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

WEDNESDAY, MARCH 7, 2007, 7:00 P.M.

Call to Order

Pledge of Allegiance
Invocation – Pastor Bob Litsheim, Director of SCRAM
Ministries

Citizen Comments

***** CONSENT CALENDAR ***[®]**

1. **Minutes of Previous Meeting** [Attach 1](#)
Action: Approve the Minutes of the February 21, 2007 Regular Meeting
2. **Appointment of a Designated Voter for the City to Cast a Vote in the Upcoming Special Election** [Attach 2](#)

The City Council has called a Special Election to allow additional debt financing of the Grand Junction Downtown Development Authority (DDA) to be repaid with the revenues derived from Tax Increment Financing (TIF). The City owns several properties in the DDA and is entitled to cast a ballot in the Special Election; however, because only natural persons can vote, the City must designate a representative to vote.

Resolution No. 34-07 - A Resolution Appointing a Designated Voter for the City of Grand Junction to Cast a Vote in the Special Election Scheduled April 3, 2007 Regarding Tax Increment Financing Debt

®Action: *Adopt Resolution No. 34-07*

*** Indicates New Item
[®] Requires Roll Call Vote

Staff presentation: Stephanie Tuin, City Clerk

3. **Mesa County Animal Services Agreement** [Attach 3](#)

The City of Grand Junction has an ongoing, annually renewable agreement with Mesa County for the control of dogs within the City limits. The City pays the county a percentage of the Animal Services budget based upon the City's percentage of total calls for service. The City's share of the budget for 2007 is 39.5% which equals to \$242,348. Payments are made to the County on a quarterly basis.

Action: Authorize the Mayor to Sign the Animal Control Services Agreement with Mesa County in the Amount of \$242,348

Staff presentation: Troy Smith, Deputy Chief

4. **Setting a Hearing on Zoning and Development Code Text Amendments Regarding Various Development Standards and Issues** [File #TAC-2007-006] [Attach 4](#)

The City of Grand Junction requests approval to amend various sections and to add new sections to the Zoning and Development Code that pertain to Nonconforming Uses/Structures/Sites, Drive-through retail establishments, Zoning of annexed property, Residential zone designations, Lot size and setbacks for lots abutting tracts, Growth Plan Amendments and requests to rezone to Planned Development (PD).

Proposed Ordinance Amending Various Sections and Adding New Sections to the Zoning and Development Code to Address Issues with Nonconforming Structures and Sites, Drive-Through Retail Establishments, Zoning of Annexed Property, Residential Zone Designations, Alternative Surfacing of Vehicular Traffic Areas, Lot Size, Width and Setbacks for Lots Abutting Tracts, and Growth Plan Amendments with Planned Development Rezone Requests

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

Staff presentation: Lisa Cox, Planning Manager

5. **Setting a Hearing on Zoning the Cimarron Mesa Enclaves No. 1-4 Annexation, Located at 246, 248, 250, 256, 268 26 ¼ Road, 272 Linden Avenue, 2677 and 2685 S Highway 50** [File #ANX-2007-019] [Attach 5](#)

Request to zone the Cimarron Mesa Enclaves No. 1-4 Annexation RSF-2, RSF-4, and C-1. The enclaves consist of 9 parcels of land and encompass 21.65 acres of land.

Proposed Ordinance Zoning the Cimarron Mesa Enclave No. 1 Annexation to RSF-4 Located at 269 26 ¼ Road

Proposed Ordinance Zoning the Cimarron Mesa Enclave No. 2 Annexation to RSF-4 Located at 256 26 ¼ Road

Proposed Ordinance Zoning the Cimarron Mesa Enclave No. 3 Annexation to RSF-2 and RSF-4 Located at 246, 248, and 250 26 ¼ Road

Proposed Ordinance Zoning the Cimarron Mesa Enclave No. 4 Annexation to C-1 Located at 272 Linden Avenue, 2677 and 2685 S. Highway 50

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

Staff presentation: Senta L. Costello, Associate Planner

6. **Setting a Hearing on Zoning the Dyer/Green/Ottenburg Annexation, located at 2981, 2991, 2993 and 2995 B Road**[File #ANX-2007-008] [Attach 6](#)

Request to zone the 18.68 acre Dyer/Green/Ottenburg Annexation, located at 2981, 2991, 2993 and 2995 B Road, to RSF-4 (Residential Single Family 4 units per acre). This request for zoning includes four parcels east of the Mesa View Elementary School which currently have the County zoning of RSF-R.

Proposed Ordinance Zoning the Dyer/Green/Ottenburg Annexation to RSF-4 Located at 2981, 2991, 2993, and 2995 B Road

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

Staff presentation: Faye Hall, Associate Planner

7. **Setting a Hearing on Zoning the Home Lumber Annexation, Located at 2771, 2773 and 2779 D Road** [File #ANX-2006-360] [Attach 7](#)

Request to zone the 15.79 acre Home Lumber Annexation, located at 2771, 2773 and 2779 D Road to I-1 (Light Industrial). This request for zoning includes three parcels which are currently zoned I-2 in the County.

Proposed Ordinance Zoning the Home Lumber Annexation to I-1 Located at 2771, 2773, and 2779 D Road

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

Staff presentation: Faye Hall, Associate Planner

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

Request to zone the 14.46 acre Wexford Annexation, located at 2949 and 2953 D ½ Road, to RMF-8 (Residential Multi Family 8 du/ac).

Proposed Ordinance Zoning the Wexford Annexation to RMF-8 Located at 2949 and 2953 D ½ Road

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

Staff presentation: Adam Olsen, Associate Planner

9. **Setting a Hearing on Zoning the Heron’s Nest Annexation, Located at 3125 D Road** [File #ANX-2006-350] [Attach 9](#)

Request to zone the 9.43 acre Heron’s Nest Annexation, located at 3125 D Road, to RSF-4 (Residential Single Family 4 du/ac).

Proposed Ordinance Zoning the Heron’s Nest Annexation to RSF-4 Located at 3125 D Road

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

Staff presentation: Adam Olsen, Associate Planner

10. **Setting a Hearing on the Morning View Annexation Located at 2961, 2967 and 2973 D Road** [File #ANX-2007-018] [Attach 10](#)

Request to annex 34.37 acres, located at 2961, 2967 and 2973 D Road. The Morning View Annexation consists of three parcels.

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

Resolution No. 35-07 – 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, Morning View Annexation Located at 2961, 2967, and 2973 D Road

®Action: *Adopt Resolution No. 35-07*

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Morning View Annexation, Approximately 34.37 Acres, Located at 2961, 2967 and 2973 D Road

Action: *Introduction of a Proposed Ordinance and Set a Hearing for April 18, 2007*

Staff presentation: Adam Olsen, Associate Planner

11. **Setting a Hearing on Knight and Durmas Annexation Located at 842 21 ½ Road** [File #ANX-2007-023] [Attach 11](#)

Request to annex 2.84 acres, located at 842 21 ½ Road. The Knight and Durmas 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. 36-07 – 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, Knight and Durmas Annexation Located at 842 21 ½ Road

®Action: *Adopt Resolution No. 36-07*

b. Setting a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Knight and Durmas Annexation No. 1, Approximately 1.42 Acres, Located at 842 21 ½ Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Knight and Durmas Annexation No. 2, Approximately 1.42 Acres, Located at 842 21 ½ Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for April 18, 2007

Staff presentation: Adam Olsen, Associate Planner

12. **Setting a Hearing on the Brady Trucking Annexation Located at 356 27 ½ Road** [File #ANX-2007-035] [Attach 12](#)

Request to annex 4.22 acres, located at 356 27 ½ Road. The Brady Trucking Annexation consists of one parcel.

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

Resolution No. 37-07 – 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, the Brady Trucking Annexation, Located at 356 27 ½ Road

®Action: Adopt Resolution No. 37-07

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, the Brady Trucking Annexation, Approximately 4.22 Acres, Located at 356 27 ½ Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for April 18, 2007

Staff presentation: Kristen Ashbeck, Senior Planner

13. **Setting a Hearing on the Promontory Annexation Located at the end of Sierra Vista Road** [File #ANX-2006-280] [Attach 13](#)

Request to annex 5.88 acres, located at the end of Sierra Vista Road on Orchard Mesa. The Promontory Annexation consists of one vacant parcel, including a portion of B Road, Clymer Drive, and Sierra Vista Road right-of-way, and is a four part serial annexation.

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

Resolution No. 38-07 – 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, the Promontory Annexation, Located at the East End of Sierra Vista Road, Including a Portion of B Road, Clymer Drive and Sierra Vista Road Right-of-Way

®Action: *Adopt Resolution No. 38-07*

b. Setting a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, the Promontory Annexation No. 1, Approximately .01 Acres, a Portion of B Road Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, the Promontory Annexation No. 2, Approximately .12 Acres, a Portion of B Road and Clymer Drive Rights-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, the Promontory Annexation No. 3, Approximately .31 Acres, a Portion of B Road, Clymer Drive and Sierra Vista Road Rights-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, the Promontory Annexation No. 4, Approximately 5.44 Acres, Located at the East End of Sierra Vista Road, Including a Portion of B Road, Clymer Drive and Sierra Vista Road Rights-of-Way

Action: *Introduction of a Proposed Ordinance and Set a Hearing for April 18, 2007*

Staff presentation: Ronnie Edwards, Associate Planner

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

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

14. **Purchase of a Police Patrol In-Car Video System** [Attach 14](#)

Allow the purchase of an in-car video system for marked Police Patrol vehicles. This request is for 32 video systems. Currently, there are 30 vehicles in the fleet. With the addition of the Street Crimes Unit, two more marked units will be added, bringing the total to 32 marked units in the fleet for 2007.

Action: Authorize the Purchasing Division to Purchase the In-Car Video System from Integrian, Inc. (the Unit Manufacturer) in Morrisville, NC in the Amount of \$146,400

Staff presentation: Bob Russell, Police Commander

15. **Acquisition of Grand Mesa Reservoir No. 1** [Attach 15](#)

Proposal for the Water Enterprise Fund to acquire Grand Mesa Reservoir #1 (GMR#1), from the Grand Mesa Reservoir Company, and to consolidate all of the City's Grand Mesa Reservoir Company shares of water into GMR#1.

Action: Authorize the City Manager to Sign an Agreement with Grand Mesa Reservoir Company to Acquire Grand Mesa Reservoir #1 (GMR#1), from the Grand Mesa Reservoir Company, and to Consolidate the City's Grand Mesa Reservoir Company Shares of Water into GMR#1

Staff presentation: Terry Franklin, Water Services Manager

16. **Funding Recommendations for Arts and Cultural Events and Projects** [Attach 16](#)

Commission on Arts and Culture recommendations to the City Council for grants to support arts and cultural events, projects, and programs in Grand Junction.

Action: Approve Recommendations from the Commission on Arts and Culture for Grant Funding

Staff presentation: Allison Sarmo, Cultural Arts Coordinator

17. **Purchase of Integrated Wireless Radio System** [Attach 17](#)

The project will provide an integrated Wireless Radio System to support mobile, high speed, secure network access for City vehicles, including Police, Fire, EMS, Public Works, Planning, and Administration. The implementation has been broken into multiple phases for budgeting purposes. The selected vendor will be used for all phases.

***Action:** Authorize the City Purchasing Division to Award the Integrated Wireless Radio System Project to Twin Eagle Consulting, L.L.C., Lake George, CO for a Total Price of \$176,650.50*

Staff presentation: Jim Finlayson, Information Systems Manager

18. **Construction Contract for 2007 Concrete Repair for Street Overlays** [Attach 18](#)

The 2007 Concrete Repair for Street Overlays includes replacement of hazardous or damaged sections of concrete curb & gutter, sidewalk and drainage pans that are adjacent to streets scheduled to be overlaid with asphalt pavement this summer.

***Action:** Authorize the City Manager to Sign a Construction Contract for the 2007 Concrete Repair for Street Overlays with Reyes Construction, Inc. in the Amount of \$386,113.00*

Staff presentation: Tim Moore, Public Works and Planning Director

19. **Construction Contract for 2007 Water Line Replacement Project** [Attach 19](#)

Award of a Construction Contract to Sorter Construction, Inc. in the amount of \$304,049.00 for the 2007 Water Line Replacement Project.

***Action:** Authorize the City Manager to Sign a Construction Contract for the 2007 Water Line Replacement Project with Sorter Construction, Inc. in the Amount of \$304,049.00*

Staff presentation: Tim Moore, Public Works and Planning Director

20. **Construction Contract for Patterson Road Retaining Wall Repair** [Attach 20](#)

The Patterson Road Retaining Wall repair consists of repairing the stucco surface on the concrete retaining wall located along the north side of Patterson Road, adjacent to Willowbrook Subdivision. The repair work will take place on the north (residents') side of the retaining wall.

Action: Authorize the City Manager to Sign a Construction Contract for the Patterson Road Retaining Wall Repair with Vista Paving Inc., in the Amount of \$51,136.50

Staff presentation: Tim Moore, Public Works and Planning Director

21. **Memorandum of Understanding with Mesa County and School District #51 for Pear Park Elementary Bicycle/Pedestrian Access Improvements**

[Attach 21](#)

The proposed Memorandum of Understanding with Mesa County and School District #51 covers the purchase of a property on the southeastern corner of the school property and construction of a bicycle/pedestrian path to reduce the walking route to school by 2,000 feet for kids that live south and east of the school.

Action: Authorize the Mayor to Sign a Memorandum of Understanding with Mesa County and School District #51 for Pear Park Elementary Pedestrian Improvements

Staff presentation: Tim Moore, Public Works and Planning Director

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

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

Ordinance No. 4037 – An Ordinance Zoning the Hall 22 Road Commercial Annexation to I-1, Located at 778 22 Road

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4037

Staff presentation: David Thornton, Principal Planner

23. **Public Hearing – Zoning the Kelley Annexation Located at 849 21 ½ Road** [File #GPA-2006-249] [Attach 23](#)

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

Ordinance No. 4038 – An Ordinance Zoning the Kelley Annexation to I-1 Located at 849 21 ½ Road

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4038

Staff presentation: David Thornton, Principal Planner

24. **Public Hearing – Rezoning Property Located at 641 Horizon Drive** [File #PFP-2006-296] [Attach 24](#)

Request approval of a rezone of 8.76 acres located at 641 Horizon Drive 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.

Ordinance No. 4039 – An Ordinance Rezoning the Logan Creek Subdivision from RSF-1 to RSF-4 Located at 641 Horizon Drive

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4039

Staff presentation: Ken Kovalchik, Senior Planner

25. **Public Hearing – 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 25](#)

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

Ordinance No. 4040 – 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

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4040

Staff presentation: Senta L. Costello, Associate Planner

26. **Public Hearing – Zoning and Development Code Text Amendments Regarding Sign Package Permits** [File #TAC-2007-006] [Attach 26](#)

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.

Ordinance No. 4041 – 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

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4041

Staff presentation: Lisa Cox, Planning Manager

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

28. **Other Business**

29. **Adjournment**

**Attach 1
Minutes from Previous Meeting**

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

February 21, 2007

The City Council of the City of Grand Junction convened into regular session on the 21st day of February 2007, at 7:05 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Bruce Hill, Gregg Palmer, Jim Spehar, Doug Thomason and President of the Council Jim Doody. Also present were City Manager David Varley, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Doody called the meeting to order. Councilmember Coons led in the pledge of allegiance. The audience remained standing for the invocation by Pastor Galen Daly, Extended Arms Foursquare Church.

Presentation of Certificates of Appointment

To the Historic Preservation Board

Michael Menard, Zebulon Miracle, and Yvonne Piquette were present to receive their certificates for 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

There were none.

CONSENT CALENDAR

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

It was moved by Councilmember Spehar, seconded by Councilmember Hill and carried by roll call vote to approve Consent Calendar items #1 through #11.

1. **Minutes of Previous Meetings**

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**

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

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

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

4. **Purchase of Four Mid Size Sedans for the Police Department**

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

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

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

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]

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

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

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

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

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

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

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

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

Request to annex 18.68 acres, located at 2981, 2991, 2993 and 2995 B Road. The Dyer/Green/Ottenberg 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

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

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

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Two Rivers Convention Center HVAC Remodel

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.

Joe Stevens, Parks and Recreation Director, reviewed this item. He explained the request and the extent of the area affected by the proposed additional remodel, specifically the HVAC system. The remodel six years ago did not include the HVAC system due to budgetary concerns and it was thought the existing system could last another seven years; it didn't quite make it. The HVAC system replacement was originally estimated at \$834,000. There will be a short closure for a portion of the building during the slower time of year for approximately 14 days. The proposed contract for consideration is for \$1,063,600. The budget shortfall will be made up from two other projects that will not go forward in this budget cycle.

Councilmember Hill agreed with prioritizing the HVAC system replacement but thought the dividing door being put off is also important. With Two Rivers Convention Center having such a banner year in 2006, he asked if there are revenues that could be tapped to fund that project. Mr. Stevens said that will be brought forward again, along with other projects, in the budget cycle that will begin later this year.

Councilmember Coons asked if a new sound system is also on that list. Mr. Stevens said that will be looked at, there is an older system with newer system integrated into it and that will be prioritized along with the other needs.

Councilmember Hill moved to 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. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Construction Contract for Ranchmen's Ditch Flood Control Project, Phase I

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.

Tim Moore, Public Works and Planning Director, reviewed this item. He explained the various elements of the project and described the location of the pipeline.

Mr. Moore then reviewed the low bid and the additional funding needed. It is the biggest drainage project undertaken by the City. If the 5-2-1 Drainage Authority was collecting user fees, this would be just the type of project those fees would fund but, as it is not, the City thought it important enough to go forward.

Mr. Moore detailed one element of the project that would affect the price, which would be the stabilization fill material needed as the quantity is unknown. Negotiations have made that price at a more reasonable level. He pointed out that the other contractors are in attendance.

Trent Prall, Engineering Manager, advised that grants obtained from FEMA will be used along Patterson Road, in another phase, and that portion of the project will have some federal requirements.

Councilmember Hill asked when the funding must be used. Mr. Prall replied the grant must be used by April, 2009 and the project schedule will be ahead of that. He explained the reason this project has come forward, the extent of the project, and the result that will come from the completion of this project. If the City does not go forward with this project,

FEMA would revise the floodplain map which would place hundreds of properties in the floodplain.

Councilmember Palmer asked for more clarification on how the negotiation took place with the low bidder for that stabilization fill material. Mr. Prall explained noting that negotiation took place and was put into writing with the low bidder. He assured Council that the quantity of fill in the contract will probably suffice for the project.

Councilmember Coons clarified that Scott Contracting lowered their price of the stabilization material to the price that other contractors had used. Mr. Prall said yes, but the price of the overall bid stayed the same.

Council President Doody asked if overruns, which result in a change order, are negotiable. Mr. Prall explained how that would work.

Councilmember Palmer asked if negotiating with a low bidder is common. Mr. Prall said when he was involved in the bids, he can recall two specific instances but it is not common.

Council President Doody asked if there is a chance that the 5-2-1 Authority would be involved in funding any part of the project. Mr. Prall said if the Authority gets up and running next year, it could be.

William Kane, attorney for Mendez, Inc., the second lowest bidder for this project, stated he believes that Mendez is the lowest responsive bidder for this project, responsive being the bidder who submitted a bid in compliance with the bid documents and the instructions to the bidder outlined by the City in advance of the bid. He pointed out that in the bid instructions, there is a paragraph which talks about irregular bids and rejection of bids. He also pointed out that the instructions state that bids can be modified or withdrawn prior to the bid opening, and pointed out that the adjustments spoken about have taken place after the bid opening. Mr. Kane feels there is not sufficient stabilization material in the low bidder's bid and the contractor will need to have some say when the trench is open.

Mr. Kane noted that the high cost in the original bid of the material made the bid unbalanced and therefore unresponsive. He stated that this was acknowledged by Mr. Prall and noted that the difference in cost, \$357,000, was taken from the cost of the rock and put it into another section of the bid. Mr. Kane said this negotiation was not in the best interest of the City; this deflates the confidence the bidders would have in the City treating all contractors fairly. He concluded by saying that Mendez was the low responsive bidder. He asked the award be postponed two weeks so that these issues can be investigated and reviewed.

Charlie Bower, estimator with Scott Contracting, objected to the characterization of the bid being an unbalanced bid. He is a geological engineer not just a construction

estimator. He explained how the project was estimated. The amount of material required in the bid covered the entire section of the project. Mr. Bower thought the amount of material would actually be much less. They included the cost of digging in the cost of the material so the bid was balanced. Regarding mobilization costs, Scott Contracting's bid includes the administration and other incidental costs, which is how they estimate a job. All of Scott Contracting's subcontractors are local. He said they demonstrated the balance of their bid with City staff and agreed to make adjustments as that it was the way the City preferred it.

Council President Doody asked if two feet is required for the bedding material. Mr. Bower said it is not, it is an optional item to be determined in the field by the engineers of the City. There were other bidders who had different unit prices for the fill. It depends on what other elements are included with it such as fabric, trench grids, and pumping ground water.

City Attorney John Shaver reviewed the purpose of the City's procurement rules, primarily to get the best value for the City. After discussions among Staff, the decision was to allow Scott Contracting to clarify the bid and what else was included in that unit cost. The City Manager decides whether or not the bid is unbalanced. Once that decision was made, Mr. Prall approached the contractor to get clarification. Obtaining the clarification did not undermine the bid as the bottom line of the bid did not change. The City Council has the authority to award the bid.

Councilmember Coons asked how common it is for different companies to take different approaches to the allocation of the various elements in a bid. Mr. Prall said usually not to this extent, recently it has happened in the area of mobilization costs, specifically with SEMA and the Riverside Parkway project.

Councilmember Hill asked if there are other pieces of the bid that could be affected such as the fill. Mr. Prall responded that the tamarisk removal and the cost at the landfill may be variable. The use of the fabric to be used in the trench might also vary depending on how much is needed.

City Attorney Shaver advised that the City had asked Scott Contracting to cap the amount of fill, and then if additional fill was needed, it would be at the lower price. Scott Contracting did not choose that option but instead wanted to change the cost of the fill at the unit cost and make up the other incorporated costs in other areas.

Councilmember Beckstein asked how common it is to open a bid, find out a bid has a situation such as this and alter the bid before making a decision. Mr. Shaver stated that there are many times irregularities are found in the bidding process as contractors look at different elements differently.

Councilmember Hill disagreed that the bid was clarified, it was changed and therefore the process was tainted even though the outcome may be the best value for the City. Mr. Shaver agreed that the situation is difficult.

Councilmember Beckstein stated that if there is an error on a sealed bid, it should be rejected. The appearance is that the bid was manipulated.

Councilmember Hill restated the situation but did not feel the City Council is at a point where it can make a decision.

Councilmember Spehar explained his perspective. If he thought it was an unbalanced bid, he would have rejected it, but hearing the explanation it is understandable that the costs can be allocated differently. The judgment was that the potential reward to the City justified the clarification. The lowest bid is still the lowest bid.

City Manager David Varley stated that looking back at bids is not out of line; the history is to do that and get the best possible value for the City. Staff knew that this would be controversial as the next lowest bidder is local and the lowest bidder is from out-of-town. The City Council still has the discretion; Staff just wanted to explain why things happened as they did.

Councilmember Coons did not think the bid was unbalanced after the explanation. She would have rather have seen the bid presented as it was when opened and then explained.

Councilmember Hill agreed with Councilmember Coons, that it would be better to bring the issue to Council and explain the difference. He was concerned about the process and suggested it be redone.

Mr. Varley advised that in that case there may need to be some adjustments in the procurement policy. Councilmember Palmer disagreed as it has been stated that this situation is unusual.

Councilmembers continued to express their concerns on the process and felt it would be best to rebid the project. City Manager Varley noted it will be an awkward situation.

Councilmember Hill moved to authorize the City Manager to rebid the construction contract for the Ranchmen's Ditch Flood Control Project. Councilmember Spehar seconded the motion. Motion Carried by roll call vote with Councilmember Beckstein voting NO.

Council President Doody called a recess at 8:50 p.m.

The meeting reconvened at 9:02 p.m.

Memorandum of Understanding with Mesa County for the 29 Road Interchange at I-70B

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.

Tim Moore, Public Works and Planning Director, reviewed this item. He explained the purpose for the agreement and how it will work with the two entities co-managing. He informed Council that Jim Shanks will be the Project Manager for the City.

Councilmember Hill moved to authorize the Mayor to sign a Memorandum of Understanding with Mesa County for the 29 Road/I-70B Interchange. Councilmember Palmer seconded the motion. Motion carried.

Amendment No. 2 of Engineering Services Contract with Carter and Burgess for 29 Road and I-70B Interchange

This amendment is the 2nd 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.

Tim Moore, Public Works and Planning Director, reviewed this item. He stated that now that the MOU has been approved, the next step is to get Carter and Burgess to design the project. The amendment of their current contract brings this specific design project into the current contract. The final amendment to the contract is anticipated to be the final design.

Councilmember Hill asked if the costs can be allocated to the 1601 process. Mr. Moore said that process is complete. Councilmember Hill asked if any of the comments made by the City to CDOT saved the City any money with regard to changes to the 1601 process. Mr. Moore said the cost saving was only \$10,000 but there were changes made that streamlined the process.

Councilmember Spehar moved to authorize the City Manager to amend the existing contract with Carter and Burgess for a total fee of \$2,240,312. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Infill and Redevelopment Request, Big Tree Subdivision

The developer of The Big Tree Subdivision, located at 2256 North 17th 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 17th Street.

Tim Moore, Public Works and Planning Director, reviewed this item. He pointed out the location and how the surrounding area is already developed. He advised that the development requires half-street improvements and the TCP payment does not cover those improvements.

Councilmember Spehar noted that the infill/redevelopment process is not clearly defined but his request clearly meets the goals of the policy and there is a public benefit.

Councilmember Palmer agreed with Councilmember Spehar.

Councilmember Palmer moved to approve the request to reimburse Half-Street Improvements on North 17th Street for the Big Tree Subdivision in an amount not to exceed \$10,000. Councilmember Hill seconded the motion. Motion carried.

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

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

The public hearing was opened at 9:15 p.m.

Ronnie Edwards, Associate Planner, reviewed this item. She described the request, the location and surrounding area, and the original purpose of the cul-de-sac bulb. The benefit to the City is that the property will go to the adjacent owners and will no longer be the City's responsibility. She stated that in essence there is a trade taking place as a multi-purpose easement will be retained. Ms. Edwards credited Tim Moore with bringing this item to a close.

The property owner was present but had nothing to add.

There were no public comments.

The public hearing was closed at 9:20 p.m.

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

Councilmember Hill moved to adopt Ordinance No. 4025 on Second Reading and ordered it published. Councilmember Palmer seconded the motion. Motion carried by roll call vote.

Public Hearing – The Sunlight Annexation Located at 172 and 174 Sunlight Drive
[File #ANX-2006-348]

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.

The public hearing was opened at 9:21 p.m.

Ronnie Edwards, Associate Planner, reviewed this item. She described the request which does not include zoning at this time. She described the Future Land Use Designation and the surrounding zoning.

Councilmember Hill pointed out that only the annexation criteria should be reviewed.

Ms. Edwards showed the method of contiguity and advised that the criteria for annexation has been met. She stated that a letter was received which advised that there is a large lateral irrigation line through the property which should be kept in mind when the property is developed.

Krista Munkres, 121 Chipeta Avenue, representing the developer, was present to answer questions. There were none.

Clint Peterson, representing the Alpine Acres water users group that uses the irrigation ditch that crosses the property was present. His concern was if the annexation is approved, will they still have rights to maintain the ditch. City Attorney Shaver said their rights will not change with annexation.

There were no additional public comments.

The public hearing closed at 9:26 p.m.

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

Councilmember Spehar moved to adopt Resolution No. 29-07 and Ordinance Nos. 4026, 4027, 4028, and 4029 on Second Reading and ordered them published. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

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

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.

The public hearing was opened at 9:27 p.m.

Adam Olsen, Associate Planner, reviewed this item. He described the site, the Future Land Use Designation, and the surrounding designation and zoning and stated that the requested zoning is RMF-5. He advised that the Planning Commission recommended approval and found the request consistent with the zoning criteria of the Zoning and Development Code.

Councilmember Beckstein disclosed that Ciavonne, Roberts, and Associates is a client of the CPA firm that she's employed by. Mr. Shaver asked if there is any difference in their relationship than any of the prior disclosures. She said there was not.

Craig Roberts, Ciavaonne, Roberts, and Associates, who are representing the owners and are partners in the project, was present but he has nothing to add.

There were no public comments.

The public hearing closed at 9:31 p.m.

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

Councilmember Coons moved to adopt Resolution No. 30-07 and Ordinance Nos. 4030 and 4031 on Second Reading and ordered them published. Councilmember Spehar seconded the motion. Motion carried by roll call vote.

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

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.

The public hearing was opened at 9:32 p.m.

Faye Hall, Associate Planner, reviewed this item. She described the request and the location and stated that the property has an existing house. The Future Land Use Designation is residential medium and the property is zoned RSF-R in the County. She described the surrounding zoning and Land Use Designation. She advised that the Planning Commission recommended approval and found the request of RMF-8 to be consistent with the Zoning and Development Code.

Tom Logue, representing the applicants, Ben Hill and Dan Davis, who are also present, stated that he or the owners would be glad to answer any questions.

There were none.

There were no public comments.

The public hearing was closed at 9:35 p.m.

Councilmember Hill stated that he appreciated the proposal to maximize the density under the Future Land Use Map.

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

Councilmember Hill moved to adopt Resolution No. 31-07 and Ordinance Nos. 4032 and 4033 on Second Reading and ordered them published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Public Hearing – The Gummin Annexation Located at 2215 Magnus Court [File #ANX-2006-100]

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

The public hearing was opened at 9:37 p.m.

Faye Hall, Associate Planner, reviewed this item. She stated that this is a request for annexation only, the zoning will be brought forward later. She described the property and its location. She advised the requests meets the annexation criteria.

The applicant was not present.

There were no public comments.

The public hearing was closed at 9:38 p.m.

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

Councilmember Thomason moved to adopt Resolution No. 32-07 and Ordinance No. 4034 on Second Reading and ordered it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Public Hearing – The Jobsite Annexation and Zoning Located at 839 and 841 21 ½ Road [File #ANX-2006-347]

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.

The public hearing was opened at 9:40 p.m.

David Thornton, Principal Planner, reviewed this item. He described the property and the location. He reviewed how this property was brought into the 201 Persigo boundary and has been primarily industrial/commercial in the County. Now that sewer service is available, they are annexing into the City. They recently received approval from the County for the development of an additional 16 lots.

Mr. Thornton advised the annexation meets all annexation requirements in the State Statutes. The Planning Commission reviewed the zoning request and found that it meets all criteria of the Zoning and Development Code and therefore recommends approval.

Robert Jones, Vortex Engineering, 255 Vista Valley Drive, Fruita, representing the applicant, concurred with the Staff's presentation and was available for questions.

There were no public comments.

The public hearing was closed at 9:44 p.m.

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

Councilmember Palmer moved to adopt Resolution No. 33-07 and Ordinance Nos. 4035 and 4036 on Second Reading and ordered them published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

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

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

Councilmember Hill moved to continue this item to the April 4, 2007 City Council Meeting. Councilmember Coons seconded the motion. Motion carried.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

Councilmember Spehar congratulated the two Council candidates in the audience for staying the whole meeting.

Adjournment

The meeting adjourned at 9:46 p.m.

Stephanie Tuin, MMC
City Clerk

Attach 2

**Appointment of a Designated Voter for the City for the Upcoming Special Election
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
Subject	Appointment of a Designated Voter for the City to Cast a Vote in the Upcoming Special Election					
Meeting Date	March 7, 2007					
Date Prepared	February 23, 2007				File #	
Author	Stephanie Tuin			City Clerk		
Presenter Name	Stephanie Tuin			City Clerk		
Report results back to Council		Yes	<input checked="" type="checkbox"/>	No	When	
Citizen Presentation		Yes	<input checked="" type="checkbox"/>	No	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda	<input checked="" type="checkbox"/>	Consent	Individual Consideration

Summary: The City Council has called a Special Election to allow additional debt financing of the Grand Junction Downtown Development Authority (DDA) to be repaid with the revenues derived from Tax Increment Financing (TIF). The City owns several properties in the DDA and is entitled to cast a ballot in the Special Election; however, because only natural persons can vote, the City must designate a representative to vote.

Budget: None.

Action Requested/Recommendation: Adopt Resolution

Attachments: Proposed resolution

Background Information: Part 8 of Title 31, Article 25 of the Colorado Revised Statutes relates to Downtown Development Authorities and includes TIF elections. The qualifications for electors under this statute are very different from ordinary municipal elections. Specifically, 31-25-802 (9) defines a “qualified elector” as “a resident, a landowner, or a lessee as said terms are defined in this section.” Further it states that “any landowner or lessee, which is not a natural person may vote only if it designates by some official action a representative thereof to cast its ballot.”

The City of Grand Junction owns several parcels in the TIF District and is therefore a landowner and qualified elector. With approval of this resolution by the City Council, City Manager David Varley will be the designated voter for the City. When the ballot package is mailed, Mr. Varley will receive it on behalf of the City.

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. -07

A RESOLUTION APPOINTING A DESIGNATED VOTER FOR THE CITY OF GRAND JUNCTION TO CAST A VOTE IN THE SPECIAL ELECTION SCHEDULED APRIL 3, 2007 REGARDING TAX INCREMENT FINANCING DEBT

Recitals.

On January 17, 2007, the Grand Junction City Council adopted Resolution No. 12-07 which directed that a question be submitted to the qualified electors of the Downtown Development Authority on a mail ballot April 3, 2007, which if approved, will authorize an increase in the maximum incurred debt and modify the purposes of the Downtown Development Authority.

The provisions of 31-25-801 *et seq*, C.R.S. define how such an election will be conducted and define qualified electors as “a resident, a landowner, or a lessee as said terms are defined in this section.” Further it states that “any landowner or lessee which is not a natural person may vote only if it designates by some official action a representative thereof to cast its ballot.” The City is a landowner and is not a natural person and therefore must designate a representative to vote in the election.

The appointment of a representative by resolution satisfies the legal requirements.

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

City Manager David Varley is the designated representative to cast a ballot on behalf of the City of Grand Junction on Downtown Development Authority, City of Grand Junction F.

Approved this ____ day of _____, 2007.

President of the Council

ATTEST:

City Clerk

Attach 3
Mesa County Animal Services Agreement
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Mesa County Animal Services Agreement					
Meeting Date		March 7, 2007					
Date Prepared		February 26, 2007				File #	
Author		Bob Russell			Commander		
Presenter Name		Troy Smith			Deputy Chief		
Report results back to Council		<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When	
Citizen Presentation		<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No	Name	
<input type="checkbox"/>	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		<input checked="" type="checkbox"/>	Consent	Individual Consideration

Summary:

The City of Grand Junction has an ongoing, annually renewable agreement with Mesa County for the control of dogs within the City limits. The City pays the county a percentage of the Animal Services budget based upon the City's percentage of total calls for service. The City's share of the budget for 2007 is 39.5% which equals to \$242,348. Payments are made to the County on a quarterly basis.

Budget:

The Police Department budgeted \$250,000 for this service during the 2007 budget process. In 2006, \$23,377 was carried forward from the 2005 budget in order to fund the \$273,377 costs for 2006. The costs for 2007 will be \$242,348, a \$31,029 reduction from the 2006 costs.

Action Requested/Recommendation:

It is recommended that the 2007 agreement for Animal Control Services be approved in the amount of \$242,348.

Attachments:

Copy of the Animal Services Agreement.
 Copy of the Animal Services Annual Report

Background Information:

Prior to 1983 the City provided Animal Control Services through the Police Department. In 1983 the City agreed to combine forces with Mesa County for Animal Control services. Since that time the City and County have contracted for Animal Services to

provide services to the City. The City Attorney has reviewed and approved the form of the agreement.

AGREEMENT

BETWEEN MESA COUNTY AND THE CITY OF GRAND JUNCTION PERTAINING TO ANIMAL SERVICES.

The City of Grand Junction, (“City”) and Mesa County (“County”) or (“Animal Services”) have determined to provide for animal services within the City of Grand Junction by Animal Services, pursuant to the City’s home rule powers and under the provisions of 29-1-201, et. Seq., C.R.S. as amended. The Agreement entered into _____, is intended to provide the basis for animal services for the year April 1, 2007 through March 31, 2008.

