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

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

**Call to Order**

Pledge of Allegiance  
Invocation – Dr. Paul Dibble, Retired Professor of CO  
Christian University

\*\*\* **Appointments**

Ratify Appointments to the Riverview Technology Corporation

**Citizen Comments**

Kevin McConnell, owner of the Cabaret, to address Council about the interference the 7<sup>th</sup> Street Construction is having on their theatre's business.

\*\*\* Earl Williams, 276 27 Road, to address traffic problems at 27 and B  $\frac{3}{4}$  Road

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

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

*Action: Approve the Minutes of the March 2, 2007 Special Meeting, the Summary of the March 5, 2007 Workshop, and Minutes of the March 7, 2007 Regular Meeting*

2. **Designating Persons Authorized to Sign on Bank Accounts** [Attach 2](#)

Based on staffing changes it is recommended that persons designated as authorized to sign on bank accounts be amended.

\*\*\* Indicates New Item

<sup>®</sup> Requires Roll Call Vote

Resolution No. 39-07 - A Resolution Amending Resolution No. 167-05 Passed and Adopted by the City Council November 2<sup>nd</sup>, 2005 to Modify Authorized Signatures

®Action: *Adopt Resolution No. 39-07*

Staff presentation: Ron Lappi, Administrative Services and Finance Director

3. **Purchase of a 2008 Utility Truck with Aerial Device for the Parks and Recreation Forestry Department** [Attach 3](#)

This purchase is for the replacement of one 1997 Hi Ranger Bucket Truck for the Park and Recreation Forestry Department. The vehicle is 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 One (1) 2008 International/Altec Articulating Aerial Lift Bucket Truck, from Altec Industries, Aurora, CO for the Amount of \$135,292.00*

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

4. **Purchase of a 2008 Vactor P Ramjet Sewer Jetter Truck for Persigo Waste Water Treatment Plant** [Attach 4](#)

This purchase is for the replacement of one 1997 International Sewer Rodder Truck for Persigo Waste Water Treatment Plant. The vehicle is 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 One 2008 International 7400 SBA/Vactor Ramjet Sewer Jetter Truck, from Hanson International, Grand Junction, CO for the Amount of \$122,400.00*

Staff presentation: Greg Trainor, Utilities and Streets Director  
Jay Valentine, Purchasing Manager

5. **Fire Station #1 Roof Restoration** [Attach 5](#)

This approval request is for the award of a construction contract for the roof restoration at Fire Station #1.

*Action:* Authorize the City Purchasing Division to Enter into a Contract in the Amount of \$59,000 with B & M Roofing of Colorado, Inc.

Staff presentation: Jay Valentine, Purchasing Manager  
Greg Trainor, Utilities and Streets Manager

6. **Lincoln Park Barn Siding and Window Replacement** [Attach 6](#)

This approval request is for the award of a construction contract for the siding and window replacement at the Lincoln Park Barn.

*Action:* Authorize the City Purchasing Division to Enter into a Contract in the Amount of \$61,376 with Carroll Construction Services, LLC.

Staff presentation: Greg Trainor, Utilities and Streets Director  
Jay Valentine, Purchasing Manager

7. **Purchase of a Perpetual Stormwater Easement and Temporary Easements at Carmike Theater (Anthony Properties Management, Inc.) for the Independent Ranchman's Ditch Project** [Attach 7](#)

The City has entered into a contract to purchase a perpetual stormwater easement and a temporary construction easement across a portion of the Carmike Theatre property for the Independent Ranchman's Ditch Project. The City's obligation to purchase this property is contingent upon Council's ratification of the purchase contract.

Resolution No. 40-07 – A Resolution Authorizing the Purchase of a Perpetual Storm Water Easement and Temporary Construction Easement at 590 24 ½ Road from Carmike Theatre (AP Consolidated Theatres Limited Partnership, a Texas Limited Partnership)

*®Action:* Adopt Resolution No. 40-07

Staff presentation: Tim Moore, Public Works and Planning Director

8. **Purchase of a Perpetual Stormwater Easement and Temporary Easements at Mesa Mall (SM Mesa Mall LLC) for the Independent Ranchman's Ditch Project** [Attach 8](#)

The City has entered into a contract to purchase a perpetual stormwater easement, temporary construction easements and a longitudinal temporary easement across a portion of the Mervyn's property at Mesa Mall for the

Independent Ranchman's Ditch Project. The City's obligation to purchase this property is contingent upon Council's ratification of the purchase contract.

Resolution No. 41-07 – A Resolution Authorizing the Purchase of a Perpetual Storm Water Easement, Temporary Construction Easements, and a Longitudinal Temporary Easement at 2424 Highway 6 and 50 from Mesa Mall (SM Mesa Mall, LLC)

®Action: *Adopt Resolution No. 41-07*

Staff presentation: Tim Moore, Public Works and Planning Director

9. **Anderson Revocable Permit for Landscaping and Irrigation Located at 703 24 ¾ Road** [File #RVP-2005-182] [Attach 9](#)

The petitioners are requesting approval and issuance of a revocable permit for existing landscaping and irrigation system and to construct fencing within the City right-of-way for G Road.

Resolution No. 42-07 – A Resolution Concerning the Issuance of a Revocable Permit to Donald and Joyce Anderson

®Action: *Adopt Resolution No. 42-07*

Staff presentation: Lisa Cox, Planning Manager

10. **Setting a Hearing on the Brady South Annexation, Located at 347 and 348 27 ½ Road and 2757 C ½ Road** [File # GPA-2007-051] [Attach 10](#)

Request to annex 12.62 acres, located at 347 and 348 27 ½ Road and 2757 C ½ Road. The Brady South Annexation consists of three (3) parcels.

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

Resolution No. 43-07 – 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, Brady South Annexation Located at 347 and 348 27 ½ Road and 2757 C ½ Road

®Action: *Adopt Resolution No. 43-07*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Brady South Annexation Approximately 12.62 Acres, Located at 347 and 348 27 ½ Road and 2757 C ½ Road

*Action: Introduction of a Proposed Ordinance and Set a Hearing for May 2, 2007*

Staff presentation: Lisa Cox, Planning Manager

11. **Setting a Hearing on the River Bend Annexation, Located South of Dry Fork Way, Crystal Drive, and Sunnyside Circle** [File #ANX-2007-045] [Attach 11](#)

Request to annex 6.47 acres, located south of Dry Fork Way, Crystal Drive and Sunnyside Circle. The River Bend Annexation consists of 24 parcels and portions of rights-of-way of Sunnyside Circle, Crystal Drive, Yampa Way, Stillwater Avenue and Dry Fork Way. This annexation is a three part serial annexation.

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

Resolution No. 44-07 – 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, River Bend Annexation Located South of Dry Fork Way, Crystal Drive, and Sunnyside Drive

*®Action: Adopt Resolution No. 44-07*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, River Bend Annexation No. 1, Approximately 0.93 Acres, Located South of Dry Fork Way, Crystal Drive, and Sunnyside Circle

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, River Bend Annexation No. 2, Approximately 3.13 Acres, Located South of Dry Fork Way, Crystal Drive, and Sunnyside Circle

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, River Bend Annexation No. 3, Approximately 2.41 Acres, Located South of Dry Fork Way, Crystal Drive, and Sunnyside Circle

Action: *Introduction of a Proposed Ordinance and Set a Hearing for May 2, 2007*

Staff presentation: Adam Olsen, Associate Planner

12. **Extension of Arbors Subdivision Planned Development Preliminary Plan, Located at 2910 Orchard Avenue** [File #PP-2005-105] [Attach 12](#)

A request for an extension of the Preliminary Plan for the Arbors Subdivision Planned Development. The project is located at 2910 Orchard Avenue. The plan will expire April 2, 2007. The applicant requests a 180 day extension of the Preliminary Plan until September 28, 2007.

Action: *Approve an Extension of the Expiration Date of a Preliminary Plan for a Planned Development and Designate the Expiration Date for the Preliminary Plan as September 28, 2007 for the Arbors Subdivision*

Staff presentation: Lori V. Bowers, Senior Planner

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

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

- \*\*\* 13. **Establishing Ozone Monitoring in Western Colorado** [Attach 18](#)

Perry Buda from the Mesa County Health Department Air Quality Division provided City Council with an annual update on Grand Valley air quality issues at the March 19, 2007 Workshop and presented data indicating the need for additional monitoring in Western Colorado. A Resolution is being requested urging a comprehensive West Slope air quality monitoring network.

Resolution No. 47-07 – A Resolution Requesting the Colorado Air Quality Control Commission Establish Ozone Monitoring in Western Colorado

®Action: *Adopt Resolution No. 47-07*

Staff presentation: John Shaver, City Attorney  
Eileen List, Environmental Regulatory Compliance  
Coordinator

14. **Purchase of 90 Electric Golf Cars for Tiara Rado Golf and Lincoln Park Courses** [Attach 13](#)

This purchase is for ninety 2007 Club Car DS IQ electric golf cars for Tiara Rado and Lincoln Park Golf Courses. These cars will replace the 82 cars currently owned by the City with the trade-in value offered for these cars netted against the purchase price.

*Action: Authorize the City Purchasing Division to Purchase 90 Club Car 2007 DS IQ Electric Golf Cars, from Colorado Golf & Turf, Inc, Littleton, CO for the Amount of \$190,250.00 (\$309,150 less \$118,900 trade)*

Staff presentation: Rob Stong, Director of Golf  
Jay Valentine, Purchasing Manager

15. **Public Hearing – Wexford Annexation and Zoning Located at 2949 and 2953 D ½ Road** [File #ANX-2006-324] [Attach 14](#)

Request to annex and zone 14.46 acres, located at 2949 and 2953 D ½ Road, to RMF-8 (Residential Multi-Family 8 du/ac). The Wexford Annexation consists of two parcels.

**a. Accepting Petition**

Resolution No. 45-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Wexford Annexation Located at 2949 and 2953 D ½ Road is Eligible for Annexation

**b. Annexation Ordinance**

Ordinance No. 4042 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Wexford Annexation, Approximately 14.46 Acres Located at 2949 and 2953 D ½ Road

**c. Zoning Ordinance**

Ordinance No. 4043 – An Ordinance Zoning the Wexford Annexation to RMF-8 Located at 2949 and 2953 D ½ Road

*®Action: Adopt Resolution No. 45-07 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 4042 and 4043*

Staff presentation: Adam Olsen, Associate Planner

16. **Public Hearing – Heron’s Nest Annexation and Zoning Located at 3125 D Road** [File #ANX-2006-350] [Attach 15](#)

Request to annex and zone 9.43 acres, located at 3125 D Road, to RSF-4 (Residential Single Family 4 du/ac). The Heron’s Nest Annexation consists of one parcel and is a two part serial annexation.

