSF-4  |            |
| <b>Growth Plan Designation:</b>     |              | Residential Low ½ - 2 ac/du   |            |
| <b>Zoning within density range?</b> |              | <b>X</b>  | <b>Yes</b> |
|                                     |              |   | <b>No</b>  |

**Staff Analysis:**

**ANNEXATION:**

This annexation area consists of 6.60 acres of land and is comprised of one parcel. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

It is staff's professional opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Gummin 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.

| <b><u>ANNEXATION SCHEDULE</u></b> |   |
|-----------------------------------|---|
| <b>January 17, 2007</b>           | Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use |
| <b>To be determined</b>           | Planning Commission considers Zone of Annexation  |
| <b>To be determined</b>           | Introduction Of A Proposed Ordinance on Zoning by City Council                                  |
| <b>To be determined</b>           | Zoning by City Council  |
| <b>February 21, 2007</b>          | Acceptance of Petition and Public Hearing on Annexation   |
| <b>March 25, 2007</b>             | Effective date of Annexation  |

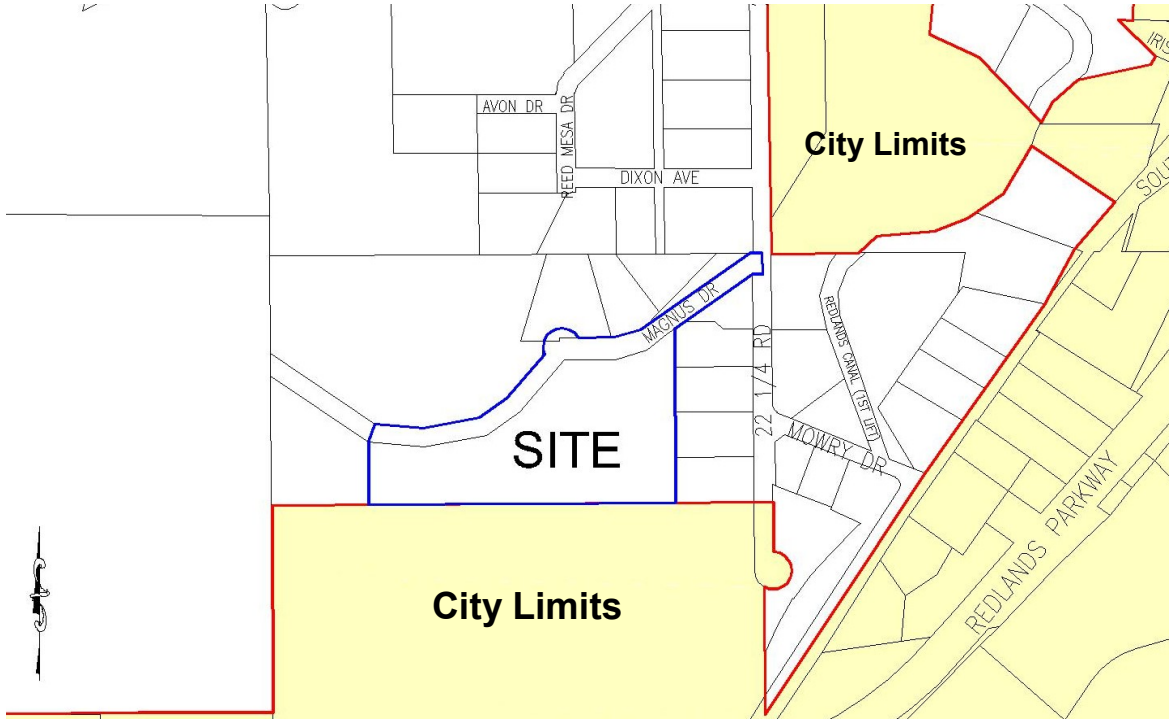
**GUMMIN ANNEXATION SUMMARY**

|                                       |   |
|---------------------------------------|---|
| <b>File Number:</b>                   | ANX-2006-100  |
| <b>Location:</b>                      | 2215 Magnus Court                                       |
| <b>Tax ID Number:</b>                 | 2945-182-00-018   |
| <b>Parcels:</b>                       | 1   |
| <b>Estimated Population:</b>          | 0   |
| <b># of Parcels (owner occupied):</b> | 0   |
| <b># of Dwelling Units:</b>           | 0   |
| <b>Acres land annexed:</b>            | 6.60 acres  |
| <b>Developable Acres Remaining:</b>   | 5.12 acres  |
| <b>Right-of-way in Annexation:</b>    | 1.48 acres (64,564 sq ft)                               |
| <b>Previous County Zoning:</b>        | RSF-4   |
| <b>Proposed City Zoning:</b>          | Requesting RSF-2, Recommending RSF-E                    |
| <b>Current Land Use:</b>              | Vacant Residential                                      |
| <b>Future Land Use:</b>               | Residential   |
| <b>Values:</b>                        | <b>Assessed:</b> \$26,750                               |
|                                       | <b>Actual:</b> \$92,250                                 |
| <b>Address Ranges:</b>                | 2215 Magnus Court                                       |
| <b>Special Districts:</b>             | <b>Water:</b> Ute Water                                 |
|                                       | <b>Sewer:</b> City of Grand Junction                    |
|                                       | <b>Fire:</b> Grand Junction Rural Fire                  |
|                                       | <b>Irrigation/<br/>Drainage:</b> Redlands Water & Power |
|                                       | <b>School:</b> District 51                              |