AGREEMENT

- 1) The City has adopted Chapter 6, Article III & IV of the Grand Junction Code of Ordinances, (“Code” or “the Code”) for the control of animals within the City. The City hereby agrees to provide the County with authority necessary to administer and enforce City regulations (“Code”), relating to animal control, within the City.
- 2) The County agrees to enforce the Code as codified and amended, in accordance with its provisions, consistent with proper enforcement practice and on a uniform basis throughout the City.
- 3) During the term hereof, the City will pay to the County, Two Hundred Forty-two Thousand, Three Hundred Forty-eight and 00/100, (\$242,348.00). One-fourth of that amount, Sixty Thousand, Five Hundred Eighty-seven dollars and 00/100, (\$60,587.00) shall be paid quarterly on a prorated basis based on the number of days remaining in the quarter in relation to the total days in said quarter. All fines and shelter/impoundment revenues derived from enforcement under this Agreement shall be paid to the County as additional consideration for the services rendered.
- 4) The consideration paid by the City for the operation of the Animal Services Division of the County is sufficient to support this Agreement and the same is determined as follows:

Animal Services’ projected 2007 expenditures shall be reduced by the actual 2006 carry-overs and the projected 2007 revenues. The resulting amount represents the budgeted 2007 (“the Budget” or “Budget”) taxpayer expense of the overall, combined city-county animal services program.

As part of this Agreement (and past Agreements), Animal Services’ dispatch and patrol stops are logged within a database. The percentage of Animal Services’ workload attributable to the City is calculated from this data after administrative stops have been deleted.

AGREEMENT

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Multiplying the Budget by the percentage of the workload attributable to enforcement activity within the City yields an amount representing the cost of providing service to the City. The resulting figure is the amount due Mesa County under this Agreement for providing animal control services in 2007.

Listed below is the calculation:

\$947,848.00	projected 2007 expenditures
\$294,300.00	projected 2007 revenues
\$653,548.00	2007 cost of city-county program
(-49,825.00)	actual 2006 carry-overs
\$613,540.00	overall cost of program
X 39.5	City's percentage of Animal Control Responses (January 2006 through December 2006)
\$242,348.00	contract amount due Mesa County in 2007. Contract amount divided by four (4) quarterly payments.
\$ 60,587.00	QUARTERLY PAYMENTS DUE Mesa County

Note: Both Parties agree that at the time this agreement is executed the 39.5% is a fair and reasonable projection of the City's percentage of responses during the term of this agreement. This 39.5% factor shall be reviewed by both Parties in January 2008 and the actual responses for the period of January 1, 2007 through December 31, 2007 shall be calculated to determine a revised percentage. This revised percentage shall then be substituted in the calculation of the Contract amount due Mesa County. In the event the revised percentage amount results in a change to the Contract amount due Mesa County (either an increase or decrease in such dollar amount); such increase or decrease shall be recalculated and prorated in entirety to the carryover section of the contract for 2008 or prorated and submitted as a separate payment due.

5) In providing the animal services agreed to in this Agreement, the County shall

AGREEMENT

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provide said services during those hours best suited, as determined by the County, for enforcement; County shall provide a standby system for other hours. In situations that cannot be handled solely by the County, the Police Department may be called by the Animal Services Division to dispatch a uniformed Officer to assist.

6) The County will select and supervise personnel for its Animal Services Division. Mesa County shall provide to the City, all necessary or required reports on the activities of the Animal Services Division.

7) Enforcement actions arising out of or under the Code shall be prosecuted in the Grand Junction Municipal Court. The City agrees to reasonably cooperate with the County in enforcement and prosecution activities.

8) Contractor shall indemnify, and hold harmless the County, its agents, officials and employees, against all loss or damages, including penalties, charges, professional fees, interest, costs, expenses and liabilities of every kind and character arising out of, or relating to, any and all claims and causes of actions of every kind and character, in connection with, directly or indirectly, this Contract, whether or not it shall be alleged or determined that the harm was caused through or by the Contractor or the subcontractor, if any, or their respective employees and agents, or a party indemnified hereunder. Contractor further agrees that its obligations to the County under this paragraph include claims against the County by Contractor's employees whether or not such claim is covered by workers compensation. Contractor expressly understands and agrees that any insurance or bond protection required by this contract, or otherwise provided by contractor, shall in no way limit the responsibility to indemnify, keep and save harmless and defend the County as herein provided, and such obligation exists even if the claim is fraudulent or groundless.

9) This Agreement shall terminate upon six months' written notice of intent to terminate, or on March 31, 2008 if the parties to this contract enter into a new contract for the provision of animal control services in the succeeding year as set forth below. Notice to terminate if issued, shall be sent to the appropriate signatory of this Agreement by certified mail.

10) It shall be the responsibility of the County to provide the City with a proposed Animal Services contract for 2007 animal control services no later than February 1, 2007. After review of the proposed contract the City of Grand Junction will, on or before March 1, 2008, either issue a preliminary acceptance of the proposed contract or a

AGREEMENT

Page 4

written notice of termination of the existing contract and a statement of their intent not to enter the proposed contract for animal services in the succeeding calendar year.

11) If preliminary acceptance has been given, the proposed contract shall not become effective until expiration of the then existing contract and until signed by the parties. The City's preliminary acceptance may be withdrawn at any time prior to contract signing by notification of termination being sent to the County as specified in paragraph nine. If preliminary acceptance is withdrawn by a notice of termination, the City will pay for, and the County will provide, animal services for six months from the date of the notice of termination.

12) The terms and rates for the six months service continuation period after notice of termination shall be those agreed to by the parties in the 2007 contract, unless the six months extends beyond March 31, 2008, in which case the remainder of the six months shall be controlled by the terms and rates of the proposed contract which shall be effective during the service period following March 31, 2008 until the completion of the six months termination period.

13) If terms and conditions of the proposed contract are not accepted by the parties in the form of a signed written contract on or before March 31, 2008, the provision of animal services to the City of Grand Junction shall cease September 30, 2008.

Attest: City of Grand Junction

City Clerk:

Mayor:

Date: _____

Date _____

Attest: County of Mesa

County Clerk:

**Board of County Commissioners
Chairperson:**

Date: _____

Date: _____

A large, black silhouette of a person walking a dog on a leash, set against a light gray background. The person is on the left, walking towards the right, and the dog is on the right, walking towards the left.

Mesa County Animal Services
Annual Report 2006

Mission

MESA COUNTY ANIMAL SERVICES ENFORCES THE ANIMAL ORDINANCE TO PROTECT THE HEALTH AND WELFARE OF THE CITIZENS OF OUR COUNTY. WE PROTECT AND MANAGE THE ANIMAL POPULATION. OUR OBJECTIVE IS TO PLACE AS MANY UNWANTED ANIMALS AS POSSIBLE INTO SUITABLE HOMES AND PROVIDE COMMUNITY EDUCATION THAT ENCOURAGES RESPONSIBLE PET OWNERSHIP.





*Mesa County Animal
Services Advisory Board*

Dr. Michael Aduddell
Mesa County Health Department

Lt. Michael Nordine
Grand Junction Police Department

Lt. Craig Miller
Mesa County Sheriff's Department

Stefani Conley
Assistant to the County Administrator

Dr. Mark Ryan, DVM
Redstone Veterinary Hospital

Penny McCarty
Mesa County Animal Services

WELCOMED WITH OPEN ARMS AND OPEN HEARTS

Mesa County Animal Services (MCAS) welcomes any stray or owned dog and any domesticated animal that is in need of humane care. The City of Grand Junction and Mesa County have elected to waive the impound fee for their citizens to release a pet to MCAS as they would prefer an owner or concerned citizen bring the animal to us rather than abandon it in the community. Dogs running loose in the community and on our streets are a public safety risk. Animals that are sick or injured can be a public health risk.

Humane euthanasia is available for pets when requested by the owner or if staff deems it to be necessary for medical or behavioral reasons. We also hold animals at our shelter for rabies quarantine (normally 10 days) or dangerous and nuisance animals pending a disposition order by the Court.

Mesa County Animal Services has a full service contract with the City of Grand Junction to provide both enforcement and sheltering. We also provide shelter services and emergency backup for animal control issues when requested by law enforcement for the Towns of Debeque, Collbran, Palisade and Fruita.

Finally, we provide protective custody for animals whose owners are involved in accidents, are incarcerated by law enforcement or have an emergency situation that is referred to us by governmental or non-profit agencies.



USING RESOURCES EFFECTIVELY

In 2006, Mesa County Animal Services helped more animals and assisted more citizens than ever before. We provided the animals with humane care and a safe haven while they waited and hoped for their owners to reclaim them. The number of animals finding refuge at our shelter increased by 4.6% over the previous year resulting in an average daily impound of 15 animals per day. Fifty-seven percent of the animals received were dogs. This is largely due to our focus on public safety because of the negative impact dogs running at large can have on our community.

	Dogs	Cats	Other	Total
Owner Release	752	1545	33	2330
Euthanasia Request	79	25	1	105
Humane Intake	94	572	23	689
Quarantine/Court Hold	96	12	2	110
Enforcement (Dog at Large)	1836			1836
Municipal Contracts	185	93	3	281
Other (Protective Custody)	9	0	10	19
Total Animals Sheltered				5370



UNITING PEOPLE WITH PETS

Mesa County Animal Services' primary mission is to protect public safety and public health. Because of the animals placed in our care as a result of enforcement, it is necessary for us to provide many of the services that are typically viewed as "belonging" to humane societies. Keeping our core mission in mind and in order to control costs, we have formed collaborative relationships with animal welfare agencies across Colorado and Utah. Because of ongoing space limitations, we rarely have kennel space to house dogs and cats past the legally required stray time or court hold. Often, our only option is to prepare animals to be transported to a rescue or humane society as soon as the legal hold time has expired. Fortunately, because of the support of these agencies and volunteers, our adoption or transfer rate has increased by 115% since 2002.

Rehomed or Reunited Animals—2006

Animals Adopted		Animals Reunited	
Dogs or Puppies	497	Dogs or Puppies	1098
Cats or Kittens	176	Cats or Kittens	23
Other animals	27	Other animals	4
Transfers	928		
Total	1628	Total	1125



UNFORTUNATE BUT NECESSARY ...EUTHANASIA

Ninety one percent of the animals euthanized had behavior issues (aggression or extreme fear) or had significant medical issues. Because a large portion of animals come to the shelter as a result of enforcement activity, we will always shelter a larger number of aggressive dogs than a limited admission shelter that is focused on re-homing owner released animals. The remaining 9% were animals that were adoptable animals that we did not have the resources to hold until we could find permanent placement.

Animals Euthanized

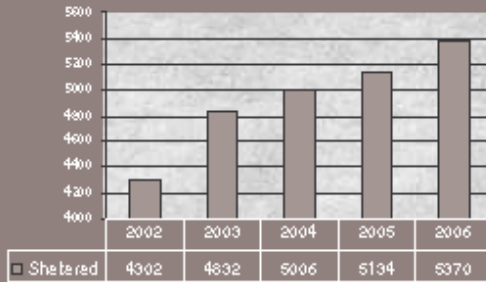
Unadoptable dogs	1026
Healthy dogs	23
Unadoptable cats	1103
Healthy cats	219
Feral Cats	145
Other animals	24
Total Euthanized *	2540
<small>*This includes 105 animals that were euthanized at the request of the owner</small>	
Other Disposition**	77
Total Disposition	5370

**Includes animals that died at the shelter, escaped or were carried over to 2007 inventory

Mesa County Animal Services has worked to decrease the number of healthy animals euthanized for several important reasons:

- Average turnover in the animal welfare industry for positions that work directly with animals is 68%. This is commonly known as compassion fatigue. Based on the costs of training new staff, this level of turnover is a drain on resources and can be mitigated if we decrease the number of healthy animals euthanized.
- In order for MCAS to have an impact on public perceptions regarding public safety and responsible pet ownership, we need to be respected as animal welfare professionals. The public expects MCAS to do all that can be done to ensure that animals that are behaviorally and medically healthy find homes.
- Based on the previous two points, finding alternatives to euthanasia is a cost effective practice and it's the right thing to do!

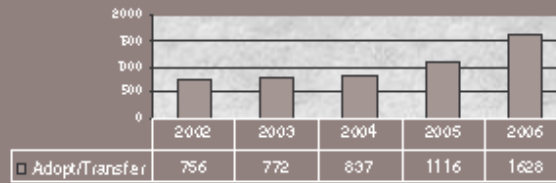
SHELTERED ANIMALS



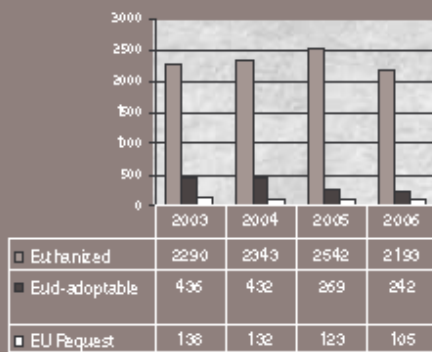
Since 2002, The number of animals sheltered has increased by 24.0%

Since 2002, the number of animals adopted or transferred has increased by 115%.

ADOPTED/TRANSFERRED



ANIMALS EUTHANIZED



Prior to 2003 MEAS did not track the reason an animal was euthanized. 2006 was the first year since we began tracking these categories that both the number of adoptable and unadoptable animals euthanized decreased. In 2006, the percentage of total animals euthanized decreased by 13% from the previous year.



KEEPING PEOPLE AND PETS SAFE....

Public safety continues to be the foundation of our philosophy. Protecting the public may involve an officer capturing an aggressive dog, confining a dog who is running loose and is a traffic hazard, ensuring adequate quarantine for an unvaccinated animal who has bitten or providing a safe environment for citizens visiting our shelter.

Pet welfare is addressed by our four person team of officers who are commissioned by the Department of Agriculture . They investigate complaints of cruelty, neglect and abuse against innocent animals that can't speak for themselves. The increase in the pet population in Mesa County along with public awareness that it is unacceptable to allow pets to be housed in conditions that are not humane, has resulted in a 54% increase in welfare checks since 2003. In addition to the 59 cases that were prosecuted, our officers educated animal owners with less serious infractions on how to bring the care of their animals into compliance with the law.

	2003	2004	2005	2006
Total Calls for Service (Includes pager and administrative)	9,529	9,526	10,836	10,892
Dog & Cat Bites	362/148	321/85	409/80	402/97
Welfare checks	513	656	777	792
Pager (After hour calls)	260	393	572	480
Total Citations Issued	1,241	1,369	1,342	1,447
Cruelty/Neglect Citations	10	14	18	59
Dangerous Dog Citations	98	87	106	104
Mandatory Court Citations	173	169	159	205
Other Citations	960	1,099	1,059	1,079
Total Warnings Issued	742	608	510	485
Mileage	76,151	78,570	81,042	85,271



...EDUCATION AND PUBLIC OUTREACH

In addition to enforcement, Mesa County Animal Services provides education about responsible pet ownership through various venues. Pets are not disposable and providing adequate confinement, supervision and humane care for pets is not optional. To ensure public safety and mitigate demands on our agency, we must change public perceptions that are contrary to these beliefs. We provide the following services to Mesa County citizens to encourage and assist them in being responsible pet owners:

- **Project PTPs**—In 2006 Mesa County Animal Services increased the value of the certificates given to citizens who have a pet needing to be spayed or neutered. The cost of spaying a pet is considerably higher than that of a neuter. To equitably subsidize and encourage sterilization of pets, we increased the face amount of the certificate to \$35 for any spay and \$25 for each neuter. These certificates are good at any participating veterinarian. Last year, Mesa County made 1200 of these certificates available to Mesa County pet owners.
- **Project SNAPs**—This program was established as a collaborative effort with local veterinarians and Mesa County Animal Services to ensure that animals adopted from our shelter are vaccinated for rabies, licensed, receive a pet health examination and are sterilized by a local veterinarian before going home. This process encourages an ongoing relationship between the pet owner and their veterinarian and provides the pet with a good start toward a healthy future.
- **New Leash on Life**—This program matches youth from the Department of Youth Services with adoptable dogs. The four week program has expanded and includes a classroom component on humane education and a worker program for qualified students who would benefit from an on-the-job work experience.
- **Humane Education Class**—In 2006, Mesa County developed and implemented a humane education class that is available for the Courts to use as a sentencing component. This program includes a module on legal requirements, a module presented by local veterinarians on humane care and a hands-on section facilitated by a local trainer. In addition to court ordered participants, this program is provided to New Leash on Life students.
- **Media**—Mesa County Animal Services supplies local media with public service announcements each year that focus on local animal welfare or public safety issues. In addition, our staff present adoptable pets and discuss humane care, pet safety, bite prevention and other local pet issues on weekly TV and radio shows. Mesa County Animal Services is supported in its efforts to educate and communicate with citizens by KKCO, KREX, KJCT, Bresnan Communications and Cumulus Broadcasting.
- **Web-site**—Mesa County Animal Services provides two different options for citizens visiting our web-site. We provide an enforcement section that offers information about purchasing a license, local ordinances, rabies, lost pets, bite prevention and current issues such as plague. Citizens can also visit our “shelter side” which provides information on adoption, foster care, volunteer information, training tips and local functions where you might find adoptable pets or the Barky Bus.
- **Bite Prevention/Safety Class**—Developed in 2006 for presentation to schools, clubs, civic organizations, businesses such as postal or utility workers. The goal is to help citizens evaluate a dog’s body language and intent. We also offer tips on avoiding encounters with aggressive dogs.

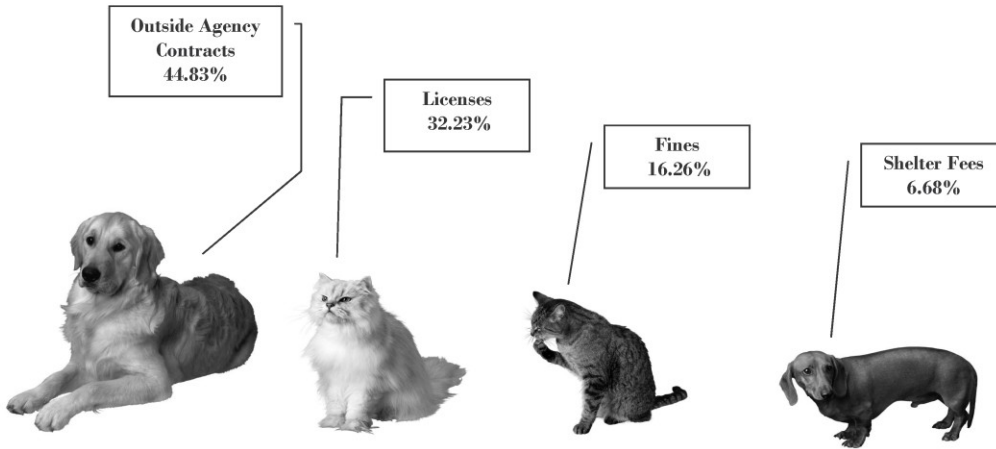
EXPENSES

Animal Control/Rabies Prevention	\$ 430,979
Shelter Services	\$ 330,399
Administrative	\$ 134,849



REVENUES

Outside Agency Contracts	\$ 285,518
Licenses	\$ 205,197
Fines	\$ 103,566
Shelter Fees	\$ 42,539



Source of Revenue:

Shelter fees	\$ 42,538.50	
Fines	\$ 103,565.75	
Licenses	\$ 205,197.25	
Municipal Contracts	\$ 11,741.00	
Total Revenues		\$ 363,042.50
Expenditures		
Personnel Costs	\$ 590,202.81	
Operating Expenses	\$ 130,870.92	
Facility Repair and Utilities	\$ 40,305.32	
Administrative	\$ 134,859.00	
Total Expenses		(\$ -896,238.05)
Cost of operating program in 2006		\$ 533,195.55

Mesa County and the City of Grand Junction split the cost of operating Mesa County Animal Services based on overall calls handled by Animal Services for each entity. In 2006, 60.5% of calls were located in Mesa County and 39.5% in the City of Grand Junction. Grand Junction's portion of cost for 2006 was \$223,951.56. The amount paid by the City of Grand Junction in 2006 was based on budget projections and not actual costs. They paid \$273,777.00 based on the 2006 contract and will be refunded \$49,825.44 in the carryover section of the 2007 contract. The amount due to Grand Junction is the result of an decrease in calls for service from Grand Junction and a considerable increase in revenues collected from fees and licenses. Mesa County's cost for animal services was \$322,583.31. The difference between revenue and actual expenditures from our cost center was \$134,079.67

2006 ACHIEVEMENTS

When Mesa County Animal Services (MCAS) identified 2006 goals, we focused on areas that would have the most impact on citizens. We accomplished the following:

Goal 1: Improve Customer Service

- MCAS teamed up with CJSO and the Methamphetamine Fast Track Program to utilize clients as volunteers and/or temporary workers in the kennel area.
- MCAS adjusted our policy to provide owners with payment options so that they can reclaim their pets with limited funds.
- MCAS revised the phone system so the answering service receives and dispatches calls directly to the officers. All citizen requests not requiring dispatch but requesting a response by our office are faxed to the office on an hourly basis for action.
- MCAS increased office hours to remain open all holidays except for Thanksgiving, Christmas and New Years.
- MCAS provided an after hours drop kennel so that a citizen who picks up a stray dog has a place to deposit the animal until staff arrives the next morning.

Goal 2: Improve Public Perception by Increasing Professionalism with Customers and Peers

- MCAS developed our relationship with Grand Rivers Humane and were able to have a presence at the DDA's Farmers' Market, PetSmart, Petco and adoption fairs without utilizing hourly staff.
- MCAS developed and facilitated Dog Bite Prevention Programs for schools and agencies with employees that have interaction with animals as part of their job duties (UPS, Fedex, U.S. Postal Service, Excel Energy, etc)
- MCAS developed and implemented a Court Ordered Responsible Pet Ownership class.
- MCAS have been instrumental in developing a coalition of animal welfare agencies from the Western Slope. Western Colorado Animal Resources (WeCARE) has 24 member agencies and has coordinated three large animal transfers to rescue agencies on the front range that have more adoption resources. Additionally, these agencies are working together to develop community emergency plans for animal issues.

Goal 3: Increase Overall Effectiveness

- MCAS developed Principles of Enforcement to ensure consistent practice in the field and to provide staff with a clear understanding of our philosophy with regard to public safety.
- MCAS developed Principles of Enforcement to increase enforcement of abused and neglected animals. They say that appearance is everything and that is certainly applicable in Government. Mesa County citizens expect the facility to be clean and maintained. In addition to limited kennel space, we struggle with limited office space. MCAS reorganized the front office to provide two separate work areas by using discarded equipment from other agencies .

2006 *ACHIEVEMENTS*

Goal 3: (continued)

- MCAS requested and received a protocol for vaccinations from the local veterinarian community in order to reduce contagious illness in the shelter. Using that protocol, MCAS developed Principles for Vaccination and Principles for Use of Premix for MCAS staff.
- MCAS arranged and sponsored Humane Euthansia training for the Western Slope. MCAS requires certification for kennel staff and officers.

Goal 4: Increase Communication and Understanding of MCAS Mission and Philosophy

- MCAS developed and incorporated daily kennel inspections by administration. The long term objective is for kennel staff to use this inspection to monitor their own effectiveness.
- MCAS incorporated team meetings rather than staff meeting to make effective use of time. We communicate the outcome of these meetings to the entire staff via a monthly news letter.

Goal 5: Research and Successfully Incorporate New Software System

- MCAS collaborated with IT to select and implement Shelter Buddy Software. We discontinued use of the old software on December 31, 2006 and started using Shelter Buddy in January.

Goal 6: Develop a Process to Ensure Effective Management of the Shelter.

This goal was identified as the goal that could have the most impact on pets, their owners and the community. MCAS is required, by law, to hold most stray animals for five days so the owner can reclaim their pet. However, during those five days, we can take steps to identify the adoptability of the animal. We have the authority to vaccinate, arrange transport and research rescue placement so that when stray time has expired, we can immediately process the animal to maximize shelter space. This required training of two staff in the SAFER technique and a huge commitment by the kennel staff to make full utilization of available space.



Mesa County Animal Services

36228 Road

P.O. Box 20,000-5002

Grand Junction, CO 81502

Phone: 970.242.4646

Fax: 970.245-5315

E-mail: Penny.mccarty@mesacounty.us

Web-site: www.mesacounty.us/animalservices/

Attach 4
Setting a Hearing on Zoning and Development Code Text Amendments
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA								
Subject	Zoning and Development Code Text Amendments Regarding Various Development Standards and Issues							
Meeting Date	March 7, 2007							
Date Prepared	February 27, 2007				File # TAC-2007-006			
Author	Lisa Cox, AICP		Planning Manager					
Presenter Name	Lisa Cox, AICP		Planning Manager					
Report results back to Council	X	No		Yes	When			
Citizen Presentation	X	No		Yes	Name			
	Workshop	X		Formal Agenda	X	Consent		Individual Consideration

Summary: The City of Grand Junction requests approval to amend various sections and to add new sections to the Zoning and Development Code that pertain to Nonconforming Uses/Structures/Sites, Drive-through retail establishments, Zoning of annexed property, Residential zone designations, Lot size and setbacks for lots abutting tracts, Growth Plan Amendments and requests to rezone to Planned Development (PD).

Budget: N/A

Action Requested/Recommendation: Introduce a proposed ordinance and set a public hearing for March 21, 2007.

Background Information: The City of Grand Junction considers proposed updates and changes to the Zoning and Development Code on a regular basis to ensure that the Code is addressing development issues in an efficient and effective manner. Certain updates and changes to the Code are desirable to maintain the Code's effectiveness and to ensure that the goals and policies of the Growth Plan and Future Land Use Map are being implemented. Several proposed amendments or additions to the Code are being proposed that Staff feels furthers the goals and policies of the Growth Plan and are discussed in this staff report.

Attachments:
 Staff report

BACKGROUND INFORMATION	
Location:	Citywide
Applicant:	City of Grand Junction

ANALYSIS:

Background

The City of Grand Junction considers proposed updates and changes to the Zoning and Development Code on a regular basis to ensure that the Code is addressing development issues in an efficient and effective manner. Certain updates and changes to the Code are desirable to maintain the Code’s effectiveness and to ensure that the goals and policies of the Growth Plan and Future Land Use Map are being implemented. Several proposed amendments or additions to the Code are being proposed that Staff feels furthers the goals and policies of the Growth Plan and are discussed in this staff report.

Nonconforming structures and sites:

Issue: Constraints to non-conforming structures and sites for remodel, upgrade and expansion. Typically this is an issue for sites that are changing use to outdoor display, which requires a percentage upgrade or a full upgrade if the outdoor display use requires a Conditional Use Permit, and for existing commercial structures that are proposed for condominiums, which requires full upgrades. Currently, deviations from the upgrade requirements must be considered as a part of the Conditional Use Permit or as a Variance.

Code Section 3.8.B.3, Expansion of nonconforming structures and sites, includes new or increased areas for outdoor operations/storage/display and condominiums.

Solution: Create a design exception process, similar to a TEDS exception, to consider individual requests.

(Note: Existing Code language is in bold; additions are bold and underlined.)

Amend Section 3.8.B.2.e as follows:

Properties that are physically constrained from complying with these provisions shall comply to the maximum extent practicable as determined by the Director Site Design Exception Team.

Amend Section 3.8.B.3.b (the section in brackets) as follows:

(The same requirements also shall apply to the addition of new or increased areas for outdoor operations/storage/display. For example, if the addition, or outdoor display area, is twenty-five (25%)...

Add new section 3.8.B.3.e:

The rebuilding of any portion a building that is demolished is considered new construction and expansion for purposes of determining the applicable percentage upgrade for applying landscaping, parking and screening and buffering requirements for non-conforming sites.

Add new section 3.8.B.3.f:

Properties that are physically constrained from complying with these provisions shall comply to the maximum extent practicable as determined by the Site Design Exception Team.

Add new Section 3.8.B.4 and renumber remaining Sections of 3.8:

a. A Site Design Exception Team, consisting of two representatives from the Public Works and Planning Department, a planner and an engineer, and a representative from the Fire Department and Parks and Recreation Department, shall be authorized to consider requests to vary from the required site upgrades.

Required site upgrades may be reduced or eliminated by the Site Design Exception Team for sites requiring upgrades because of this Section 3.8.B.3.

b. In considering a request, the following shall be considered by the Site Design Exception Team:

- 1. Is the general intent of the requirement being met by the applicant, such as landscaping along frontage, even if some of it is in the right-of-way?**

2. Are there other upgrades or amenities being provided, such as upgrades to building façade, relocating landscaping on-site, increasing planting sizes and/or planting density, public art, etc?
3. Will the proposed deviation result in a safe, efficient condition as determined by the City?
4. What other alternatives have been considered that would meet the current standards?
5. Is the requested deviation the minimum deviation from City standards necessary to move the project forward?

c. A request to deviate from the required parking, landscaping, screening and buffering improvements for nonconforming structures and sites must be submitted in writing on a form or application provided by the City to the Site Design Exception Team.

Drive-through retail establishments:

Issue: The Code currently has two categories of drive-through uses, office with drive-through and drive-through uses (restaurants retail). Office with a drive-through, most typically a bank, is allowed in the B-1 (Neighborhood Business) zone district with a Conditional Use Permit. Restaurant and retail drive-throughs are not allowed in B-1. While drive-through facilities associated with restaurants (fast-food restaurants) are not appropriate in a B-1 zone district, drive-throughs associated with other types of retail businesses might be. Recent trends have drive-through windows associated with Pharmacies for customer convenience. Staff is proposing that a separate category be created for retail drive-through uses, and allowing those to be considered in the B-1 zone district with a Conditional Use Permit.

Code Section: Table 3.5 Use/Zone Matrix, Retail Sales and Service

Solution: Amend Table 3.5 as follows:

Drive-through Uses— (Restaurants Retail)— Conditional Use Permit required in B-2, C-1, C-2, I-1.

Add a new category: Drive-through Uses—Retail, Conditional Use Permit required in B-1, B-2, C-1, C-2, I-1

Zoning of Annexed Property:

Issue: With the last update of the Code, staff had intended to list only two of the rezoning criteria as being necessary for a zone of annexation. Because of other text changes that were made, criterion 2.6.A.5 was inadvertently left in.

Solution: Amend Section 2.14.F as follows:

Zoning of Annexed Properties. Land annexed to the City shall be zoned in accordance with Section 2.6 to a district that is consistent with the adopted Growth Plan and the criteria set forth in Sections 2.6.A.3, and 4 and 5...

Residential Zone Designations:

Issue: The Residential Zone Districts are RSF (Residential Single Family) and RMF (Residential Multifamily). However, with changes in housing types and the variety that might be allowed in any one zone district, the designations are misleading, or in some cases, inaccurate.

Solution: Change all Residential Zone District designations to “R” rather than RSF or RMF, but continue to include the maximum density indicator. For example, RSF-4 would be changed to R-4. All residential designations would be changed as follows:

RSF-R	R-R
RSF-E	R-E
RSF-1	R-1
RSF-2	R-2
RSF-4	R-4
RMF-5	R-5
RMF-8	R-8
RMF-12	R-12
RMF-16	R-16
RMF-24	R-24

Alternative Surfacing of Vehicular Traffic Areas:

Issue: The Zoning and Development Code requires that vehicular traffic areas be surfaced with concrete or bituminous pavement, except for overflow parking areas or low traffic storage yards. However, many industrial yards that accommodate large trucks and heavy equipment do not meet the definition of low traffic storage yards, but paving is not practical because of the damage caused by the heavy vehicles.

Solution: Amend section 6.6.A.9.a by adding the following new sentence to the end of the paragraph:

...Industrial yards that accommodate large trucks and/or heavy equipment shall be surfaced and maintained with materials to prevent dust, mud and debris from leaving the site and being tracked onto the public right-of-way.

Lot Size and Setbacks Abutting Tracts:

Issue: The Code requires that certain improvements, such as trails, water or sewer lines, landscape buffers, drainage facilities and open space, be placed in tracts rather than easements. This requirement imposes an additional burden on meeting minimum lot size and/or setbacks for lots abutting these tracts.

Solution: Because the tracts themselves provide the type of "open" space that a setback and/or minimum lot size is intended to achieve, Staff proposes the following amendments which allow the Planning Commission, through the review and approval of a subdivision, to allow the lands in these types of tracts to be used to establish the "open" area normally met by minimum lot size and/or setback requirements. These amendments allow part of a setback, minimum lot size or minimum lot width to be established in whole or in part by certain types of abutting tracts.

Add new Section 3.2.B.3 as follows:

3. If the following conditions are met, Minimum Lot Size may be reduced by the Director on lots abutting "tracts" (as defined below) to the extent the abutting tract provides for a portion of the minimum lot size:

a. the abutting "tract" includes one or more of the following: (i) a trail for the use of the general public, (ii) public water or sewer lines, (iii) a landscape buffer required pursuant to this Code, (iv) a drainage facility required by this Code, or (v) open space (whether required by this Code or voluntarily established), which is land within a development designed and intended for the common use or enjoyment of the residents or occupants of the development, and not including areas used for streets, alleys, driveways or off-street parking or loading areas.

b. only that portion of the proposed lot line that is contiguous with the abutting tract may be used for purposes for determining the reduction in minimum lot size;

c. the reduction in minimum lot size is less than or equal to the open area provided by the tract;

d. the tract shall contain no structure(s) in perpetuity in the area that is to provide for a portion of the minimum lot size;

e. maintenance of the tract is provided for in Covenants, Conditions and Restrictions or other binding agreement as approved by the City;

f. the tract will not also provide any part of or be used in any part to establish a setback pursuant to Section 3.2.E.5;

g. the tract is part of the subdivision or development that is the subject of the application.

Amend Section 3.2.C. to include the following:

Lot Width.

1. Lot width is measured between the side lot lines along a line that is parallel to the front lot line located at the minimum front setback distance from the front lot line.

2. Minimum Lot Width may be varied by the Planning Commission on irregularly shaped lots.

3. If the following conditions are met, Minimum Lot Width may be varied by the Director on lots abutting "tracts" (as defined below) to the extent the abutting tract provides for a portion of the minimum lot width:

a. the abutting "tract" includes one or more of the following: (i) a trail for the use of the general public, (ii) public water or public sewer lines, (iii) a landscape buffer required pursuant to this Code, (iv) a drainage facility required by this Code, or (v) open space (whether required by this Code or voluntarily established) which is land within a development designed and intended for the common use or enjoyment of the residents or occupants of the development, and not including areas used for streets, alleys, driveways or off-street parking or loading areas;

b. only that portion of the proposed lot line that is contiguous with the abutting tract may be used for purposes for determining the reduction in minimum lot width;

c. the reduction in minimum lot width is less than or equal to the open area provided by the tract;

d. the tract shall contain no structure(s) in perpetuity in the area that is to provide for a portion of the minimum lot width;

e. maintenance of the tract is provided for in Covenants, Conditions and Restrictions or other binding agreement as approved by the City;

f. the tract will not also provide any part of or be used in any part to establish a setback pursuant to Section 3.2.E.5;

g. the tract is part of the subdivision or development that is the subject of the application.

Add new Section 3.2.E.5 as follows:

5. If the following conditions are met, setbacks may be reduced by the Director on lots abutting "tracts" (as defined below) to the extent the abutting tract provides for a portion of the setback:

a. the abutting "tract" includes one or more of the following: (i) a trail for the use of the general public, (ii) public water or public sewer lines, (iii) a landscape buffer required pursuant to this Code, (iv) a drainage facility required by this Code, or (v) open space (whether required by this Code or voluntarily established) which is land within a development designed and intended for the common use or enjoyment of the residents or occupants of the development, and not including areas used for streets, alleys, driveways or off-street parking or loading areas;

b. the abutting "tract" runs the full length of the applicable lot line for which a reduction in setback requirement is sought;

c. the reduction in setback is less than or equal to the open area provided by the tract;

d. the tract shall contain no structure(s) in perpetuity in the area that is required to provide for the necessary area for the setback(s);

e. maintenance of the tract is provided for in Covenants, Conditions and Restrictions or other binding agreement as approved by the City;

f. the tract will not also provide any part of, or be used in any part to establish the minimum lot size pursuant to Section 3.2.B.3 or the minimum lot width pursuant to Section 3.2.C.3;

g. the tract is part of the subdivision or development that is the subject of the application.

Growth Plan Amendments with Planned Development (PD) rezone requests:

Issue: When there is a conflict between the density range of the Future Land Use Map and the density of a request to rezone to Planned Development (PD), the Code requires the rezone request to be considered independently of a Growth Plan Amendment. Because the request to rezone to PD includes a Final Plan and a consistency review of the goals and policies of the Growth Plan and Future Land Use Map, it would be advantageous to consider both land use applications concurrently.