**a. Accepting Petition**

Resolution No. 46-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Heron’s Nest Annexation Located at 3125 D Road is Eligible for Annexation

**b. Annexation Ordinances**

Ordinance No. 4044 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Heron’s Nest Annexation No. 1, Approximately 0.22 Acres Located at 3125 D Road

Ordinance No. 4045 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Heron’s Nest Annexation No. 2, Approximately 9.21 Acres Located at 3125 D Road

**c. Zoning Ordinance**

Ordinance No. 4046 – An Ordinance Zoning the Heron’s Nest Annexation to RSF-4 Located at 3125 D Road

*®Action: Adopt Resolution No. 46-07 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 4044, 4045, and 4046*

Staff presentation: Adam Olsen, Associate Planner

17. **Public Hearing – Cimarron Mesa Enclaves 1-4 Annexation and Zoning, Located at 246, 248, 250, 256, 268 26 ¼ Road, 272 Linden Avenue, and 2677, 2685 South Highway 50** [File #ANX-2007-019] [Attach 16](#)

Consider the annexation and zoning for the Cimarron Mesa Enclaves No. 1-4 Annexation. The Cimarron Mesa Enclaves No. 1-4 Annexation is located at 246, 248, 250, 256, 268 26 ¼ Road, 272 Linden Avenue, and 2677, 2685 S Highway 50 and consists of 9 parcels on 21.65 acres. The zoning being requested is RSF-2 (Residential Single Family 2 du/ac), RSF-4 (Residential Single Family 4 du/ac), and C-1 (Light Commercial).



**a. Annexation Ordinances**

Ordinance No. 4047 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Cimarron Mesa Enclave No. 1 Annexation, Located at 268 26 ¼ Road, Consisting of Approximately 2.51 Acres

Ordinance No. 4048 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Cimarron Mesa Enclave No. 2 Annexation, Located at 256 26 ¼ Road, Consisting of Approximately 0.73 Acres

Ordinance No. 4049 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Cimarron Mesa Enclave No. 3 Annexation, Located at 246, 248, and 250 26 ¼ Road, Consisting of Approximately 11.86 Acres

Ordinance No. 4050 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Cimarron Mesa Enclave No. 4 Annexation, Located at 272 Linden Avenue, 2677 and 2685 South Highway 50, Consisting of Approximately 6.55 Acres

**b. Zoning Ordinances**

Ordinance No. 4051 – An Ordinance Zoning the Cimarron Mesa Enclave No. 1 Annexation to RSF-4 Located at 269 26 ¼ Road

Ordinance No. 4052 – An Ordinance Zoning the Cimarron Mesa Enclave No. 2 Annexation to RSF-4 Located at 256 26 ¼ Road

Ordinance No. 4053 – An Ordinance Zoning the Cimarron Mesa Enclave No. 3 Annexation to RSF-2 and RSF-4 Located at 246, 248, and 250 26 ¼ Road

Ordinance No. 4054 – An Ordinance Zoning the Cimarron Mesa Enclave No. 4 Annexation to C-1 Located at 272 Linden Avenue, 2677 and 2685 S. Highway 50

**®Action:** *Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 4047, 4048, 4049, 4050, 4051, 4052, 4053, and 4054*

Staff presentation: Senta L. Costello, Associate Planner

18. **Public Hearing – Zoning and Development Code Text Amendments Regarding Various Development Standards and Issues** [File #TAC-2007-006]  
[Attach 17](#)

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).

Ordinance No. 4055 – 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

*®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4055*

Staff presentation: Lisa Cox, Planning Manager

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

**Attach 1  
Minutes from Previous Meetings**

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

**March 2, 2007**

The City Council of the City of Grand Junction convened into special session on the 2nd day of March 2007, at 3:12 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Gregg Palmer, Jim Spehar, Doug Thomason and President of the Council Jim Doody. Absent was Councilmember Bruce Hill. Also present were City Manager David Varley, City Attorney John Shaver, and City Clerk Stephanie Tuin.

President of the Council Doody called the meeting to order.

**Discussion of the Construction Bids for the Ranchmen's Ditch Flood Control Project, Phase I**

City Attorney John Shaver explained the reason for calling the meeting was the receipt of a letter from Scott Contracting asking that City Council reconsider the award of the contract for Phase I of the Ranchmen's Ditch Flood Control Project. The company owner has retained local counsel, Joe Coleman, who subsequently sent a letter to City Council with supporting arguments. The purpose of the meeting is to decide on whether the matter should be reheard or if Staff should proceed with the direction given at the last City Council meeting, which was to rebid the contract. The City Council has been provided with the bid tabulation sheets and had available to them the bid specifications. The bid specifications have certain language that states the Staff has the ability to negotiate terms with the low bidder. The manner on how to proceed is up to the City Council.

Councilmember Spehar asked about the procedure if the Council decides to reopen the consideration. City Attorney Shaver said a motion from a member that voted in the majority on February 21, 2007 would be required. If that motion passes, then Council has the discretion on how to proceed.

City Attorney Shaver advised that at this point, the readvertising for the rebid has begun. Councilmember Coons asked, if the Council wanted to award the bid at this point, what action needs to occur first.

City Attorney Shaver advised that the bids did not change, but based on a protest from Mendez that the bid was unbalanced, Staff went to Scott Contracting to address Mendez's concern. Scott Contracting offered to then take that item in dispute off the

table in order to alleviate the concern that the bid was unbalanced. The bids were not technically changed but rather costs were reallocated.

Councilmember Coons asked for clarification on the protest from Mendez, that is, has a formal protest been lodged. City Attorney Shaver said Staff believes that there was some concern expressed by Mendez when they were the second lowest bidder, the concern was expressed via email to Councilmember Hill and other Councilmembers. Mr. Shaver listed the reasons a bid can be rejected; items being unbalanced is one reason. A formal protest was not filed; however, Mendez's legal counsel did send a letter stating the complaint.

Councilmember Thomason asked how and when the bidders are notified as to the apparent low bid. Mr. Shaver advised the bid opening is a public process and once opened, the bids become public record.

Councilmember Palmer asked what happens if the scope of work changes or the negotiations end up with another contractor being the low bidder. Mr. Shaver responded that may well be the essence of an unbalanced bid. There are lots of variations that can occur in bids which is why the City Manager has the authority to determine whether or not a bid is unbalanced.

Councilmember Beckstein asked if it is not unusual for Staff to get clarifications on a bid before bringing it to Council. Mr. Shaver said that it is not only not unusual, it is expected so there are no contract disputes down the road. There are three general criteria: responsiveness, responsibility, and price.

Councilmember Coons asked if price ever changes. Mr. Shaver said Staff many times will sit down with the low bidder when all bids are over budget and rework the scope of the project to bring the costs down.

Councilmember Coons asked if the bid was awarded to Scott Contracting, is there a formal protest process for Mendez to follow? Mr. Shaver answered there is always a legal avenue. The current proceeding is an administrative process.

Councilmember Beckstein asked about a possible change order, how that works. City Attorney Shaver said changed conditions or unforeseen conditions constitute valid reasons for change orders. If it is a changed condition, the City looks very closely at that. If there was an unforeseen condition or something was missed, then those change orders are considered favorably. Councilmember Beckstein asked about change in the cost of materials. Mr. Shaver said it depends on whether it is material where the cost is known to be volatile.

Councilmember Thomason moved for the Council to reconsider the action taken February 21, 2007 that directed Staff to rebid the project. Councilmember Spehar seconded. Motion carried with Councilmember Palmer voting NO.

Councilmember Spehar moved to award the contract to Scott Contracting as the low bidder. Councilmember Thomason seconded.

Discussion then ensued.

Joseph Coleman, legal counsel for Scott Contracting, addressed the City Council. He noted that the Staff is the expert at looking at construction bids. Staff did their job. He is not an expert; he is here to be heard as a paid partisan for contractor. The low bidder gets the invitation to the table to negotiate the contract. In order for the City to continue getting good and qualified bids, the process must be fair and that is what Staff does.

Andrews Peters, Peters and Nolan, filling in for Attorney Bill Kane, representing Mr. Mendez and Mendez, Inc., addressed the City Council. He said they do not agree with Mr. Shaver's representation of how the negotiation took place. On February 15<sup>th</sup>, Mr. Mendez reviewed the apparent low bidder's bid. There was only ½% difference in Mendez's bid and the low bid. Mr. Mendez had concerns on the fill material. After that, Staff went to Scott Contracting and allowed them to rebalance the bid. He referred to the bid documents and the "ground rules" in those documents. He said City Staff allowed Scott Contracting to amend his bid. He said the bid was unbalanced. He referred to previous testimony by Engineering Manager Trent Prall that said it is unusual to allow this to occur. The bids opened on February 13<sup>th</sup> should be the bids. Once the bid has been awarded, then negotiations can take place. He asked that Council rescind the motion to rebid the project (all numbers are known now) and they will acknowledge that Scott Contracting was the apparent low bidder but the Mendez bid is in the best interest of the City because it takes into consideration certain variables. Mr. Peters referred to those certain items, one being the granular stabilization material; if more material is needed then the change in price is considerably more for Scott Contracting. Mr. Peters contended that was the purpose of the higher price by Scott Contracting was that they were banking on that quantity going over and they would make up the money lost on having a lower bid through a higher cost on the fill material.

Councilmember Coons noted that this issue was discussed at the February 21<sup>st</sup> meeting and how Scott Contracting incorporated other items in that unit cost. Those same items are in the Mendez bid in other areas. Mr. Peters went to the bid documents that stated those items had to be included in that line item.

Engineering Manager Trent Prall said that in order to quantify that work in the field, the unit cost includes the labor associated with the cost. There is still variability on putting the material in the ground itself. Mr. Bower (who figured Scott Contracting's bid) explained at the previous meeting why Scott Contracting came up with that unit cost. There were other varied costs. It is difficult construction, in a trench which is thirteen feet deep and thirty-five to forty foot wide.

Councilmember Coons asked if there are other line items variances. Mr. Prall compared mobilization costs, Scott was under \$100,000, Mendez, Inc. was over \$300,000. He identified a number of other areas those variances can occur.

Mr. Peters said the distinction is that the other variable amounts will not change but the stabilization material amount can change; it will be easy for the amount of rock to increase.