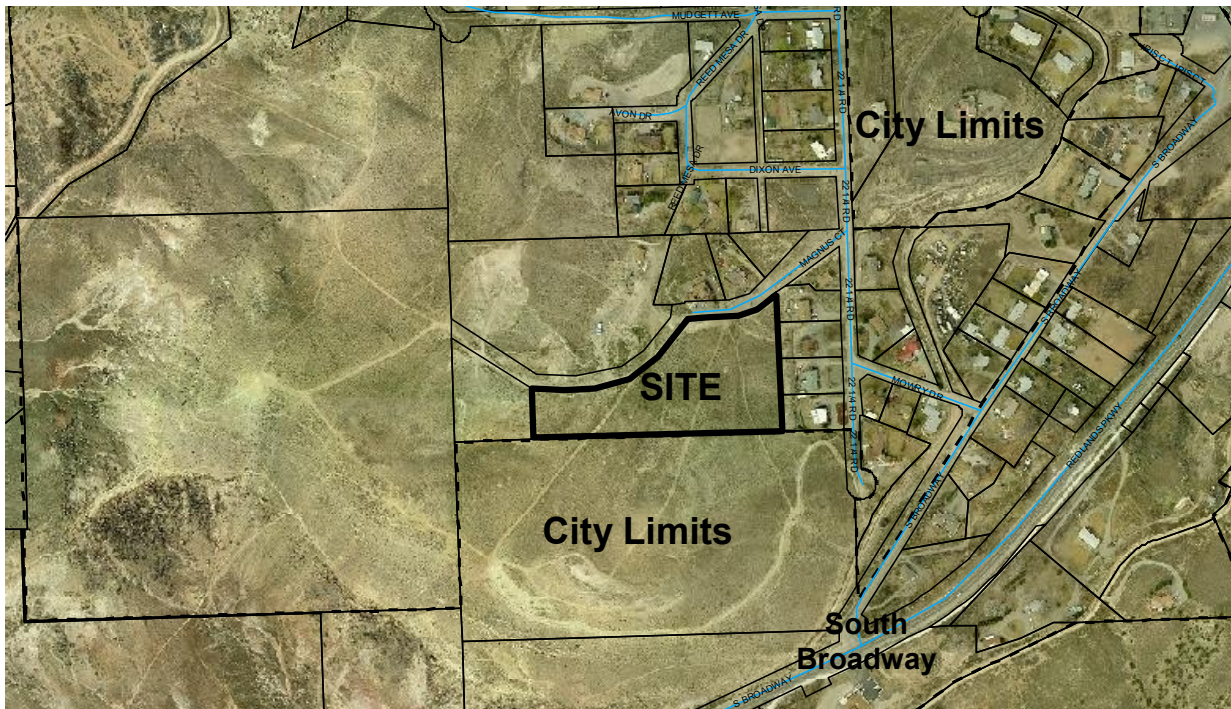
# Site Location Map

Figure 1



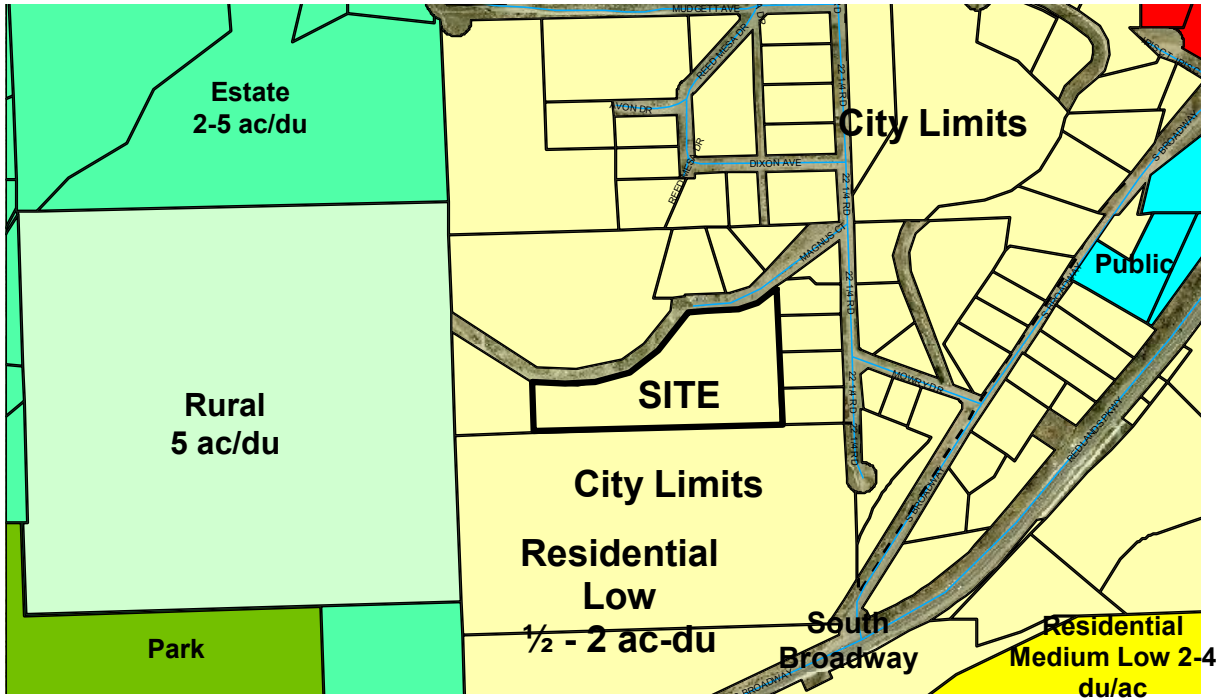
# Aerial Photo Map

Figure 2



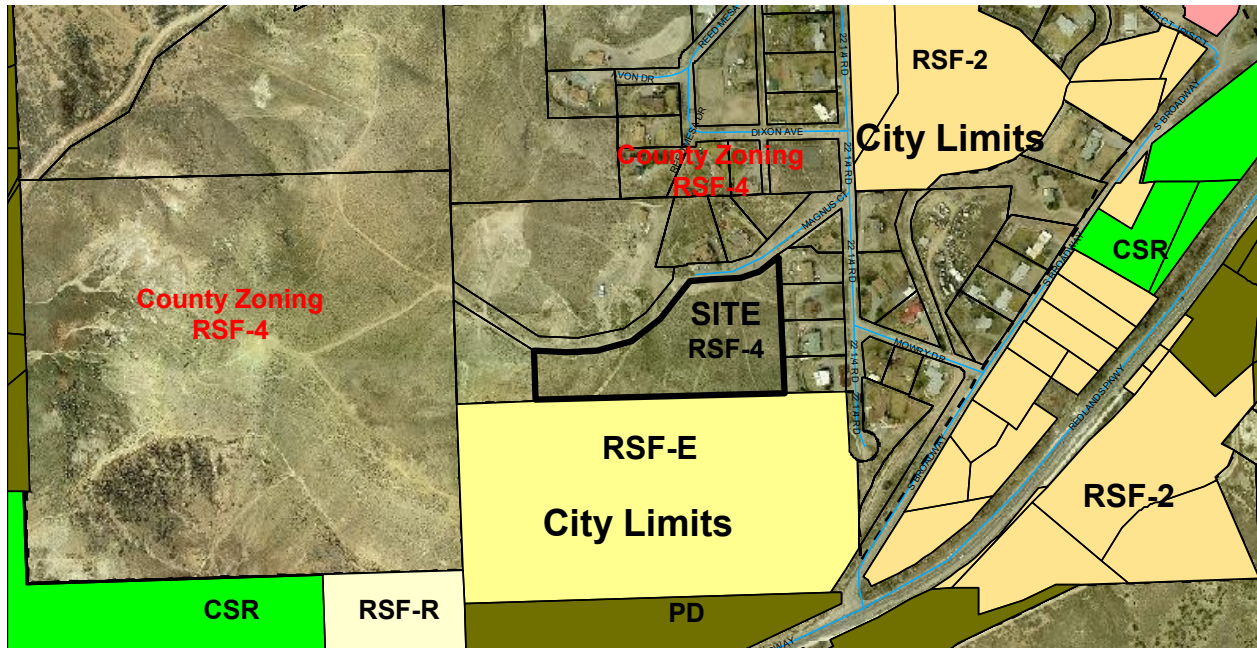
# Future Land Use Map

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**

**GUMMIN ANNEXATION**

**LOCATED AT 2215 MAGNUS COURT AND A PORTION OF THE MAGNUS COURT  
RIGHT OF WAY**

**IS ELIGIBLE FOR ANNEXATION**

WHEREAS, on the 17<sup>th</sup> day of January, 2007, 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:

**GUMMIN ANNEXATION**

A certain parcel of land lying in the North Half (N 1/2) of Lot 1 of Section 18, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southwest corner of Lot 5 of Mullins Subdivision as same is recorded in Plat Book 12, Page 264, Public Records of Mesa County, Colorado; and assuming the South line of the North Half of said Lot 1 of Section 18 bears S89°50'26"W with all other bearings contained herein being relative thereto; thence S89°50'26"W along said South line a distance of 817.98 feet to the Southeast corner of that certain parcel of land as described in Book 3908, Page 288, Public Records of Mesa County, Colorado; thence N00°08'08"W along the East line of said parcel, a distance of 163.43 feet to the Northeast corner of said parcel; thence N19°22'30"E a distance of 51.66 feet to a point on the North line of Magnus Court as same is recorded in Book 1378, Page 534, Public Records of Mesa County, Colorado; thence S85°10'19"E along said North line a distance of 130.42 feet; thence N79°50'25"E along said North line a distance of 151.14 feet; thence N54°50'25"E along said North line a distance of 91.28 feet; thence N40°37'48"E along said North line a distance of 154.08 feet; thence 148.59 feet along the arc of a 50.00 foot radius curve concave Southeast, having a central angle of 170°16'38" and a chord bearing N64°42'01"E a distance of 99.64 feet to a point on the North line of Magnus Court as same is recorded in Book 794, Page 336, Public Records of Mesa County, Colorado; thence N89°50'19"E along said North line a distance of 97.58 feet; thence N73°43'19"E along said North line a distance of 71.25 feet; thence N55°21'06"E along said North line a distance of 354.75 feet to a point on the North Line of said Lot 1 of Section 18; thence N89°50'19"E a

distance of 32.91 feet to the Northeast corner of said Lot 1 of Section 18; thence S00°10'49"E along the East line of the North Half of said Lot 1 of Section 18 a distance of 55.21; thence S89°49'11"W a distance of 25.00 feet to the Northeast corner of Lot 1 of said Mullins Subdivision; thence S55°21'06"W along the North line of said Lot 1 a distance of 255.05 feet to the Northeast corner of that certain parcel of land as described in Book 3509, Page 852, Public Records of Mesa County, Colorado and also being the West line of said Mullins Subdivision; thence S00°10'19"E along the East line of said parcel a distance of 459.40 feet, more or less, to the Point of Beginning.

Said parcel contains 6.60 acres (287,641 square feet), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 21<sup>st</sup> day of February, 2007; 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 \_\_\_\_\_, 2007.

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**

**GUMMIN ANNEXATION**

**APPROXIMATELY 6.60 ACRES**

**LOCATED AT 2215 MAGNUS COURT AND A PORTION OF THE MAGNUS COURT  
RIGHT OF WAY**

**WHEREAS**, on the 17<sup>th</sup> day of January, 2007, 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 21<sup>st</sup> day of February, 2007; 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:

**GUMMIN ANNEXATION**

A certain parcel of land lying in the North Half (N 1/2) of Lot 1 of Section 18, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southwest corner of Lot 5 of Mullins Subdivision as same is recorded in Plat Book 12, Page 264, Public Records of Mesa County, Colorado; and assuming the South line of the North Half of said Lot 1 of Section 18 bears

S89°50'26"W with all other bearings contained herein being relative thereto; thence S89°50'26"W along said South line a distance of 817.98 feet to the Southeast corner of that certain parcel of land as described in Book 3908, Page 288, Public Records of Mesa County, Colorado; thence N00°08'08"W along the East line of said parcel, a distance of 163.43 feet to the Northeast corner of said parcel; thence N19°22'30"E a distance of 51.66 feet to a point on the North line of Magnus Court as same is recorded in Book 1378, Page 534, Public Records of Mesa County, Colorado; thence S85°10'19"E along said North line a distance of 130.42 feet; thence N79°50'25"E along said North line a distance of 151.14 feet; thence N54°50'25"E along said North line a distance of 91.28 feet; thence N40°37'48"E along said North line a distance of 154.08 feet; thence 148.59 feet along the arc of a 50.00 foot radius curve concave Southeast, having a central angle of 170°16'38" and a chord bearing N64°42'01"E a distance of 99.64 feet to a point on the North line of Magnus Court as same is recorded in Book 794, Page 336, Public Records of Mesa County, Colorado; thence N89°50'19"E along said North line a distance of 97.58 feet; thence N73°43'19"E along said North line a distance of 71.25 feet; thence N55°21'06"E along said North line a distance of 354.75 feet to a point on the North Line of said Lot 1 of Section 18; thence N89°50'19"E a distance of 32.91 feet to the Northeast corner of said Lot 1 of Section 18; thence S00°10'49"E along the East line of the North Half of said Lot 1 of Section 18 a distance of 55.21; thence S89°49'11"W a distance of 25.00 feet to the Northeast corner of Lot 1 of said Mullins Subdivision; thence S55°21'06"W along the North line of said Lot 1 a distance of 255.05 feet to the Northeast corner of that certain parcel of land as described in Book 3509, Page 852, Public Records of Mesa County, Colorado and also being the West line of said Mullins Subdivision; thence S00°10'19"E along the East line of said parcel a distance of 459.40 feet, more or less, to the Point of Beginning.