Solution: Allow a Growth Plan Amendment and request to rezone to a Planned Development (PD) zone district to be considered concurrently.

Amend Section 2.5.B.2 as follows:

A Growth Plan Amendment request shall not be considered concurrently with any other development review process, **except for a zone of annexation or request to rezone to Planned Development (PD).**

FINDINGS OF FACT/CONCLUSIONS:

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

Policy 1.7: The City and County will use zoning to establish the appropriate scale, type, location and intensity for development. Development standards should ensure that proposed residential and non-residential development is compatible with the planned development of adjacent property.

Policy 3.5: The City and County will coordinate with public and private service providers to develop and maintain public improvements which efficiently serve existing and new development.

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

Goal 7: To equitably fund improvements required to serve community residents and businesses.

Policy 7.1: The City and County will require new development to fund its fair share of capital costs for public facilities at adopted levels of service.

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.

Policy 10.4: The City and County will encourage development designs that enhance the sense of neighborhood.

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

Policy 15.4: The City and County should facilitate development of a variety of housing types (e.g., clustered units, zero lot line units and mixed density projects) without requiring the planned development process.

PLANNING COMMISSION RECOMMENDATION:

After discussion and consideration of the proposed text amendments, the Planning Commission voted to forward the proposed Text Amendments, #TAC-2007-006, to City Council with the recommendation of approval.

Attachment: Proposed Ordinance

CITY OF GRAND JUNCTION

ORDINANCE NO.

AN ORDINANCE AMENDING VARIOUS SECTIONS AND ADDING NEW SECTIONS TO THE ZONING AND DEVELOPMENT CODE TO ADDRESS ISSUES WITH NONCONFORMING STRUCTURES AND SITES, DRIVE-THROUGH RETAIL ESTABLISHMENTS, ZONING OF ANNEXED PROPERTY, RESIDENTIAL ZONE DESIGNATIONS, ALTERNATIVE SURFACING OF VEHICULAR TRAFFIC AREAS, LOT SIZE, WIDTH AND SETBACKS FOR LOTS ABUTTING TRACTS, AND GROWTH PLAN AMENDMENTS WITH PLANNED DEVELOPMENT REZONE REQUESTS

RECITALS:

The City of Grand Junction considers proposed updates and changes to the Zoning and Development Code on a regular basis to ensure that the Code is addressing development issues in an efficient and effective manner. Certain updates and changes to the Code are desirable to maintain the Code's effectiveness and to ensure that the goals and policies of the Growth Plan and Future Land Use Map are being implemented.

The City of Grand Junction wishes to amend various sections and to add new sections to the Zoning and Development Code that pertain to Nonconforming Uses/Structures/Sites, Drive-through retail establishments, Zoning of annexed property, Residential zone designations, Lot size and setbacks for lots abutting tracts, Growth Plan Amendments and requests to rezone to Planned Development (PD).

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 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:

Amend Section 3.8.B.2.e as follows:

Properties that are physically constrained from complying with these provisions shall comply to the maximum extent practicable as determined by the Director Site Design Exception Team.

Amend Section 3.8.B.3.b (the section in brackets) as follows:

(The same requirements also shall apply to the addition of new or increased areas for outdoor operations/storage/display. For example, if the addition, or outdoor display area, is twenty-five (25%)...

Add new section 3.8.B.3.e:

The rebuilding of any portion a building that is demolished is considered new construction and expansion for purposes of determining the applicable percentage upgrade for applying landscaping, parking and screening and buffering requirements for non-conforming sites.

Add new section 3.8.B.3.f:

Properties that are physically constrained from complying with these provisions shall comply to the maximum extent practicable as determined by the Site Design Exception Team.

Add new Section 3.8.B.4 and renumber remaining Sections of 3.8:

a. A Site Design Exception Team, consisting of two representatives from the Public Works and Planning Department, a planner and an engineer, and a representative from the Fire Department and Parks and Recreation Department, shall be authorized to consider requests to vary from the required site upgrades.

Required site upgrades may be reduced or eliminated by the Site Design Exception Team for sites requiring upgrades because of this Section 3.8.B.3.

b. In considering a request, the following shall be considered by the Site Design Exception Team:

- 1. Is the general intent of the requirement being met by the applicant, such as landscaping along frontage, even if some of it is in the right-of-way?**
- 2. Are there other upgrades or amenities being provided, such as upgrades to building façade, relocating landscaping on-site, increasing planting sizes and/or planting density, public art, etc?**

3. Will the proposed deviation result in a safe, efficient condition as determined by the City?
4. What other alternatives have been considered that would meet the current standards?
5. Is the requested deviation the minimum deviation from City standards necessary to move the project forward?

c. A request to deviate from the required parking, landscaping, screening and buffering improvements for nonconforming structures and sites must be submitted in writing on a form or application provided by the City to the Site Design Exception Team.

Amend Table 3.5 as follows:

Drive-through Uses-- (Restaurants Retail)—Conditional Use Permit required in B-2, C-1, C-2, I-1.

Add a new category: Drive-through Uses—Retail, Conditional Use Permit required in B-1, B-2, C-1, C-2, I-1

Amend Section 2.14.F as follows:

Zoning of Annexed Properties. Land annexed to the City shall be zoned in accordance with Section 2.6 to a district that is consistent with the adopted Growth Plan and the criteria set forth in Sections 2.6.A.3, and 4 and 5...

Change all Residential Zone District designations to “R” rather than RSF or RMF, but continue to include the maximum density indicator. For example, RSF-4 would be changed to R-4. All residential designations would be changed as follows:

RSF-R	R-R
RSF-E	R-E
RSF-1	R-1
RSF-2	R-2
RSF-4	R-4
RMF-5	R-5
RMF-8	R-8
RMF-12	R-12
RMF-16	R-16
RMF-24	R-24

Amend section 6.6.A.9.a by adding the following new sentence to the end of the paragraph:

...Industrial yards that accommodate large trucks and/or heavy equipment shall be surfaced and maintained with materials to prevent dust, mud and debris from leaving the site and being tracked onto the public right-of-way.

Add new Section 3.2.B.3 as follows:

3. If the following conditions are met, Minimum Lot Size may be reduced by the Director on lots abutting "tracts" (as defined below) to the extent the abutting tract provides for a portion of the minimum lot size:

a. the abutting "tract" includes one or more of the following: (i) a trail for the use of the general public, (ii) public water or sewer lines, (iii) a landscape buffer required pursuant to this Code, (iv) a drainage facility required by this Code, or (v) open space (whether required by this Code or voluntarily established), which is land within a development designed and intended for the common use or enjoyment of the residents or occupants of the development, and not including areas used for streets, alleys, driveways or off-street parking or loading areas.

b. only that portion of the proposed lot line that is contiguous with the abutting tract may be used for purposes for determining the reduction in minimum lot size;

c. the reduction in minimum lot size is less than or equal to the open area provided by the tract;

d. the tract shall contain no structure(s) in perpetuity in the area that is to provide for a portion of the minimum lot size;

e. maintenance of the tract is provided for in Covenants, Conditions and Restrictions or other binding agreement as approved by the City;

f. the tract will not also provide any part of or be used in any part to establish a setback pursuant to Section 3.2.E.5;

g. the tract is part of the subdivision or development that is the subject of the application.

Amend Section 3.2.C. to include the following:

Lot Width.

1. Lot width is measured between the side lot lines along a line that is parallel to the front lot line located at the minimum front setback distance from the front lot line.

2. Minimum Lot Width may be varied by the Planning Commission on irregularly shaped lots.

3. If the following conditions are met, Minimum Lot Width may be varied by the Director on lots abutting "tracts" (as defined below) to the extent the abutting tract provides for a portion of the minimum lot width:

a. the abutting "tract" includes one or more of the following: (i) a trail for the use of the general public, (ii) public water or public sewer lines, (iii) a landscape buffer required pursuant to this Code, (iv) a drainage facility required by this Code, or (v) open space (whether required by this Code or voluntarily established) which is land within a development designed and intended for the common use or enjoyment of the residents or occupants of the development, and not including areas used for streets, alleys, driveways or off-street parking or loading areas;

b. only that portion of the proposed lot line that is contiguous with the abutting tract may be used for purposes for determining the reduction in minimum lot width;

c. the reduction in minimum lot width is less than or equal to the open area provided by the tract;

d. the tract shall contain no structure(s) in perpetuity in the area that is to provide for a portion of the minimum lot width;

e. maintenance of the tract is provided for in Covenants, Conditions and Restrictions or other binding agreement as approved by the City;

f. the tract will not also provide any part of or be used in any part to establish a setback pursuant to Section 3.2.E.5;

g. the tract is part of the subdivision or development that is the subject of the application.

Add new Section 3.2.E.5 as follows:

5. If the following conditions are met, setbacks may be reduced by the Director on lots abutting "tracts" (as defined below) to the extent the abutting tract provides for a portion of the setback:

a. the abutting "tract" includes one or more of the following: (i) a trail for the use of the general public, (ii) public water or public sewer lines, (iii) a landscape buffer required pursuant to this Code, (iv) a drainage facility required by this Code, or (v) open space (whether required by this Code or voluntarily established) which is land within a development designed and intended for the common use or enjoyment of the residents or occupants of the development, and not including areas used for streets, alleys, driveways or off-street parking or loading areas;

b. the abutting "tract" runs the full length of the applicable lot line for which a reduction in setback requirement is sought;

c. the reduction in setback is less than or equal to the open area provided by the tract;

d. the tract shall contain no structure(s) in perpetuity in the area that is required to provide for the necessary area for the setback(s);

e. maintenance of the tract is provided for in Covenants, Conditions and Restrictions or other binding agreement as approved by the City;

f. the tract will not also provide any part of, or be used in any part to establish the minimum lot size pursuant to Section 3.2.B.3 or the minimum lot width pursuant to Section 3.2.C.3;

g. the tract is part of the subdivision or development that is the subject of the application.

Amend Section 2.5.B.2 as follows:

A Growth Plan Amendment request shall not be considered concurrently with any other development review process, except for a zone of annexation or request to rezone to Planned Development (PD).

Introduced for first reading on this _____ day of _____, 2007

PASSED and ADOPTED this _____ day of _____, 2007.

ATTEST:

President of City Council

City Clerk

Attach 5
Setting a Hearing on Zoning the Cimarron Mesa Enclaves No. 1-4 Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Zoning the Cimarron Mesa Enclaves No. 1-4 Annexation, located at 246, 248, 250, 256, 268 26 ¼ Road, 272 Linden Avenue, and 2677, 2685 S Highway 50.					
Meeting Date	March 7, 2007					
Date Prepared	March 1, 2007				File #ANX-2007-019	
Author	Senta L. Costello		Associate Planner			
Presenter Name	Senta L. Costello		Associate Planner			
Report results back to Council	X	No		Yes	When	
Citizen Presentation	X	No		Yes	Name	
	Workshop	X	Formal Agenda	X	Consent	Individual Consideration

Summary: Proposed ordinances to zone the Cimarron Mesa Enclaves No. 1-4 Annexation RSF-2, RSF-4, and C-1. The enclaves consist of 9 parcels of land and encompass 21.65 acres of land.

Budget: N/A

Action Requested/Recommendation: Introduce proposed zoning ordinances and set a public hearing for March 21, 2007.

Background Information: See attached Staff Report/Background Information

Attachments:

1. Staff report/Background information
2. Site Location Map / Aerial Photo
3. Growth Plan Map / Zoning Map
4. Zoning Ordinance

**STAFF REPORT / BACKGROUND INFORMATION
CIMARRON MESA ENCLAVE #1**

Location:		268 26 ¼ Road		
Owner:		Mark E. and Loretta J. Danford		
Existing Land Use:		Single Family Residential		
Proposed Land Use:		Single Family Residential		
Surrounding Land Use:	North	Cemetery		
	South	Single Family Residential		
	East	Single Family Residential		
	West	Cemetery		
Existing Zoning:		County RSF-4		
Proposed Zoning:		City RSF-4		
Surrounding Zoning:	North	CSR		
	South	RSF-4		
	East	RSF-4		
	West	CSR		
Growth Plan Designation:		Residential Medium Low 2-4 du/ac		
Zoning within density range?		X	Yes	No

**STAFF REPORT / BACKGROUND INFORMATION
CIMARRON MESA ENCLAVE #2**

Location:		256 26 ¼ Road		
Owner:		Paul Harshman		
Existing Land Use:		Single Family Residential		
Proposed Land Use:		Single Family Residential		
Surrounding Land Use:	North	Single Family Residential		
	South	Single Family Residential		
	East	Single Family Residential		
	West	Cemetery		
Existing Zoning:		County RSF-4		
Proposed Zoning:		City RSF-4		
Surrounding	North	RSF-4		

Zoning:	South	RSF-4		
	East	RSF-4		
	West	CSR		
Growth Plan Designation:		Residential Medium Low 2-4 du/ac		
Zoning within density range?	X	Yes		No
STAFF REPORT / BACKGROUND INFORMATION CIMARRON MESA ENCLAVE #3				
Location:		246, 248, 250 26 ¼ Road		
Owner:		David Eugene and Mary Edith Colby; Dale G and Terrie L Koch; Weston C and Shelly A Lewis		
Existing Land Use:		Residential Single Family		
Proposed Land Use:		Residential Single Family		
Surrounding Land Use:	North	Residential Single Family		
	South	City Water Treatment Plant		
	East	Residential Single Family		
	West	Crawford's Tomb		
Existing Zoning:		County RSF-4		
Proposed Zoning:		City RSF-2/RSF-4		
Surrounding Zoning:	North	RSF-4		
	South	CSR		
	East	RSF-4		
	West	CSR		
Growth Plan Designation:		Residential Medium Low 2-4 du/ac		
Zoning within density range?	X	Yes		No

STAFF REPORT / BACKGROUND INFORMATION CIMARRON MESA ENCLAVE #4				
Location:		272 Linden Avenue; 2677, 2685 S Highway 50		
Owner:		Linford Land Management LLC; Gerald R. Derby; Waverly Lamb		
Existing Land Use:		Dairy Queen, Vacant Commercial, Retail trailer repair/truck accessories		
Proposed Land Use:		Dairy Queen, Vacant Commercial, Retail trailer repair/truck accessories		
Surrounding Land Use:	North	Retail; Multi-Family Residential		
	South	Multi-Family Residential		
	East	Storage Units; Vacant Commercial		
	West	Vacant Commercial		
Existing Zoning:		County B-2		

Proposed Zoning:		City C-1		
Surrounding Zoning:	North	C-1		
	South	RMF-16		
	East	C-1		
	West	C-1; RSF-4		
Growth Plan Designation:		Commercial		
Zoning within density range?		X	Yes	No

Staff Analysis:

Zone of Annexation: The zone of annexation to the RSF-2, RSF-4, and C-1 zone districts is consistent with the Growth Plan density of Residential Medium Low 2-4 du/ac and Commercial. The existing County zoning is RSF-4 and B-2. Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

In order for the zoning to occur, the following questions must be answered and a finding of consistency with the Zoning and Development Code must be made per Section 2.6.A.3, 4 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 area surrounding the proposed residential zoning is developed with other single family residential development varying in density between 2-4 du/ac. The proposed C-1 properties are consistent with the other commercial development along Highway 50.

- 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 districts are comparable to surrounding developments and due to annexation, a City zone district must be assigned to the property. The RSF-2, RSF-4, and C-1 zone districts fit the existing development patterns in the area and are consistent with 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.

- a. RSF-2
- b. RSF-4
- c. R-O
- d. B-1
- e. C-2
- f. M-U

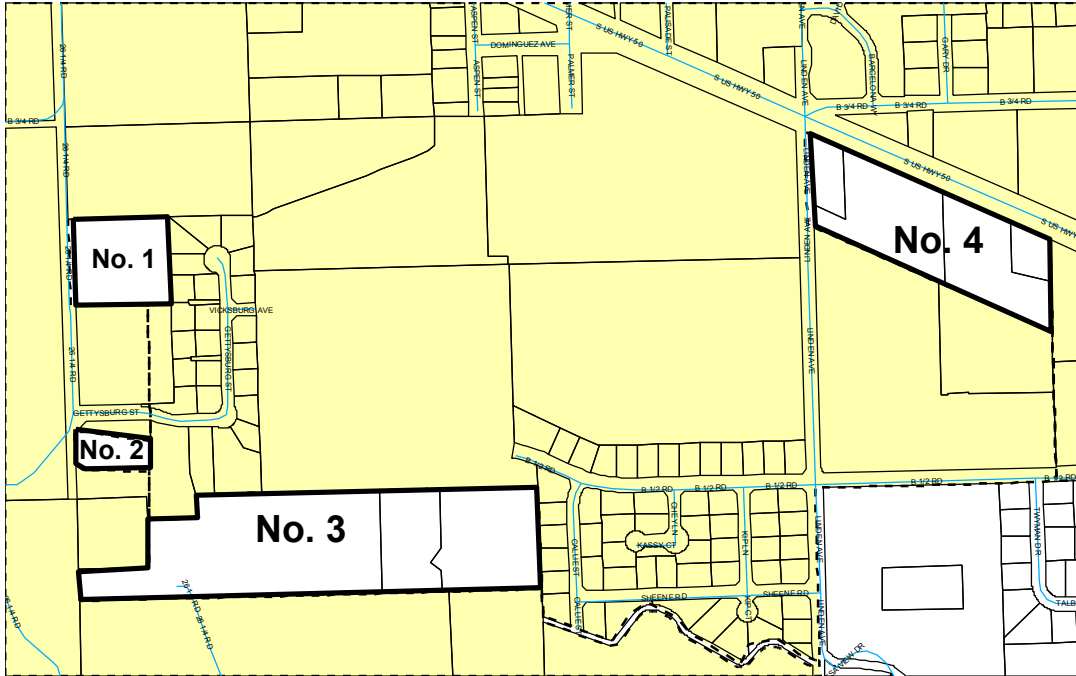
If the City Council chooses one of the alternative zone designations, specific alternative findings must be made as to why the City Council chose an alternative zone designation.

STAFF RECOMMENDATION: Staff recommends that the City Council approve the RSF-2, RSF-4, and C-1 zone districts, ANX-2007-019 to the City Council with the findings and conclusions listed above.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommended approval of the zone of annexation to the City Council, finding the proposed zone districts of RSF-2, RSF-4, and C-1 to be consistent with the Growth Plan and Sections 2.6 and 2.14 of the Zoning and Development Code.

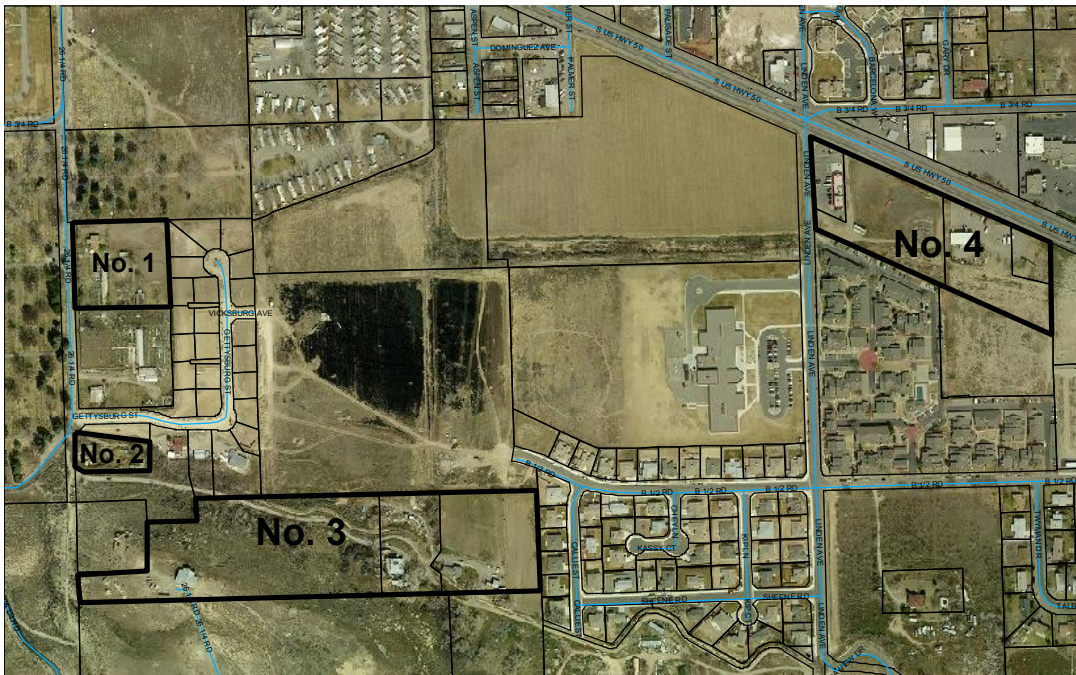
Site Location Map

Figure 1



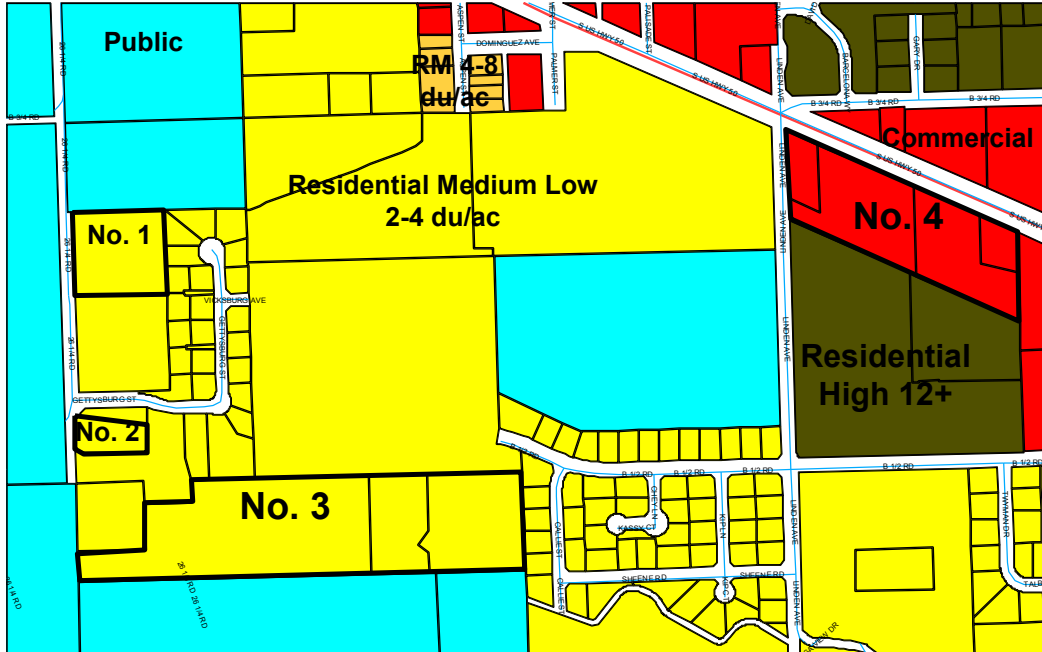
Aerial Photo Map

Figure 2



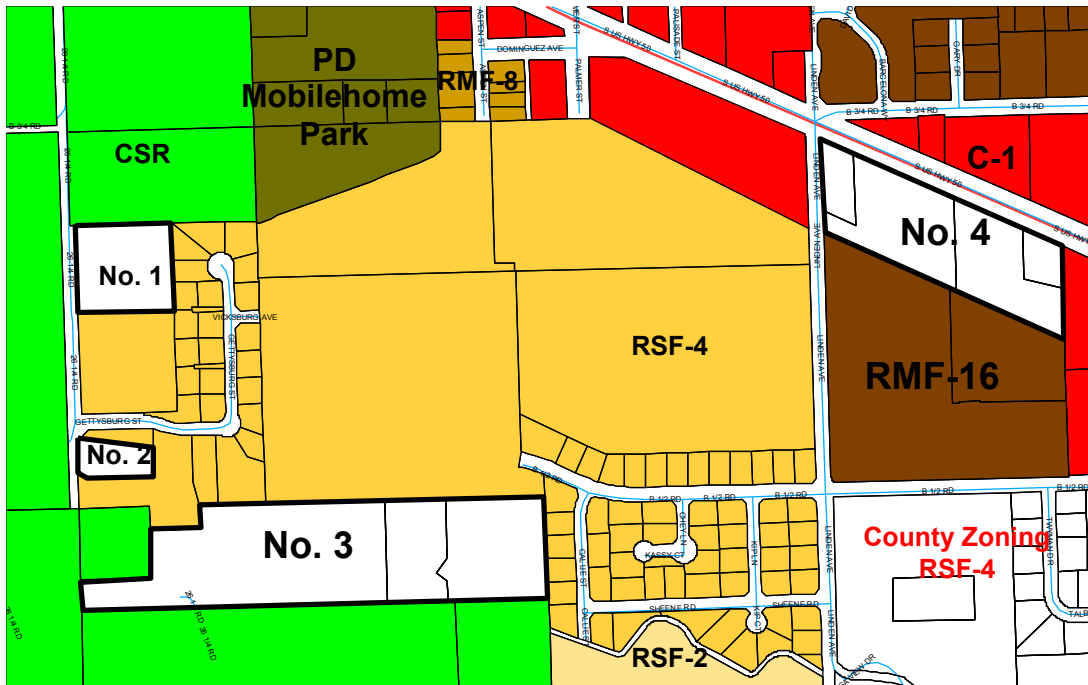
Future Land Use Map

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 ZONING THE CIMARRON MESA ENCLAVE NO. 1 ANNEXATION
TO RSF-4**

LOCATED AT 269 26 1/4 ROAD

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Cimarron Mesa Enclave #1 Annexation to the RSF-4 zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the RSF-4 zone district is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

The following property be zoned RSF-4 (Residential Single Family 4 du/ac).

A certain parcel of land lying in the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of Section 26, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northwest corner of Lot 2 of Antietam Subdivision, as same is recorded in Book 4035, Pages 533-534, Public Records of Mesa County, Colorado; and assuming the West line of said Antietam Subdivision bears S00°20'22"E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, S00°20'22"E along said West line a distance of 308.55 feet to the Southeast corner of that certain parcel of land as described in Book 2040, Pages 583-584, Public Records of Mesa County, Colorado, said West line also being the West line of the Antietam Annexation, City of Grand Junction, Ordinance No. 3574; thence N89°21'33"W along the South line of said parcel a distance of 357.48 feet to a point on the West line of the SE 1/4 NW 1/4 of said Section 26, said South line also being the North line of the Floral Annexation, City of Grand Junction, Ordinance No. 2948; thence N00°15'34"W along the West line of said SE 1/4 NW 1/4 a distance of 303.62 feet; thence N89°51'06"E

along the North line of said parcel, said North line also being the South line of the Eastern Cemetery Annexation, City of Grand Junction, Ordinance No. 1373, a distance of 357.00 feet, more or less, to the Point of Beginning.

Said parcel contains 2.51 acres (109,339 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

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE CIMARRON MESA ENCLAVE NO. 2 ANNEXATION
TO RSF-4**

LOCATED AT 256 26 1/4 ROAD

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Cimarron Mesa Enclave #2 Annexation to the RSF-4 zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the RSF-4 zone district is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

The following property be zoned RSF-4 (Residential Single Family 4 du/ac).

A certain parcel of land lying in the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of Section 26, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Southwest corner of the SE 1/4 NW 1/4 of said Section 26 and assuming the West line of said SE 1/4 NW 1/4 bears N00°15'34"E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N00°15'34"E along said West line a distance of 127.35 feet to the Southwest corner of that certain parcel of land as described in Book 2403, Page 937, Public Records of Mesa County, Colorado, and being the Point of Beginning; thence N00°15'34"E along said West line a distance of 117.40 feet to the Northwest corner of said parcel, said West line also being the East line of the Western Cemetery Annexation, City of Grand Junction, Ordinance No. 1371; thence S81°00'00"E along the North line of said parcel a distance of 272.80 feet, said North line also being a line on the Antietam Annexation, City of Grand Junction, Ordinance No. 3574; thence S02°50'00"W along the East line of said parcel a distance of 103.50 feet, said East line

also being a line on said Antietam Annexation; thence N87°55'00"W along the South line of said parcel a distance of 234.00 feet, said South line also being a line on said Antietam Annexation; thence N56°32'14"W along the South line of said parcel, said South line also being a line on said Antietam Annexation, a distance of 36.53 feet, more or less, to the Point of Beginning.

Said parcel contains 0.73 acres (31,777 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

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE CIMARRON MESA ENCLAVE NO. 3 ANNEXATION
TO RSF-2 AND RSF-4**

LOCATED AT 246, 248, AND 250 26 1/4 ROAD

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Cimarron Mesa Enclave #3 Annexation to the RSF-2 and 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-2 and 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-2 (Residential Single Family 2 du/ac).

Beginning 250' S of the Northwest corner of the NE1/4SW1/4 of Section 26 T1S, R1W of the Ute Meridian; thence E 250'; thence N 170'; thence E 175'; thence N 80'; thence E 655'; S 360'; W 1080'; thence N 110' to the POB.

Together with:

Beginning 1080' E of the Northwest corner of the NE 1/4 of the SW1/4 of Section 26 T1S R1W of the Ute Meridian, thence S 360'; thence E 215'; thence N 650'; thence W 215' to the POB, Mesa County, Colorado EXCEPT Beginning at a point 1295' E and 206.35' S of the Northwest Corner of the NE 1/4 SW 1/4, Section 26 T1S R1W of the Ute Meridian: thence continuing S 79.59', thence N51°56'39"W 47.41', thence N36°32'42"E, 62.69' to the POB.

Containing 8.898 acres (387,596.88 Sq. Ft), more or less, as described.

The following property be zoned RSF-4 (Residential Single Family 4 du/ac).

Beginning at a point 1295' E of the Northwest corner NE 1/4 SW 1/4 of Section 26 T1S, R1W of the Ute Meridian; thence S 360'; thence E 355'; thence N 360'; thence W 355' to the POB; AND Beginning at a point 1295' E and 206.35' South of the Northwest corner of the NE 1/4 SW 1/4 of Section 26 T1S, R1W of the Ute Meridian; thence continuing S 79.59'; thence N51°56'39"W 47.41'; thence N36°32'42"E 62.69' to the POB.

CONTAINING 2.962 Acres (129,024.72 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

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE CIMARRON MESA ENCLAVE NO. 4 ANNEXATION
TO C-1**

LOCATED AT 272 LINDEN AVENUE; 2677 AND 2685 S HIGHWAY 50

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 Cimarron Mesa Enclave #4 Annexation to the C-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 C-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 C-1 (Light Commercial).

A certain parcel of land lying in the Southeast Quarter of the Northwest Quarter (SE 1/4 NE 1/4) of Section 26, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northeast corner of Lot 3 of Southgate Commons, as same is recorded in Plat Book 12, Page 256, Public Records of Mesa County, Colorado, and assuming the North line of said Lot 3 bears N64°45'50"W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N64°45'50"W along said North line a distance of 926.87 feet to the Southwest corner of Lot 1 of said Southgate Commons, Said Southwest corner also being a point on the East line of Linden Avenue, Said North line also being the North line of the Southgate Annexation, City of Grand Junction, Ordinance No. 2132; thence S89°55'24"W a distance of 25.00 feet to a point on the West line of the SE 1/4 NE 1/4 of said Section 26; thence N00°04'07"W along said West line a distance of 342.34 feet to a point on the South line of U.S. Highway 50, said West line also being the East line of the Carville

Annexation, City of Grand Junction, Ordinance No. 3552; thence S64°45'47"E along the South line of U.S. Highway 50 a distance of 955.71 feet to the Northeast corner of that certain parcel of land as described in Book 2062, Page 123, Public Records of Mesa County, Colorado, said South line also being a line on the Central Orchard Mesa Annexation, City of Grand Junction, Ordinance No. 1481; thence S00°06'56"W along the West line of Coon Hill II Subdivision, as same is recorded in Plat Book 19, Page 318, Public Records of Mesa County, Colorado, a distance of 329.99 feet, more or less, to the Point of Beginning.

Said parcel contains 6.55 acres (285,527 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 6
Setting a Hearing on Zoning the Dyer/Green/Ottenburg Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Zoning the Dyer/Green/Ottenburg Annexation, located at 2981, 2991, 2993 and 2995 B Road.					
Meeting Date	March 7, 2007					
Date Prepared	February 26, 2007				File #ANX-2007-008	
Author	Faye Hall			Associate Planner		
Presenter Name	Faye Hall			Associate Planner		
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda	X	Consent	Individual Consideration

Summary: Request to zone the 18.68 acre Dyer/Green/Ottenburg Annexation, located at 2981, 2991, 2993 and 2995 B Road, to RSF-4 (Residential Single Family 4 units per acre). This request for zoning includes four parcels east of the Mesa View Elementary School which currently have the County zoning of RSF-R.

Budget: N/A

Action Requested/Recommendation: Introduce a proposed ordinance and set a public hearing for April 4, 2007.

Background Information: See attached Staff Report/Background Information

Attachments:

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

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

Staff Analysis:

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

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

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

Response: The proposed zone of RSF-4 is compatible with the neighborhood in that the area is developing quickly. The Chipeta Pines Subdivision to the north has a built density of 3.9 units per acre. The Hawk's Nest Subdivision to the east, which was annexed in March of 2005, is developing with an RSF-4 zone district. To the west is Mesa View Elementary School and the subdivisions that are located approximately 1/4 to the West are zoned RSF-4 in the County. The zone of RSF-4 conforms with and furthers the goals and policies of the Growth Plan.

- 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 provided 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 subject property is being zoned with a City designation due to the annexation and is comparable with the surrounding area.