City Attorney Shaver said Staff is not advocating for either contractor. Establishing the public policy for Staff is the issue. The current policy is based on those three issues mentioned before. He offered to Mr. Mendez to rebalance his bid, as long as the bottom line does not change. It won't change who is the low bidder.

Councilmember Beckstein said rebalancing is not common but it did happen with the Duck Pond Park project. She asked if that is the same principal. Mr. Shaver said yes but it is subject to the unique circumstances. The question of the bid being unbalanced is not a usual circumstance which is the question Engineering Manager Prall answered.

Councilmember Coons asked what will happen if additional fill material is needed. City Attorney Shaver answered this is the way things are handled all the time. If the amount needed is more, the City will pay more. If it is less, then there will be savings. He recommended leaving it to the experts (Staff).

Engineering Manager Prall said Staff identified the granular stabilization material as being an issue before Mr. Mendez brought it up so Staff had discussed the amount of material specified. With a geotechnical engineer, the amount was determined as the worst case scenario. There are other ways to fill the hole besides the material; the use of fabric is another option, using pit run under the fabric. Staff is comfortable with the quantity of fill material in the bid documents.

Councilmember Spehar stated the intention of making the motion is to make the approval on the bottom line and not address the unit cost of the stabilization material. So the unit price would stay at \$42 per ton. Staff can negotiate after the award of the bid.

Councilmember Spehar said he did not see the bid as unbalanced; if there is going to be reallocation, Staff will do what their expertise allows them to do. He disagrees with Mr. Peters' contention that the City Council should be concerned with the line items in the bid. The low bid is a good deal by \$41,000 and the taxpayers are getting the best deal. He supports awarding the bid to Scott Contracting.

Councilmember Coons agreed and said it was unfortunate that Staff had to clarify the policy to increase the Council's comfort level. She agreed they should not rebid. She supported awarding the contract to Scott Contracting.

Councilmember Thomason said he should have spoken up at the last meeting; the process was just and not tainted. He is comfortable with the low bid.

Councilmember Palmer disagreed. He thought that Staff's actions demonstrated that Staff was concerned with the bid. He thinks the contract should be rebid. His problem is with Staff, any bid with a problem should be brought forward. It was a disservice for Staff to manipulate numbers.

Councilmember Beckstein said she has concerns as to what happened on February 21<sup>st</sup>; some of which occurred due to the new Councilmembers not being aware of the policy. She suggested a workshop on such policies. She noted other examples where bids were handled similarly. She supported the policy that is in place. She was not in favor of rebidding it on February 21<sup>st</sup>. She supports the award to Scott Contracting.

Council President Doody noted that Councilmember Spehar made the correct points early on and City Manager David Varley has the utmost integrity. He is going to support the award. He apologized to Staff for the use of the words "tinkering" and "manipulation" by members of City Council.

The City Clerk was asked to call the roll on the motion. The motion carried with Councilmember Palmer voting NO.

There being no other business, the meeting adjourned at 4:40 p.m.

Stephanie Tuin, MMC  
City Clerk

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

The City Council of the City of Grand Junction, Colorado met on Monday, March 5, 2007 at 7:03 p.m. in the City Hall Auditorium to discuss workshop items. Those present were Councilmembers Bonnie Beckstein Teresa Coons, Bruce Hill, Gregg Palmer, Doug Thomason, and Council President Jim Doody. Absent was Councilmember Jim Spehar.

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

1. **DISCUSSION OF COMMUNITY DEVELOPMENT PLAN PROCESS:** Palisade Mayor Doug Edwards addressed the City Council on this issue. He advised that contrary to what has been in the media, there has been public input into the plan both through public hearings and also through representation by the elected officials. It was agreed that a working group would be created to study the issues. The citizens and elected officials from Palisade still support this process. He said they feel the working group is doing a great job.

Council President Doody responded that he too is comfortable with the process and praised the efforts of former Public Works Director Mark Relph, Palisade Town Manager Tim Sarmo and now Deputy City Manager Laurie Kadrich.

Councilmember Hill added that there will be more opportunity for public input. It is so important that the City and the Town of Palisade, through funding from Genesis, work together to gather baseline data. Mr. Edwards noted that Genesis has had some concerns from what has been in the media but has been very cooperative.

Councilmember Coons thanked Mayor Edwards and the others in the working group. She pointed out that engaging the public is never easy and issues such as these involves dealing with perceptions.

Mayor Edwards said they are not against educating the public. He said that the public officials need to talk to State Senators and Representatives to work on amending Amendment 23 and the Gallagher Amendment so that funds aren't continuing to be robbed from what they were initially set up specifically for, which is energy.

Deputy City Manager Laurie Kadrich said the working group met last Wednesday for about four hours. Genesis Gas and Oil representative Bob Behner and/or Catherine Robertson from the BLM is happy to meet with Council prior to the joint meeting on April 16<sup>th</sup>. The working group is doing a lot of wordsmithing and trying to bring in the additional comments from the public. The public can mail in



comments or post them to the website. On April 2<sup>nd</sup> there will be a working document available for the elected officials and the community giving the Council time to review it before the April 16<sup>th</sup> meeting. On April 17<sup>th</sup> there will be an educational forum in Palisade. There will be stations set up so people can visit the different stations. The document will be distributed and there will be another meeting to take verbal comments. There has been no date set yet but will likely occur the end of May or the first part of June. The working group will be meeting this Wednesday.

Council President Doody asked Mayor Edwards about a couple of his Town Board member's willingness to meet with a couple of City of Grand Junction Councilmembers. Mayor Edwards thought that this was a good idea and commented that the meeting would not have to be posted as required if there are less than three members of each.

Councilmember Coons suggested still posting the meeting and try to get as many elected officials as possible. Mr. Edwards agreed.

Ms. Kadrich asked Council if they would like her to schedule another meeting with Palisade's Town Board, ½ hour before Palisade's regular meeting and inviting Mr. Behner from Genesis Oil and Gas and/or Ms. Robertson from the BLM.

**Action Summary:** City Council requested City Staff get together with Palisade's Staff and schedule a meeting date about an hour before Palisade's regular meeting to discuss this issue.

- 2. APPOINTMENTS TO BOARDS & COMMISSIONS:** City Clerk Stephanie Tuin presented an update on the status of appointments to the Commission on Arts and Culture, Downtown Development Authority, Historic Preservation Board, and Parks Improvement Advisory Board. She advised that there are three openings on the Commission on Arts and Culture and asked Council to advise her of how many applicants they would like to interview. She stated that there is a vacancy on DDA due to a resignation and asked if they should wait until June when other terms expire or should they advertise now. The Historic Preservation Board is still lacking a DDA representative, but as soon as she gets that recommendation from Mr. Stalf, Council will see that recommendation. Ms. Tuin also advised Council that the PIAB has requested that the City Clerk's office advertise for their vacancy.

**Action Summary:** City Council suggested not interviewing any more than six applicants for the Commission on Arts and Culture and requested that Ms. Tuin advertise for DDA at this time to fill the vacancy and for the upcoming expiring terms in June.

3. **OPTIONS FOR SYNTHETIC TURF AT STOCKER FIELD:** Director of Parks and Recreation Joe Stevens presented information for discussion on replacing natural turf at Stocker Stadium with synthetic turf in partnership with PIAB. Mesa State is having some synthetic turf installed and Mr. Stevens passed around some samples. He addressed the budget, the commitment from other organizations for funding and the timing. He noted that the City has been asked to pledge some funding but does not have anything budgeted.

Councilmember Palmer asked if there are maintenance offsets. Mr. Stevens said they will use less water but will still need to use a wetting agent. The synthetic turf won't need to be fertilized but the natural turf will still need to be fertilized at Suplezio Field. The synthetic turf will have to be raked to loosen the blades that get compacted.

Councilmember Palmer asked Mr. Stevens how long the synthetic turf will last. Mr. Stevens stated that it has a ten year life cycle. \$850,000 is the cost for a low grade product. Mr. Stevens suggested that money be set aside for replacement. The product is new and has only been in use about five years. It will be the City's responsibility to replace the turf so he suggested using the money that will be saved from the required maintenance.

Councilmember Coons asked Mr. Stevens how purchasing the turf would affect other funding in the Parks and Recreation budget. Mr. Stevens stated that there are some available balances, one of those being lottery proceeds, and another being impact fees. There are also currently available balances from dues that have not been earmarked for specific projects. He stated that if Council gives an affirmative direction, he will put the funding together so that it does make sense.

Council President Doody asked how the blades are repaired if they come up and is there a history of patch jobs. Mr. Stevens stated that there are so many varieties of turf and they come with a warranty, and if there was a concern there would be something written into the contract, agreement, or warranty to ensure company commitment.

Council President Doody asked about other events such as the circus that would affect the surface. Mr. Stevens stated that there are other locations for the circus, perhaps Mesa County fairgrounds. Graduations are another concern with high heels and foreign materials (chewing gum); these will have to be monitored in another fashion.

Councilmember Hill stated that users are excited about this possibility. There is some maintenance but overall it is a reduction in maintenance, the field wouldn't have to be relined. Ten years down the road he sees the burden for replacement on PIAB, not the City.

Councilmember Palmer asked if there are any safety advantages in synthetic turf. Councilmember Hill stated that at one time they had looked at this for baseball fields and there is a bit more cushion in the turf, however it does get hot, so they still require some water to cool it down.

**Action Summary:** City Council felt that the synthetic turf would be a good idea and asked Staff to put together some numbers on this and bring it back to Council.

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

The meeting reconvened at 8:44 p.m.

4. **POLICE DEPARTMENT SERVICE DELIVERY CHANGES FOR 2007:** Police Chief Bill Gardner updated the City Council on changes within the Police Department. He gave the historical context that precipitated the changes he has instituted. He explained his philosophy of Strategic Policing: Mission #1 is public safety. This has been implemented by transitioning to a Watch Commander System to ensure public safety; Mission #2 is neighborhood problem solving. Mission #2 depends on prioritizing call management (Differentiated Call Response) as the previously used beat system did not work. Chief Gardner used the bombings in Grand Junction last year to explain the Police Department's foundation. He stated that the watch strategy becomes priority when there are incidents that need attention. Neighborhood command is focused on as time and manpower allows.