Said parcel contains 6.60 acres (287,641 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 17<sup>th</sup> day of January, 2007 and ordered published.

**ADOPTED** the \_\_\_\_\_ day of \_\_\_\_\_, 2007.

Attest:

\_\_\_\_\_  
President of the Council

\_\_\_\_\_  
City Clerk

**Attach 22**  
**Public Hearing – The Jobsite Annexation and Zoning**  
**CITY OF GRAND JUNCTION**

| CITY COUNCIL AGENDA                   |   |                                     |                          |                          |                                     |                                 |
|---------------------------------------|---|-------------------------------------|--------------------------|--------------------------|-------------------------------------|---------------------------------|
| <b>Subject</b>                        | Jobsite Annexation and Zoning, located at 839 and 841 21 ½ Road |                                     |                          |                          |                                     |                                 |
| <b>Meeting Date</b>                   | February 21, 2007   |                                     |                          |                          |                                     |                                 |
| <b>Date Prepared</b>                  | February 15, 2007   |                                     |                          |                          | File #ANX-2006-347                  |                                 |
| <b>Author</b>                         | Senta L. Costello   |                                     | Associate Planner        |                          |                                     |                                 |
| <b>Presenter Name</b>                 | David Thornton  |                                     | Principal Planner        |                          |                                     |                                 |
| <b>Report results back to Council</b> | <input checked="" type="checkbox"/>                             | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <b>Yes</b>                          | <b>When</b>                     |
| <b>Citizen Presentation</b>           | <input type="checkbox"/>  | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <b>No</b>                           | <b>Name</b>                     |
| <input type="checkbox"/>              | <b>Workshop</b>   | <input checked="" type="checkbox"/> | <b>Formal Agenda</b>     |                          | <input type="checkbox"/>            | <b>Consent</b>                  |
| <input type="checkbox"/>              |   | <input type="checkbox"/>            |                          |                          | <input checked="" type="checkbox"/> | <b>Individual Consideration</b> |

**Summary:** Request to annex and zone 25.23 acres, located at 839 and 841 21 ½ Road, to I-1 (Light Industrial). The Jobsite Annexation consists of 2 parcels.

**Budget:** N/A

**Action Requested/Recommendation:** Adopt Resolution accepting the petition for the Jobsite 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**

|                                     |              |   |  |           |
|-------------------------------------|--------------|---|--|-----------|
| <b>Location:</b>                    |              | 839 and 841 21 ½ Road   |  |           |
| <b>Applicants:</b>                  |              | Owner/Developer: High Desert Properties – Bond Jacobs; Representative: Vortex Engineering - Robert Jones II |  |           |
| <b>Existing Land Use:</b>           |              | Industrial / Vacant   |  |           |
| <b>Proposed Land Use:</b>           |              | Industrial  |  |           |
| <b>Surrounding Land Use:</b>        | <b>North</b> | Residential / Agricultural  |  |           |
|                                     | <b>South</b> | Commercial/Industrial   |  |           |
|                                     | <b>East</b>  | Commercial/Industrial   |  |           |
|                                     | <b>West</b>  | Vacant  |  |           |
| <b>Existing Zoning:</b>             |              | County PUD (Industrial)   |  |           |
| <b>Proposed Zoning:</b>             |              | City I-1  |  |           |
| <b>Surrounding Zoning:</b>          | <b>North</b> | County PUD (Industrial)   |  |           |
|                                     | <b>South</b> | County PUD (Industrial)   |  |           |
|                                     | <b>East</b>  | County PUD (Industrial)   |  |           |
|                                     | <b>West</b>  | County RSF-R  |  |           |
| <b>Growth Plan Designation:</b>     |              | Commercial/Industrial   |  |           |
| <b>Zoning within density range?</b> | <b>X</b>     | <b>Yes</b>  |  | <b>No</b> |