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

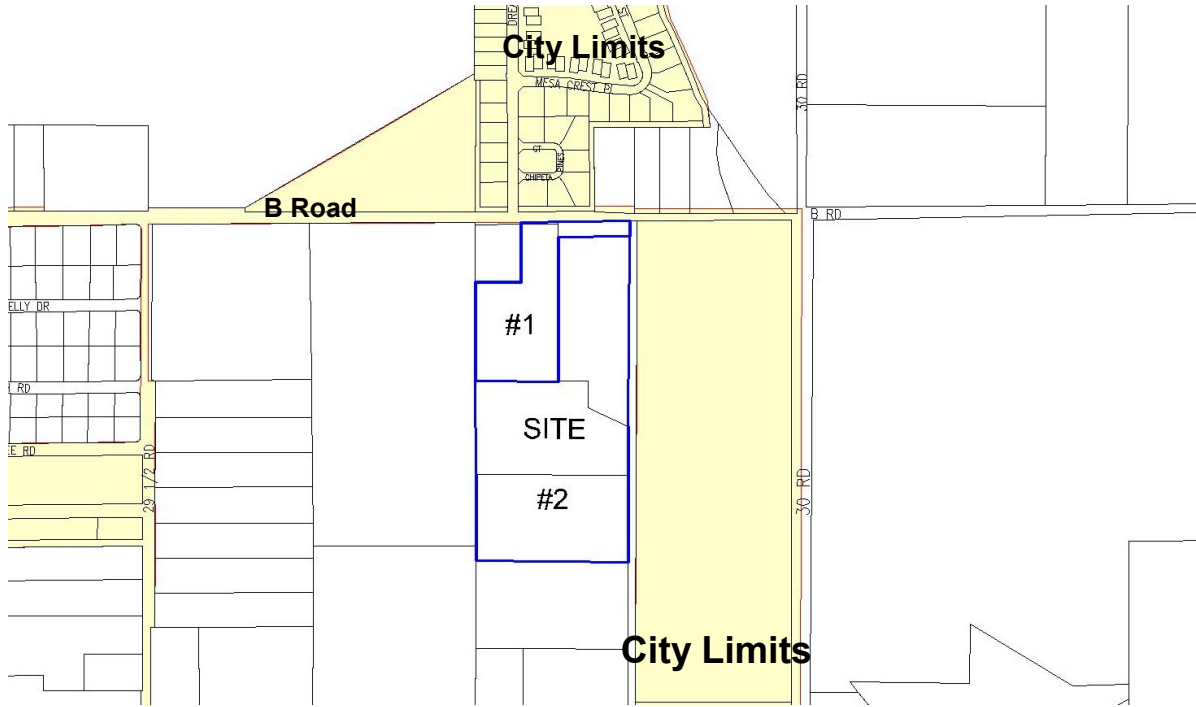
g. RSF-2

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

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

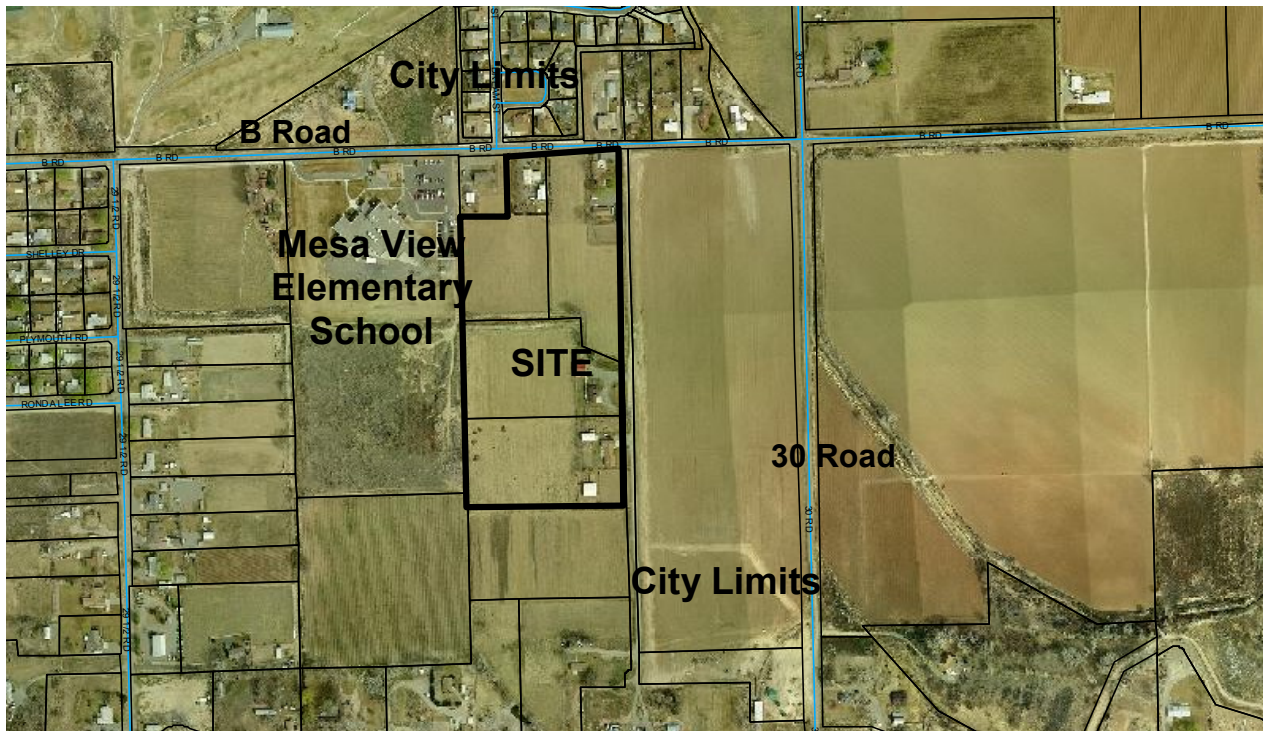
Site Location Map

Figure 1



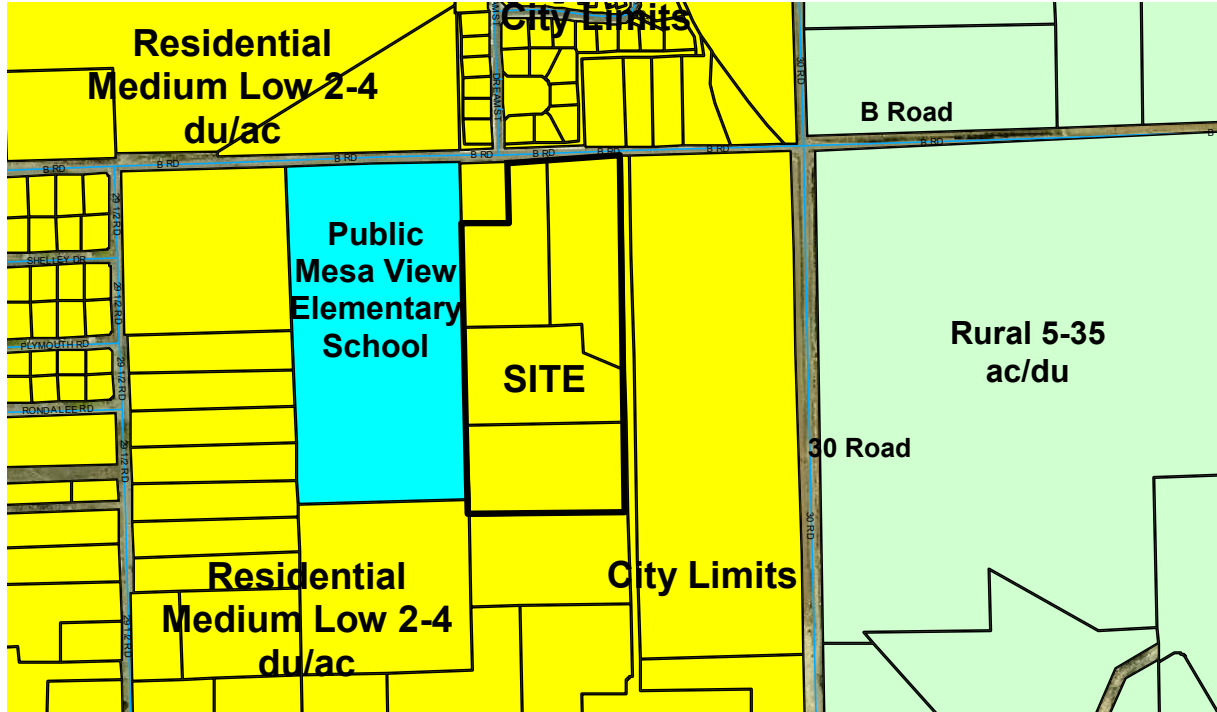
Aerial Photo Map

Figure 2



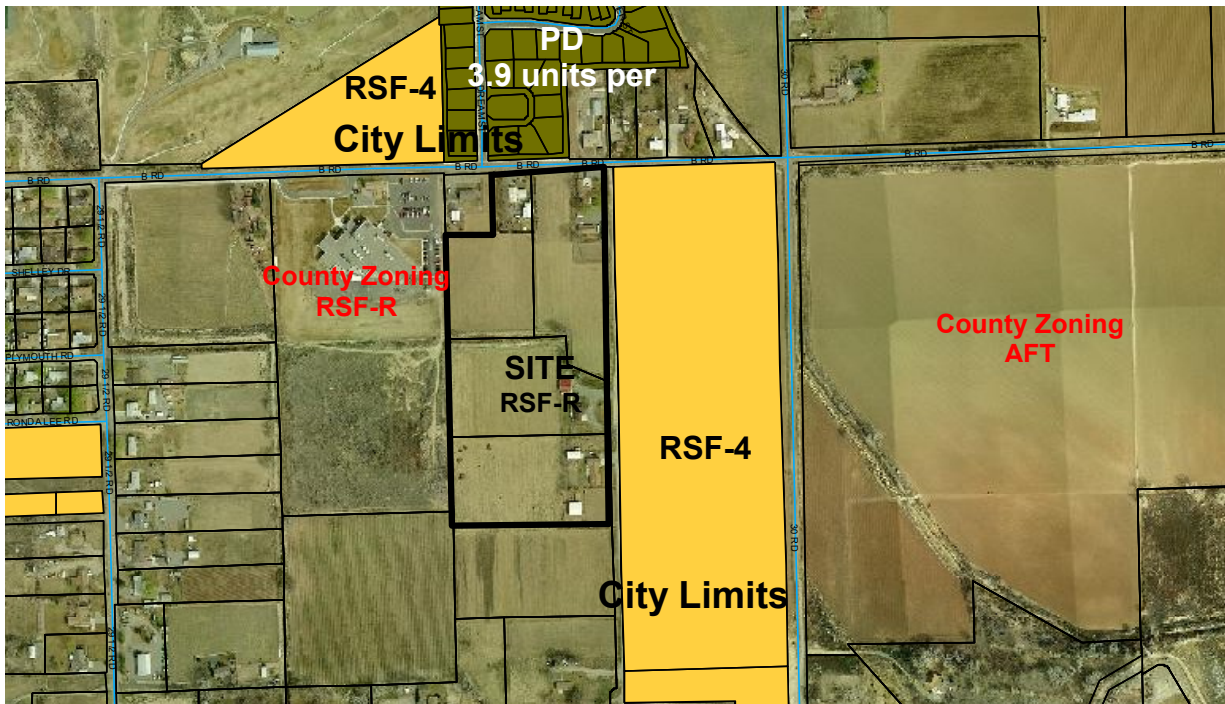
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



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

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE DYER/GREEN/OTTENBURG ANNEXATION TO
RSF-4**

LOCATED AT 2981, 2991, 2993 AND 2995 B ROAD

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Dyer/Green/Ottenburg Annexation to the RSF-4 zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the RSF-4 zone district is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

The following property be zoned RSF-4 (Residential Single Family, 4 units per acre).

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.

And also

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.

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 7
Setting a Hearing on Zoning the Home Lumber Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Zoning the Home Lumber Annexation, located at 2771, 2773 and 2779 D Road.						
Meeting Date	March 7, 2007						
Date Prepared	February 23, 2007				File #ANX-2006-360		
Author	Faye Hall			Associate Planner			
Presenter Name	Faye Hall			Associate Planner			
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: Request to zone the 15.79 acre Home Lumber Annexation, located at 2771, 2773 and 2779 D Road to I-1 (Light Industrial). This request for zoning includes three parcels which are currently zoned I-2 in the County.

Budget: N/A

Action Requested/Recommendation: Introduce a proposed ordinance and set a public hearing for April 4, 2007.

Background Information: See attached Staff Report/Background Information

Attachments:

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

STAFF REPORT / BACKGROUND INFORMATION

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

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the I-1 zone district is consistent with the Growth Plan designation of Industrial. The existing County zoning is I-2. Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

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

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

Response: The proposed zone is compatible with the area in that this area is seeing a lot of industrial growth. The railroad hump yard is located to the north and various industrial uses are located on both sides of this property. As development occurs in this area the zoning of I-1 matches the uses that are existing in the county. In this case there is an existing salvage yard and a building material storage site which fits in the I-1 zone district.

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

Response: Adequate public facilities are available or will be provided 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 subject property is being zoned with a City designation due to the annexation and is comparable with the surrounding area.

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

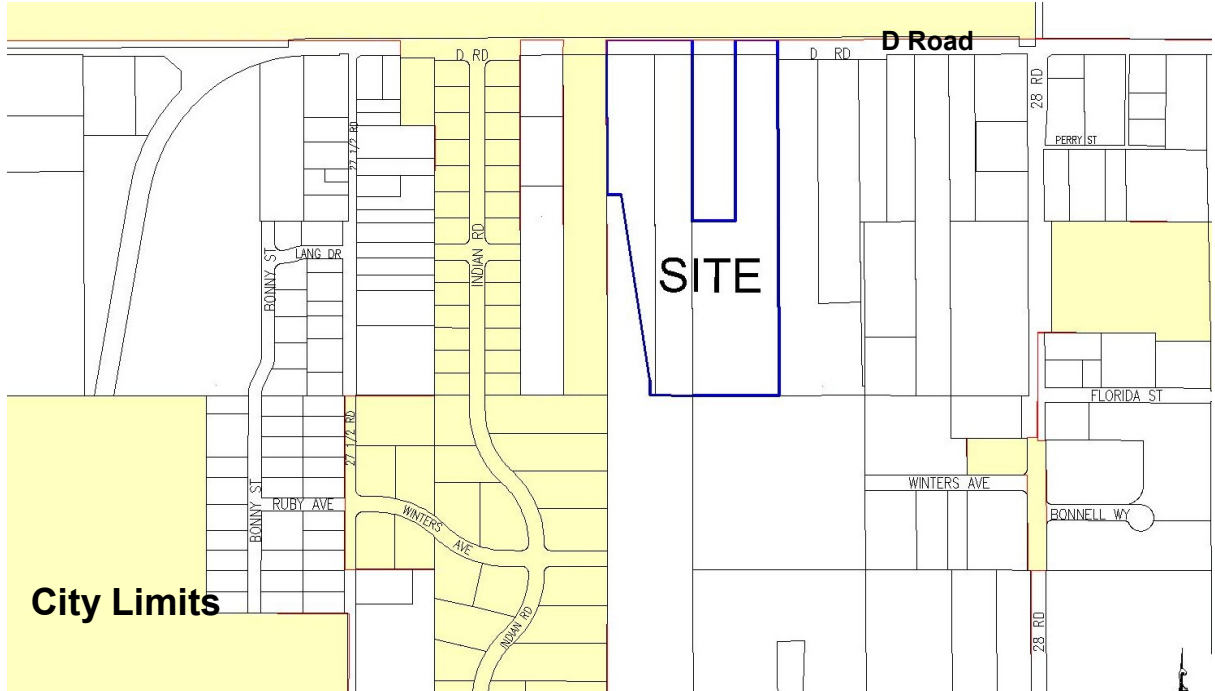
- h. I-2
- i. I-O
- j. M-U

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, the existing County Zoning and Sections 2.6 and 2.14 of the Zoning and Development Code.

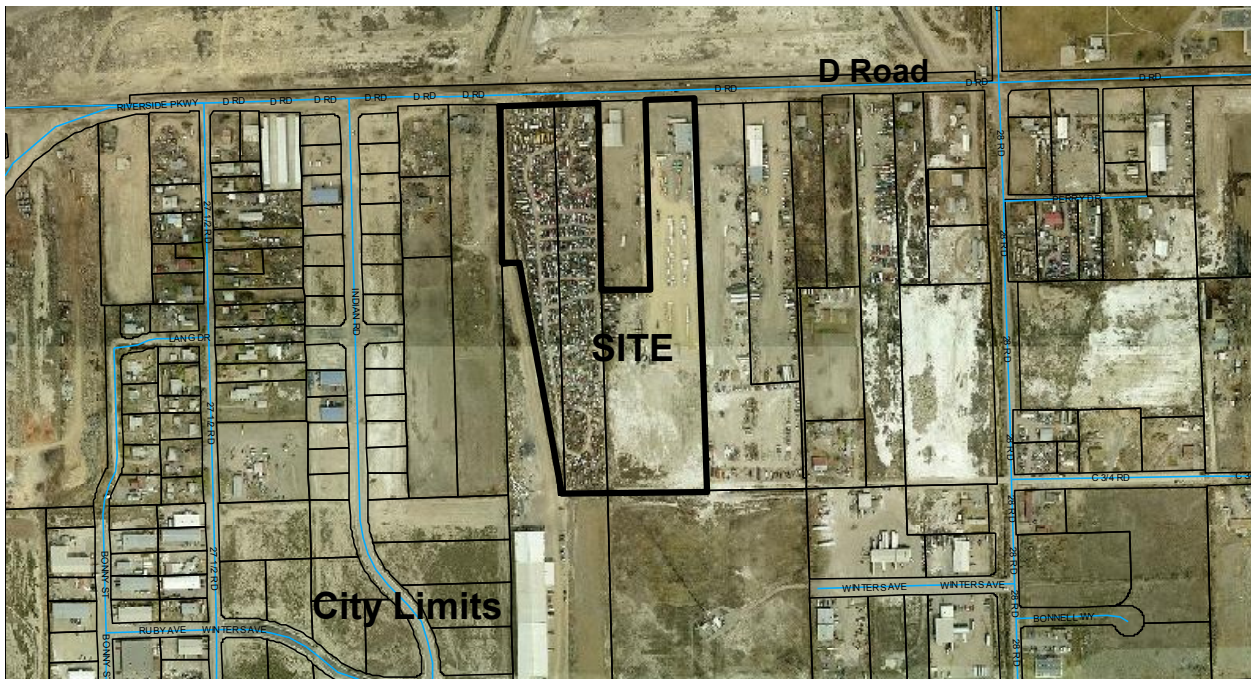
Site Location Map

Figure 1



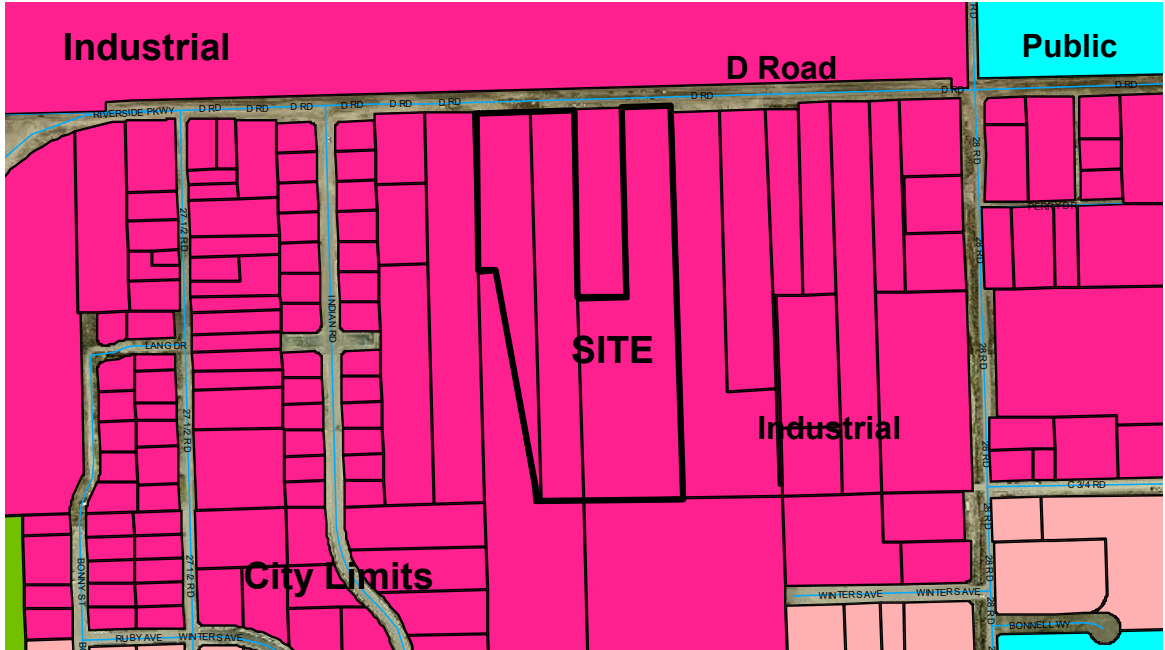
Aerial Photo Map

Figure 2



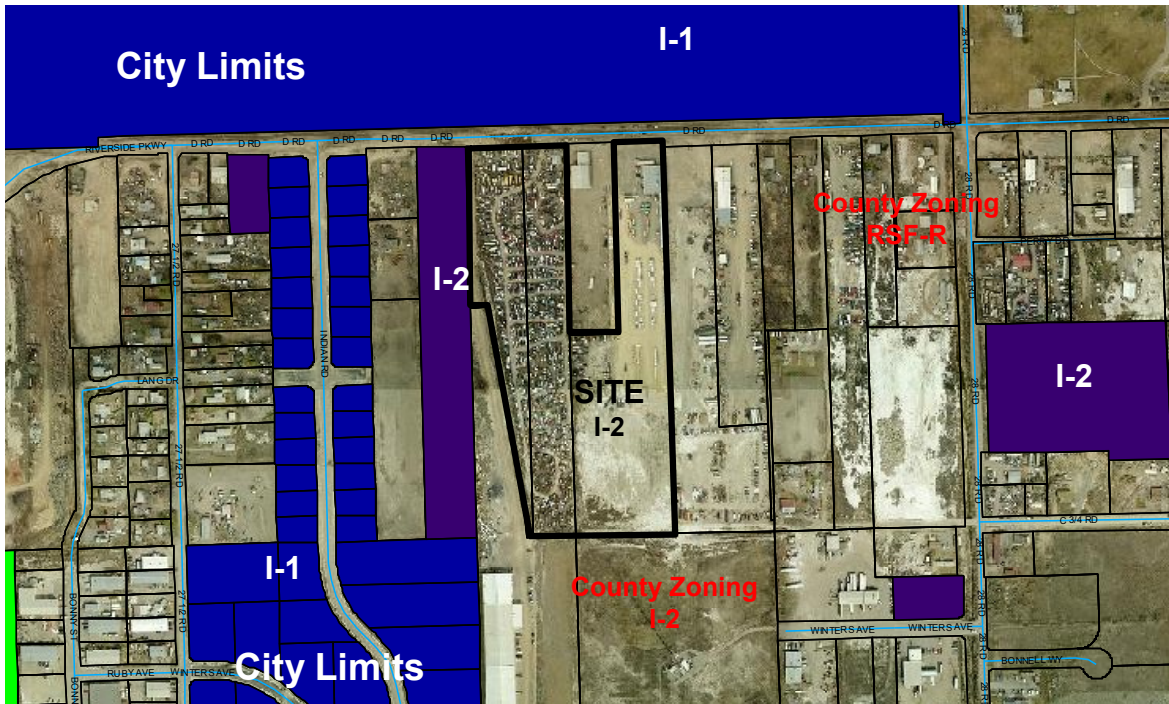
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



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

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE HOME LUMBER ANNEXATION TO
I-1**

LOCATED AT 2771, 2773, AND 2779 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 Home Lumber 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 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.

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 Wexford Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Zoning the Wexford Annexation, located at 2949 and 2953 D 1/2 Road.					
Meeting Date	March 7, 2007					
Date Prepared	March 1, 2007				File #ANX-2006-324	
Author	Adam Olsen		Associate Planner			
Presenter Name	Adam Olsen		Associate Planner			
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda	X	Consent	Individual Consideration

Summary: Request to zone the 14.46 acre Wexford Annexation, located at 2949 and 2953 D 1/2 Road, to RMF-8 (Residential Multi Family 8 du/ac).

Budget: N/A

Action Requested/Recommendation: Introduce a proposed ordinance and set a public hearing for March 21, 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/Existing City and County Zoning
4. Zoning Ordinance

STAFF REPORT / BACKGROUND INFORMATION

Location:		2949 and 2953 D 1/2 Road		
Applicants:		Charlie Hutchinson, Roadrunner LLC-Owners Mike Queally-Representative		
Existing Land Use:		Residential		
Proposed Land Use:		Residential		
Surrounding Land Use:	North	Residential/Agriculture		
	South	Residential		
	East	Residential/Agriculture		
	West	Residential/Agriculture		
Existing Zoning:		RSF-R		
Proposed Zoning:		RMF-8		
Surrounding Zoning:	North	RSF-R (County)		
	South	RMF-8		
	East	RSF-R (County)		
	West	RMF-8		
Growth Plan Designation:		RM (Residential Medium 4-8 du/ac)		
Zoning within density range?	X	Yes		No

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the RMF-8 zone district is consistent with the Growth Plan designation of RM (Residential Medium 4-8 du/ac). The existing County zoning is RSF-R. The existing County zoning of RSF-R is not consistent with the Growth Plan designation of RM (Residential Medium 4-8 du/ac). Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

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

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

Response: The RMF-8 zone district is compatible with the neighborhood and will not create adverse impacts. The future land use map designates all surrounding properties as RM (Residential Medium 4-8 du/ac) with the exception of the property to the southwest which is designated as Public. The Sienna View Subdivision to the west has a density of 6.3 du/ac. The south half of this subdivision has yet to be platted into lots. Only the north half is platted, but it is anticipated that the density will remain close to the existing 6.3 du/ac. The property to the south is the Country Place Estates with a density of 6.14 du/ac. County zoning is present to the east and north.

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

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

Policy 5.2: The City 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 will consider the needs of the community at large and the needs of individual neighborhoods when making development decisions.

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

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

Goal 3, 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.

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

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

Response: Adequate public facilities are available or will be provided 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 subject property is being zoned with a City designation due to the annexation and is comparable with the surrounding area.

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

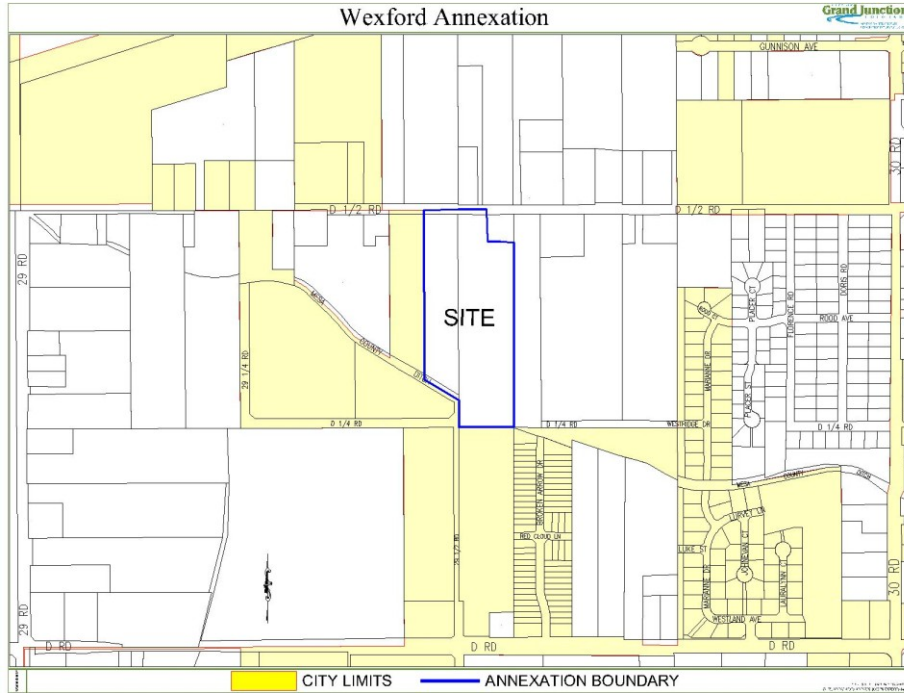
- k. RSF-4
- l. RMF-5

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

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

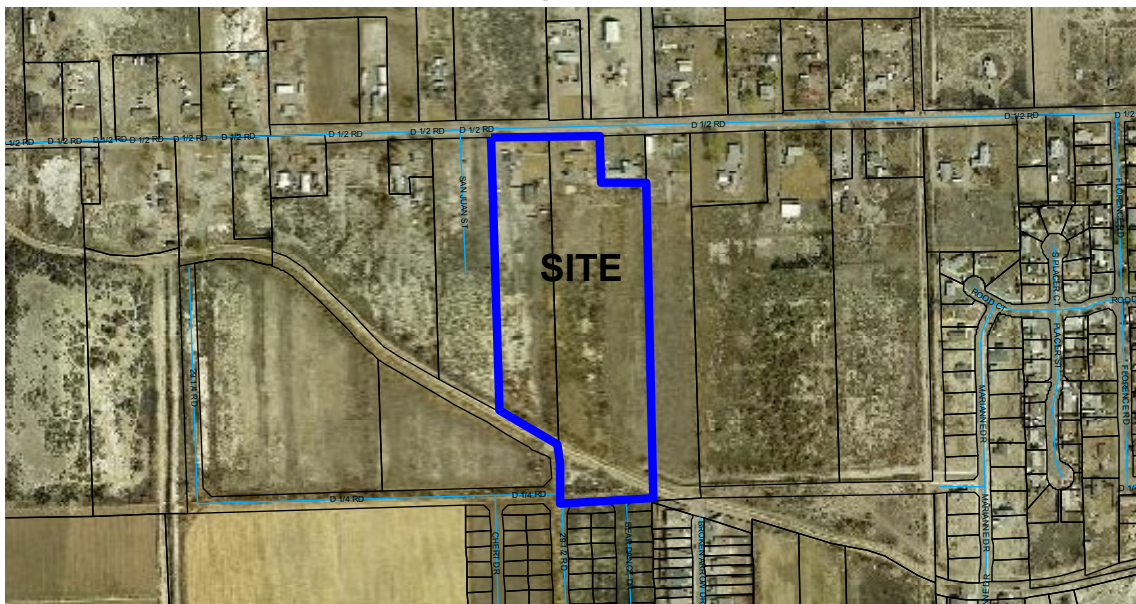
Site Location Map

Figure 1



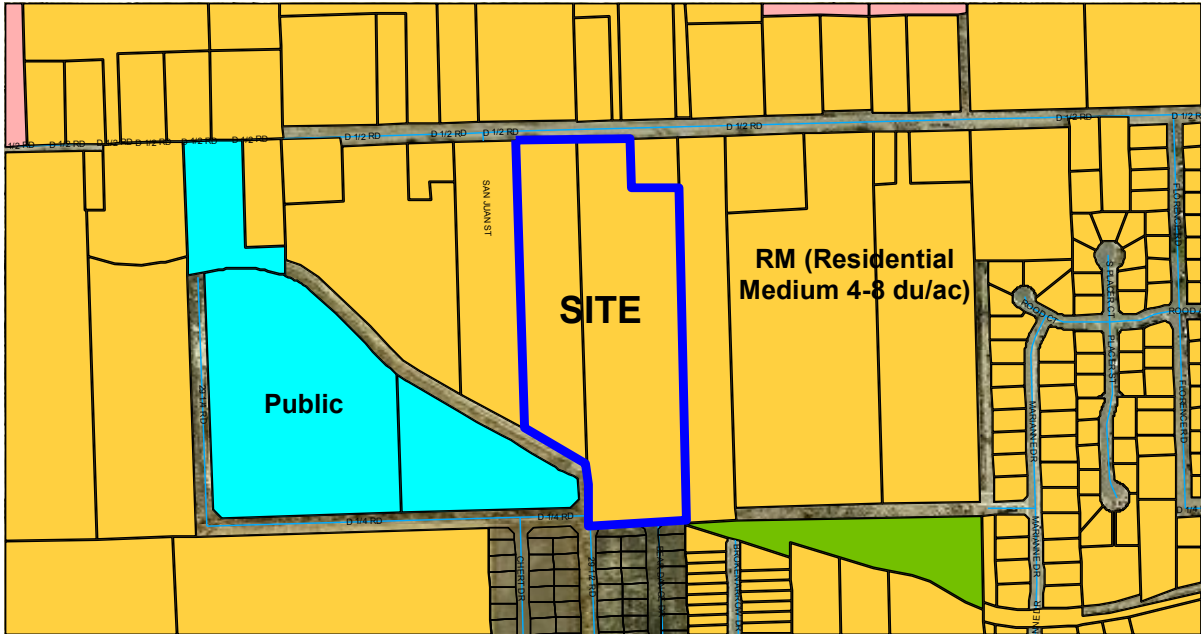
Aerial Photo Map

Figure 2



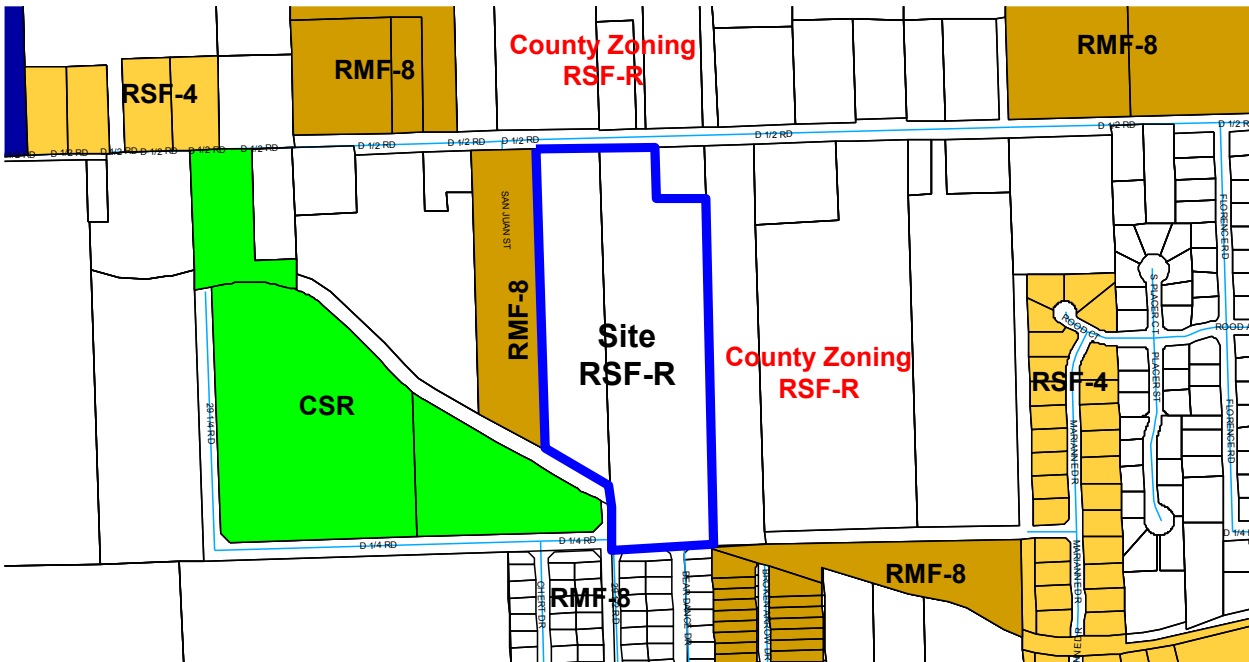
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



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

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

LOCATED AT 2949 AND 2953 D 1/2 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 Wexford Annexation to the RMF-8 zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

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

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

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

A certain parcel of land lying in the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) and the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 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:

BEGINNING at the Northwest corner of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of said Section 17 and assuming the North line of said NW 1/4 SE 1/4 bears S89°58'51"E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, S89°58'51"E along said North line a distance of 179.90 feet; thence S00°02'45"E a distance of 210.80 feet to the Southwest corner of that certain parcel of land as described in Book 2639, Pages 459-460, Public Records of Mesa County, Colorado; thence S89°59'06"E along the South line of said parcel a distance of 149.89 feet to the Southeast corner of said parcel; thence S00°00'30"E along the East line of that certain parcel of land as described in Book 3670, Page 780, Public Records of Mesa County, Colorado, a distance of 1110.04 feet to the Southeast corner of said parcel; thence S89°59'36"W along the South line of said parcel, said

South line also being the North line of the Flint Ridge III Annexation, City of Grand Junction, Ordinance No. 3656, a distance of 329.75 feet to the Southwest corner of said NW 1/4 SE 1/4; thence N00°00'56"W along the West line of said NW 1/4 SE 1/4 a distance of 167.88 feet to a point on the Pear Park School Annexation No. 3, City of Grand Junction, Ordinance No. 3996; thence N58°21'28"W along said Pear Park School Annexation No. 3 a distance of 243.21 feet to a point on the East line of Siena View Subdivision Filing No. One, as same is recorded in Plat Book 4279, Pages 777-778, Public Records of Mesa County, Colorado; thence N00°02'33"W along said East line and its continuation a distance of 1025.48 feet to a point on the North line of the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of said Section 17; thence N89°59'39"E along said North line a distance of 207.50 feet, more or less, to the Point of Beginning.

Said parcel contains 14.46 acres (629,811 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 Zoning the Heron's Nest Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Zoning the Heron's Nest Annexation, located at 3125 D Road.					
Meeting Date	March 7, 2007					
Date Prepared	March 1, 2007				File #ANX-2006-350	
Author	Adam Olsen		Associate Planner			
Presenter Name	Adam Olsen		Associate Planner			
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda	X	Consent	Individual Consideration

Summary: Request to zone the 9.43 acre Heron's Nest Annexation, located at 3125 D Road, to RSF-4 (Residential Single Family 4 du/ac).

Budget: N/A

Action Requested/Recommendation: Introduce a proposed ordinance and set a public hearing for March 21, 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 / Existing City and County Zoning
4. Zoning Ordinance

STAFF REPORT / BACKGROUND INFORMATION

Location:		3125 D Road		
Applicants:		Austin & Augusta Design & Construction Management-Owner Tom Logue-Representative		
Existing Land Use:		Agriculture		
Proposed Land Use:		Residential		
Surrounding Land Use:	North	Residential		
	South	Single Family Residential/Vacant Land		
	East	Agriculture		
	West	Residential		
Existing Zoning:		RSF-R		
Proposed Zoning:		RSF-4		
Surrounding Zoning:	North	RSF-R (County) & RMF-5 (City)		
	South	AFT (County)		
	East	RSF-R (County)		
	West	PUD (County)		
Growth Plan Designation:		RM (Residential Medium 4-8 du/ac)		
Zoning within density range?		X	Yes	No

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the RSF-4 zone district is consistent with the Growth Plan designation of RM (Residential Medium 4-8 du/ac). The existing County zoning is RSF-R. The existing County zoning of RSF-R is not consistent with the Growth Plan designation of RM (Residential Medium 4-8 du/ac). Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

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

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

Response: The RSF-4 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) with the exception of the property to the south which is designated as Conservation. The area to the south of the property is zoned County AFT. To the northeast is a subdivision zoned RMF-5 in the County with a density of 6.4 du/ac. A County PUD is located to the west with a density of 6.4 du/ac.