Chief Gardner stated that they are using a team approach where teams are assigned to larger areas in the City and are challenged to look for a problem in an area and then work to solve the problem. Last week a team of officers looked at one business that had generated 70 calls in the last six months. They began solving the problem by making an appointment with the owners, giving them the data and explaining the problems. There have been no calls since and the Police Department continues to have a healthy dialogue with the business. Chief Gardner then identified the four Watch Commanders that will be the Operational Chiefs of Police for twelve hours per day each, and stated that they are all experienced officers. There are then Sergeants assigned to each geographical area under those Watch Commanders. Chief Gardner explained the Emergency Response that will be called up through the Incident Command System. He gave examples of when this might be used. Chief Gardner identified the four areas of the City. Officers were asked to volunteer for certain areas which include not only officers but also a liaison officer. Officers from the Community Advocacy Program, who are on duty at any given time, will be posted to the web.

He detailed the various advantages to this system and how they will help them manage their resources, especially calls such as vandalism, noise complaints, and cold theft reports that can be handled by civilian staff.

Linda Bowman, Police Information Coordinator, then reviewed the website changes and advised more changes for input and web based reporting are still to come. The web pages with the officers will be printable, the shift/officers on duty site is live. Chief Gardner elaborated on the links available, noting they intend to keep the web page simple.

Councilmember Coons asked about how the civilian police technician is recruited and trained. Chief Gardner stated that recruiting for a civilian police technician is easier than recruiting for a police officer. There is a 12 week training program, much of the same training as officers. These civilian police technicians can handle traffic accidents, cold case investigations, and go with officers to crime scenes. They can't do arrests.

Councilmember Hill stated that he was excited about this, however he questioned the Chief's statement that officers will look for problems, and asked if it is really looking for solutions. Chief Gardner clarified that they find a problem and take steps for reducing the problem and yes, it is solution oriented; the solution is banking on creativity of employees.

Councilmember Palmer stated that he found the differentiated call response interesting, empowering employees and dispatch. The service to people with incidents will be so much greater. Not all incidents need an officer to show up, it will help officers be available when an officer is really needed.

In conclusion, Chief Gardner told two stories that show that the changes are making an impact.

Councilmember Palmer agreed and added his own observations and comments he has heard.

**Action Summary:** City Council thanked Chief Gardner for his report and indicated support for the new system.

## **ADJOURN**

The meeting adjourned at 9:35 p.m.

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

**March 7, 2007**

The City Council of the City of Grand Junction convened into regular session on the 7<sup>th</sup> day of March 2007, at 7:01 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 Beckstein led in the pledge of allegiance. The audience remained standing for the invocation by Pastor Bob Litsheim, Director of SCRAM Ministries.

**Citizen Comments**

There were none.

**CONSENT CALENDAR**

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

It was moved by Councilmember Thomason, seconded by Councilmember Coons and carried by roll call vote to approve Consent Calendar items #1 through #13.

1. **Minutes of Previous Meeting**

*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**

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*

3. **Mesa County Animal Services Agreement**

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*

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

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*

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]

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*

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

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*

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

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*

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

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*

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

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*

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

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*

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

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*

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

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*

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

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*

## **ITEMS NEEDING INDIVIDUAL CONSIDERATION**

### **Purchase of a Police Patrol In-Car Video System**

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.

Bob Russell, Police Commander, reviewed this item. He explained the reason for the request, and stated that it will capture events during and after an officer contacts individuals. The research showed this brand to be the best product available and it will integrate with the TAC Net system. It will reduce the amount of equipment needed in the cabs of the police vehicles. He noted that a grant for the equipment was awarded in the amount of \$98,723; an additional \$47,677 is needed to acquire the product

Councilmember Palmer asked if there is additional equipment needed for the product. Commander Russell said an additional server will be needed and will cost about \$30,000. That is not included in this request. That server will have other functions as well.

Councilmember Hill pointed out that this technology will improve public safety. He asked Commander Russell to give examples of that improvement. Commander Russell described several examples of the benefits including that the video will provide training materials, citizen demeanor will be improved, professionalism of the officers, i.e. ensuring integrity and documenting such, assistance in prosecution and for officers' safety. The public is starting to expect police cars to have in-car video.

Councilmember Thomason asked if such videos are admissible in court. Commander Russell said that it depends on how the video was taken and how the interview was conducted as well as all other court rules that apply. City Attorney Shaver added that the chain of custody is also of consideration. Audio is also recorded.

Councilmember Coons asked if the officers are required to tell the individual that an in-car video is in use. Commander Russell stated that, in Colorado, a notice is not required for the video but the laws vary from State to State. However, when an individual is told, many times they modify their behavior.

Councilmember Palmer asked about the cost per vehicle. Commander Russell said that the cost is about \$4,570 per vehicle.

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

### **Acquisition of Grand Mesa Reservoir No. 1**

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.

Terry Franklin, Water Services Manager, reviewed this item. Negotiations took place in 2005 with the Grand Mesa Reservoir Company. An offer was made and the deal fell through. The Company has now approached the City and asked for the offer again. The City owns 22% of the Company. Acquisition will allow the City to file a more senior water right and add additional acre feet to the City's supplies.

Councilmember Spehar noted it was a good deal two years ago and still is. The Council consensus was that it was a good deal.

Councilmember Spehar moved to 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. Councilmember Beckstein seconded the motion. Motion carried.

### **Funding Recommendations for Arts and Cultural Events and Projects**

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

Doug Clary, Chair of the Commission on Arts and Culture, displayed the list of recommendations for awards to the various arts and cultural agencies. Every request was funded to some degree; only a few could be fully funded. Allison Sarmo, Cultural Arts Coordinator, noted that the Commission is so grateful to have these funds to "incubate" these events which can then stand on their own in the future.

Councilmember Coons noted that all the grants are for specific events, none are for operating funds.

Councilmember Hill moved to approve recommendations from the Commission on Arts and Culture for grant funding. Councilmember Coons seconded the motion. Motion carried.

### **Purchase of Integrated Wireless Radio System**

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.

Jim Finlayson, Information Systems Manager, reviewed this item. He described the system being proposed, noting it is simpler and more affordable than many of the systems looked at. There is potential to expand the wireless system outside the City limits. The research shows it to be a good solution. It will be used by police officers on the scene, pulling up photos and other background information. For the fire department, particularly in the ambulance, reports can be completed in transit and reports can be sent to the hospital before the patient arrives. For the fire fighting side, firefighters can pull up photos of buildings and the neighborhood. It will also be helpful to engineers in the field. The request was not budgeted as it was not available when the budget was developed. The bulk of the cost will be in the next budget cycle. The amount being requested is to launch the first phase.

Councilmember Palmer asked what the cost will be per vehicle. Mr. Finlayson said \$3,300 per vehicle. Councilmember Palmer asked about the rest of the request. Mr. Finlayson stated that is for the ancillary equipment to run the system.

Councilmember Spehar asked if this is likely to expand outside the City limits. Mr. Finlayson said that it probably will but even with this phase there will still be connectivity in the outer areas, just lower bandwidth so not as much capability.

Councilmember Palmer asked about the County changing systems. Mr. Finlayson explained how that would be compatible. Councilmember Palmer asked if there will be more cost in future phases. Mr. Finlayson stated that for the future phases there will be additional costs. Councilmember Palmer asked what the total dollar amount is for all phases. Mr. Finlayson said that it would be somewhere between \$500,000 to \$600,000 for up to 100 vehicles and may go beyond the City limits itself.

Councilmember Coons asked about the compatibility with the County network. Mr. Finlayson said that this will actually improve the compatibility. Councilmember Coons asked about the software compatibility. Mr. Finlayson stated that it does not affect software. The City has access to the County system, and this will give the County better access to the City system.

Councilmember Palmer asked about the budget for this since it was an unexpected expenditure. Ron Lappi, Administrative Services and Finance Director, stated that they are asking for approval of the pilot project, and then will come back later in the year to Council for the supplemental budget appropriation to appropriate from the IS fund, which has the funds. He said that \$3,600 for each vehicle cost will be expensed out through the general fund. The cost of the backbone system will come from IS.

Councilmember Hill clarified that it is up to each individual department to decide the number of vehicles to be included and use their budget to pay for the system.

Councilmember Palmer asked what the urgency is; why not wait till next budget cycle? Mr. Lappi said that the users are excited; they have been working on it for 9 months.

They were originally looking at \$2 million for just the City network. The safety aspect in the ambulances alone makes it urgent.

Councilmember Spehar clarified that each department will decide how many vehicles they want this in, but the backbone is out of the IS fund. He doesn't mind considering this out of the budget cycle because there are processes in place that allow for this.

Mr. Lappi advised that this might be partially reimbursed by the E-911 board; it will be a good use of their funds, as it will help the whole valley.

Councilmember Coons asked if the State Patrol be able to use the system. Mr. Finlayson said it probably would not be worth the cost because it would only be available to them within the valley range. They probably are currently using cellular technology. He stated that this is one of the urgent reasons for the request. The City is currently struggling with the problems with cell phone technology; it is very problematic in this valley.

Councilmember Palmer asked if it puts a burden on dispatch. Mr. Finlayson stated that it relieves dispatch from the burden. They are hoping to be able to send the in-car video back to the station so the Commander can see what is happening via high speed networking.

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

### **Construction Contract for 2007 Concrete Repair for Street Overlays**

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

Tim Moore, Public Works and Planning Director, reviewed this item. This is the annual project in anticipation of the overlay project annually. There are thirteen areas that have some problems that need repair before the paving can happen. There were four bidders with Reyes Construction, Inc. being the low bidder. Some areas are to bring handicap accessible ramps up to Code.

Councilmember Spehar expressed the City's efforts in addressing these issues annually so the maintenance is ongoing and not deferred. Councilmember Palmer agreed.

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

### **Construction Contract for 2007 Water Line Replacement Project**

Award of a Construction Contract to Sorter Construction, Inc. in the amount of \$304,049 for the 2007 Water Line Replacement Project.

Tim Moore, Public Works and Planning Director, reviewed this item. This is the first of two upgrades to the water system. This project is in Orchard Mesa, Santa Clara and LaVeta, where there have been some leaks. Two bids were received. Sorter Construction was the low bidder.

Councilmember Coons asked about the leakage and the impact on some flooding in Orchard Mesa. Mr. Moore advised that situation was a different area.

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

### **Construction Contract for Patterson Road Retaining Wall Repair**

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.

Tim Moore, Public Works and Planning Director, reviewed this item. This project is maintenance work that has been put off and needs to be done. Graffiti and accidents damaged the south side and that repair was done. Now the north side needs repair. Three bids were received and Vista Paving was the low bidder. Traffic control won't be an issue.

Council President Doody asked how often repairs are needed. Mr. Moore said this wall was installed in 1986 and has not ever been repaired.

Councilmember Thomason asked about the disparity in the low bid and the next highest. Mr. Moore said that was discussed and Staff is comfortable with the low bid.