**Staff Analysis:**

**ANNEXATION:**

This annexation area consists of 25.23 acres of land and is comprised of 2 parcels. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

It is staff's opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Jobsite 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.

| <b><u>ANNEXATION SCHEDULE</u></b> |   |
|-----------------------------------|---|
| <b>January 17, 2007</b>           | Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use |
| <b>January 23, 2007</b>           | Planning Commission considers Zone of Annexation  |
| <b>February 7, 2007</b>           | Introduction Of A Proposed Ordinance on Zoning by City Council                                  |
| <b>February 21, 2007</b>          | Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council              |
| <b>March 25, 2007</b>             | Effective date of Annexation and Zoning   |

| <b>JOBSITE ANNEXATION SUMMARY</b>     |                             |  |
|---------------------------------------|-----------------------------|--|
| <b>File Number:</b>                   |                             | ANX-2006-347                               |
| <b>Location:</b>                      |                             | 839 and 841 21 ½ Road                      |
| <b>Tax ID Number:</b>                 |                             | 2697-253-00-123 / 2697-253-00-122          |
| <b>Parcels:</b>                       |                             | 2  |
| <b>Estimated Population:</b>          |                             | 0  |
| <b># of Parcels (owner occupied):</b> |                             | 0  |
| <b># of Dwelling Units:</b>           |                             | 0  |
| <b>Acres land annexed:</b>            |                             | 25.23 acres                                |
| <b>Developable Acres Remaining:</b>   |                             | 19.58 acres                                |
| <b>Right-of-way in Annexation:</b>    |                             | 0.0 acres                                  |
| <b>Previous County Zoning:</b>        |                             | PUD (Industrial)                           |
| <b>Proposed City Zoning:</b>          |                             | I-1  |
| <b>Current Land Use:</b>              |                             | Vacant / Industrial                        |
| <b>Future Land Use:</b>               |                             | Industrial                                 |
| <b>Values:</b>                        | <b>Assessed:</b>            | = \$929,500                                |
|                                       | <b>Actual:</b>              | = \$3,205,130                              |
| <b>Address Ranges:</b>                |                             | 839 – 841 21 ½ Road (odd only)             |
| <b>Special Districts:</b>             | <b>Water:</b>               | Ute Water                                  |
|                                       | <b>Sewer:</b>               | City of Grand Junction                     |
|                                       | <b>Fire:</b>                | Lower Valley Fire                          |
|                                       | <b>Irrigation/Drainage:</b> | Grand Valley Irrigation/Grand Jct Drainage |
|                                       | <b>School:</b>              | Mesa County School District #51            |
|                                       | <b>Pest:</b>                | None                                       |

**Background:** The Jobsite Annexation consists of the 25.23 acre Jobsite Subdivision containing 16 lots. The subdivision plat was recently approved and recorded in Mesa County. The applicant is extending sewer from H Road north on 21 1/2 Road to serve this annexation area. The Jobsite building/facility exists on one lot and is part of this annexation. The other 15 lots are currently vacant. Bond Street is a public right-of-way that runs east/west through the annexation area with an intersection on 21 1/2 Road and serves the 16 industrial lots.

**Zone of Annexation:** The requested zone of annexation to the I-1 district is consistent with the Growth Plan designation of Commercial / Industrial. The existing County zoning is PUD (Industrial). 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 surrounding area is developed with commercial / industrial type uses and the area is designated as Commercial / Industrial on the Future Land Use map.

- 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: The requested zone district is comparable to surrounding developments and due to annexation, a City zone district must be assigned to the property. The I-1 zone district fits the areas existing development patterns and matches the Future Land Use category.

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.