The RSF-4 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 4, Transportation and Access Management, Pear Park Plan: Plan for future street cross-sections, sidewalks, bike lanes and trails.

- 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 provided 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 subject property is being zoned with a City designation due to the annexation and is comparable with the surrounding area.

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

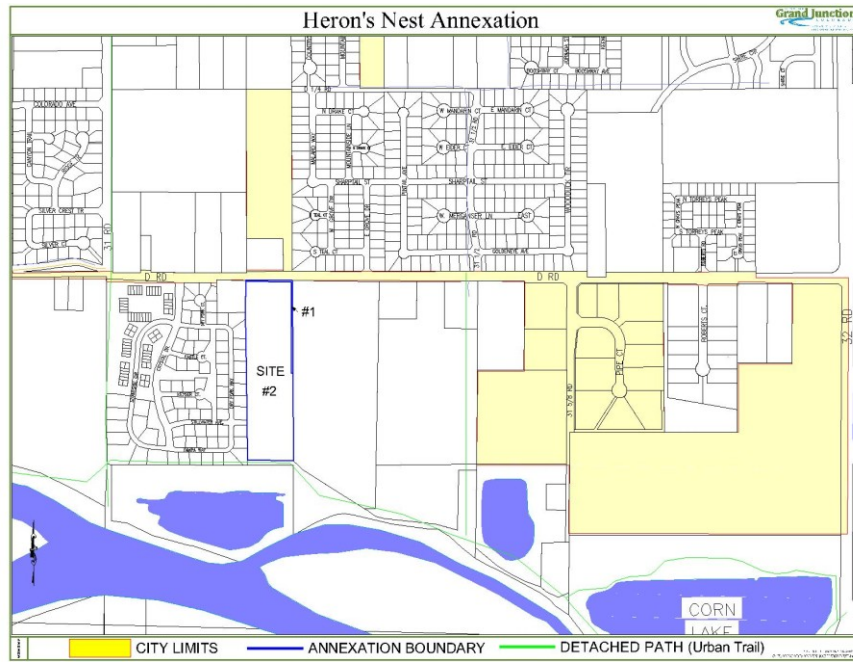
- m. RMF-5
- n. RMF-8

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.

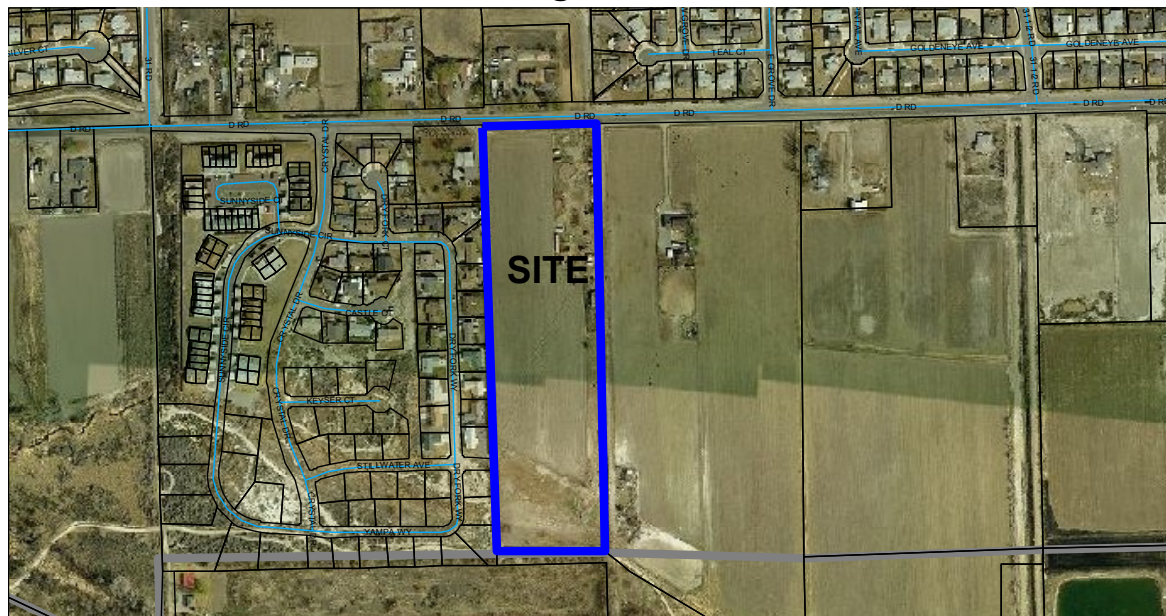
Site Location Map

Figure 1



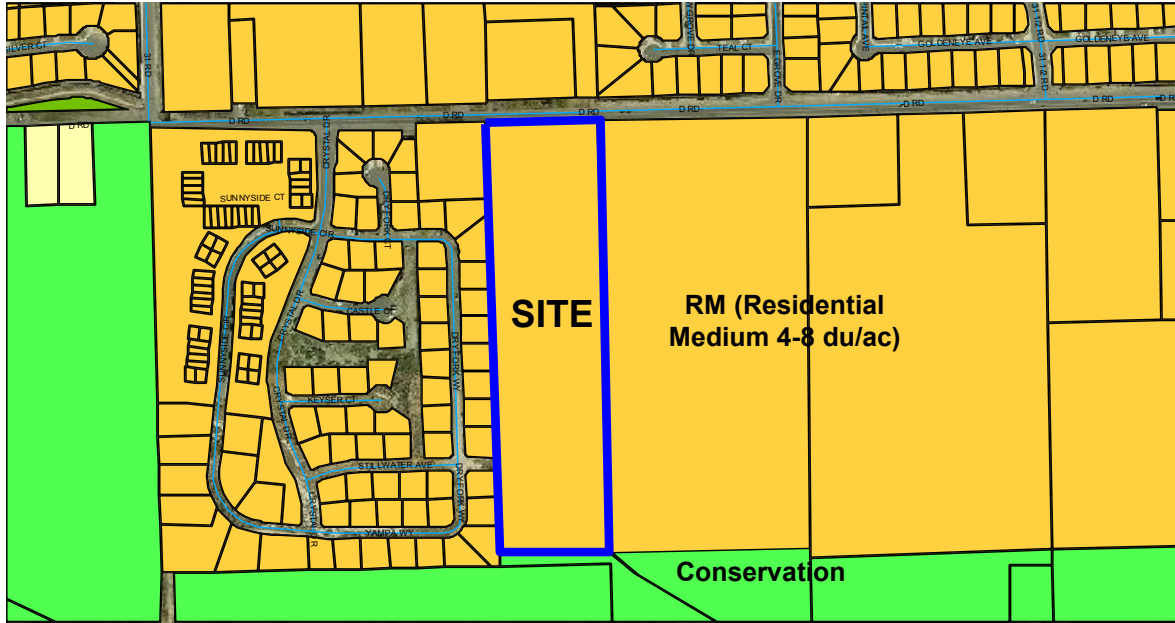
Aerial Photo Map

Figure 2



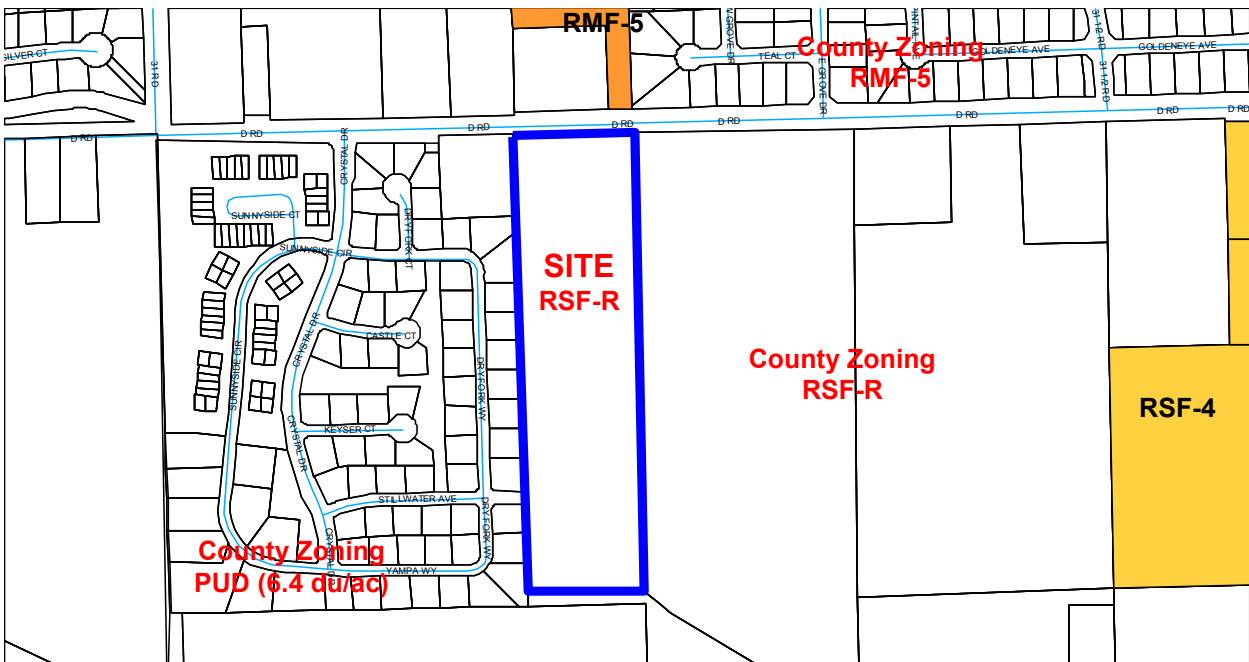
Future Land Use Map

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 ZONING THE HERON'S NEST ANNEXATION TO
RSF-4**

LOCATED AT 3125 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 Heron's Nest Annexation to the RSF-4 zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the RSF-4 zone district is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

The following property be zoned RSF-4 (Residential Single Family 4 du/ac).

HERON'S NEST ANNEXATION NO. 1

A certain parcel of land located in the Northwest Quarter of the Northwest Quarter (NW1/4 NW1/4) of Section 22, 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 the NW1/4 NW1/4 of said Section 22, and assuming the North line of the NW1/4 NW1/4 of said Section 22 to bear N89°53'17"W with all bearings contained herein relative thereto; thence S00°13'57"W, along the East line of the NW1/4 NW1/4 of said Section 22, a distance of 30.00 feet to the Northeast corner of that certain parcel of land as described in Book 2037, Pages 223-226, Public Records, Mesa County, Colorado and also being the POINT OF BEGINNING; thence S00°13'57"W, along said East line of the NW1/4 NW1/4 a distance of 650.00 feet;

thence N89°53'17"W parcel a distance of 10.00 feet; thence N00°13'57"E along a line being 10.00 feet West of and parallel with said East line of the NW1/4 NW1/4 a distance of 640.00 feet; thence N89°53'17"W along a line being 10.00 feet South of and parallel with the South line of D Road, a distance of 318.07 to a point on the West line of said parcel; thence N00°10'47"E along said West line a distance of 10.00 feet to a point on said South line of D Road; thence S89°53'17"E along said South line of D Road being a line 30.00 feet South of and parallel with the North line of the NW 1/4 NW 1/4 of said Section 22, a distance of 328.08 feet, more or less, to the POINT OF BEGINNING.

Said parcel contains 0.22 acres (9,681 square feet), more or less, as described.

HERON'S NEST ANNEXATION NO. 2

A certain parcel of land located in the Northwest Quarter of the Northwest Quarter (NW1/4 NW1/4) of Section 22, 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 the NW1/4 NW1/4 of said Section 22, and assuming the North line of the NW1/4 NW1/4 of said Section 22 to bear N89°53'17"W with all bearings contained herein relative thereto; thence S00°13'57"W, along the East line of the NW1/4 NW1/4 of said Section 22, a distance of 680.00 feet to the POINT OF BEGINNING; thence S00°13'57"W, along said East line of the NW1/4 NW1/4 a distance of 605.02 feet to the Southeast corner of that certain parcel of land as described in Book 2037, Pages 223-226, Public Records, Mesa County, Colorado; thence S89°53'44"W along the South line of said parcel being a line 35.00 feet North of and parallel with the South line of the NW 1/4 NW 1/4 of said section 22, a distance of 326.92 feet to the Southwest corner of said parcel; thence N00°10'47"E along the West line of said parcel a distance of 1245.06 feet to a point on a line being 10.00 feet South of and parallel with the South line of D Road; thence S89°53'17"E along said parallel line a distance of 318.07 feet to a point on a line, being 10.00 feet West of and parallel with the East line of said NW1/4 NW1/4; thence S00°13'57"W along said parallel line a distance of 640.00 feet; thence S89°53'17"E a distance of 10.00 feet, more or less, to the POINT OF BEGINNING.

Said parcel contains 9.21 acres (401,342 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 10
Setting a Hearing on the Morning View Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Morning View Annexation - Located at 2961, 2967 and 2973 D Road						
Meeting Date	March 7, 2007						
Date Prepared	March 1, 2007					File #ANX-2007-018	
Author	Adam Olsen			Associate Planner			
Presenter Name	Adam Olsen			Associate Planner			
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: Request to annex 34.37 acres, located at 2961, 2967 and 2973 D Road. The Morning View Annexation consists of three parcels.

Budget: N/A

Action Requested/Recommendation: Adopt a Resolution referring the petition for the Morning View Annexation and introduce the proposed Ordinance and set a hearing for April 18, 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/Existing City and County Zoning
4. Resolution Referring Petition
5. Annexation Ordinance

STAFF REPORT / BACKGROUND INFORMATION				
Location:		2961, 2967 and 2973 D Road		
Applicants:		2973 D Road LLC-Owner B & G Development-Developer Development Construction Services-Applicant		
Existing Land Use:		Residential/Agriculture		
Proposed Land Use:		Residential		
Surrounding Land Use:	North	Residential		
	South	Vacant		
	East	Residential		
	West	Extraction (Gravel Pit)		
Existing Zoning:		RSF-R		
Proposed Zoning:		RMF-8		
Surrounding Zoning:	North	RMF-8, RSF-R (County)		
	South	RSF-R (County)		
	East	RSF-R (County), PUD (County)		
	West	RSF-R		
Growth Plan Designation:		RM (Residential Medium 4-8 du/ac)		
Zoning within density range?		x	Yes	No

Staff Analysis:

ANNEXATION:

This annexation area consists of 34.37 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 Morning View Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;

- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

The following annexation and zoning schedule is being proposed.

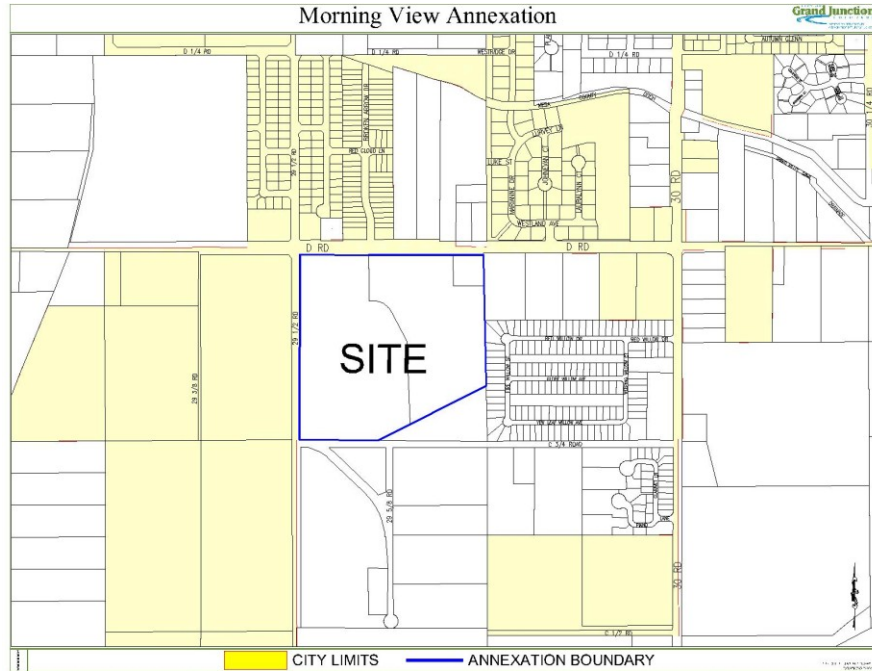
<u>ANNEXATION SCHEDULE</u>	
March 7, 2007	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
March 13, 2007	Planning Commission considers Zone of Annexation
April 4, 2007	Introduction Of A Proposed Ordinance on Zoning by City Council
April 18, 2007	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
May 20, 2007	Effective date of Annexation and Zoning

MORNING VIEW ANNEXATION SUMMARY

File Number:	ANX-2007-018	
Location:	2961, 2967 and 2973 D Road	
Tax ID Number:	2943-201-00-103 2943-201-00-104 2943-201-00-082	
Parcels:	3	
Estimated Population:	2	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	1	
Acres land annexed:	34.37	
Developable Acres Remaining:	34.37	
Right-of-way in Annexation:	none	
Previous County Zoning:	RSF-R	
Proposed City Zoning:	RMF-8	
Current Land Use:	Residential/Agriculture	
Future Land Use:	Residential	
Values:	Assessed:	\$23,080
	Actual:	\$259,040
Address Ranges:	2961-2973 D Road (odd only)	
Special Districts:	Water:	Ute Water
	Sewer:	Central Grand Valley
	Fire:	GJ Rural Fire
	Irrigation/ Drainage:	Grand Junction Drainage
	School:	District 51
	Pest:	Grand River Mosquito

Site Location Map

Figure 1



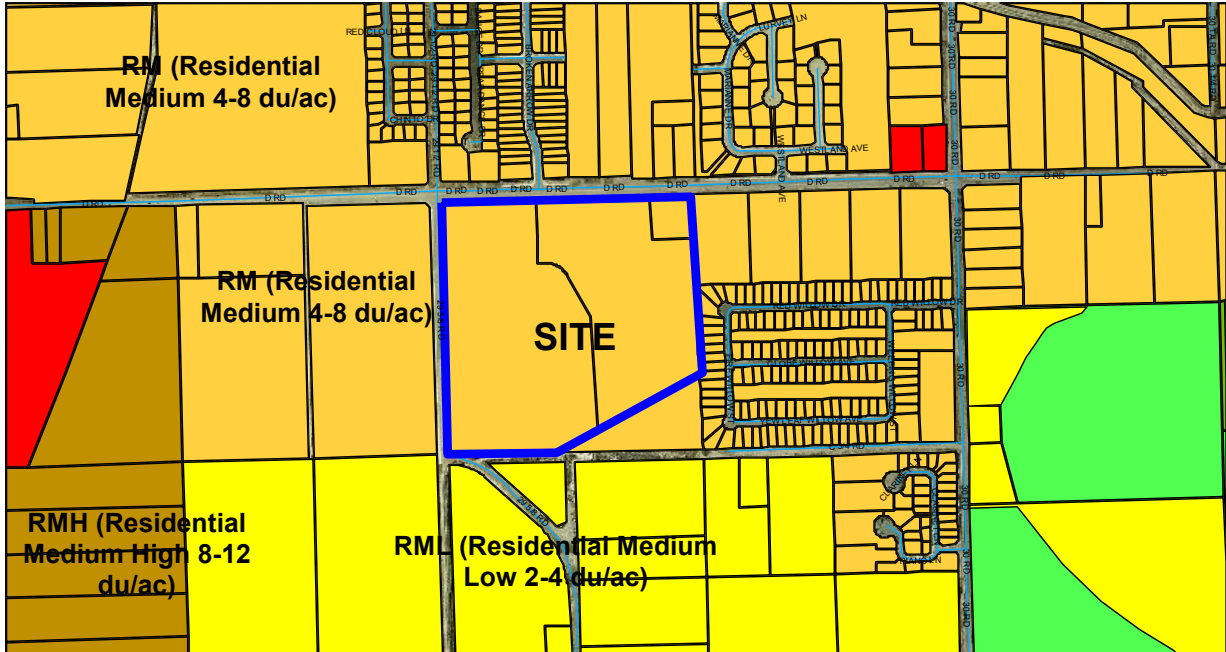
Aerial Photo Map

Figure 2



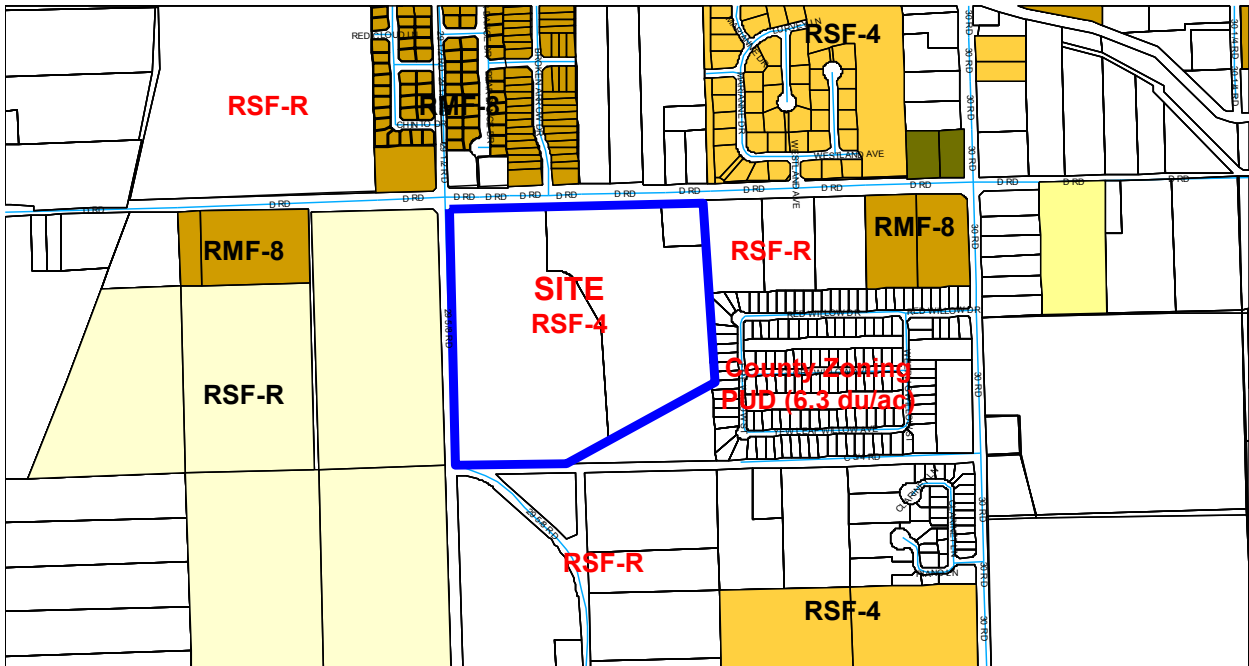
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



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

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

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 7th of March, 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**

MORNING VIEW ANNEXATION

LOCATED AT 2961, 2967 AND 2973 D ROAD

WHEREAS, on the 7th day of March, 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:

MORNING VIEW ANNEXATION

A certain parcel of land lying in the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) of Section 20, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northeast corner of Parcel 2 of Wareham Simple Land Division, as same is recorded in Plat Book 16, Page 196, Public Records of Mesa County, and assuming the North line of said Parcel 2 bears N89°58'45"E with all other bearings contained herein being relative thereto; thence N89°58'45"E along the North line of that certain parcel of land as described in Book 4116, Page 539, Public Records, Mesa County, Colorado to a point on the East line of the NW 1/4 NE 1/4 of Section 20; thence S00°03'02"E along said East line a distance of 208.71 feet to the Southeast corner of said parcel; thence S89°58'45"W along the South line of said parcel a distance of 208.71 feet to the Southwest corner; thence N00°03'02"W along the West line of said parcel a distance of 208.71, more or less, to the Point of Beginning. TOGETHER with Parcels 1 and 2 of said Wareham Simple Land Division

Said parcel contains 34.37 acres (1,496,980 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 18th day of April, 2007, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community Development Department of the City.

ADOPTED the _____ day of _____, 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>DATES PUBLISHED</i>
March 9, 2007
March 16, 2007
March 23, 2007
March 30, 2007

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

MORNING VIEW ANNEXATION

APPROXIMATELY 34.37 ACRES

LOCATED AT 2961, 2967 AND 2973 D ROAD

WHEREAS, on the 7th day of March, 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 18th 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:

MORNING VIEW ANNEXATION

A certain parcel of land lying in the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) of Section 20, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northeast corner of Parcel 2 of Wareham Simple Land Division, as same is recorded in Plat Book 16, Page 196, Public Records of Mesa County, and assuming the North line of said Parcel 2 bears N89°58'45"E with all other bearings contained herein being relative thereto; thence N89°58'45"E along the North line of that certain parcel of land as described in Book 4116, Page 539, Public Records, Mesa County, Colorado to a point on the East line of the NW 1/4 NE 1/4 of Section 20; thence S00°03'02"E along said East line a distance of 208.71 feet to the Southeast corner of

said parcel; thence S89°58'45"W along the South line of said parcel a distance of 208.71 feet to the Southwest corner; thence N00°03'02"W along the West line of said parcel a distance of 208.71, more or less, to the Point of Beginning. TOGETHER with Parcels 1 and 2 of said Wareham Simple Land Division

Said parcel contains 34.37 acres (1,496,980 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 Knight and Durmas Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Knight and Durmas Annexation - Located at 842 21 1/2 Road						
Meeting Date	March 7, 2007						
Date Prepared	March 1, 2007				File #ANX-2007-023		
Author	Adam Olsen			Associate Planner			
Presenter Name	Adam Olsen			Associate Planner			
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: Request to annex 2.84 acres, located at 842 21 1/2 Road. The Knight and Durmas Annexation consists of one parcel and is a two part serial annexation.

Budget: N/A

Action Requested/Recommendation: Adopt a Resolution referring the petition for the Knight and Durmas Annexation and introduce the proposed Ordinance and set a hearing for April 18, 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/Existing City and County Zoning
4. Resolution Referring Petition
5. Annexation Ordinance

STAFF REPORT / BACKGROUND INFORMATION				
Location:		842 21 1/2 Road		
Applicants:		Knight and Durmas Properties-Owner TPI-Developer Maverick Engineering-Representative		
Existing Land Use:		Vacant		
Proposed Land Use:		Light Industrial		
Surrounding Land Use:	North	Industrial		
	South	Industrial		
	East	Agriculture		
	West	Industrial		
Existing Zoning:		PUD		
Proposed Zoning:		I-1		
Surrounding Zoning:	North	PUD (County)		
	South	PUD (County)		
	East	RSF-R (County)		
	West	PUD (County)		
Growth Plan Designation:		C-I (Commercial Industrial)		
Zoning within density range?		x	Yes	No

Staff Analysis:

ANNEXATION:

This annexation area consists of 2.84 acres of land and is comprised of one parcel and is a two part serial annexation. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

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

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;

- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

The following annexation and zoning schedule is being proposed.

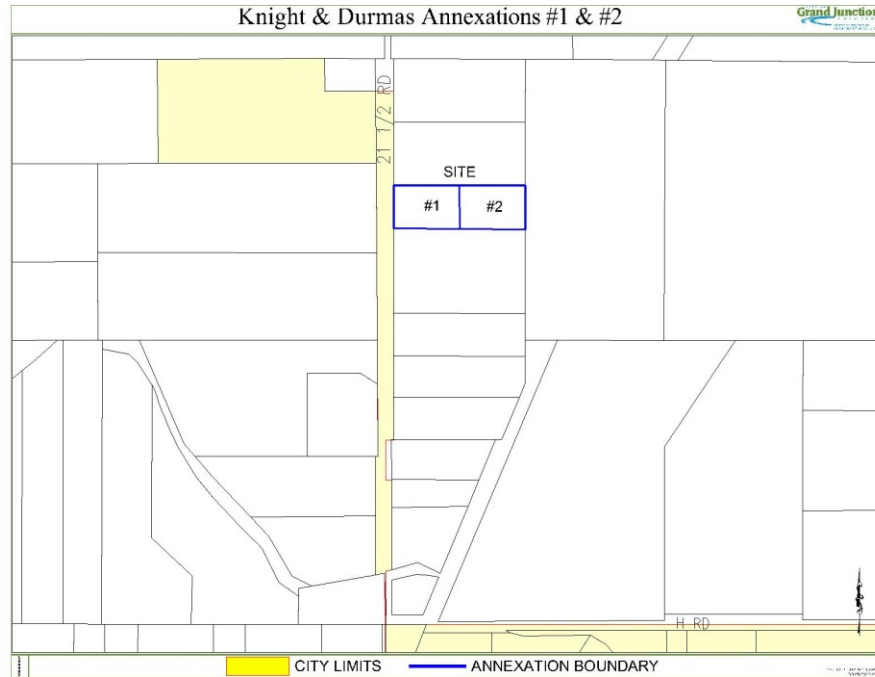
<i><u>ANNEXATION SCHEDULE</u></i>	
March 7, 2007	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
March 13, 2007	Planning Commission considers Zone of Annexation
April 4, 2007	Introduction Of A Proposed Ordinance on Zoning by City Council
April 18, 2007	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
May 20, 2007	Effective date of Annexation and Zoning

KNIGHT AND DURMAS ANNEXATION SUMMARY

File Number:	ANX-2007-023	
Location:	842 21 1/2 Road	
Tax ID Number:	2697-254-03-004	
Parcels:	1	
Estimated Population:	0	
# of Parcels (owner occupied):	1	
# of Dwelling Units:	0	
Acres land annexed:	2.84	
Developable Acres Remaining:	2.84	
Right-of-way in Annexation:	21 1/2 Road	
Previous County Zoning:	PUD	
Proposed City Zoning:	I-1	
Current Land Use:	Vacant	
Future Land Use:	C-I (Commercial Industrial)	
Values:	Assessed:	\$68,410
	Actual:	\$235,880
Address Ranges:	842 21 1/2 Road	
Special Districts:	Water:	Ute Water
	Sewer:	City
	Fire:	GJ Rural
	Irrigation/ Drainage:	Grand Junction Drainage
	School:	District 51
	Pest:	n/a

Site Location Map

Figure 1



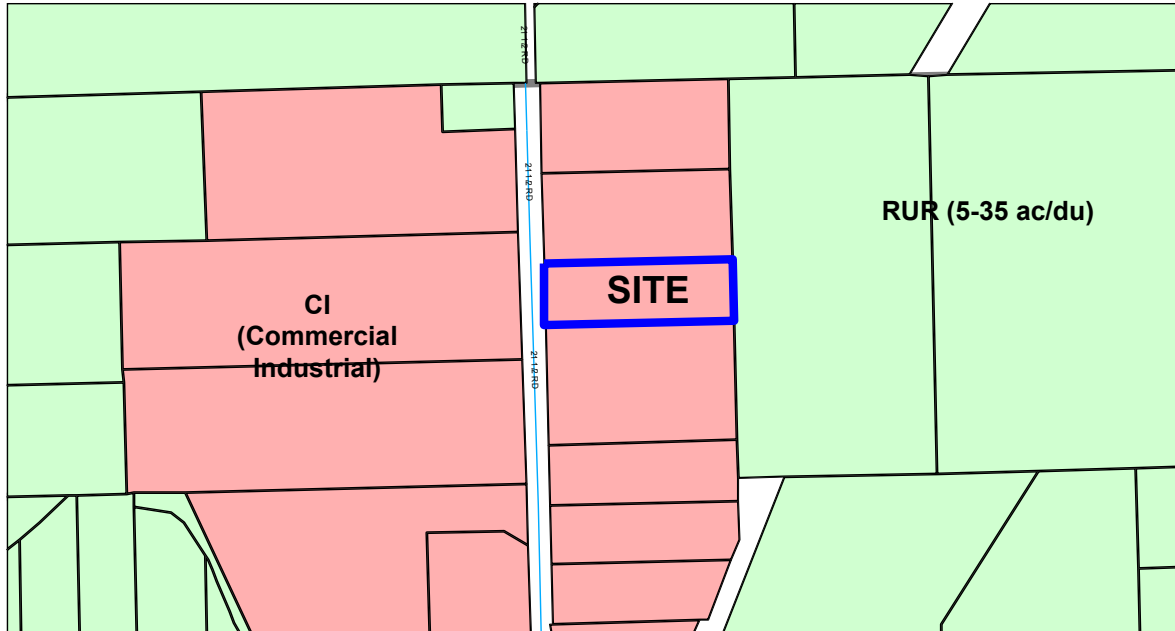
Aerial Photo Map

Figure 2



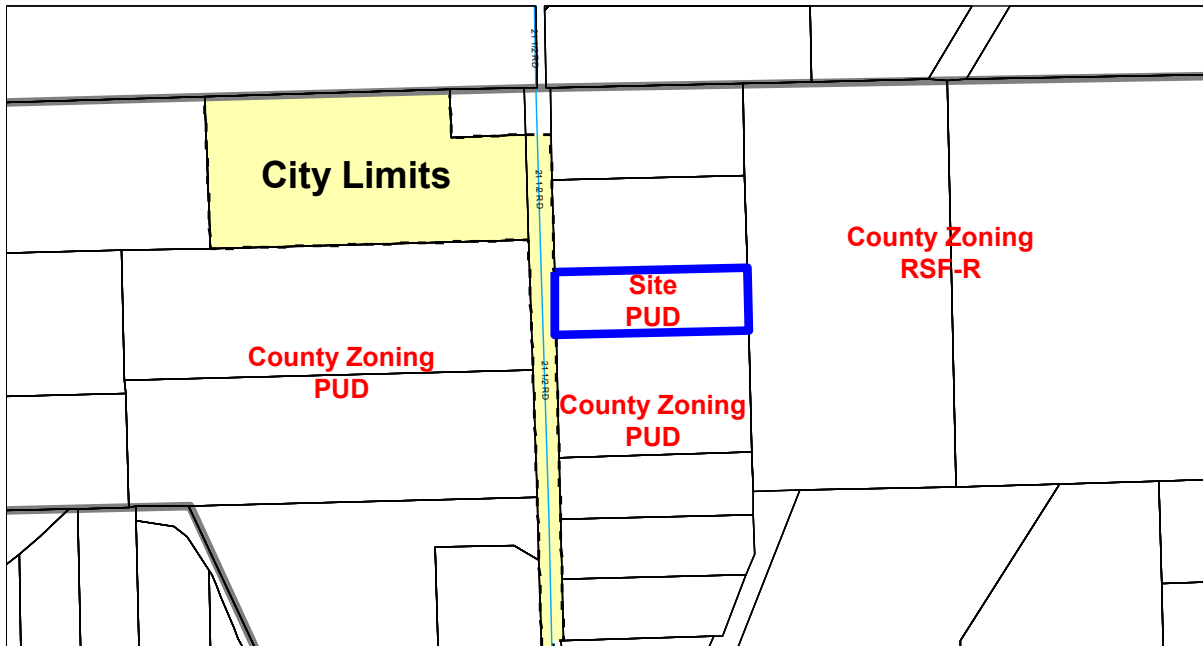
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



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

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

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 7th of March, 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**

KNIGHT AND DURMAS ANNEXATION

LOCATED AT 842 21 1/2 ROAD

WHEREAS, on the 7th day of March, 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:

KNIGHT AND DURMAS ANNEXATION NO. 1

A certain parcel of land located in the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 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:

BEGINNING at the Northwest corner of Lot 4 of Riverview Commercial Subdivision, as same is recorded in Plat Book 13, Page 138, Public Records of Mesa County, Colorado, and assuming the North line of said Lot 4 to bear S89°51'44"E with all bearings contained herein relative thereto; thence S89°51'44"E along said North line a distance of 310.31 feet; thence S00°00'45"W a distance of 200.00 feet to a point on the South line of said Lot 4; thence N89°51'44"W along said South line a distance of 310.31 feet to the Southwest corner of said Lot 4, said corner also being a point on the East line of 21-1/2 Road; thence N00°00'45"E along said East line of 21-1/2 Road a distance of 200.00 feet, more or less, to the Point of Beginning.

Said parcel contains 1.42 acres (62,063 square feet), more or less, as described.

KNIGHT AND DURMAS ANNEXATION NO. 2

A certain parcel of land located in the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 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:

COMMENCING at the Northwest corner of Lot 4 of Riverview Commercial Subdivision, as same is recorded in Plat Book 13, Page 138, Public Records of Mesa County, Colorado, and assuming the North line of said Lot 4 to bear S89°51'44"E with all bearings contained herein relative thereto; thence S89°51'44"E along said North line a distance of 310.31 feet to the POINT OF BEGINNING; thence S89°51'44"E along said North line a distance of 310.32 feet to the Northeast corner of said Lot 4; thence S00°01'20"W along the East line of said Lot 4 a distance of 200.00 to the Southeast corner; thence N89°51'44"W along the South line of said lot 4 a distance of 310.29 feet; thence N00°00'45"E a distance of 200.00 feet, more or less, to the Point of Beginning.