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

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

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.

Tim Moore, Public Works and Planning Director, reviewed this item. The MOU is in response to an accident that happened on January 11<sup>th</sup>. An elementary student was struck by a vehicle and brought the awareness to the forefront of the situation. A meeting was held following that accident and ideas were developed to improve pedestrian safety. Some shoulder improvements have been made but a more direct connection from the neighborhoods is needed. Mesa County found a property that could serve as a corridor to make a more direct and safer route. An offer was made on the property which has a house on it and the offer was accepted. The City along with the School District is proposing partnering on that purchase and the construction of the new path. City and County limits are a patchwork in that area which is why the City is a partner in the MOU.

Councilmember Palmer praised the three entities for coming together so quickly and finding a solution. The property being purchased is exactly in the right place.

Councilmember Coons agreed and thanked the neighborhood for coming together too. Councilmember Spehar agreed and added that these issues should be considered when annexations are done and the patchwork situation that occurs in the annexation methods.

Councilmember Hill asked if there was an opportunity to get the same value for less. Mr. Moore said the lot is narrow and the safety and visibility of the path were considerations to ensure it would be a comfortable and safe route for the users and their parents.

Council President Doody asked about the School District's ability to plan for this in advance. Mr. Moore said the School District is in a better position now and those conversations have taken place.

Councilmember Thomason moved to authorize the Mayor to sign a Memorandum of Understanding with Mesa County and School District #51 for Pear Park Elementary Pedestrian Improvements. Councilmember Coons seconded the motion. Motion carried.

Councilmember Hill said he voted in favor in the spirit of safety for the kids and cooperation with the other entities but hopes less expensive methods can be explored.

Council President Doody called for a recess at 8:20 p.m.

The meeting was called back to session at 8:30 p.m.

**Public Hearing – 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).



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

David Thornton, Principal Planner, reviewed this item. He described the site, noting the property has already been annexed. He identified the surrounding existing zoning and the surrounding uses. The request meets the rezone criteria and the Planning Commission recommended approval.

Doug Colaric, representing the applicant, said this is the third in a series of steps taken with this property. First, the property had to be included in the 201 sewer service boundary. Then a Growth Plan Amendment occurred. The surrounding properties are industrial in nature. He concurred with all Staff's comments.

There were no public comments.

The public hearing was closed at 8:35 p.m.

Councilmember Hill noted that Council has seen this property a number of times and he feels the zoning fits.

Councilmember Spehar agrees with the location being near the interstate and the interchange.

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

Councilmember Spehar moved to adopt Ordinance No. 4037 on Second Reading and ordered it published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

**Public Hearing – 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).

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

David Thornton, Principal Planner, reviewed this item. Like the previous item, the property went through annexation, a Growth Plan Amendment, and now zoning. It was just added to the 201 sewer service boundary a little over a year ago. He described the site, the Land Use Designation, and the previous County zoning. It is adjacent to the Job Site property and other surrounding properties are industrial/commercial properties. The request meets the zoning criteria and the Planning Commission recommended approval.

Brian Bray, the applicant, 880 26 ½ Road, reviewed the main points covered by Mr. Thornton. He noted there is a huge need for industrial property in Grand Junction.

There were no public comments.

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

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

Councilmember Coons moved to adopt Ordinance No. 4038 on Second Reading and ordered it published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

**Public Hearing – Rezoning Property Located at 641 Horizon Drive** [File #PFP-2006-296]

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.

The public hearing was opened at 8:42 p.m.

Ken Kovalchik, Senior Planner, reviewed this item. He noted that a preliminary/final plan is being reviewed in conjunction with this request. He described the site and the surrounding uses. He noted the site is designated as residential medium. The surrounding areas are both residential low and residential medium, with some Planned Development sites to the south. Planning Commission found that the request did meet the rezone criteria and forwarded a recommendation for approval.

Councilmember Beckstein advised that she is a member of that church and asked if that is a conflict. City Attorney Shaver said her mere membership is not a problem. He asked if she is on the board or has any financial involvement. Councilmember Beckstein said she does not. Mr. Shaver said he does not see a conflict.

Loren Ennis, 2307 E ½ Road, representing the applicant, said the applicant felt four units per acre would fit better than the eight.

There were no public comments.

The public hearing was closed at 8:47 p.m.

Councilmember Hill said he had not seen this type of a request before where the property is adjacent to a church. He asked how that works with the Code. City Attorney Shaver said a plan will still be forthcoming; this is just the first step so that issues will be reviewed. He stated that nothing prohibits residential next to a church. Councilmember Hill asked if the remainder of the property could go to residential at some point. City Attorney Shaver said yes but it will be developed by City standards.

Councilmember Palmer said he is very comfortable with taking an open area and putting it to a good use.

Councilmember Hill stated that there are a number of natural and manmade barriers that create the transition for the requested zoning so he would not have a problem with the higher density. However, he would have liked to have seen a request for RMF-8.

Councilmember Spehar agreed, this location would have been a good place for higher density.

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

Councilmember Palmer moved to adopt Ordinance No. 4039 on Second Reading and ordered it published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

**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]

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

The public hearing was opened at 8:53 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She described the improvements that were made to the streets, curb, gutter, and sidewalks. Prior to those improvements, excess right-of-way was obtained and now that the improvements are completed, the excess right-of-way is no longer needed and the request is to return those properties to the adjacent property owners. Easements are being retained as needed. One property will be landlocked but an access easement is being retained.

There were no public comments.

The public hearing was closed at 8:55 p.m.

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

Councilmember Coons moved to adopt Ordinance No. 4040 on Second Reading and ordered it published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

**Public Hearing – 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.

The public hearing was opened at 8:57 p.m.

Lisa Cox, Planning Manager, reviewed this item. She described the challenge for developments in a straight zone where there is shared access or parking, there is no opportunity for those developers to aggregate their signage. The change in the Zoning and Development Code will allow that application process. Ms. Cox listed a number of benefits to the proposed change to the Code. Encouraging joint access on corridors where there are many access points is one main benefit. The Planning Commission reviewed the request and recommends approval. She detailed the changes for the Council.

Councilmember Coons asked how that will be handled with new ownership. Ms. Cox said a new application can be made, but it will need approval from the Planning Commission.

Councilmember Spehar asked if that changes the maximum sign size. Ms. Cox says it does not affect the formula.

Councilmember Hill asked Ms. Cox to relate that to an example. Ms. Cox used the Home Depot and PetSmart as examples. Councilmember Hill asked for clarification that no more signage is allowed but just packaged and allocated. Ms. Cox replied that it is voluntary, not mandated.

Ms. Cox noted that if approved, a resolution will be brought forward establishing the fee.

Councilmember Spehar thought it was appropriate and supported the change.

There were no public comments.

The public hearing was closed at 9:08 p.m.

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

Councilmember Thomason moved to adopt Ordinance No. 4041 on Second Reading and ordered it published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

**Non-Scheduled Citizens & Visitors**

There were none.

**Other Business**

There was none.

**Adjournment**

The meeting adjourned at 9:10 p.m.

Stephanie Tuin, MMC  
City Clerk

**Attach 2**  
**Designating Persons Authorized to Sign on Bank Accounts**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>		Designating Persons Authorized to Sign on Bank Accounts				
<b>Meeting Date</b>		March 21, 2007				
<b>Date Prepared</b>		March 14, 2007			<b>File #</b>	
<b>Author</b>		Ron Lappi		Administrative Services/Finance Director		
<b>Presenter Name</b>		Ron Lappi		Administrative Services/Finance Director		
<b>Report results back to Council</b>		<input type="checkbox"/>	<b>No</b>	<input type="checkbox"/>	<b>Yes</b>	<b>When</b>
<b>Citizen Presentation</b>		<input type="checkbox"/>	<b>Yes</b>	<input type="checkbox"/>	<b>No</b>	<b>Name</b>
<input type="checkbox"/>	<b>Workshop</b>	<input checked="" type="checkbox"/>	<b>Formal Agenda</b>	<input checked="" type="checkbox"/>	<b>Consent</b>	<b>Individual Consideration</b>

**Summary:** Based on staffing changes it is recommended that persons designated as authorized to sign on bank accounts be amended.

**Budget:** n/a

**Action Requested/Recommendation:** Approve the resolution authorizing designated employees to sign demands against accounts held at Alpine Bank.

**Attachments:** Proposed Resolution

**Background Information:** The City has a banking services agreement with Alpine Bank, Grand Junction which was effective January 1, 2006. Due to the retirement of Ron Lappi as the Administrative Services and Finance Director, effective March 30<sup>th</sup>, 2007, it is necessary to amend the authorized signatures on the various accounts held at Alpine Bank. As a result of the recent restructuring of the organization Jodi Romero has been designated as the Finance Operations Manager/Finance Director. This resolution authorizes City Manager David A. Varley and Jodilyn M. Romero as signers on the Payroll Clearing account and additionally Budget Manager Lanny Paulson on the Accounts Payable Clearing account. All other signers are as authorized and designated by the Finance Director.

RESOLUTION NO. \_\_\_\_-07

**A RESOLUTION AMENDING RESOLUTION NO. 167-05 PASSED AND ADOPTED  
BY THE CITY COUNCIL NOVEMBER 2<sup>ND</sup>, 2005 TO MODIFY AUTHORIZED  
SIGNATURES**

**Recitals.**

The City Council has authorized an agreement for banking services with Alpine Bank by Resolution No. 167-05, adopted by the City Council on November 2, 2005.

Resolution No. 167-05 authorized which City employees could sign for the City's various bank accounts.

Staffing changes have created the need to change the designated signatories.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO that the signatories section of Resolution No. 167-05 is hereby amended to read:**

That the names and titles of the persons authorized to sign demands  
against the various accounts are as follows:

PAYROLL CLEARING: any two

David A Varley, City Manager

Jodilyn M Romero, Finance Manager/Finance Director

ACCOUNTS PAYABLE CLEARING: any two

David A Varley, City Manager

Jodilyn M Romero, Finance Manager/Finance Director

Lanny Paulson, Budget Manager

WORKER'S COMPENSATION CLEARING: As authorized and directed by the Finance Director.

INVESTIGATIONS CLEARING: As authorized and directed by the Finance Director.

WORKER'S COMPENSATION CLEARING: As authorized and directed by the Finance Director.

INVESTIGATIONS CLEARING: As authorized and directed by the Finance Director.

PETTY CASH CLEARING: Any employee of the City is authorized to sign a check for the Petty Cash Account. The Bank will not be held liable with the following stipulations:

- 1) No check will be honored if the amount is over \$100.
- 2) No check will be honored unless it has the employee's signature and Identification Number on the check.