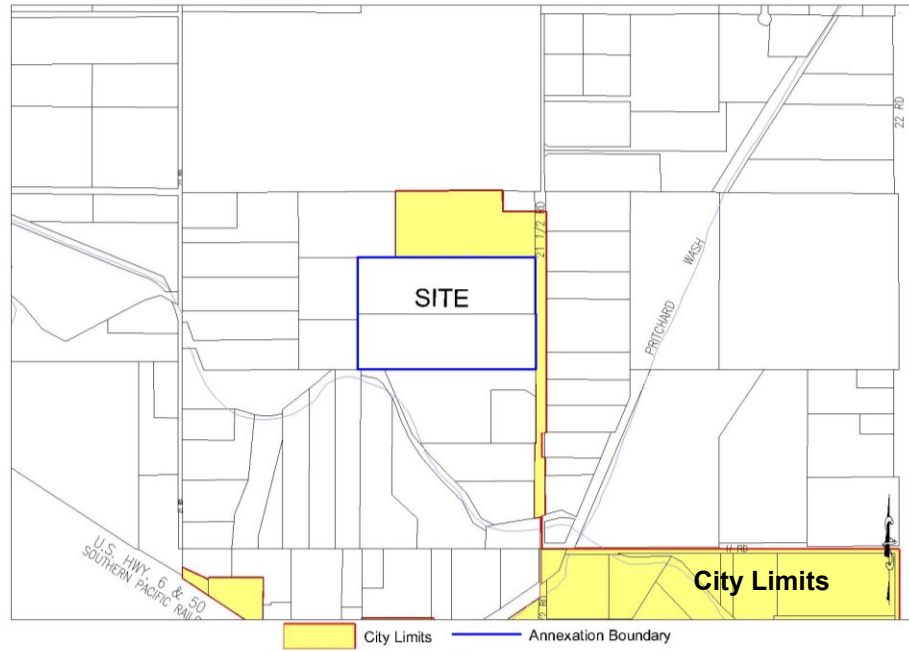
- n. C-2
- o. I-O
- p. M-U

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 I-1 district to be consistent with the Growth Plan and Sections 2.6 and 2.14 of the Zoning and Development Code.