Said parcel contains 1.42 acres (62,060 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 18th day of April, 2007, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community Development Department of the City.

ADOPTED the _____ day of _____, 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>DATES PUBLISHED</i>
March 9, 2007
March 16, 2007
March 23, 2007
March 30, 2007

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

KNIGHT AND DURMAS ANNEXATION NO. 1

APPROXIMATELY 1.42 ACRES

LOCATED AT 842 21 1/2 ROAD

WHEREAS, on the 7th day of March, 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 18th 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:

KNIGHT AND DURMAS ANNEXATION NO. 1

A certain parcel of land located in the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 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:

BEGINNING at the Northwest corner of Lot 4 of Riverview Commercial Subdivision, as same is recorded in Plat Book 13, Page 138, Public Records of Mesa County, Colorado, and assuming the North line of said Lot 4 to bear S89°51'44"E with all bearings contained herein relative thereto; thence S89°51'44"E along said North line a distance of 310.31 feet; thence S00°00'45"W a distance of 200.00 feet to a point on the South line of said Lot 4; thence N89°51'44"W along said South line a distance of 310.31 feet to the Southwest corner of said Lot 4, said corner also being a point on the

East line of 21-1/2 Road; thence N00°00'45"E along said East line of 21-1/2 Road a distance of 200.00 feet, more or less, to the Point of Beginning.
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**

KNIGHT AND DURMAS ANNEXATION NO. 2

APPROXIMATELY 1.42 ACRES

LOCATED AT 842 21 1/2 ROAD

WHEREAS, on the 7th day of March, 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 18th 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:

KNIGHT AND DURMAS ANNEXATION NO. 2

A certain parcel of land located in the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 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:

COMMENCING at the Northwest corner of Lot 4 of Riverview Commercial Subdivision, as same is recorded in Plat Book 13, Page 138, Public Records of Mesa County, Colorado, and assuming the North line of said Lot 4 to bear S89°51'44"E with all

bearings contained herein relative thereto; thence S89°51'44"E along said North line a distance of 310.31 feet to the POINT OF BEGINNING; thence S89°51'44"E along said North line a distance of 310.32 feet to the Northeast corner of said Lot 4; thence S00°01'20"W along the East line of said Lot 4 a distance of 200.00 to the Southeast corner; thence N89°51'44"W along the South line of said lot 4 a distance of 310.29 feet; thence N00°00'45"E a distance of 200.00 feet, more or less, to the Point of Beginning.

Said parcel contains 1.42 acres (62,060 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
Setting a Hearing on the Brady Trucking Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Brady Trucking Annexation Located at 356 27-1/2 Road						
Meeting Date	March 7, 2007						
Date Prepared	February 23, 2007			File # ANX-2007-035			
Author	Kristen Ashbeck		Senior Planner				
Presenter Name	Kristen Ashbeck		Senior Planner				
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: Request to annex 4.22 acres, located at 356 27-1/2 Road. The Brady Trucking Annexation consists of one parcel.

Budget: N/A

Action Requested/Recommendation: Adopt a Resolution referring the petition for the Brady Trucking Annexation and introduce the proposed Ordinance and set a hearing for April 18, 2007.

Background Information: See attached Staff Report/Background Information

Attachments:

1. Staff Report/Background information
2. Annexation/Location and Aerial Photo Maps
3. Growth Plan and Existing City and County Zoning Maps
4. Resolution Referring Petition
5. Annexation Ordinance

STAFF REPORT / BACKGROUND INFORMATION				
Location:		ANX-2007-035		
Applicants:		SLB Enterprises, LLC – Owner Vortex Engineering, Robert Jones – Representative		
Existing Land Use:		Commercial		
Proposed Land Use:		Same		
Surrounding Land Use:	North	Vacant and Commercial		
	South	Vacant		
	East	Vacant		
	West	Vacant		
Existing Zoning:		I-2		
Proposed Zoning:		I-2		
Surrounding Zoning:	North	I-2 (Mesa County) and I-1 (City)		
	South	I-2 (Mesa County)		
	East	I-1 (City)		
	West	CSR (City)		
Growth Plan Designation:		CI – Commercial Industrial		
Zoning within density range?		X	Yes	No

Staff Analysis:

ANNEXATION:

This annexation area consists of 4.22 acres of land and is comprised of one parcel. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

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

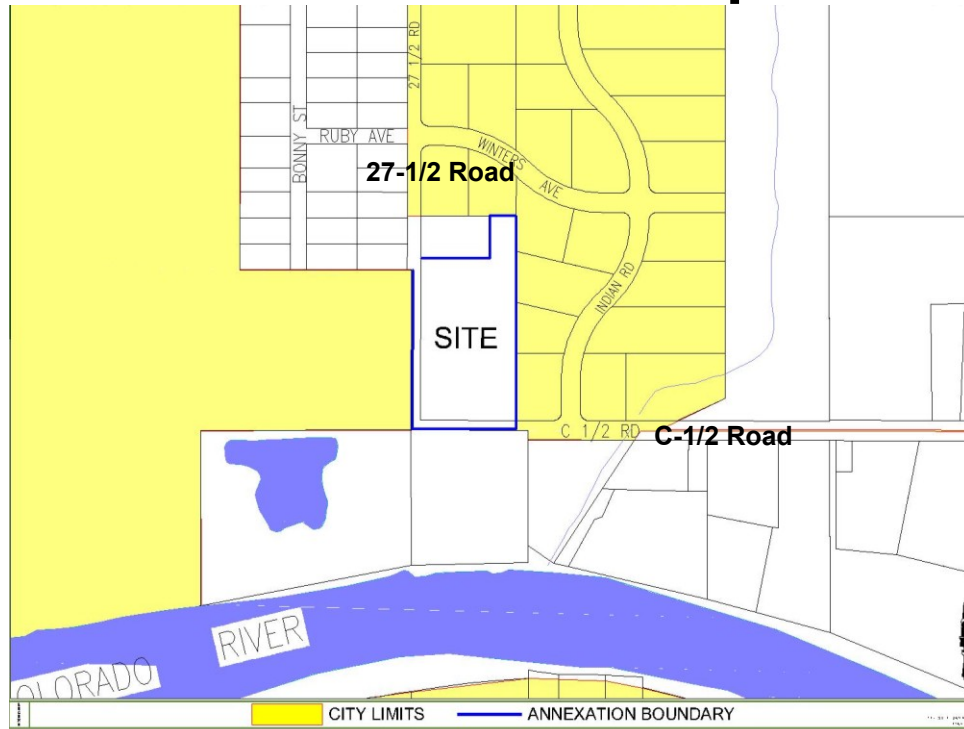
The following annexation and zoning schedule is being proposed.

ANNEXATION SCHEDULE	
March 7, 07	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
March 27, 07	Planning Commission considers Zone of Annexation
April 4, 2007	Introduction Of A Proposed Ordinance on Zoning by City Council
April 18, 2007	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
May 20, 2007	Effective date of Annexation and Zoning

BRADY TRUCKING ANNEXATION SUMMARY

File Number:	ANX-2007-035	
Location:	356 27-1/2 Road	
Tax ID Number:	2945-241-00-216	
Parcels:	1	
Estimated Population:	0	
# of Parcels (owner occupied):	1 (business)	
# of Dwelling Units:	0	
Acres land annexed:	4.22	
Developable Acres Remaining:	2.5	
Right-of-way in Annexation:	27-1/2 and C-1/2 Roads	
Previous County Zoning:	I-2	
Proposed City Zoning:	I-2	
Current Land Use:	Light Commercial – Trucking Business	
Future Land Use:	Light Commercial	
Values:	Assessed:	\$39,950
	Actual:	\$137,740
Address Ranges:	350-356 27-1/2 Road (even) and 2750 C-1/2 Road	
Special Districts:	Water:	Ute Water
	Sewer:	Central Grand Valley Sanitation
	Fire:	Grand Junction Rural Fire
	Irrigation/ Drainage:	Grand Valley Irrigation and Grand Junction Drainage District
	School:	MCVSD 51
	Pest:	Grand River Mosquito

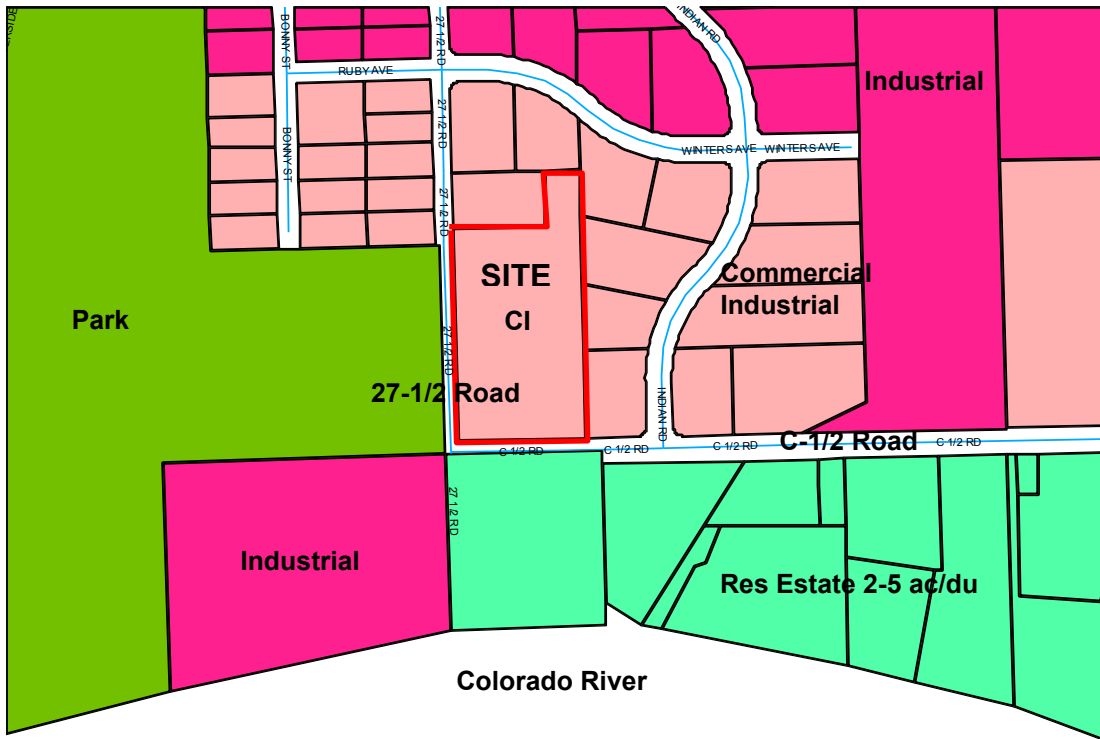
Site Location Map



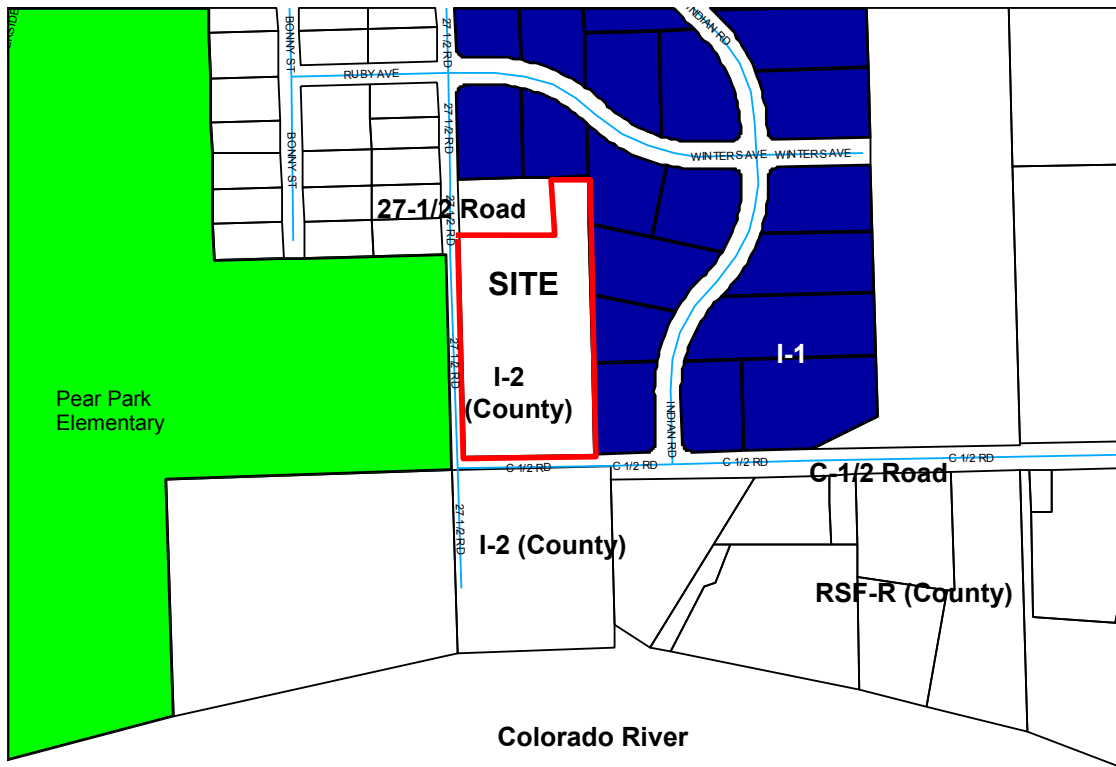
Aerial Photo Map



Future Land Use Map



Existing City/County Zoning



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

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 7th of March, 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**

BRADY TRUCKING ANNEXATION

LOCATED AT 356 27-1/2 ROAD

WHEREAS, on the 7th day of March, 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:

A certain parcel of land lying in the Southwest Quarter of the Northeast Quarter (SW 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:

BEGINNING at the Southeast corner of Lot 2, Block Five of Indian Road Industrial Subdivision, as same is recorded in Plat Book 12, Page 43, Public Records of Mesa County, Colorado and assuming the West line of said Block Five bears S00°07'37"W with all other bearings contained herein being relative thereto; thence S00°07'37"W along said West line of Block Five and it's continuation a distance of 656.32 feet to a point on the North line of Elite Towing Annexation No's. 1, 2 and 3 City of Grand Junction, Ordinance Numbers 3101-3103; thence N89°46'25"E along said Annexation line a distance of 330.00 feet to a point on the West line of said SW 1/4 NE 1/4; thence N00°07'37"W along said West line a distance of 524.06 feet; thence S89°49'16"E along the South line of that certain parcel of land described in Book 2224, Page's 227-228, Public Records of Mesa County, Colorado, a distance of 247.50 feet to the Southeast corner of said parcel; thence N00°07'37"E along the East line of said parcel a distance of 132.00 feet to a point on the South line of said Lot 2 Indian Road Industrial Subdivision; thence S89°48'55"E along said South line a distance of 82.50 feet, more or less, to the Point of Beginning.

Said parcel contains 4.22 acres (183,874 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 18th day of April, 2007, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community Development Department of the City.

ADOPTED the _____ day of _____, 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>DATES PUBLISHED</i>
March 9, 2007
March 16, 2007
March 23, 2007
March 30, 2007

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

BRADY TRUCKING ANNEXATION

APPROXIMATELY 4.22 ACRES

LOCATED AT 356 27-1/2 ROAD

WHEREAS, on the 7th day of March, 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 18th 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:

A certain parcel of land lying in the Southwest Quarter of the Northeast Quarter (SW 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:

BEGINNING at the Southeast corner of Lot 2, Block Five of Indian Road Industrial Subdivision, as same is recorded in Plat Book 12, Page 43, Public Records of Mesa County, Colorado and assuming the West line of said Block Five bears S00°07'37"W with all other bearings contained herein being relative thereto; thence S00°07'37"W along said West line of Block Five and it's continuation a distance of 656.32 feet to a point on the North line of Elite Towing Annexation No's. 1, 2 and 3 City of Grand Junction, Ordinance Numbers 3101-3103; thence N89°46'25"E along said Annexation line a distance of 330.00 feet to a point on the West line of said SW 1/4 NE 1/4; thence

N00°07'37"W along said West line a distance of 524.06 feet; thence S89°49'16"E along the South line of that certain parcel of land described in Book 2224, Page's 227-228, Public Records of Mesa County, Colorado, a distance of 247.50 feet to the Southeast corner of said parcel; thence N00°07'37"E along the East line of said parcel a distance of 132.00 feet to a point on the South line of said Lot 2 Indian Road Industrial Subdivision; thence S89°48'55"E along said South line a distance of 82.50 feet, more or less, to the Point of Beginning.

Said parcel contains 4.22 acres (183,874 square feet), more or less, as described.

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 13
Setting a Hearing on the Promontory Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	The Promontory Annexation - Located at the end of Sierra Vista Road						
Meeting Date	March 7, 2007						
Date Prepared	February 26, 2007				File #ANX-2006-280		
Author	Ronnie Edwards		Associate Planner				
Presenter Name	Ronnie Edwards		Associate Planner				
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: Request to annex 5.88 acres, located at the end of Sierra Vista Road on Orchard Mesa. The Promontory Annexation consists of one vacant parcel, including a portion of B Road, Clymer Drive and Sierra Vista Road right-of-way, and is a four part serial annexation.

Budget: N/A

Action Requested/Recommendation: Adopt a Resolution referring the petition for The Promontory Annexation and introduce the proposed Ordinance and set a hearing for April 18, 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; Existing City and County Zoning Map
4. Resolution Referring Petition
5. Annexation Ordinances

STAFF REPORT / BACKGROUND INFORMATION			
Location:		East end of Sierra Vista Road	
Applicants:		Joe Payne	
Existing Land Use:		Vacant	
Proposed Land Use:		Residential	
Surrounding Land Use:	North	Residential Single Family	
	South	Vacant/Gunnison River	
	East	Residential Single Family	
	West	Residential Single Family	
Existing Zoning:		County RSF-4	
Proposed Zoning:		City RSF-4	
Surrounding Zoning:	North	County RSF-4	
	South	County RSF-4	
	East	County RSF-4	
	West	County RSF-4	
Growth Plan Designation:		Residential Medium-Low (2-4 du/ac)	
Zoning within density range?		X	Yes
			No

Staff Analysis:

ANNEXATION:

This annexation area consists of 5.88 acres of land, including a portion of B Road, Clymer Drive and Sierra Vista Road, and is comprised of one vacant parcel. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

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

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;

- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

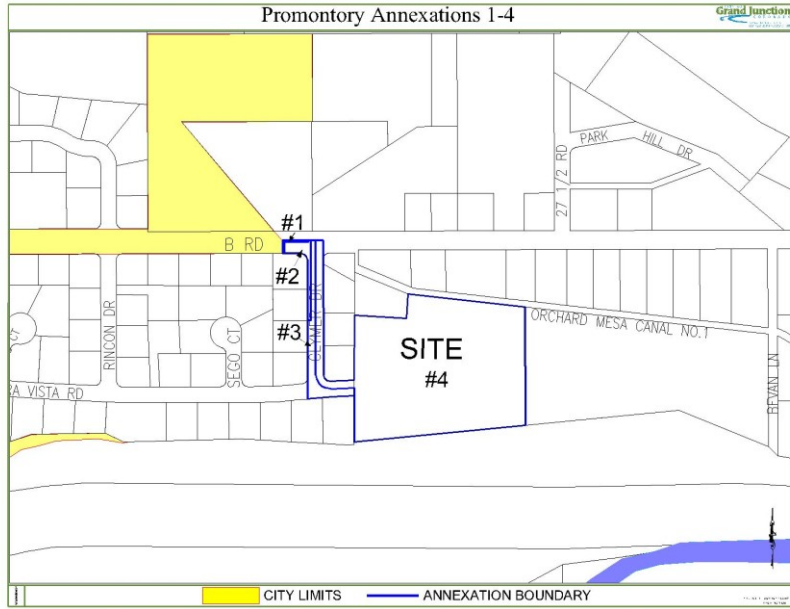
The following annexation and zoning schedule is being proposed.

<u>ANNEXATION SCHEDULE</u>	
March 7, 2007	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
March 27, 2007	Planning Commission considers Zone of Annexation
April 4, 2007	Introduction Of A Proposed Ordinance on Zoning by City Council
April 18, 2007	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
May 20, 2007	Effective date of Annexation and Zoning

PROMONTORY ANNEXATION SUMMARY

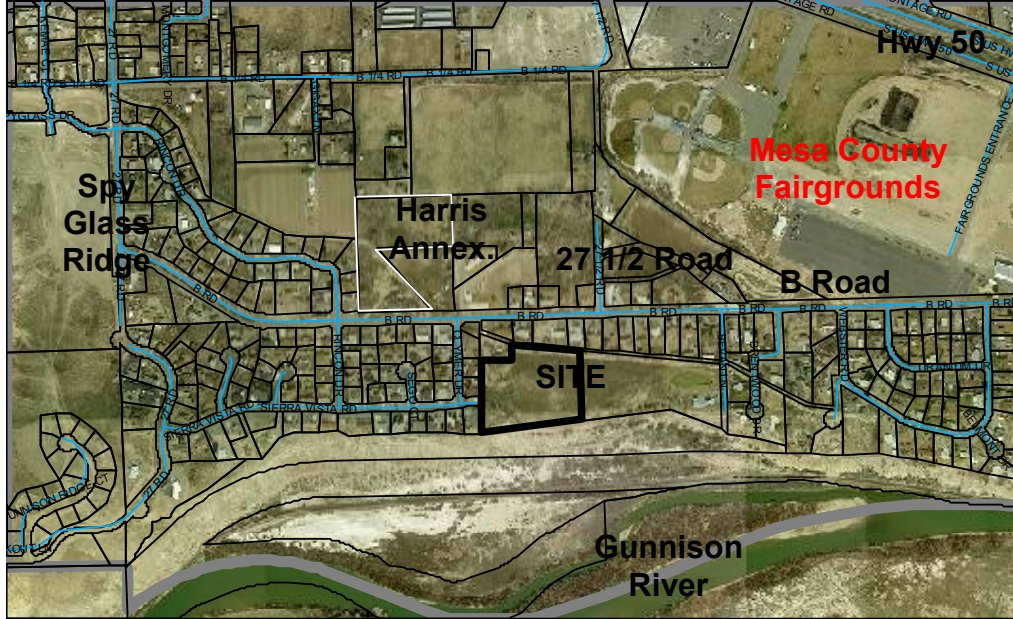
File Number:		ANX-2006-280
Location:		East end of Sierra Vista Road
Tax ID Number:		2945-362-03-011
Parcels:		1
Estimated Population:		0
# of Parcels (owner occupied):		0
# of Dwelling Units:		0
Acres land annexed:		5.88
Developable Acres Remaining:		5.117 acres
Right-of-way in Annexation:		.763 acres of B Road, Clymer Drive and Sierra Vista Road
Previous County Zoning:		RSF-4
Proposed City Zoning:		RSF-4
Current Land Use:		Vacant
Future Land Use:		Residential
Values:	Assessed:	\$ 21,660
	Actual:	\$ 54,700
Address Ranges:		2735 to 2747 Sierra Vista Road (odd and even)
Special Districts:	Water:	Ute Water District
	Sewer:	Orchard Mesa Sanitation
	Fire:	Grand Junction Rural Fire District
	Irrigation/ Drainage:	Orchard Mesa Irrigation
	School:	District 51
	Pest:	Grand River Mosquito District

Site Location Map



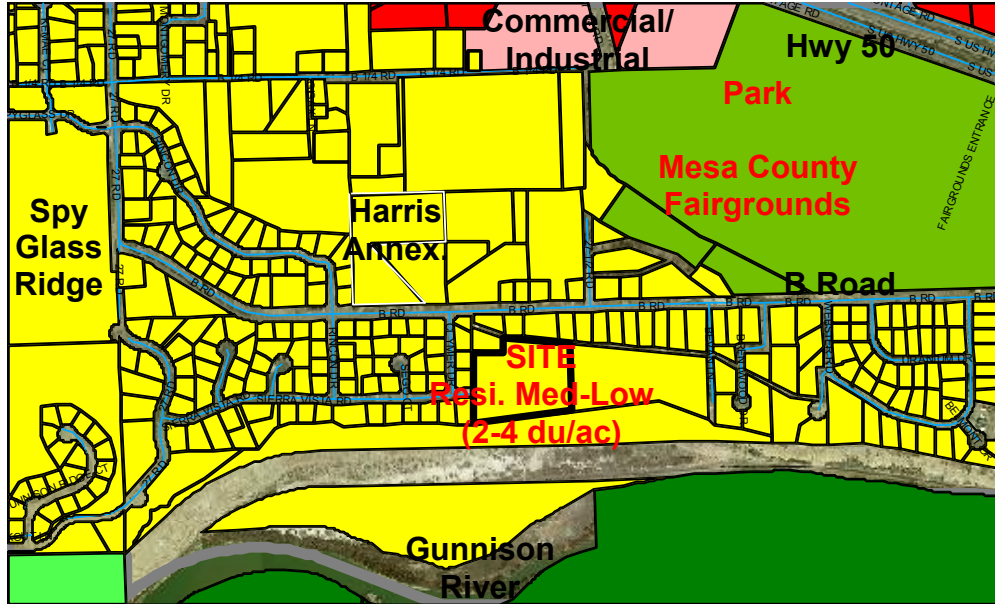
Aerial Photo Map

City Limits Figure 2



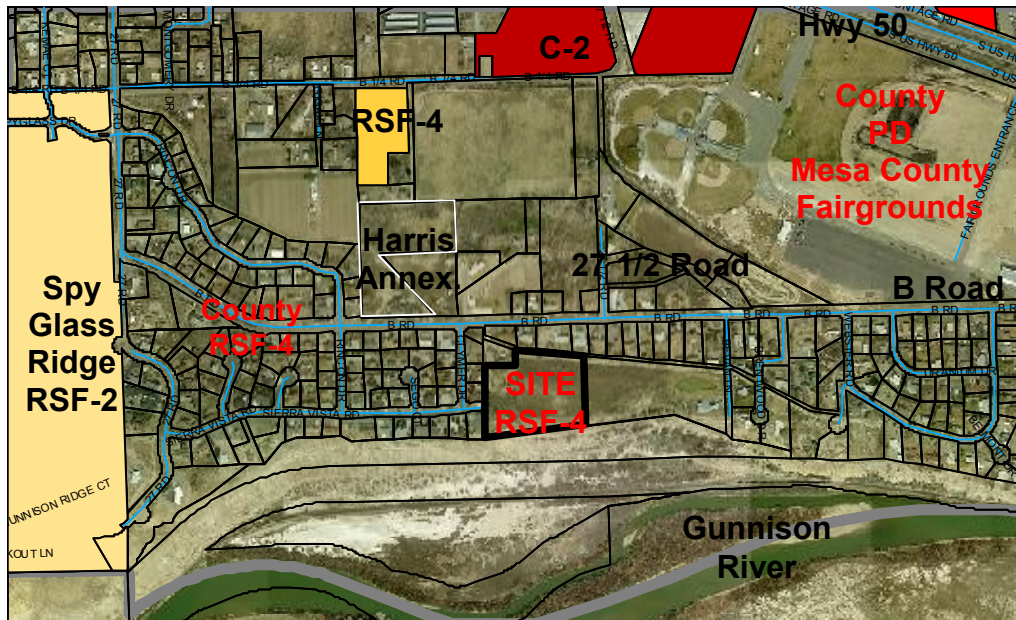
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



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

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

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 7th of March 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**

THE PROMONTORY ANNEXATION

**LOCATED AT THE EAST END OF SIERRA VISTA ROAD, INCLUDING A
PORTION OF B ROAD, CLYMER DRIVE AND SIERRA VISTA ROAD RIGHT-OF-WAY**

WHEREAS, on the 7th day of March, 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:

THE PROMONTORY ANNEXATION

A Serial Annexation Comprising of Promontory Annexation No. 1, Promontory Annexation No. 2, Promontory Annexation No. 3 and Promontory Annexation No. 4

**Promontory Annexation No. 1
A Portion of B Road Right-of-Way**

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

BEGINNING at the Southeast corner of that certain parcel of land as described in Book 3937, Page 864, Public Records of Mesa County, Colorado, and assuming the North line of the NE1/4 NW1/4 of said Section 36 bears N89°58'14"E with all other bearings contained herein being relative thereto; thence N89°58'14"E along said North line a distance of 80.00 feet; thence S00°01'46"E a distance of 5.00 feet to a point on a line being 5 feet South of and parallel with said North line; thence S89°58'14"W along said parallel line a distance of 75.00 feet; thence S00°05'12"E a distance of 35.00 feet to a point on the Northerly line of Sierra Vista Subdivision, as same is recorded in Plat Book 12, Page 115, Public Records of Mesa County, Colorado, and being the South right of way of B Road; thence N89°58'14"W along said right of way a distance of 5.00 feet to a point on the Harris Annexation No. 2, City of Grand Junction, Ordinance No. 3946; thence N00°05'12"E along said Harris Annexation No. 2 a distance of 40.00 feet, more or less, to the Point of Beginning.

Said parcel contains 0.01 acres (575 square feet), more or less, as described.

Promontory Annexation No. 2

A Portion of B Road and Clymer Drive Right-of-Way

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

BEGINNING at the Southeast corner of Lot 16 of Sierra Vista Subdivision, as same is recorded in Plat Book 12, Page 115, Public Records of Mesa County, Colorado, and assuming the East line of Block Three of said Sierra Vista Subdivision bears $N00^{\circ}01'46''W$ with all other bearings contained herein being relative thereto; thence $N00^{\circ}01'46''W$ along said East line a distance of 195.00 feet; thence 31.42 feet along the arc of a 20.00 foot radius curve concave Southwest, having a central angle of $90^{\circ}00'00''$ and a chord bearing $N45^{\circ}01'46''W$ a distance of 28.28 feet; thence $S89^{\circ}57'35''W$ a distance of 54.45 feet to a point on a line being 5.00 feet East of and parallel with the East line of the Harris Annexation, City of Grand Junction, Ordinance No. 3946; thence $N00^{\circ}05'12''E$ along said parallel line a distance of 35.00 feet to a point on a line being 5.00 feet South of and parallel with the North line of the NE1/4 NW1/4 of said Section 36; thence $N89^{\circ}58'14''E$ along said parallel line a distance of 75.00 feet; thence $N00^{\circ}01'46''W$ a distance of 5.00 feet to a point on said North line; thence $N89^{\circ}58'14''E$ along said North line a distance of 9.38 feet; thence $S00^{\circ}01'46''E$ along a line being 10.00 feet East of and parallel with the East line of said Sierra Vista Subdivision, distance of 255.00 feet; thence $S89^{\circ}58'14''W$ a distance of 10.00 feet, more or less, to the Point of Beginning.

Said parcel contains 0.12 acres (5,238 square feet), more or less, as described.

Promontory Annexation No. 3

A Portion of B Road, Clymer Drive and Sierra Vista Road

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

BEGINNING at the Southeast corner of Lot 16 of Sierra Vista Subdivision, as same is recorded in Plat Book 12, Page 115, Public Records of Mesa County, Colorado, and assuming the East line of Block Three of said Sierra Vista Subdivision bears $N00^{\circ}01'46''W$ with all other bearings contained herein being relative thereto; thence $N89^{\circ}58'14''E$ a distance of 10.00 feet to a point on a line being 10.00 feet East of and parallel with said East line; thence $N00^{\circ}01'46''W$ along said parallel line a distance of

255.00 feet to a point on the North line of the NE1/4 NW1/4 of said Section 36; thence N89°58'14"E along said North line a distance of 15.00 feet; thence S00°01'46"E along a line being 25.00 feet East of and parallel with the East line of said Sierra Vista Subdivision a distance of 428.42 feet; thence 74.80 feet along the arc of a 45.00 foot radius curve concave Northeast, having a central angle of 95°14'19" and a chord bearing S47°38'56"E a distance of 66.48 feet; thence 73.91 feet along the arc of a 772.60 foot radius curve concave South, having a central angle of 05°28'59" and a chord bearing N87°28'31"E a distance of 73.88 feet to a point on the East line of said Sierra Vista Subdivision; thence S00°13'11"W along said East line a distance of 25.00 feet to a point on the South line of Sierra Vista Road; thence 71.51 feet along the arc of a 747.60 foot radius curve concave South, having a central angle of 05°28'51" and a chord bearing S87°28'29"W a distance of 71.49 feet; thence S84°44'04"W along said South line a distance of 76.71 feet; thence N00°01'46"W a distance of 250.13 feet, more or less, to the Point of Beginning.

Said parcel contains 0.31 acres (13,666 square feet), more or less, as described.

Promontory Annexation No. 4
2945-362-09-011 and a Portion of
B Road, Clymer Drive and Sierra Vista Road

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

COMMENCING at the Southeast corner of Lot 16, Block Three of Sierra Vista Subdivision, as same is recorded in Plat Book 12, Page 115, Public Records of Mesa County, Colorado, and assuming the East line of said Block three bears N00°01'46"W with all other bearings contained herein being relative thereto; thence N89°58'14"E a distance of 25.00 feet to the POINT OF BEGINNING; thence N00°01'46"W from said point of beginning a distance of 255.00 feet to a point on the North line of the NE1/4 NW1/4 of Section 36; thence N89°58'14"E along said North line a distance of 25.00 feet; thence S00°01'46"E along the West line of Block Four of said Sierra Vista Subdivision and its projection a distance of 428.42 feet; thence 33.24 feet along the arc of a 20.00 foot radius curve concave Northeast, having a central angle of 95°14'10" and a chord bearing S47°38'51"E a distance of 29.55 feet to a point on the South line of said Block Four; thence 76.30 feet along the arc of a 797.60 foot radius curve concave South, having a central angle of 05°28'52" and a chord bearing N87°28'29"E a distance of 76.27 feet; thence N00°13'11"E along the East line of said Block Four a distance of 207.10 feet to the Southwest corner of that certain parcel of land as described in Book 3600, Page 515, Public Records of Mesa County, Colorado; thence S86°16'51"E along the South line of said parcel a distance of 168.25 feet to the Southeast corner of said parcel; thence N03°22'36"E along the East line of said parcel a distance of 77.62 feet to

the Northeast corner of said parcel; thence S83°34'33"E along the South line of the Orchard Mesa Canal No. 1 a distance of 375.66 feet; thence S00°01'43"E along the East line of Lot 1 of Madre De Paz, A Replat of 4 Seasons-Orchard Mesa Development, as same is recorded in Plat Book 13, Page 380, Public Records of Mesa County, Colorado, a distance of 376.88 feet to the Southeast corner of said Lot 1; thence S84°36'37"W along the South line of said Lot 1 a distance of 549.94 feet; thence N00°13'11"E along the East line of Lot 19 and it's continuation a distance of 171.90 feet; thence 73.91 feet along the arc of a 772.60 foot radius curve concave South, having a central angle of 05°28'59" and a chord bearing S87°28'31"W a distance of 73.88 feet; thence 74.80 feet along the arc of a 45.00 foot radius curve concave Northeast, having a central angle of 95°14'19" and a chord bearing N47°38'56"W a distance of 66.48 feet; thence N00°01'46"W a distance of 173.42 feet, more or less, to the Point of Beginning.

Said parcel contains 5.44 acres (236,863 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 18th day of April, 2007, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community Development Department of the City.

ADOPTED the _____ day of _____, 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>DATES PUBLISHED</i>
March 9, 2007
March 16, 2007
March 23, 2007
March 30, 2007

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

THE PROMONTORY ANNEXATION NO. 1

APPROXIMATELY .01 ACRES

A PORTION OF B ROAD RIGHT-OF-WAY

WHEREAS, on the 7th day of March, 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 7th day of March, 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:

THE PROMONTORY ANNEXATION NO. 1

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

BEGINNING at the Southeast corner of that certain parcel of land as described in Book 3937, Page 864, Public Records of Mesa County, Colorado, and assuming the North line of the NE1/4 NW1/4 of said Section 36 bears N89°58'14"E with all other bearings contained herein being relative thereto; thence N89°58'14"E along said North line a distance of 80.00 feet; thence S00°01'46"E a distance of 5.00 feet to a point on a line being 5 feet South of and parallel with said North line; thence S89°58'14"W along said parallel line a distance of 75.00 feet; thence S00°05'12"E a distance of 35.00 feet to a point on the Northerly line of Sierra Vista Subdivision, as same is recorded in Plat Book

12, Page 115, Public Records of Mesa County, Colorado, and being the South right of way of B Road; thence N89°58'14"W along said right of way a distance of 5.00 feet to a point on the Harris Annexation No. 2, City of Grand Junction, Ordinance No. 3946; thence N00°05'12"E along said Harris Annexation No. 2 a distance of 40.00 feet, more or less, to the Point of Beginning.