**ADOPTED AND APPROVED THIS \_\_\_\_ day of \_\_\_\_\_, 2007**

APPROVED:

\_\_\_\_\_

President of the Council

ATTEST:

\_\_\_\_\_

City Clerk



**Attach 3**  
**Purchase of a 2008 Utility Truck with Aerial Device**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Purchase of a 2008 Utility Truck with Aerial Device					
<b>Meeting Date</b>	March 21, 2007					
<b>Date Prepared</b>	March 5, 2007				<b>File #</b>	
<b>Author</b>	Shirley Nilsen			<b>Senior Buyer</b>		
<b>Presenter Name</b>	Joe Stevens Jay Valentine			<b>Parks and Recreation Director Purchasing Manager</b>		
<b>Report results back to Council</b>	X	No		Yes	<b>When</b>	
<b>Citizen Presentation</b>		Yes	X	No	<b>Name</b>	
	<b>Workshop</b>	X		<b>Formal Agenda</b>	X	<b>Consent</b>
						<b>Individual Consideration</b>

**Summary:** This purchase is for the replacement of one 1997 Hi Ranger Bucket Truck for the Park and Recreation Forestry Department. The vehicle is currently scheduled for replacement in 2007 as identified by the annual review of the fleet replacement committee.

**Budget:** The Fleet Division has budgeted \$100,800.00 for replacement of this vehicle in 2007. In addition to the proceeds from selling of the used bucket truck there are sufficient additional funds in the 2007 Fleet replacement fund to proceed with the replacement as planned. The budget for this replacement has been approved in the 2007 fiscal year equipment replacement budget. The purchase price for the replacement truck is \$135,292.00.

**Action Requested/Recommendation:** Authorize the City Purchasing Division to purchase one (1) 2008 International/Altec Articulating Aerial Lift Bucket Truck, from Altec Industries, Aurora, CO for the amount of \$135,292.00.

**Background Information:** The solicitation was advertised in the Daily Sentinel, and invitations were sent to 61 potential bidders. Three responsive and responsible bids were received as shown below. The Purchasing Manager agrees with this recommendation.

Company	Location	Price
Altec Industries	Aurora, CO	\$135,292.00
Terex Utilities	Commerce City, CO	138,088.00
Hanson International	Grand Junction, CO	\$138,556.00

**Attach 4**

**Purchase of a 2008 Vactor P Ramjet Sewer Jetter Truck  
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Purchase of 2008 Vactor P Ramjet Sewer Jetter Truck					
<b>Meeting Date</b>	March 21, 2007					
<b>Date Prepared</b>	March 5, 2007				<b>File #</b>	
<b>Author</b>	Shirley Nilsen			<b>Senior Buyer</b>		
<b>Presenter Name</b>	Greg Trainor Jay Valentine			<b>Utilities and Streets Director Purchasing Manager</b>		
<b>Report results back to Council</b>	X	<b>No</b>		<b>Yes</b>	<b>When</b>	
<b>Citizen Presentation</b>		<b>Yes</b>	X	<b>No</b>	<b>Name</b>	
	<b>Workshop</b>	X	<b>Formal Agenda</b>	X	<b>Consent</b>	<b>Individual Consideration</b>

**Summary:** This purchase is for the replacement of one 1997 International Sewer Rodder Truck for Persigo Waste Water Treatment Plant. The vehicle is currently scheduled for replacement in 2007 as identified by the annual review of the fleet replacement committee.

**Budget:** The Fleet Division has budgeted \$130,000.00 for replacement of this vehicle in 2007. The budget for this replacement has been approved in the 2007 fiscal year budget. The purchase price for the replacement sewer truck is \$137,400.00 less \$15,000.00 trade for a net cost of \$122,400.00.

**Action Requested/Recommendation:** Authorize the City Purchasing Division to purchase one 2008 International 7400 SBA/Vactor Ramjet Sewer Jetter Truck from Hanson International, Grand Junction, CO for the amount of \$122,400.00.

**Background Information:** The solicitation was advertised in the Daily Sentinel, and invitations were sent to 18 potential bidders. Two responsive and responsible bids were received as shown below. The Purchasing Manager agrees with this recommendation.

Company	Location	Price	Trade In	Total Less Trade
Hanson Equipment	Grand Junction, CO	137,400.00	15,000.00	122,400.00
Boyle Equipment	Commerce City, CO	144,171.00	15,000.00	129,171.00

**Attach 5**  
**Fire Station #1 Roof Restoration**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Fire Station #1 Roof Restoration					
<b>Meeting Date</b>	March 21, 2007					
<b>Date Prepared</b>	March 14, 2007					
<b>Author</b>	Scott Hockins			Senior Buyer		
<b>Presenter Name</b>	Greg Trainor Jay Valentine			Utilities and Streets Director Purchasing Manager		
<b>Report results back to Council</b>	X	No		Yes	<b>When</b>	
<b>Citizen Presentation</b>		Yes	X	No	<b>Name</b>	
	<b>Workshop</b>	X	<b>Formal Agenda</b>	X	<b>Consent</b>	<b>Individual Consideration</b>

**Summary:** This approval request is for the award of a construction contract for the roof restoration at Fire Station #1.

**Budget:** A budget amount of \$50,000 has been allocated in the 2007 Public Works Facilities Capital Improvement Project (CIP) budget. An additional \$9,000 will be transferred from the Lincoln Park Auditorium Window and Siding project that had a budget savings of \$25,624. A grand total of \$59,000 of 2007 budgeted funds will be used for the Fire Station roof restoration project.

**Action Requested/Recommendation:** Authorize the City Purchasing Division to enter into a contract, in the amount of \$59,000 with B&M Roofing of Colorado, Inc.

**Attachments:** N/A

**Background Information:** The roof at fire station #1 is in disrepair due to age and condition. Original low bid amounts far exceeded budget amounts and were lowered by negotiations with the apparent low bidder. The original scope of work was amended and narrowed to reduce the warranty period from thirty years to ten years to accommodate the budget restraints. The revised work includes restoring the roof with an emulsified coal tar roof, new counter flashings, new gutters. The solicitation was advertised in The Daily Sentinel, posted on Bidnet (a governmental solicitation website), and sent to a source list of contractors including the Western Colorado Contractors Association (WCCA).

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

- B&M Roofing of Colorado- Frederick, Colorado \$92,626  
(\$59,000 negotiated Price)
- Black Roofing, Inc.- Boulder, Colorado \$115,100
- Roofmasters Roofing & Sheet Metal- Hays Kansas \$120,900

**Attach 6**  
**Lincoln Park Barn Siding and Window Replacement**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Lincoln Park Barn Siding and Window Replacement					
<b>Meeting Date</b>	March 21, 2007					
<b>Date Prepared</b>	March 14, 2007					
<b>Author</b>	Scott Hockins		Senior Buyer			
<b>Presenter Name</b>	Greg Trainor Jay Valentine		Utilities and Streets Director Purchasing Manager			
<b>Report results back to Council</b>	X	No		Yes	<b>When</b>	
<b>Citizen Presentation</b>		Yes	X	No	<b>Name</b>	
	<b>Workshop</b>	X	<b>Formal Agenda</b>	X	<b>Consent</b>	<b>Individual Consideration</b>

**Summary:** This approval request is for the award of a construction contract for the siding and window replacement at the Lincoln Park Barn.

**Budget:** A budget amount of \$87,000 has been allocated in the 2007 Public Works Facilities Capital Improvement Project (CIP) budget.

**Action Requested/Recommendation:** Authorize the City Purchasing Division to enter into a contract, in the amount of \$61,376 with Carroll Construction Services, LLC.

**Attachments:** N/A

**Background Information:** The windows and siding at the Lincoln Park Barn are scheduled for replacement due to age and disrepair. The proposed work includes replacing the windows, siding, soffit, and fascia. The windows will be an energy efficient low-e, laminated glass with a vinyl frame. The siding, fascia, and soffit will be steel siding with new insulation underlayment and a limited lifetime warranty. The solicitation was advertised in The Daily Sentinel, posted on *Bidnet* (a governmental solicitation website), and sent to a source list of contractors including the Western Colorado Contractors Association (WCCA).

One company submitted a responsive and responsible bid in the following amount:

- Carroll Construction Services, LLC of Grand Junction                      \$61,376

**Attach 7**

**Purchase of a Perpetual Stormwater Easement and Temporary Easements at Carmike Theater (Anthony Properties Management, Inc.) for the Independent Ranchman’s Ditch Project**

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Purchase of a Perpetual Stormwater Easement and Temporary Easements at Carmike Theater (Anthony Properties Management, Inc.) for the Independent Ranchman’s Ditch Project					
<b>Meeting Date</b>	March 21, 2007					
<b>Date Prepared</b>	February 26, 2007				<b>File #</b>	
<b>Author</b>	Peggy Holquin			Real Estate Manager		
<b>Presenter Name</b>	Tim Moore			Public Works and Planning Director		
<b>Report results back to Council</b>	X	<b>No</b>		<b>Yes</b>	<b>When</b>	
<b>Citizen Presentation</b>		<b>Yes</b>	X	<b>No</b>	<b>Name</b>	
	<b>Workshop</b>	X	<b>Formal Agenda</b>	X	<b>Consent</b>	<b>Individual Consideration</b>

**Summary:** The City has entered into a contract to purchase a perpetual stormwater easement and a temporary construction easement across a portion of the Carmike Theatre property for the Independent Ranchman’s Ditch Project. The City’s obligation to purchase this property is contingent upon Council’s ratification of the purchase contract.

**Budget:** Sufficient funds exist in the 2007 Fund 202 budget to complete the City’s due diligence investigations and purchase of this interest in this property:

<b>2007 202-Fund Budget</b>		<b>\$9,800,000.00</b>
Construction Contract Cost		\$7,300,000.00
Project Design and Admin Cost (2007 to date)		\$19,023.00
ROW/Easement Acquisition Cost		\$214,100.00
<b>ROW Carmike acquisition (This agenda item)</b>	<b>\$58,395.00</b>	
Construction Management Cost, Phase I (estimated)		\$100,000.00
<b>Total Estimated Costs Related to this Request (Phase I)</b>		<b>\$7,607,853.20</b>
<b>2007 Remaining Funds</b>		<b>\$2,192,147.00</b>
<b>Total Projected Project Budget</b>		<b>\$14,000,000.00</b>
Phase I Design, Admin, ROW, Const. Mgt.		\$333,123.00
<b>ROW Carmike acquisition (This agenda item)</b>	<b>\$58,395.00</b>	
Phase I Construction (this Action)		\$7,300,000.00
Phase II Design, Admin, ROW, Const. Mgt.		\$260,000.00
Phase II Construction		\$5,809,100.00
Current Project Budget		\$12,300,000.00
Current Unfunded Projection		\$1,700,000.00

**Action Requested/Recommendation:** Adopt proposed resolution.

**Attachments:**

Proposed Resolution

**Background Information:**

The Independent Ranchmen's Ditch project (a.k.a. Big Pipe) will reduce the risk of flooding between Patterson Road, Highway 6 and 50, 26 Road and Mesa Mall. In the 100 year event, there are 380 developed properties that would be subject to flooding including homes, an elementary school, mobile home park, and numerous commercial structures including the largest retail developments on the Western Slope.