# Site Location Map

Figure 1



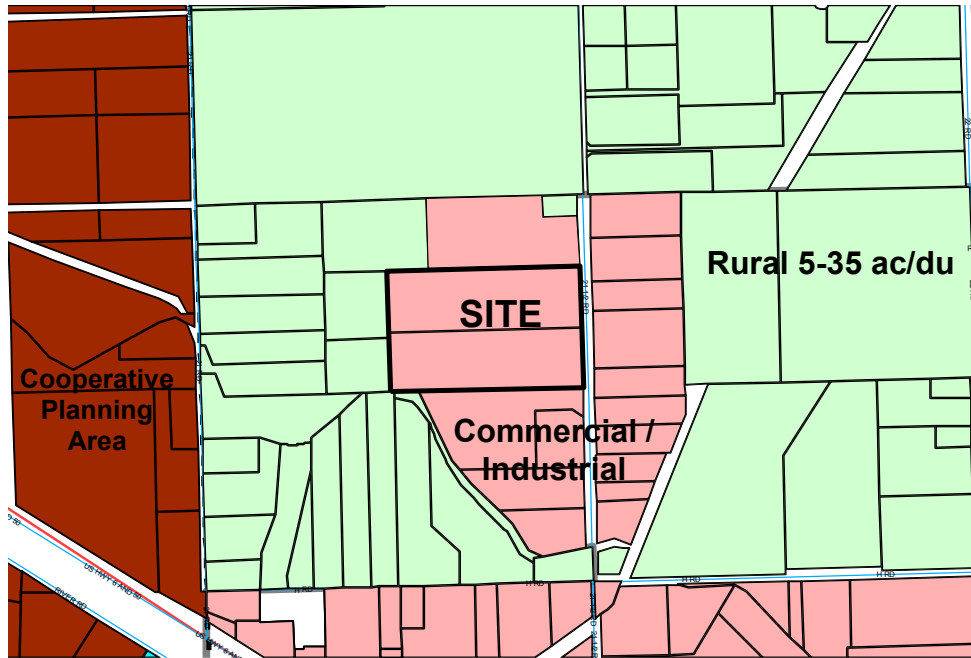
# Aerial Photo Map

Figure 2



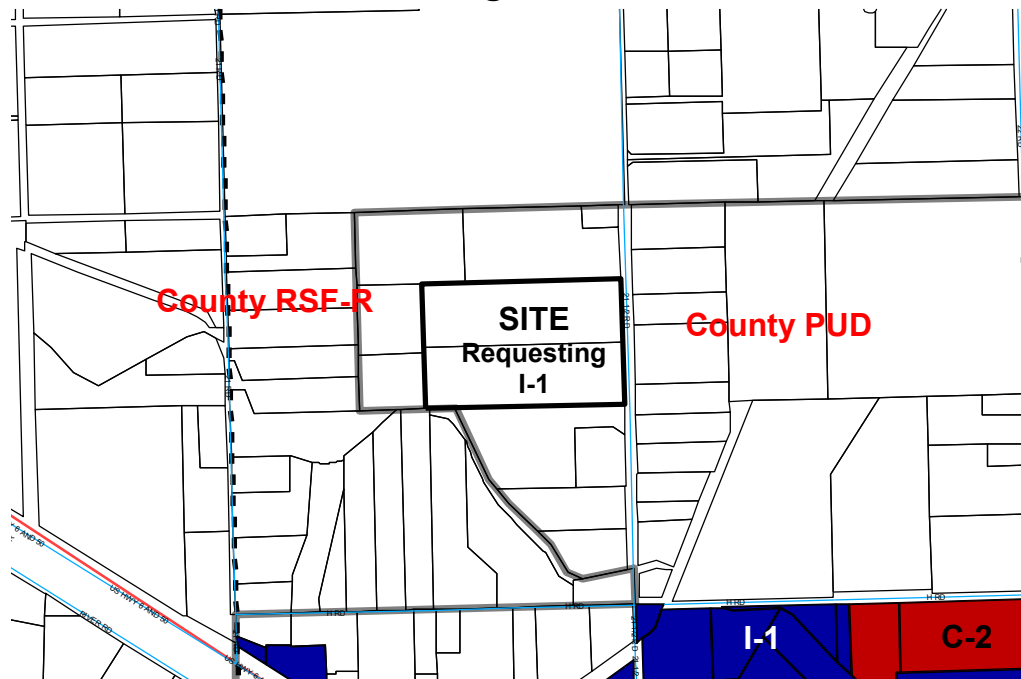
# Future Land Use Map

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  
JOBSITE ANNEXATION  
LOCATED AT 839 AND 841 21 ½ ROAD  
IS ELIGIBLE FOR ANNEXATION**

WHEREAS, on the 17<sup>th</sup> day of January, 2007, 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:

**JOBSITE ANNEXATION**

A certain parcel of land located in the North half of the Southwest Quarter (N 1/2 SW 1/4) 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:

Parcels A & B, Kipp Simple Land Division, as same is recorded in Plat Book 18, Page 90, Public Records of Mesa County, Colorado.

Said parcel contains 25.23 acres (1,099,207 square feet), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 21<sup>st</sup> day of February, 2007; 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 \_\_\_\_\_, 2007.

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**

**JOBSITE ANNEXATION**

**APPROXIMATELY 25.23 ACRES**

**LOCATED AT 839 AND 841 21 ½ ROAD**

**WHEREAS**, on the 17<sup>th</sup> day of January, 2007, 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 21<sup>st</sup> day of February, 2007; 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:

**JOBSITE ANNEXATION**

A certain parcel of land located in the North half of the Southwest Quarter (N 1/2 SW 1/4) 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:

Parcels A & B, Kipp Simple Land Division, as same is recorded in Plat Book 18, Page 90, Public Records of Mesa County, Colorado.

Said parcel contains 25.23 acres (1,099,207 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 17<sup>th</sup> day of January, 2007 and ordered published.

**ADOPTED** on second reading the \_\_\_\_ day of \_\_\_\_\_, 2007.

Attest:

\_\_\_\_\_  
President of the Council

\_\_\_\_\_  
City Clerk

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE ZONING THE JOBSITE ANNEXATION TO  
I-1**

**LOCATED AT 839 AND 841 21 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 Jobsite Annexation to the I-1 zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

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

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

The following property be zoned I-1 (Light Industrial).

A certain parcel of land located in the North half of the Southwest Quarter (N 1/2 SW 1/4) 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:

Parcels A & B, Kipp Simple Land Division, as same is recorded in Plat Book 18, Page 90, Public Records of Mesa County, Colorado.

Said parcel contains 25.23 acres (1,099,207 square feet), more or less, as described.

**INTRODUCED** on first reading the 7<sup>th</sup> day of February, 2007 and ordered published.

**ADOPTED** on second reading the \_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
President of the Council

**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>            |  |     |                      |     |                    |                |   |                                 |
|---------------------------------------|--|-----|----------------------|-----|--------------------|----------------|---|---------------------------------|
| <b>Subject</b>                        | Appeal of the Planning Commission Denial of the Pinnacle Ridge Preliminary Plan, Located Northeast of Monument Road and Mariposa Drive |     |                      |     |                    |                |   |                                 |
| <b>Meeting Date</b>                   | February 21, 2007  |     |                      |     |                    |                |   |                                 |
| <b>Date Prepared</b>                  | February 15, 2007  |     |                      |     | File # PP-2005-226 |                |   |                                 |
| <b>Author</b>                         | David Thornton   |     | Principal Planner    |     |                    |                |   |                                 |
| <b>Presenter Name</b>                 | David Thornton   |     | Principal Planner    |     |                    |                |   |                                 |
| <b>Report results back to Council</b> | X  | No  |                      | Yes | When               |                |   |                                 |
| <b>Citizen Presentation</b>           |  | Yes |                      | No  | Name               |                |   |                                 |
|                                       | <b>Workshop</b>  | X   | <b>Formal Agenda</b> |     |                    | <b>Consent</b> | X | <b>Individual Consideration</b> |

**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:** Continue to April 4, 2007

**Background Information:**

To be provided next Council meeting.