Said parcel contains 0.01 acres (575 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**

THE PROMONTORY ANNEXATION NO. 2

APPROXIMATELY .12 ACRES

A PORTION OF B ROAD AND CLYMER DRIVE RIGHTS-OF-WAY

WHEREAS, on the 7th day of March, 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 7th day of March, 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:

THE PROMONTORY ANNEXATION NO. 2

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

BEGINNING at the Southeast corner of Lot 16 of Sierra Vista Subdivision, as same is recorded in Plat Book 12, Page 115, Public Records of Mesa County, Colorado, and assuming the East line of Block Three of said Sierra Vista Subdivision bears N00°01'46"W with all other bearings contained herein being relative thereto; thence N00°01'46"W along said East line a distance of 195.00 feet; thence 31.42 feet along the arc of a 20.00 foot radius curve concave Southwest, having a central angle of 90°00'00" and a chord bearing N45°01'46"W a distance of 28.28 feet; thence S89°57'35"W a distance of 54.45 feet to a point on a line being 5.00 feet East of and

parallel with the East line of the Harris Annexation, City of Grand Junction, Ordinance No. 3946; thence N00°05'12"E along said parallel line a distance of 35.00 feet to a point on a line being 5.00 feet South of and parallel with the North line of the NE1/4 NW1/4 of said Section 36; thence N89°58'14"E along said parallel line a distance of 75.00 feet; thence N00°01'46"W a distance of 5.00 feet to a point on said North line; thence N89°58'14"E along said North line a distance of 9.38 feet; thence S00°01'46"E along a line being 10.00 feet East of and parallel with the East line of said Sierra Vista Subdivision, distance of 255.00 feet; thence S89°58'14"W a distance of 10.00 feet, more or less, to the Point of Beginning.

Said parcel contains 0.12 acres (5,238 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**

THE PROMONTORY ANNEXATION NO. 3

APPROXIMATELY .31 ACRES

**A PORTION OF B ROAD, CLYMER DRIVE AND
SIERRA VISTA ROAD RIGHTS-OF-WAY**

WHEREAS, on the 7th day of March, 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 7th day of March, 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:

THE PROMONTORY ANNEXATION NO. 3

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

BEGINNING at the Southeast corner of Lot 16 of Sierra Vista Subdivision, as same is recorded in Plat Book 12, Page 115, Public Records of Mesa County, Colorado, and assuming the East line of Block Three of said Sierra Vista Subdivision bears N00°01'46"W with all other bearings contained herein being relative thereto; thence N89°58'14"E a distance of 10.00 feet to a point on a line being 10.00 feet East of and parallel with said East line; thence N00°01'46"W along said parallel line a distance of 255.00 feet to a point on the North line of the NE1/4 NW1/4 of said Section 36; thence

N89°58'14"E along said North line a distance of 15.00 feet; thence S00°01'46"E along a line being 25.00 feet East of and parallel with the East line of said Sierra Vista Subdivision a distance of 428.42 feet; thence 74.80 feet along the arc of a 45.00 foot radius curve concave Northeast, having a central angle of 95°14'19" and a chord bearing S47°38'56"E a distance of 66.48 feet; thence 73.91 feet along the arc of a 772.60 foot radius curve concave South, having a central angle of 05°28'59" and a chord bearing N87°28'31"E a distance of 73.88 feet to a point on the East line of said Sierra Vista Subdivision; thence S00°13'11"W along said East line a distance of 25.00 feet to a point on the South line of Sierra Vista Road; thence 71.51 feet along the arc of a 747.60 foot radius curve concave South, having a central angle of 05°28'51" and a chord bearing S87°28'29"W a distance of 71.49 feet; thence S84°44'04"W along said South line a distance of 76.71 feet; thence N00°01'46"W a distance of 250.13 feet, more or less, to the Point of Beginning.

Said parcel contains 0.31 acres (13,666 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**

THE PROMONTORY ANNEXATION NO. 4

APPROXIMATELY 5.44 ACRES

**LOCATED AT THE EAST END OF SIERRA VISTA ROAD, INCLUDING
A PORTION OF B ROAD, CLYMER DRIVE AND
SIERRA VISTA ROAD RIGHTS-OF-WAY**

WHEREAS, on the 7th day of March, 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 7th day of March, 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:

THE PROMONTORY ANNEXATION NO. 4

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

COMMENCING at the Southeast corner of Lot 16, Block Three of Sierra Vista Subdivision, as same is recorded in Plat Book 12, Page 115, Public Records of Mesa County, Colorado, and assuming the East line of said Block three bears N00°01'46"W with all other bearings contained herein being relative thereto; thence N89°58'14"E a distance of 25.00 feet to the POINT OF BEGINNING; thence N00°01'46"W from said point of beginning a distance of 255.00 feet to a point on the North line of the NE1/4

NW1/4 of Section 36; thence N89°58'14"E along said North line a distance of 25.00 feet; thence S00°01'46"E along the West line of Block Four of said Sierra Vista Subdivision and its projection a distance of 428.42 feet; thence 33.24 feet along the arc of a 20.00 foot radius curve concave Northeast, having a central angle of 95°14'10" and a chord bearing S47°38'51"E a distance of 29.55 feet to a point on the South line of said Block Four; thence 76.30 feet along the arc of a 797.60 foot radius curve concave South, having a central angle of 05°28'52" and a chord bearing N87°28'29"E a distance of 76.27 feet; thence N00°13'11"E along the East line of said Block Four a distance of 207.10 feet to the Southwest corner of that certain parcel of land as described in Book 3600, Page 515, Public Records of Mesa County, Colorado; thence S86°16'51"E along the South line of said parcel a distance of 168.25 feet to the Southeast corner of said parcel; thence N03°22'36"E along the East line of said parcel a distance of 77.62 feet to the Northeast corner of said parcel; thence S83°34'33"E along the South line of the Orchard Mesa Canal No. 1 a distance of 375.66 feet; thence S00°01'43"E along the East line of Lot 1 of Madre De Paz, A Replat of 4 Seasons-Orchard Mesa Development, as same is recorded in Plat Book 13, Page 380, Public Records of Mesa County, Colorado, a distance of 376.88 feet to the Southeast corner of said Lot 1; thence S84°36'37"W along the South line of said Lot 1 a distance of 549.94 feet; thence N00°13'11"E along the East line of Lot 19 and it's continuation a distance of 171.90 feet; thence 73.91 feet along the arc of a 772.60 foot radius curve concave South, having a central angle of 05°28'59" and a chord bearing S87°28'31"W a distance of 73.88 feet; thence 74.80 feet along the arc of a 45.00 foot radius curve concave Northeast, having a central angle of 95°14'19" and a chord bearing N47°38'56"W a distance of 66.48 feet; thence N00°01'46"W a distance of 173.42 feet, more or less, to the Point of Beginning.

Said parcel contains 5.44 acres (236,863 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 14
Purchase of a Police Patrol In-Car Video System
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Police Patrol In-Car Video System					
Meeting Date	March 7, 2007					
Date Prepared	February 23, 2007					
Author	Susan J. Hyatt			Senior Buyer		
Presenter Name	Bob Russell			Police Lieutenant		
Report results back to Council	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When	
Citizen Presentation	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No	Name	
Workshop	<input checked="" type="checkbox"/>	Formal Agenda			Consent	<input checked="" type="checkbox"/> Individual Consideration

Summary: Allow the purchase of an in-car video system for marked Police Patrol vehicles. This request is for 32 video systems. Currently, there are 30 vehicles in the fleet. With the addition of the Street Crimes Unit, two (2) more marked units will be added, bringing the total to 32 marked units in the fleet for 2007.

Budget: In 2006, the Police Computer Systems account had \$85,000 budgeted for this purchase. This money will be carried forward and combined with \$85,000 allocated in the 2007 budget for a total of \$170,000. The Police Department has been awarded \$98,723 of the budgeted \$170,000 in grant money to help fund this project. The grant funding deficiency of \$47,677 is being asked to come from General Fund Contingency.

Action Requested/Recommendation: Authorize the Purchasing Division to purchase the in-car video system from Integrian, Inc. in Morrisville, NC in the amount of \$146,400. Integrian is the unit manufacturer.

Background Information: This purchase will be a piggyback onto a contract established by Olathe, KS via formal RFP. Their contract provides a \$95 per unit savings off a WSCA (Western States Contracting Alliance) contract also available to us, which results in \$3040 additional savings to the GJPD.

In 2005, in an effort to upgrade and improve the technology of equipment in marked police vehicles, the department sought grant funding in order to purchase an in-car video system. In the 2006 – 2007 budget process, the department budgeted for \$170,000.00 to be divided and spread out equally over the two year budget period with

the expectation that the requested grant dollars would be received. In 2006, the department learned it was awarded \$98,723.00 of the original \$170,000 grant request.

Research was conducted by the "patrol vehicle committee" on the various in-car video systems available with emphasis placed on compatibility with Tac-Net, a system that was obtained to condense and reduce the number of objects located in the cab of the patrol vehicles. This process took longer than expected and as a result, a purchase was not made in 2006. The \$85,000.00 allocated for 2006 will be carried over into 2007 in order to purchase all of the units (32) requested. During the committee's research, it was determined there are no local vendors available to provide an in-car video system.

The Integrian video system is compatible with Tac-Net. It will also allow down loading of information through high speed Ethernet, enabling the hard drive to remain within the unit. This eliminates the need to physically remove the hard drive in order to download the recorded information. Not only does this save wear and tear on the hard drive, but it also makes the process much more efficient and secure. The system provides a minimum of 36 hours of in-car video storage at a rate of 30 frames per second. The system also provides the ability to remotely stream live video and metadata over a wireless network, control cameras remotely and review video files located on the in-car unit via a wireless network. The video archive and retrieval software, database, and service solutions are compatible with existing IT infrastructure.

Attach 15
Acquisition of Grand Mesa Reservoir No. 1
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Acquisition of Grand Mesa Reservoir No. 1					
Meeting Date		March 7, 2007					
Date Prepared		January 31, 2007			File #		
Author		Terry Franklin		Water Services Manager			
Presenter Name		Terry Franklin		Water Services Manager			
Report results back to Council		X	No		Yes	When	
Citizen Presentation			Yes	X	No	Name	
	Workshop	X	Formal Agenda			Consent	X Individual Consideration

Summary:

Proposal for the Water Enterprise Fund to acquire Grand Mesa Reservoir #1 (GMR#1), from the Grand Mesa Reservoir Company, and to consolidate all of the City's Grand Mesa Reservoir Company shares of water into GMR#1.

Budget:

City reimburses to the Company their costs of recent outlet repair work: \$ 88,000
 City reimburses to the Company their costs of current engineering work: \$ 26,000
 City pays for spillway and seep reconstruction and repairs: \$200,000
 Total costs of: \$314,000

2007 Water Enterprise Fund budget has \$100,000 for Water Rights acquisition. There will be \$100,000 rolled from 2006 budget for same purpose that was not spent and the remainder of expenses from the unappropriated fund balance of \$3,172,000.

Action Requested/Recommendation:

Authorize the City Manager to sign an agreement with Grand Mesa Reservoir Company to acquire Grand Mesa Reservoir No. 1 (GMR#1), from the Grand Mesa Reservoir Company, and to consolidate the City's Grand Mesa Reservoir Company shares of water into GMR#1.

Background Information:

The City is currently a 22% stockholder in the Grand Mesa Reservoir Company and participated in a recent improvement project of and for the Company's reservoirs. That

project consisted of replacing portions of the outlet piping, slip lining other portions and replacing the outlet valves and structures on Grand Mesa Reservoir No. 1 and Grand Mesa Reservoir No.9. The City initially financed the costs of these improvements with repayment from the Company shareholders to the City. In order to relieve the financial burden on the Company that those improvements caused, along with the additional needed repairs to Grand Mesa Reservoir No. 1, the City offered an exchange and the Company agreed to the exchange to allow the City to move its 22% in the company wholly to Reservoir No.1 and convey the remaining storage capacity in Grand Mesa Reservoir No.1 to the City as more particularly described herein.

The City will repay the Company \$88,000.00 for sums the Company paid to the City for construction costs for repair work completed on Grand Mesa Reservoir No.1 and No.9 during the summer of 2004. The City will also reimburse the Company \$26,000.00 for sums the Company paid to Buckhorn Geotech Engineering for engineering services for the needed repair work to be performed during 2007.

The City will annually for a term of 20 years, offer to lease to the Company, for the use and benefit of its stockholders 50% of the stored water in Grand Mesa Reservoir No.1, not to exceed 200 acre feet in any year. The water that may be leased to the Company shall be at no charge for the first five annual leases; \$5.00 per acre foot for the next five annual leases; and \$7.50 per acre foot for the final ten annual leases.

The City acquires Grand Mesa No. 1 and the actual storage capacity of 559 acre feet. The City owns 351 acre feet in the Company, so the reservoir acquisition would give us another 208 acre feet of water on Grand Mesa. The per acre foot cost is $\$314,000/208$ ac. ft. or \$1,509 per acre feet. Ute Water is acquiring water in the Plateau Creek basin for \$3,000/ac. ft.

Attach 16

**Funding Recommendations for Arts and Cultural Events and Projects
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
Subject	Grand Junction Commission on Arts and Culture funding recommendations for arts and cultural events and projects.					
Meeting Date	March 7, 2007					
Date Prepared	February 26, 2007				File #	
Author	Allison Sarmo		Cultural Arts Coordinator			
Presenter Name	Allison Sarmo		Cultural Arts Coordinator			
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	Chairman Doug Clary
	Workshop	X	Formal Agenda		Consent	X Individual Consideration

Summary: Commission on Arts and Culture recommendations to the City Council for grants to support arts and cultural events, projects, and programs in Grand Junction.

Budget: \$36,600 (in budget – \$29,000 City and \$7,600 from CO Council on the Arts)

Action Requested/Recommendation: Approve these recommendations for grants:

Two Chairs Theater Company Original Play Performance	\$1,100
Sweetwater Shakespeare Company Shakespeare in the Parks	\$1,700
Graham Celtic Productions Evening of Celtic Entertainment	\$400
Artspace & Open Studios Training Series for Local Artists	\$2,000
Art Mobile of Colorado Traveling Art Exhibits & Lessons	\$1,500
KAFM Community Radio Arts & Entertainment Events Calendar	\$4,500
Center for Independence Art Classes for the Disabled	\$1,000
Messiah Choral Society Messiah Performance	\$800
The Schumann Singers Concert Music Library Purchases	\$750
Western Slope Chamber Music Series Concert	\$1,500
Hilltop Community Resources/Mesa State College/Latimer House Play	\$2,400
Rocky Mt. Public Broadcasting System KRMJ-TV "Western Bounty"	\$2,000
High Desert Opera New Years Eve Gala Concert	\$1,000
CO Plateau Mt. Bike Trails Assoc. Bike Festival/Bike Sculpture	\$1,000
Grand Junction Centennial Band Music Library Purchases	\$1,000
Grand Junction Symphony Orchestra Opening Concert	\$1,000
Western CO Botanical Gardens Summer Concert Series	\$1,500

Western CO Watercolor Society National Juried Art Exhibition	\$1,200
Bookcliff Harmony Chorus Youth in Harmony Education	\$1,500
Western CO Center for the Arts Kids Summer Art Camp	\$1,000
GJ Downtown Partnership Art & Jazz Festival	\$750
Cinema at the Avalon Increased Publicity	\$1,000
Western CO Chorale Concert	\$1,000
Mesa Co. Valley School District 51 Artists-in-Residence Program	\$5,000
Total \$36,600	

Attachments: None

Background Information: The Arts Commission’s annual granting program has been in place since 1992 and was instituted in lieu of the Arts Commission producing its own cultural events, and also as a way to increase high quality arts and cultural projects.

The general goal of the grant program is “more arts for more people” and the grants tend to focus on building arts audiences through arts education, encouraging new events or the expansion of existing events, encouraging activities with broad community benefit or with cultural opportunities for underserved populations, and collaborative ventures like major festivals and city-wide programming.

This year the Commission, with extra funding from the state, was able to fully fund the top eleven ranked project requests, many of which are new or fairly new arts or cultural programs or events for Grand Junction. The above list is in order of ranking following the applicants’ presentations and Commission review and discussion, and per the written grant program goals and objectives, which are:

Goals: (in order of priority)

- Develop a broad and diverse audience base for the arts.
- Encourage cooperation, collaboration, and partnerships within the arts community.
- Support programs reflective of Grand Junction's diverse cultural heritage.
- Increase the artistic, management, and marketing capabilities of local arts organizations.
- Promote projects with the potential for self-sufficiency.

Objectives:

- Encourage artistic excellence.
- Increase arts activities and enhance cultural amenities by encouraging new projects, programs, organizations, and artistic endeavors.
- Encourage projects which educate the public about the art form.
- Increase opportunities for Grand Junction artists and organizations to perform, present, exhibit.
- Foster the development of fundraising capabilities for new, emerging organizations and events.

The Commission reviewed requests totaling \$70,000 from 25 local nonprofit organizations for financial support of arts and cultural projects. In addition to the

requested City funding, the applicant organizations expect to leverage an additional \$179,000 in donations from businesses, individuals, and other agencies, and expect to reach an audience of over 60,000 people throughout Western Colorado.

Attach 17

Purchase of Integrated Wireless Radio System

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject		Purchase of Integrated Wireless Radio System				
Meeting Date		March 7, 2007				
Date Prepared		February 12, 2007			File #	
Author		Shirley Nilsen		Senior Buyer		
Presenter Name		Jim Finlayson		Information Systems Manager		
Report results back to Council		<input type="checkbox"/>	No	<input type="checkbox"/>	Yes	When
Citizen Presentation		<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	Name
<input type="checkbox"/>	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		<input type="checkbox"/>	Consent
<input type="checkbox"/>		<input type="checkbox"/>			<input checked="" type="checkbox"/>	Individual Consideration

Summary: The project will provide an integrated Wireless Radio System to support mobile, high speed, secure network access for City vehicles, including Police, Fire, EMS, Public Works, Planning, and Administration. The implementation has been broken into multiple phases for budgeting purposes. The selected vendor will be used for all phases.

Budget: Funds for phase I will be provided from the Information Services Fund Balance for the network infrastructure and individual department budgets for the vehicle radios. As this is an emerging technology, no budget was requested as part of the 2006-2007 Budget process. The budget adjustment for phase I will be requested as part of the first supplemental request in April, 2007. The results of the pilot phase will allow us to request funds to complete the project as part of the 2008-2009 budget process

Each department will budget for the vehicle costs including radio equipment, software, antenna, and installation. The cost to add each additional vehicle is \$3,655. Information Services will budget for infrastructure costs, including radio towers, access point radios, and antenna.

The City has presented the project to the Grand Junction Regional Communication Center (GJRCC) board and the board has expressed interest expanding the network to include areas beyond the City, based on the results of the pilot and an expanded Radio Frequency (RF) Analysis Study commissioned by the GJRCC board. The network infrastructure portion of the project is a 911 surcharge eligible cost. If the board approves the expansion of the network, the City will request reimbursement for a

proportional share of the infrastructure investment made to that point. The additional infrastructure buildout would then be a joint effort. The Fire Department has also committed some grant funds to help expand the network.

The total expected budget request for all departments participating in phase I is shown below:

Description	Quantity	Cost
Vehicle Equipment and Installation	25 veh.	\$91,375.00
Access Point/Backhaul Equipment and Installation	3 sites	\$46,775.50
Radio System Engineering, Implementation Engineering, Configuration, Training, Project Management		\$38,500.00
Total Cost		\$176,650.50

Action Requested/Recommendation: Authorize the City Purchasing Division to award the integrated Wireless Radio System project to Twin Eagle Consulting, L.L.C., Lake George, CO for a total price of \$176,650.50. (The actual price will vary depending on the final number of vehicles included in the first phase, but will not exceed the bid price.)

Background Information:

As with most municipalities, the City has been looking for a wireless network capability for a number of years. The benefits from such a system would greatly enhance the electronic capabilities for all of our service departments, but are becoming critical to our public safety organizations. Mobile computing equipment allows the officers, emergency personnel and firefighters to operate in the field with the same resources they have available at the stations, from running wants and warrants queries to submitting patient care reports to hospitals. The City has made a considerable commitment to mobile computing in our public safety vehicles, but, until recently, the only cost effective wireless option has been cell phone technology that provides very limited and problematic connectivity.

The City has been researching the proposed wireless radio solution for the past nine months. The technology is based on a well established radio system (900 MHz) that has recently been enhanced to work in a mobile environment. After talking with cities in Colorado and Wyoming which have successfully implemented the solution, the City commissioned an RF Analysis that looked at the feasibility of such a solution for Grand Junction. The study showed that good coverage could be provided using the solution at a relatively low cost and the decision was made to proceed with an RFP.

The solicitation was advertised in the Daily Sentinel and invitations were sent to sixty Four (64) potential providers. Three (3) proposals were received from:

Company	Price
Twin Eagle Consulting, L.L.C George Lake, CO	\$176,650.50
Netunwired, LLC Parker, CO	Non-responsive

Federal Signal Corp. University Park, IL	Non-responsive
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The consulting firm was selected through a competitive Request for Proposal process using the following evaluation criteria:

- Supplier Stability
- Installed Customer Base
- Implementation Strategy
- Technical Support and Training
- Complete Proposal
- Cost of Ownership Investment
- Price
- Integrated Design
- Contract Length

Proposals were opened and evaluated by a team of representatives from Information Systems and Purchasing. The proposals from Netunwired and Federal Signal Corp. were deemed unresponsive because the vendors were unable to provide references from customers who were using the proposed equipment in a production environment. While both vendors had experience with competing technologies, they did not have demonstrated successful experience implementing the proposed equipment. Neither the equipment manufacturers nor the vendors could show production use of the mobile 900 MHz radios. The evaluation team felt strongly that demonstrated experience with the proposed equipment was essential to ensure the success of the project.

Twin Eagle was chosen because of the following:

- Demonstrated successful implementation experience with cities of similar size in Colorado, Wyoming and Texas. High quality references.
- Overall best value: High quality equipment and professional services at a fair price.
- Most qualified and experienced implementation staff.
- Widely installed equipment base.
- Their proposal demonstrated an excellent understanding of our needs, the capabilities of the technology, and a willingness to work with us over several years to achieve our objectives.

The evaluation team is recommending Twin Eagle Consulting for the project. The Information Systems Manager and Purchasing Manager agree with this recommendation.

Attach 18

Construction Contract for 2007 Concrete Repair for Street Overlays

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Award of Construction Contract for 2007 Concrete Repair for Street Overlays					
Meeting Date	March 7, 2007					
Date Prepared	March 1, 2007	File # - N/A				
Author	Justin J. Vensel	Project Manager				
Presenter Name	Tim Moore	Public Works and Planning Director				
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda		Consent	X Individual Consideration

Summary: The 2007 Concrete Repair for Street Overlays includes replacement of hazardous or damaged sections of concrete curb & gutter, sidewalk and drainage pans that are adjacent to streets scheduled to be overlaid with asphalt pavement this summer.

Budget: Account No. 2011-F00400

Project costs:

Construction contract (low bid)	\$386,113
Engineering and Construction Administration (est.)	<u>\$42,400</u>
Total Project Costs	\$428,513

Project funding:

<u>Capital Fund</u>	2007 Budget	Allocation for this Contract	Remaining Budget
Fund 2011-F00400 Contract Street Maintenance	\$1,800,000	\$ 308,513	\$1,225,687
Fund 2011-F00900 Curb, Gutter, and Sidewalk Repair	\$ 300,000	\$ 80,000	\$ 177,500

Fund 2011-F01300 New Sidewalk	\$ 150,000	\$ 12,000	\$ 138,000
Fund 2011-F02000 Accessibility	<u>\$ 50,000</u>	<u>\$ 28,000</u>	<u>\$ 22,000</u>
Totals:	\$ 2,300,000	\$ 428,513	\$1,563,187

Action Requested/Recommendation: Authorize the City Manager to sign a Construction Contract for the **2007 Concrete Repair for Street Overlays** with **Reyes Construction Inc.** in the amount of **\$386,113.00**

Attachments: none

Background Information:

This project will replace sections of concrete curb & gutter, sidewalks and drainage pans which have tripping hazards, broken/damaged concrete or do not properly drain. The work will take place on the following streets which are scheduled to be overlaid with hot mix asphalt.

- 1) Teller Avenue – 3rd St to 4th St
- 2) Glenwood Avenue – 5th St to 6th Street
- 3) 6th Street – North Avenue to Glenwood
- 4) 6th Street Orchard Ave to Bookcliff Ave (Detectable Warnings Only)
- 5) 24 ³/₄ Rd – G Road north to 725 ¹/₂ 24 ³/₄ Rd (Detectable Warnings Only)
- 6) 14th Street – Hermosa to End
- 7) Orchard Ave - 12th St to 23rd Street
- 8) Brittany – 28 ¹/₄ east to Round-about
- 9) Barberry Ave – Applewood St to Beechwood Ave.
- 10) Sparn Ct – F ¹/₄ to End
- 11) Grand Ave – 12th St to 15th St
- 12) Cheyenne Dr. 27 ³/₈ East to 2751 Cheyenne Dr.
- 13) 10th Street – Pitkin Ave to Ute Ave

The concrete replacement work is scheduled to begin on March 19, 2007 and be completed by June, 26, 2007. The street overlay contract is scheduled to begin mid-June.

The following bids were opened on Tuesday, February 20, 2007:

Bidder	From	Bid Amount
Reyes Construction	Grand Junction	\$386,113.00
BPS Concrete	Grand Junction	\$398,430.49
G & G Paving	Grand Junction	\$439,500.00
Vista Paving Corporation	Grand Junction	\$462,287.50
Engineer's Estimate		\$449,715.73

Attach 19

Construction Contract for 2007 Water Line Replacement Project

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA									
Subject		Construction Contract for 2007 Water Line Replacement Project							
Meeting Date		March 7, 2007							
Date Prepared		February 20, 2007		File # - N/A					
Author		Kent Harbert		Project Engineer					
Presenter Name		Tim Moore		Public Works and Planning Director					
Report results back to Council		X	No		Yes	When			
Citizen Presentation			Yes	X	No	Name			
	Workshop	X	Formal Agenda				Consent	X	Individual Consideration

Summary: Award of a Construction Contract to Sorter Construction, Inc. in the amount of **\$304,049.00** for the **2007 Water Line Replacement Project**.

Budget: Project No.: F04832

Project costs:

Construction contract (low bid)	\$304,049
Design	8,930
Construction Inspection and Administration (est.)	<u>15,000</u>
Total Project Costs	\$328,000

Project funding:

City budgeted funds for 2007 Waterline Replacements (Account 3011 – F04800)	\$640,000
Total Costs this project	(328,000)
Budgeted for other projects	<u>(290,000)</u>
Balance	\$22,000

The budget for the 2007 Waterline Replacements included \$350,000 for this project and \$290,000 for remaining work associated with the Riverside Parkway, 7th Street Reconstruction, and emergency work as needed.

Action Requested/Recommendation: Authorize the City Manager to sign a Construction Contract for the **2007 Water Line Replacement Project** with **Sorter Construction, Inc.** in the amount of **\$304,049.00.**

Attachments: none

Background Information:

The following bids were opened on February 20, 2007:

Bidder	From	Bid Amount
Sorter Construction, Inc.	Grand Junction	\$ 304,049.00
Gary Rinderle Construction	Clifton	\$ 335,858.79
Engineer's Estimate		\$ 310,925.00

This year's water line replacement project will be the installation of 1330 feet of 24" waterline pipe in Santa Clara Avenue and Laveta Street to replace the existing parallel 14" and 16" cast iron pipes. The existing cast iron pipes were installed in 1946 and have surpassed their design life. We experienced two breaks on the 14" cast iron line in 2005 that caused damage to an adjacent home. The new line will connect to existing 24" lines on the Colorado River bluff and near Duck Pond Park, which have been upgraded in previous years.



Attach 20

Construction Contract for Patterson Road Retaining Wall Repair

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA									
Subject		Award of Construction Contract for Patterson Road Retaining Wall Repair							
Meeting Date		March 7, 2007							
Date Prepared		March 1, 2007				File # - N/A			
Author		Justin J. Vensel				Project Manager			
Presenter Name		Tim Moore				Public Works and Planning Director			
Report results back to Council		X	No		Yes	When			
Citizen Presentation			Yes	X	No	Name			
	Workshop	X	Formal Agenda				Consent	X	Individual Consideration

Summary: The Patterson Road Retaining Wall repair consists of repairing the stucco surface on the concrete retaining wall located along the north side of Patterson Road, adjacent to Willowbrook Subdivision. The repair work will take place on the north (residents') side of the retaining wall.

Budget: Project No.: 2011-F00400

Project costs:

Construction contract (low bid)	\$51,136.50
Engineering and Construction Administration	<u>\$8,250.00</u>
Total Project Costs	\$59,386.50

Project funding:

Contract Street Maintenance Budget (CIP Account 2011-F00400)	\$1,800,000.00
2007 Concrete Repair for Street Overlays	-\$308,513.00
Total Cost of This Contract	<u>-\$59,386.50</u>
Remaining Balance	\$1,432,100.50

Action Requested/Recommendation: Authorize the City Manager to sign a Construction Contract for the **Patterson Road Retaining Wall Repair** with **Vista Paving Inc.** in the amount of **\$51,136.50**

Attachments: none

Background Information:

For several years, residents in Willow-Brood Subdivision have been requesting that the City repair the stucco finish on the retaining wall that faces the south side of their property. This wall was installed in 1986 during the reconstruction of Patterson Road east of 1st Street. The north (residents) side of the wall has had no maintenance since it was originally constructed. In several areas, the stucco has delaminated or cracked. This contract will repair the delaminated areas; install a back wrap mesh over the repairs and cracks; and apply a new surface finish to the entire upper wall area. The Contractor will access the wall through the yards of nine residential properties adjacent to the wall.

The repair work is scheduled to begin on March 19, 2007 and be completed by June, 26, 2007.

The following bids were opened on Tuesday, February 20, 2007:

Bidder	From	Bid Amount
Vista Paving Corporation	Grand Junction	\$ 51,136.50
Reyes Construction	Grand Junction	\$ 70,350.00
BPS Concrete	Grand Junction	\$ 75,888.75
Engineer's Estimate		\$ 61,127.50

Attach 21

**Memorandum of Understanding with Mesa County and School District #51
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
Subject	Memorandum of Understanding with Mesa County and School District #51 for Pear Park Elementary bicycle / pedestrian access improvements					
Meeting Date	March 7, 2007					
Date Prepared	March 1, 2007				File #	
Author	Trent Prall		Engineering Manager			
Presenter Name	Tim Moore		Public Works and Planning Director			
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda		Consent	X Individual Consideration

Summary: The proposed Memorandum of Understanding with Mesa County and School District #51 covers the purchase of a property on the southeastern corner of the school property and construction of a bicycle/pedestrian path to reduce the walking route to school by 2,000 feet for kids that live south and east of the school.

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

Funding Source	2007
School District #51	\$60,000
County	\$60,000
City	\$60,000
TOTAL	\$180,000

Proposed funding of the City's share is from the City Council Contingency fund as follows:

Funding Source	2007
Contingency Fund	\$525,000
City Share of Property Purchase	\$60,000
TOTAL	\$465,000

Action Requested/Recommendation: Authorize the Mayor to Sign a Memorandum of Understanding with Mesa County and School District #51 for Pear Park Elementary pedestrian improvements

Attachments:

Proposed Memorandum of Understanding.

Background Information:

On January 11, 2006 a 6 year girl was hit by a west bound automobile shortly after school (approx 4:00). The girl had been walking on the north side of D ½ Road on a detached sidewalk, however approximately 55 feet west of the intersection of Morning Dove, she stepped into traffic. The incident has raised public awareness to pedestrian safety along the corridor.

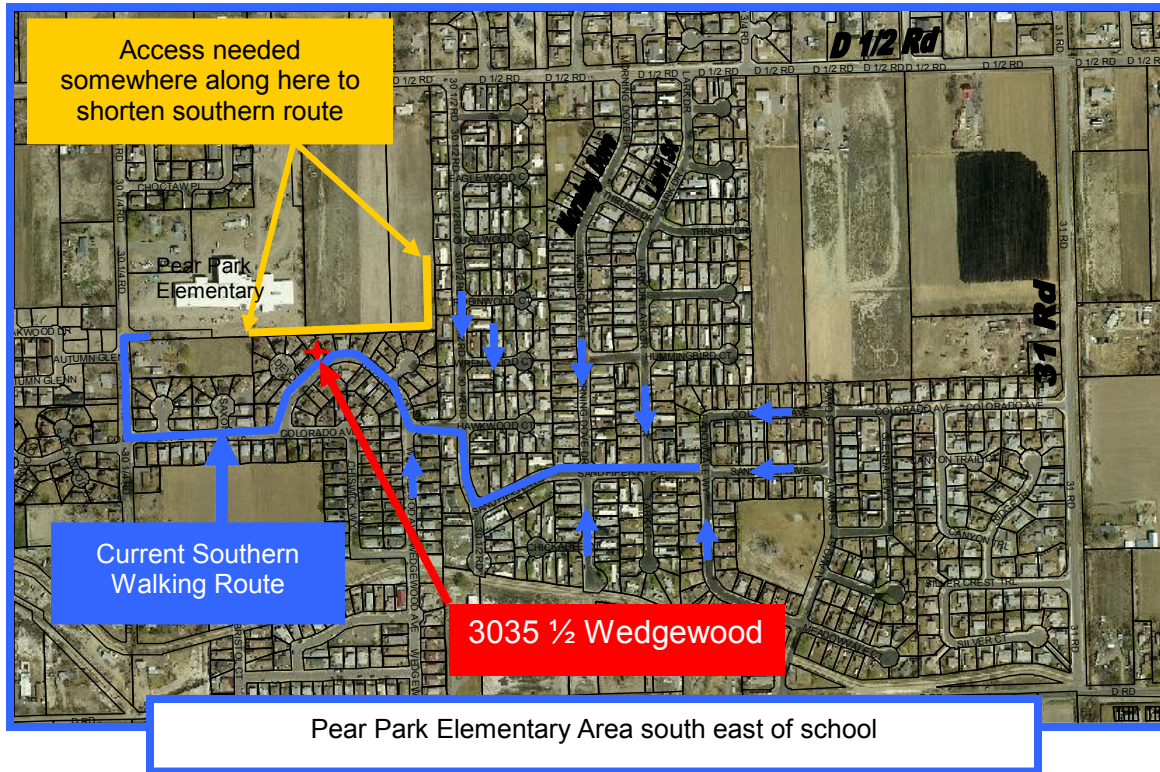
Background

The school currently requires kids to walk to the north side of D ½ Road to utilize the detached sidewalk. Kids living on the south side of D ½ Road, then have to cross, unattended, to access 30 ½, Morning Dove, and Lark Street as shown below.



As part of the incident response, City, County and School District staff had proposed a number of solutions to provide better pedestrian access to the area south and east of the school. One of the best received solutions was to provide better access on the southeastern corner of the school that would allow students on Lark, Morning Dove and 30 ½ Road to walk south and west to the school on neighborhood sidewalks that are already in place. This would avoid the need to walk along the very busy D ½ Road that sees over 6000 vehicles per day.

In order to make the southern walk more attractive by saving approximately 2000 feet of walking each way, a property was identified at 3035 ½ Wedgewood Drive that would allow a wide, high visibility corridor for kids to walk to school (see map below).



Mesa County has approached the property owner and has obtained an appraisal that valued the property to be acquired at \$137,000. The owner is agreeable and is very interested in selling. Demolition, construction of 10 foot wide concrete bike path, fencing and landscaping are estimated at \$43,000 for a total project budget of \$180,000.

The purpose of this agreement is to establish the lines of communication and responsibility for the various work items necessary to accomplish the purchase of the property, demolition of the house, construction of sidewalk and fencing, ownership and maintenance. Mesa County is proposed to purchase the property, oversee the demolition of the house and construction of the improvements. Mesa County will then deed the property over to School District #51 who will then own and maintain the property.