The City Council has adopted details, plans, schedules and funds for the construction of the Independent Ranchmen's Ditch Project. Acquisition of portions of interests in the property at Carmike Theatre is required to complete the Independent Ranchmen's Ditch project.

The subject property is located at Carmike Theatre. The interests to be acquired contain the following:

Parcel	Assessor Number	Address	Zoned	Easement Req'd (Sq Ft)
PE	2945-091-13-002	590 24 ½ Road	C-1	7,759.00
TCE	2945-091-13-002	590 24 ½ Road	C-1	17,767.00

**Easement Budget.** This acquisition for storm sewer easement had been estimated at \$58,395.00 based on negotiation at 71.67% of full purchase price of \$10.50 per sq ft fair market value. This fair market value is based on a range of value provided by an MAI appraiser. The temporary easements value is an industry standard calculated rental rate. Vegetation that will be removed for construction has been valued by a certified arborist and master gardener. The amount of his appraisal for the vegetation loss on this property due to the installation of the stormwater pipe will be paid directly to the owner and not replaced by our contractor.





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

**A RESOLUTION AUTHORIZING THE PURCHASE OF A PERPETUAL STORM  
WATER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT  
AT 590 24 ½ ROAD FROM  
CARMIKE THEATRE (AP CONSOLIDATED THEATRES LIMITED PARTNERSHIP,  
A TEXAS LIMITED PARTNERSHIP)**

**Recitals.**

A. The City of Grand Junction has entered into a contract with AP Consolidated Theatres Limited Partnership, A Texas Limited Partnership, for the purchase by the City of certain perpetual and temporary easements located within the proposed alignment of the Independent Ranchman's Ditch. The three easements to be acquired are as follows:

Parcel	Assessor Number	Address	Zoned	Easement Reqd (Sq Ft)
PE	2945-091-13-002	590 24 ½ Road	C-1	7,759.00
TCE	2945-091-13-002	590 24 ½ Road	C-1	17,767.00

B. The Memorandum of Agreement provides that the City Council must ratify the purchase and the allocation of funds for all expenses required to effectuate the purchase of said property.

C. Based on the advice and information provided by the City staff, the City Council finds that it is necessary and proper that the City purchase said property.

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

1. The above-described easements shall be purchased for a price of **\$78,000.00**. All actions heretofore taken by the officers, employees and agents of the City relating to the purchase of said property which are consistent with the provisions of the negotiated Memorandum of Agreement and this Resolution are hereby ratified, approved and confirmed.

2. Said **\$78,000.00** is authorized to be paid at closing, in exchange for conveyance of the required easements.

3. The officers, employees and agents of the City are hereby authorized and directed to take all actions necessary or appropriate to complete the acquisition of the described easements. Specifically, City staff is directed to effectuate this Resolution and the existing Memorandum of Agreement, including the execution and delivery of such certificates and documents as may be necessary or desirable to complete the purchase for the stated price.

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

Attest:

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

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

**Attach 8**

**Purchase of a Perpetual Stormwater Easement and Temporary Easements at Mesa Mall (SM Mesa Mall LLC) for the Independent Ranchman’s Ditch Project**

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA							
<b>Subject</b>	Purchase of a Perpetual Stormwater Easement and Temporary Easements at Mesa Mall (SM Mesa Mall LLC) for the Independent Ranchman’s Ditch Project						
<b>Meeting Date</b>	March 21, 2007						
<b>Date Prepared</b>	February 26, 2007				<b>File #</b>		
<b>Author</b>	Peggy Holquin			Real Estate Manager			
<b>Presenter Name</b>	Tim Moore			Public Works and Planning Director			
<b>Report results back to Council</b>	X	<b>No</b>		<b>Yes</b>	<b>When</b>		
<b>Citizen Presentation</b>		<b>Yes</b>	X	<b>No</b>	<b>Name</b>		
	<b>Workshop</b>	X	<b>Formal Agenda</b>	X	<b>Consent</b>		<b>Individual Consideration</b>

**Summary:** The City has entered into a contract to purchase a perpetual stormwater easement, temporary construction easements and a longitudinal temporary easement across a portion of the Mervyn’s property at Mesa Mall for the Independent Ranchman’s Ditch Project. The City’s obligation to purchase this property is contingent upon Council’s ratification of the purchase contract.

**Budget:** Sufficient funds exist in the 2007 Fund 202 budget to complete the City’s due diligence investigations and purchase of this interest in this property:

<b>2007 202-Fund Budget</b>		<b>\$9,800,000.00</b>
Construction Contract Cost		\$7,300,000.00
Project Design and Admin Cost (2007 to date)		\$19,023.00
ROW/Easement Acquisition Cost		\$214,100.00
<b>ROW Macerich (Mall) esmt acquisition (This agenda item)</b>	<b>\$114,596.00</b>	
Construction Management Cost, Phase I (estimated)		\$100,000.00
<b>Total Estimated Costs Related to this Request (Phase I)</b>		<b>\$7,607,853.20</b>
<b>2007 Remaining Funds</b>		<b>\$2,192,147.00</b>
<b>Total Projected Project Budget</b>		<b>\$14,000,000.00</b>
Phase I Design, Admin, ROW, Const. Mgt.		\$333,123.00
<b>ROW Macerich (Mall) esmt acquisition (This agenda item)</b>	<b>\$114,596.00</b>	
Phase I Construction (this Action)		\$7,300,000.00
Phase II Design, Admin, ROW, Const. Mgt.		\$260,000.00
Phase II Construction		\$5,809,100.00
Current Project Budget		\$12,300,000.00
Current Unfunded Projection		\$1,700,000.00

**Action Requested/Recommendation:** Adopt proposed resolution.

**Attachments:**

Proposed Resolution

**Background Information:**

The Independent Ranchmen's Ditch project (a.k.a. Big Pipe) will reduce the risk of flooding between Patterson Road, Highway 6 and 50, 26 Road and Mesa Mall. In the 100 year event, there are 380 developed properties that would be subject to flooding including homes, an elementary school, mobile home park, and numerous commercial structures including the largest retail developments on the Western Slope.

The City Council has adopted details, plans, schedules and funds for the construction of the Independent Ranchmen's Ditch Project. Acquisition of portions of interests in the property at Mesa Mall is required to complete the Independent Ranchmen's Ditch project across Mesa Mall.

The subject property is located at Mesa Mall. The interests to be acquired contain the following:

Parcel	Assessor Number	Address	Zoned	Easement Req'd (Sq Ft)
PE	2945-092-10-025, 2945-092-03-011, 2945-043-06-001	2424 Hwy 6&50	C-1	71,718.00
TCE	2945-043-06-003, 2945-043-06-001, 2945-092-03-011	2424 Hwy 6&50	C-1	202,198.00
LTE	2945-043-06-001	2424 Hwy	C-1	9,179.00

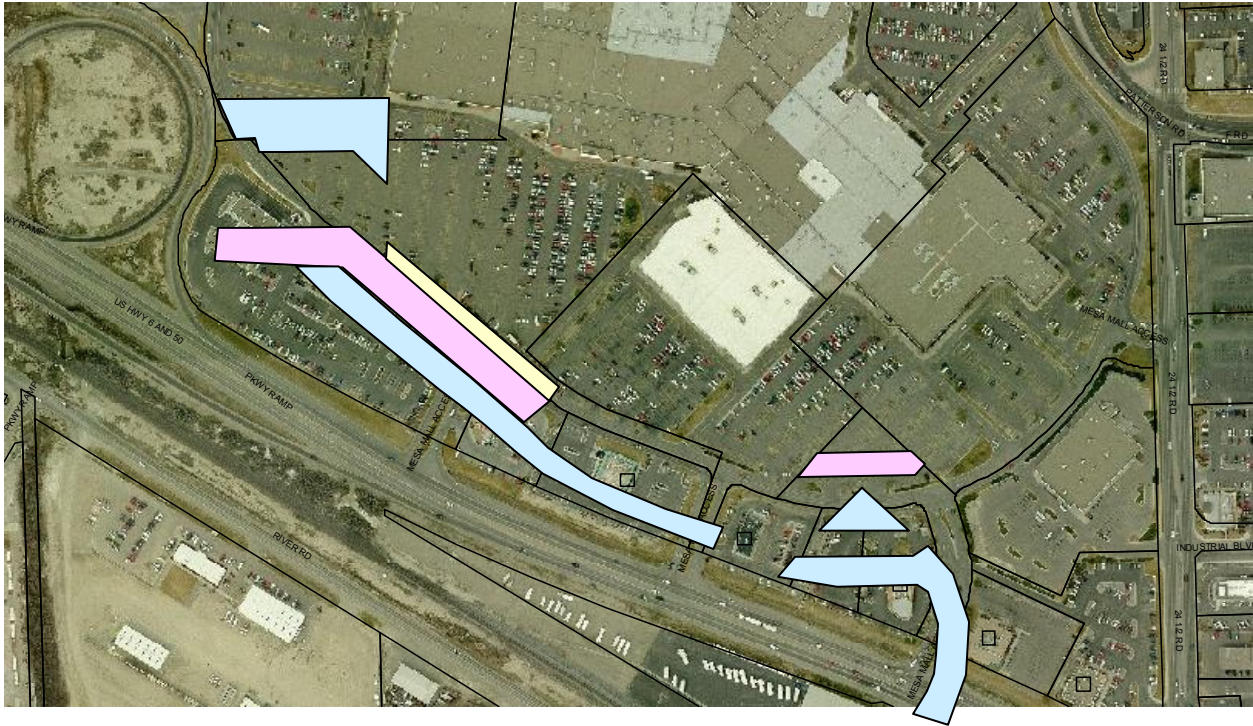
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6&50

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**Easement Budget.** This acquisition for storm sewer easement had been estimated at \$114,596.00 based on 25% of full purchase price of an average \$7.25 per sq ft fair market value. This fair market value is based on a range of value provided by an MAI appraiser. The temporary easements value is a nominal lump sum payment.