If approved by all three entities, the purchase of the property would be completed in the next few weeks. Construction could begin in April and be completed by mid-May.

Memorandum of Understanding
between
The Mesa County Valley School District #51, City of Grand Junction
and Mesa County, Colorado
for the

**Pear Park Elementary bicycle/pedestrian access
improvements**

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) and the Mesa County Valley School District #51 (District). Collectively referred to as the (Parties).

I. Introduction

It is recognized that it is in the best interests of the Parties to purchase a property near the south-east corner of the Pear Park Elementary school property to provide a link between the school and nearby sidewalks. Construction of a concrete path between the elementary school and the existing subdivisions would allow students to walk to school along routes that would keep the young students away from D ½ Road, the route currently in use.

II. Purpose

The purpose of this AGREEMENT is to establish the lines of communication and responsibility for the various work items necessary to accomplish the purchase of property, demolition of the structure, and construction of a concrete path between Pear Park Elementary and surrounding neighborhoods, together to be known as the Project. This AGREEMENT also establishes the intention of all parties to cooperatively fund an equal share of the planning, purchase, demolition, design, bidding and construction of the Project work.

III. Procedure

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

- 1) The Parties will make every effort to budget funds through the phases as shown below:

Project Funding Source	2007
School District #51	\$60,000
County	\$60,000
City	\$60,000
TOTAL	\$180,000

- 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 County and City staff will work together to schedule demolition of the structure, site cleanup, final site shaping, and construction of a 10-foot wide concrete path on the site. After demolition is complete including termination of all utility service connections, a site tour will determine the suitability of perimeter fence and any repairs/replacement to the fence shall be made. Area outside of the concrete path will be left un-landscaped and in a native form. Any or all items may be completed by contractors and/or County or City staff. Activities completed by County or City staff shall be considered project costs in a time and materials basis and deducted from County or City contribution amounts.
- 4) The County will manage the project from acquisition through final construction. A Project Team will consist of the representatives from Mesa County, City of Grand Junction, and District. The County representative shall keep the Project Team reasonably informed about progress, schedule, and costs. The Mesa County Property Agent shall acquire the property with \$60,000 from District and the remainder of acquisition costs including closing costs to be split 50/50 by Mesa County and City of Grand Junction. At the completion of the concrete path, the property and improvements shall be deeded to District.
- 5) To minimize the effect of the receiving revenue limitations on all Parties, contracts may be written so that payments may be made directly to the property owner for acquisition by either the CITY or the COUNTY or District. In addition contracts may be written so that payments may be made directly contractor(s) by either the CITY or the COUNTY or District 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, COUNTY, or DISTRICT) will make payments directly to the contractor(s).

- 6) The CITY, DISTRICT and the COUNTY may not necessarily pay exactly equal shares of every individual portion of the Project; however, Parties agree that the total of the Project actual cost will be divided equally. The Parties further agree that the total funding expected of all parties will not exceed the levels presented in the above table except by mutual, written modification of this AGREEMENT.

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, CITY or the DISTRICT, 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 COUNTY will advertise, receive bids, and award a bid upon recommendation of the Project Management team. The COUNTY shall include all of the terms and conditions regarding bonding, insurance and indemnification provisions as part of the COUNTY'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

Chairman of the Board
Mesa County Valley School District #51

ATTEST:

Clerk

Date

Attach 22

**Public Hearing – Zoning the Hall 22 Road Commercial Annexation
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
Subject	Zoning the Hall 22 Road Commercial Annexation, located at 778 22 Road					
Meeting Date	March 7, 2007					
Date Prepared	March 1, 2007				File #GPA-2006-240	
Author	Senta L. Costello		Associate Planner			
Presenter Name	David Thornton		Principal Planner			
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda		Consent	X Individual Consideration

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: Hold a public hearing and consider final passage of the 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. Zoning Ordinance

STAFF REPORT / BACKGROUND INFORMATION

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

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 previous County zoning was 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.

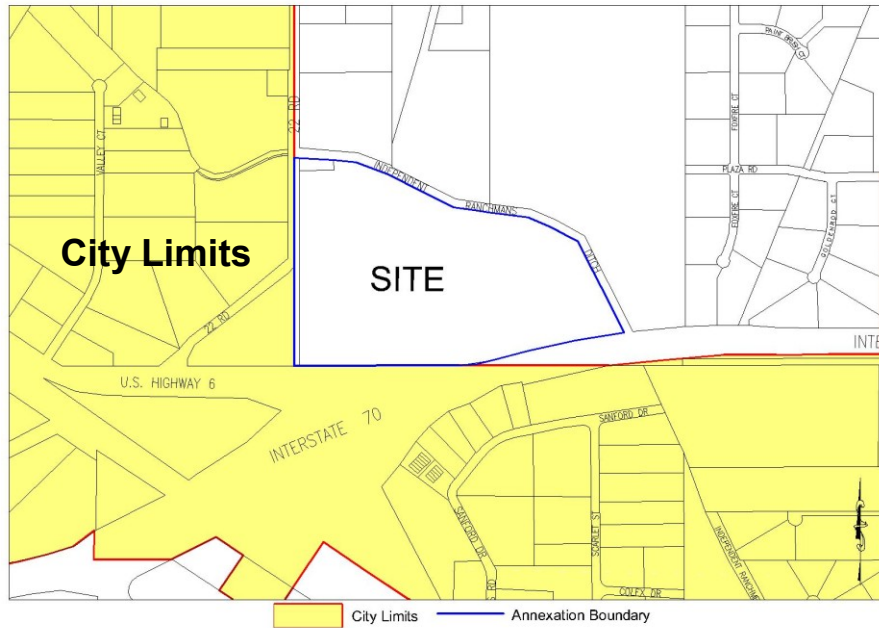
- o. **C-2**
- p. **I-O**
- q. **M-U**

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



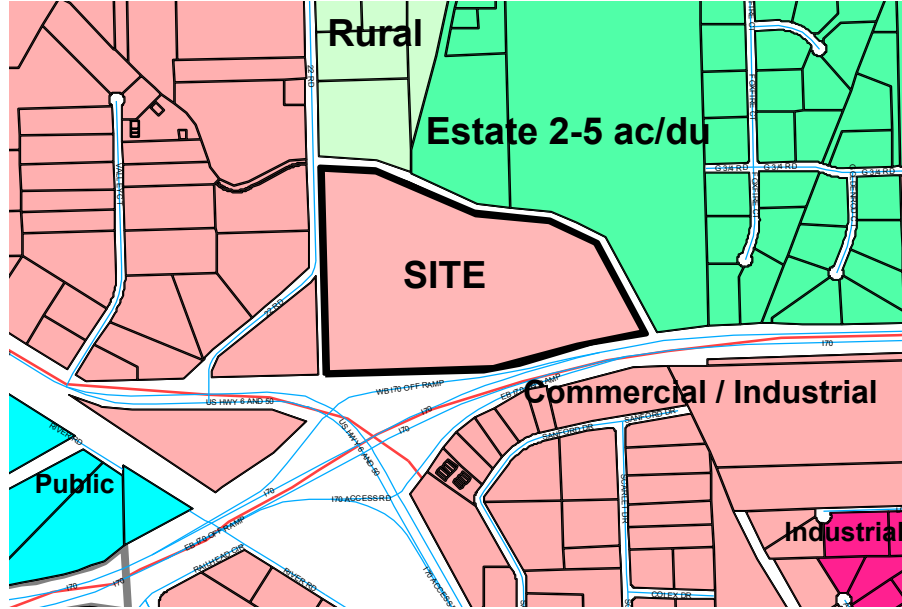
Aerial Photo Map

Figure 2



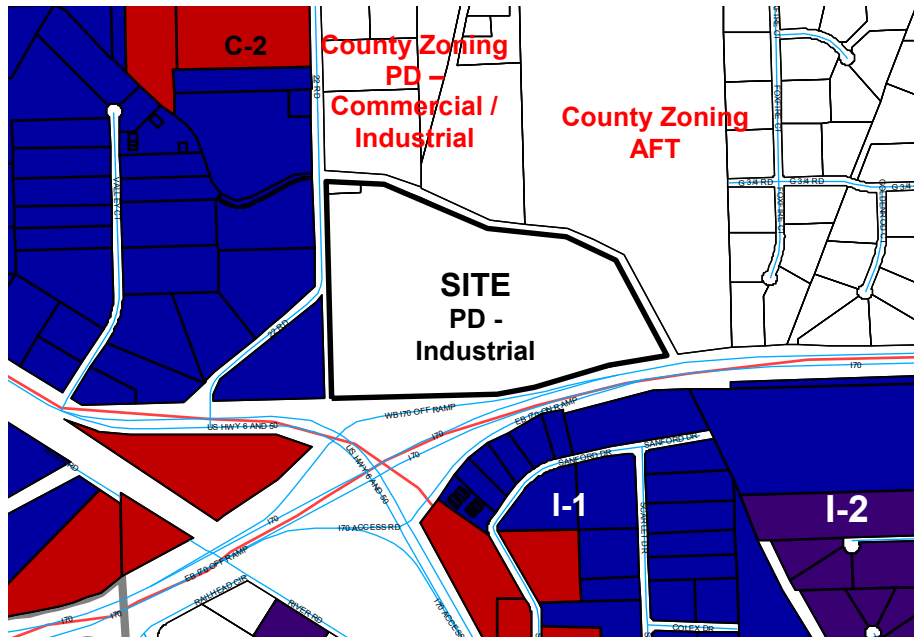
Future Land Use Map

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."

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 21st day of February, 2007 and ordered published.

ADOPTED on second reading the ____ day of _____, 2007.

ATTEST:

President of the Council

City Clerk

Attach 23
Public Hearing – Zoning the Kelley Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Zoning the Kelley Annexation, located at 849 21 ½ Road.					
Meeting Date	March 7, 2007					
Date Prepared	March 1, 2007			File #GPA-2006-249		
Author	Senta L. Costello		Associate Planner			
Presenter Name	David Thornton		Principal Planner			
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda		Consent	X Individual Consideration

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: Hold a public hearing and consider final passage of the 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. Zoning Ordinance

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

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.

- r. **C-2**
- s. **I-O**
- t. **M-U**

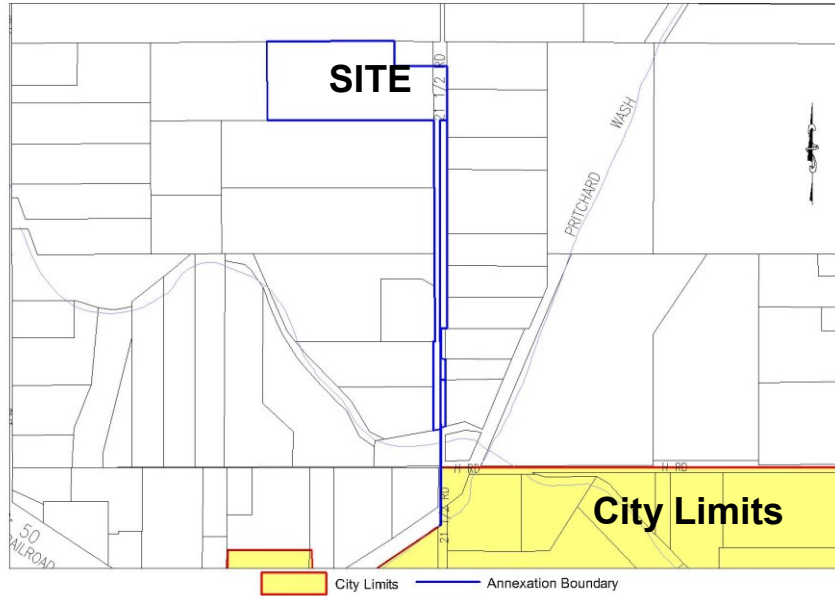
If the City Council chooses to recommend one of the alternative zone designations, specific alternative findings must be made.

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

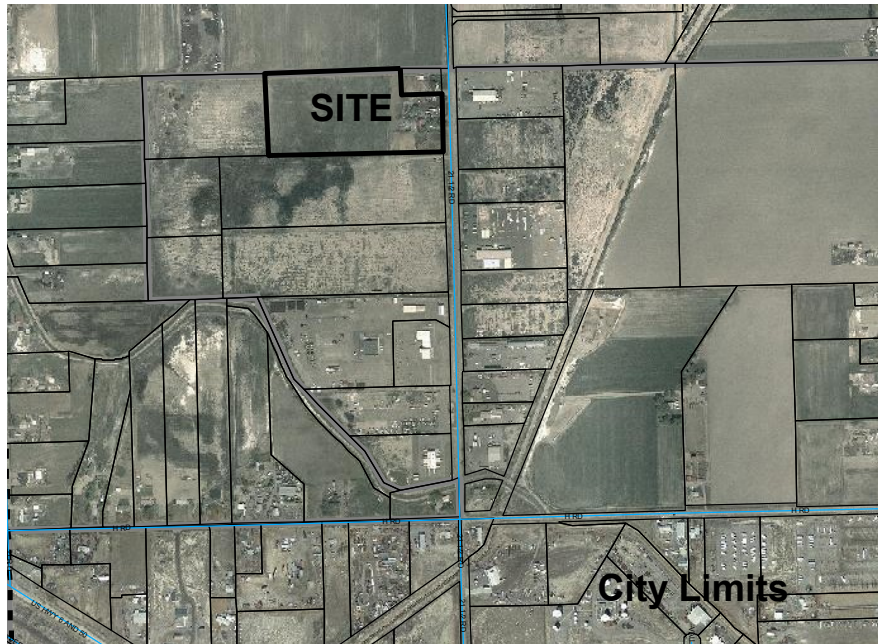
Figure 1

Kelley Annexations #1-3



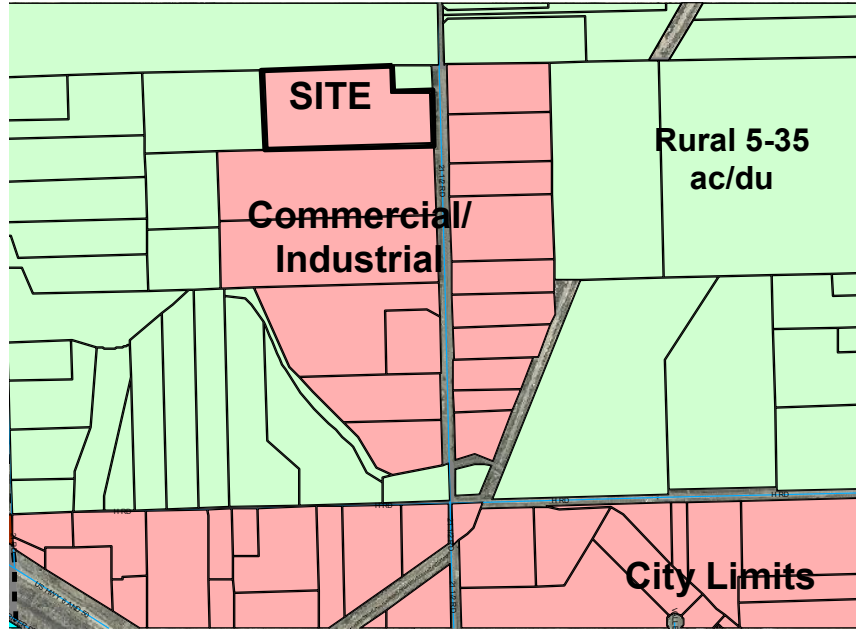
Aerial Photo Map

Figure 2



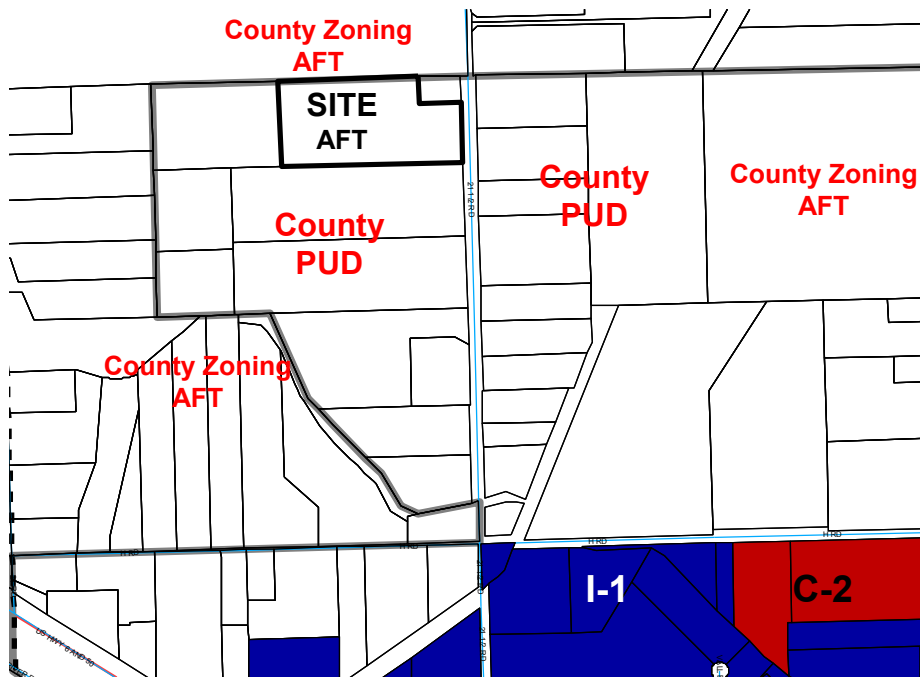
Future Land Use Map

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 21st day of February, 2007 and ordered published.

ADOPTED on second reading the ____ day of _____, 2007.

ATTEST:

President of the Council

City Clerk

Attach 24

**Public Hearing – Rezoning Property Located at 641 Horizon Drive
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA							
Subject	Rezoning a property located at 641 Horizon Drive.						
Meeting Date	March 7, 2007						
Date Prepared	February 23, 2007				File #PFP-2006-296		
Author	Ken Kovalchik			Senior Planner			
Presenter Name	Ken Kovalchik			Senior Planner			
Report results back to Council	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	When	
Citizen Presentation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda			Consent	<input checked="" type="checkbox"/> Individual Consideration

Summary: Request approval of a rezone of 8.76 acres located at 641 Horizon Drive 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: Hold a public hearing and consider final passage of the ordinance.

Background Information: See attached Staff Report/Background Information

Attachments:

1. Staff report/Background information
2. Site Location Map / Aerial Photo
3. Growth Plan Map / Zoning Map
4. Zoning Ordinance

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

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.

- u. RMF-5
- v. RMF-8

PLANNING COMMISSION RECOMMENDATION:

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

Site Location Map

Figure 1



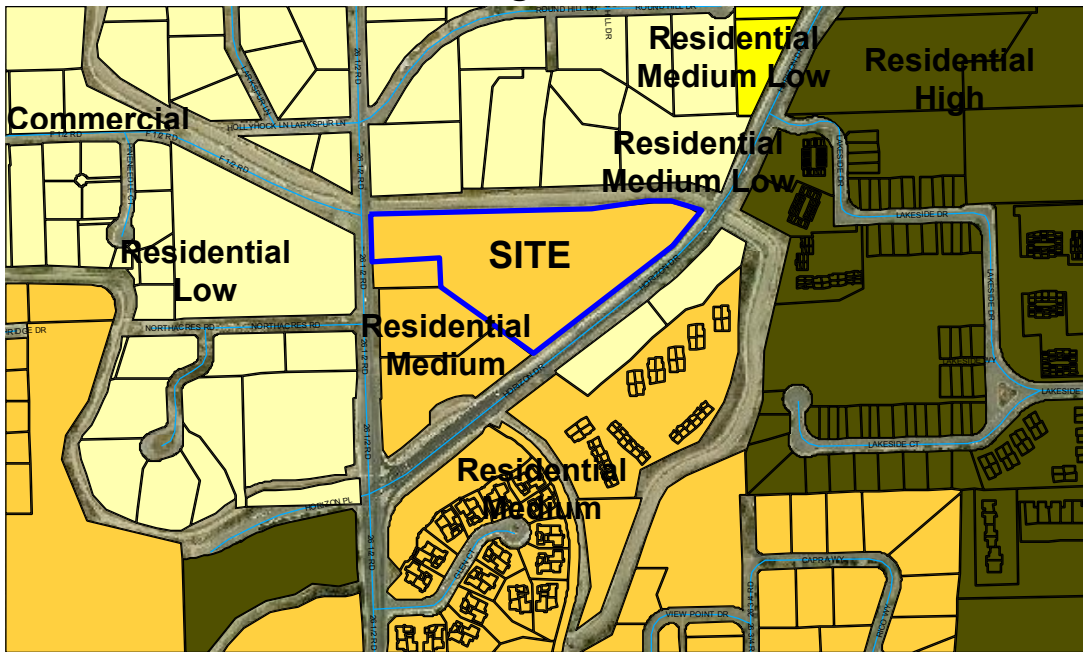
Aerial Photo Map

Figure 2



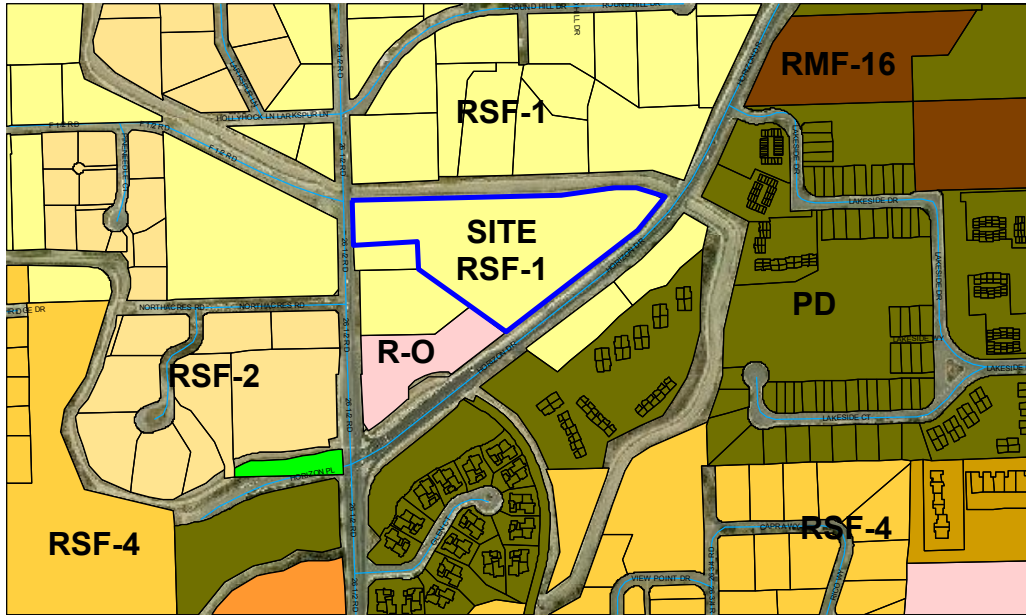
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



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

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE 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 21st day of February, 2007 and ordered published.

ADOPTED on second reading the ____ day of _____, 2007.

ATTEST:

President of the Council

City Clerk

Attach 25

**Public Hearing – Vacation of Public Rights-of-Way, El Poso Neighborhood
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA							
Subject	Vacation of Public Right-of-Way, El Poso Neighborhood – portions of Peach Street, West Ouray Avenue, West Grand Avenue, and various alleys						
Meeting Date	March 7, 2007						
Date Prepared	March 1, 2007				File #VR-2006-354		
Author	Senta L. Costello		Associate Planner				
Presenter Name	Senta L. Costello		Associate Planner				
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda			Consent	X Individual Consideration

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

Budget: N/A

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

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 the adjoining property 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:

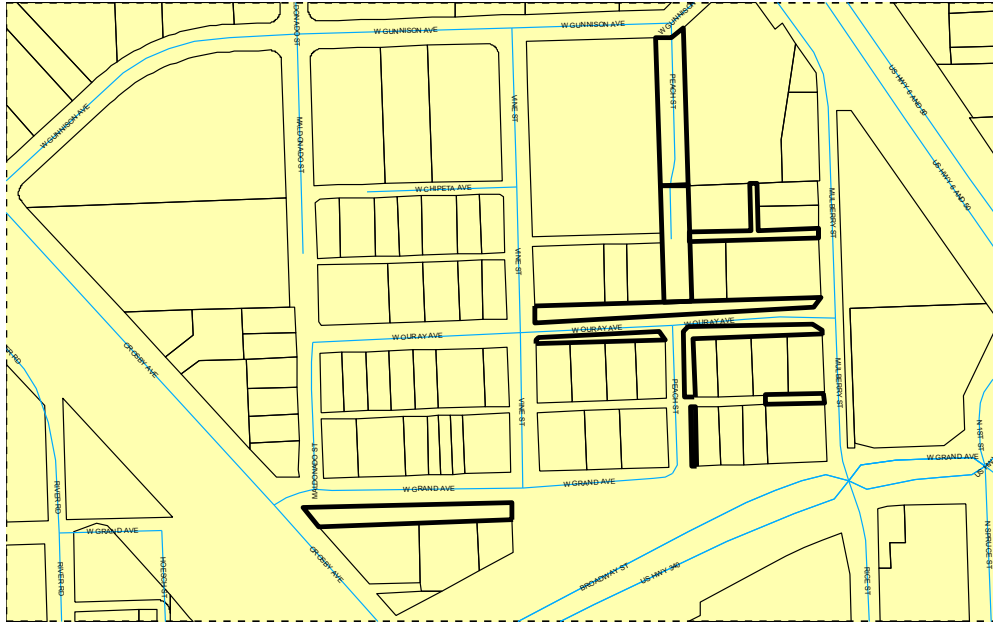
The Planning Commission forwarded a recommendation of approval on El Poso neighborhood right-of-way vacation application, #VR-2006-354, with the facts and conclusions listed in the staff report.

Attachments:

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

Site Location Map

Figure 1



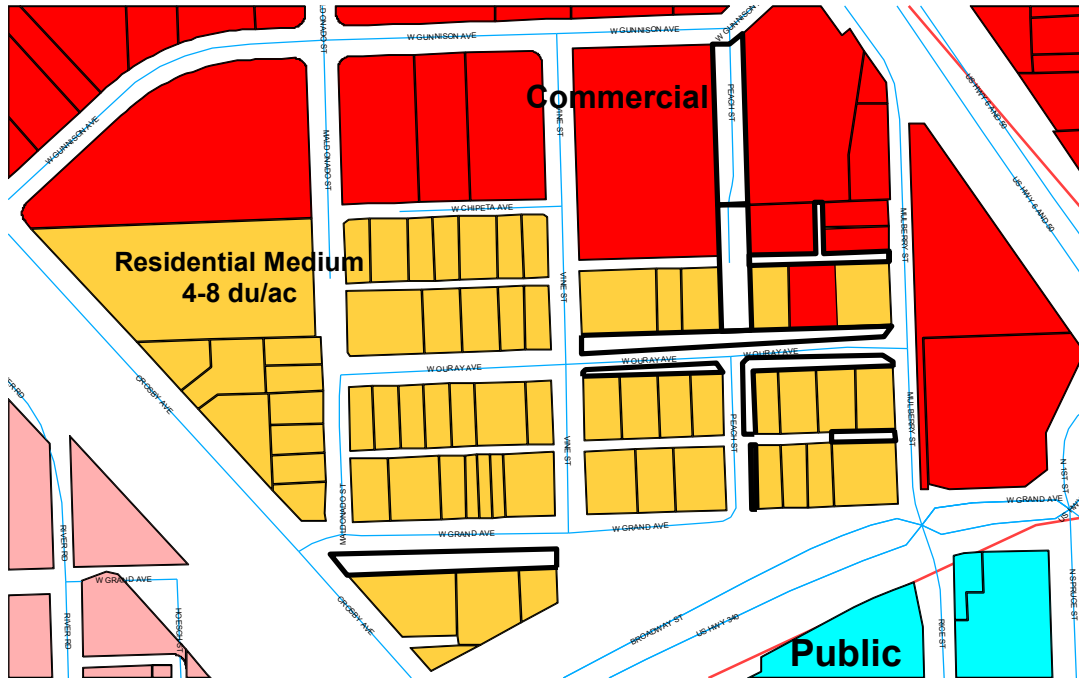
Aerial Photo Map

Figure 2



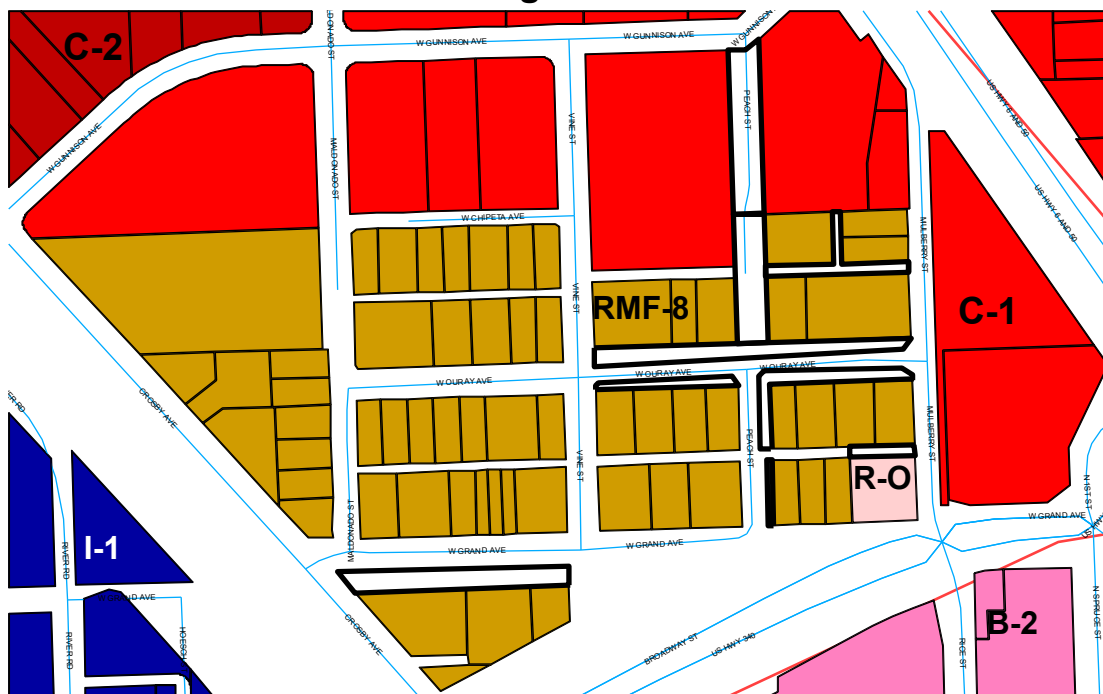
Future Land Use Map

Figure 3



Existing City Zoning

Figure 4



CITY OF GRAND JUNCTION

ORDINANCE NO.

**AN ORDINANCE VACATING RIGHTS-OF-WAY 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 21st day of February_____, 2007

PASSED and ADOPTED this _____ day of _____, 2007.

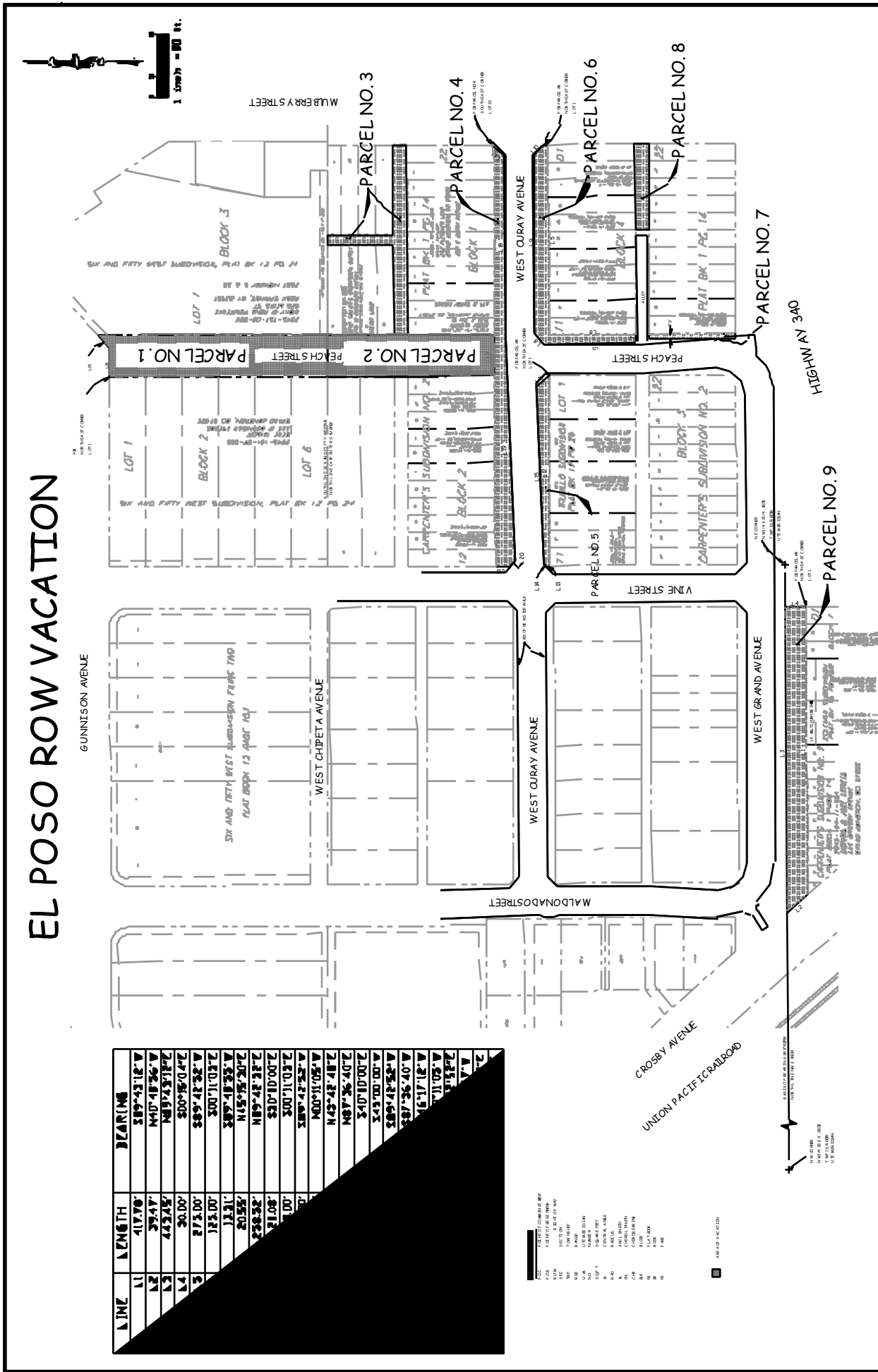
ATTEST:

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'	N89°43'12"E
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"E
19	21.08'	S10°10'00"E
20	100.00'	S00°11'03"E
21	100°42'32"W	N00°11'05"W
22	N43°48'48"E	N87°36'40"E
23	340°10'00"E	S49°00'00"W
24	S89°48'32"W	S87°36'40"W
25	1517'12"W	N11°03'12"E
26	111.03'	N11°03'12"E
27	111.03'	N11°03'12"E
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96	111.03'	N11°03'12"E
97	111.03'	N11°03'12"E
98	111.03'	N11°03'12"E
99	111.03'	N11°03'12"E
100	111.03'	N11°03'12"E

PREPARED BY: [Signature]
 DATE: [Date]
 TITLE: [Title]
 FIRM: [Firm Name]
 ADDRESS: [Address]
 CITY: [City]
 STATE: [State]
 ZIP: [ZIP Code]

Public Works and Utilities Real Estate Division
 1110 N. 1st Street, Phoenix, AZ 85004
 (602) 359-2300
www.pwrer.com

FL. POSO RIGHT OF WAY VACATION
 PLAT NO. 1
 SHEET NO. 1
 DATE: 11/11/2010

Attach 26

Public Hearing – Zoning and Development Code Text Amendments

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Zoning and Development Code Text Amendments Regarding Sign Package Permits					
Meeting Date	March 7, 2007					
Date Prepared	February 27, 2007				File # TAC-2007-006	
Author	Lisa Cox, AICP		Planning Manager			
Presenter Name	Lisa Cox, AICP		Planning Manager			
Report results back to Council	X	No	X	Yes	When	
Citizen Presentation	X	No	X	Yes	Name	
	Workshop	X	Formal Agenda		Consent	X Individual Consideration

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: Hold a public hearing and consider final passage of the ordinance.

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.

BACKGROUND INFORMATION	
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 21st day of February, 2007

PASSED and ADOPTED this _____ day of _____, 2007.

ATTEST:

President of City Council

City Clerk