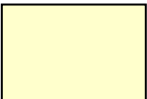
VICINITY MAP



Perpetual Stormwater Easement



Temporary Construction Easement



Longitudinal Construction Easement

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

**A RESOLUTION AUTHORIZING THE PURCHASE OF A PERPETUAL STORM  
WATER EASEMENT, TEMPORARY CONSTRUCTION EASEMENTS AND A  
LONGITUDINAL TEMPORARY EASEMENT  
AT 2424 HWY 6 AND 50 FROM  
MESA MALL (SM MESA MALL, LLC)**

**Recitals.**

A. The City of Grand Junction has entered into a contract with SM MESA MALL, LLC, for the purchase by the City of certain perpetual and temporary easements located within the proposed alignment of the Independent Ranchman's Ditch. The three easements to be acquired are as follows:

Parcel	Assessor Number	Address	Zoned	Easement Reqd (Sq Ft)
PE	2945-092-10-025, 2945-092-03-011, 2945-043-06-001	2424 Hwy 6&50	C-1	71,718.00
TCE	2945-043-06-003, 2945-043-06-001, 2945-092-03-011	2424 Hwy 6&50	C-1	202,198.00
LTE	2945-043-06-001	2424 Hwy 6&50	C-1	9,179

B. The Memorandum of Agreement provides that the City Council must ratify the purchase and the allocation of funds for all expenses required to effectuate the purchase of said property.

C. Based on the advice and information provided by the City staff, the City Council finds that it is necessary and proper that the City purchase said property.

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

1. The above-described easements shall be purchased for a price of **\$114,596.00**. All actions heretofore taken by the officers, employees and agents of the City relating to the purchase of said property which are consistent with the provisions of the negotiated Memorandum of Agreement and this Resolution are hereby ratified, approved and confirmed.



2. Said **\$114,596.00** is authorized to be paid at closing, in exchange for conveyance of the required easements.

3. The officers, employees and agents of the City are hereby authorized and directed to take all actions necessary or appropriate to complete the acquisition of the described easements. Specifically, City staff is directed to effectuate this Resolution and the existing Memorandum of Agreement, including the execution and delivery of such certificates and documents as may be necessary or desirable to complete the purchase for the stated price.

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

Attest:

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

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

**Attach 9  
Anderson Revocable Permit for Landscaping and Irrigation  
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Anderson Revocable Permit located at 703 24-3/4 Road					
<b>Meeting Date</b>	March 21, 2007					
<b>Date Prepared</b>	March 9, 2007				<b>File #</b> RVP-2005-182	
<b>Author</b>	Kristen Ashbeck		Senior Planner			
<b>Presenter Name</b>	Lisa Cox		Planning Manager			
<b>Report results back to Council</b>		<b>Yes</b>	<input checked="" type="checkbox"/>	<b>No</b>	<b>When</b>	
<b>Citizen Presentation</b>		<b>Yes</b>	<input checked="" type="checkbox"/>	<b>No</b>	<b>Name</b>	
	<b>Workshop</b>	<input checked="" type="checkbox"/>	<b>Formal Agenda</b>	<input checked="" type="checkbox"/>	<b>Consent</b>	<b>Individual Consideration</b>

**Summary:** The petitioners are requesting approval and issuance of a revocable permit for existing landscaping and irrigation system and to construct fencing within the City right-of-way for G Road.

**Budget:** N/A

**Action Requested/Recommendation:** Consideration of the resolution authorizing issuance of a revocable permit to Donald and Joyce Anderson.

**Background Information:** Please see attached Staff report

**Attachments:**

1. Staff Report/Background information
2. Site Location and Aerial Photo Maps
3. Future Land Use and City Zoning Maps
4. Resolution

<b>BACKGROUND INFORMATION</b>					
<b>Location:</b>		703 24-3/4 Road			
<b>Applicant:</b>		Donald and Joyce Anderson			
<b>Existing Land Use:</b>		Single Family Residence			
<b>Proposed Land Use:</b>		Same			
<b>Surrounding Land Use:</b>	<b>North</b>	Single Family Residential			
	<b>South</b>	Single Family Residential			
	<b>East</b>	Single Family Residential			
	<b>West</b>	Single Family Residential			
<b>Existing Zoning:</b>		RMF-5			
<b>Proposed Zoning:</b>		Same			
<b>Surrounding Zoning:</b>	<b>North</b>	RMF-5			
	<b>South</b>	RMF-8			
	<b>East</b>	RMF-5			
	<b>West</b>	RMF-5			
<b>Growth Plan Designation:</b>		Residential Medium 4-8 dwelling units per acre			
<b>Zoning within density range?</b>		X	<b>Yes</b>		<b>No</b>

**Project Analysis:**

1. Background

The petitioners are requesting approval of a revocable permit for existing landscaping and irrigation and to construct privacy fencing on dedicated City right-of-way adjacent to the existing pavement along G Road.

The Andersons live on a corner property at 24-3/4 and G Roads. When this property was originally subdivided, the right-of-way was dedicated for the eventual widening of G Road. When the property was further subdivided, an additional 10-foot of right-of-way was dedicated. This additional 10-feet of right-of-way does not exist along other adjacent properties for G Road.

The Andersons have created a side yard area in the additional 10 feet of right-of-way and had planted a row of shrubs in the original 10-feet for privacy purposes. The shrubs became a sight visibility hazard for vehicles turning from 24-3/4 Road onto G Road. The Andersons voluntarily removed the entire row of shrubs during the City's 2006 Spring Cleanup Program.

In order to still create some privacy, the Andersons are proposing to construct fencing along G Road on the south side of the "additional" 10 feet of right-of-way. The fencing would meet requirements of the Zoning and Development Code which allows fencing of up to 30" tall if solid or up to 4' if 2/3 open from the corner to even with the front of the house and 6-foot solid fencing from even with the front of the house to the rear (westerly) property line. Refer to the site plan included in the resolution.

The revocable permit would allow the proposed fencing as well as the grass, 4 trees, 2 shrubs, irrigation system and a portion of a planter in the additional 10-feet of right-of-way. Planning, Code Enforcement and Traffic Engineering have worked together and agree upon this proposal. The fencing is approximately 10 feet behind where the row of shrubs used to be thus, does not present the same sight visibility hazard that the shrubs did.

## 2. Section 2.17.C of the Zoning and Development Code

Requests for a revocable permit must demonstrate compliance with all of the following criteria:

- a. There will be benefits derived by the community or area by granting the proposed revocable permit.
- b. There is a community need for the private development use proposed for the City property.
- c. The City property is suitable for the proposed uses and no other uses or conflicting uses are anticipated for the property.
- d. The proposed use shall be compatible with the adjacent land uses.
- e. The proposed use shall not negatively impact access, traffic circulation, neighborhood stability or character, sensitive areas such as floodplains or natural hazard areas.
- f. The proposed use is in conformance with and in furtherance of the implementation of the goals, objectives and policies of the Growth Plan, other adopted plans and the policies, intents and requirements of this Code and other City policies.

- g. The application complies with the submittal requirements as set forth in the Section 127 of the City Charter, this Chapter Two of the Zoning and Development Code and the SSID Manual.

## FINDINGS OF FACT/CONCLUSIONS

After reviewing the Anderson Revocable Permit application, RVP-2005-182 for the issuance of a revocable permit for fencing, landscaping and irrigation system, staff makes the following findings of fact and conclusions:

1. The review criteria in Section 2.17.C of the Zoning and Development Code have all been met.

## STAFF RECOMMENDATION:

Staff recommends that the City Council approve the requested revocable permit for RVP-2005-182.

## **Attachments:**

Site Location and Aerial Photo Maps  
Future Land Use and Existing City Zoning Maps  
Proposed Resolution / Revocable Permit

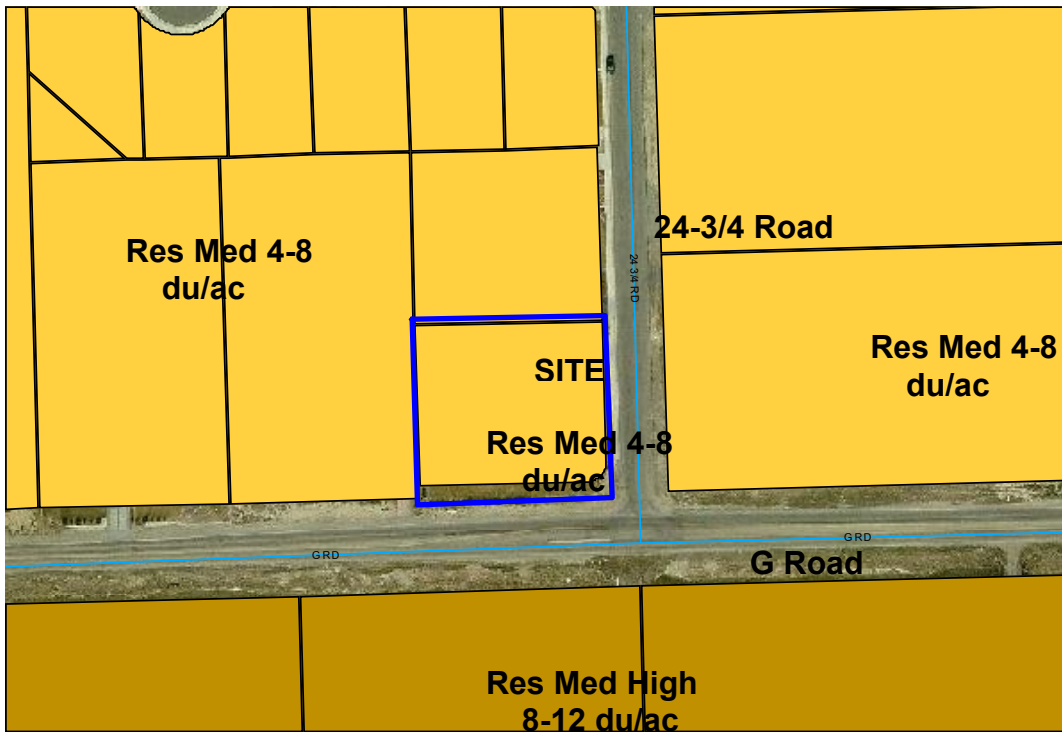
# Site Location Map



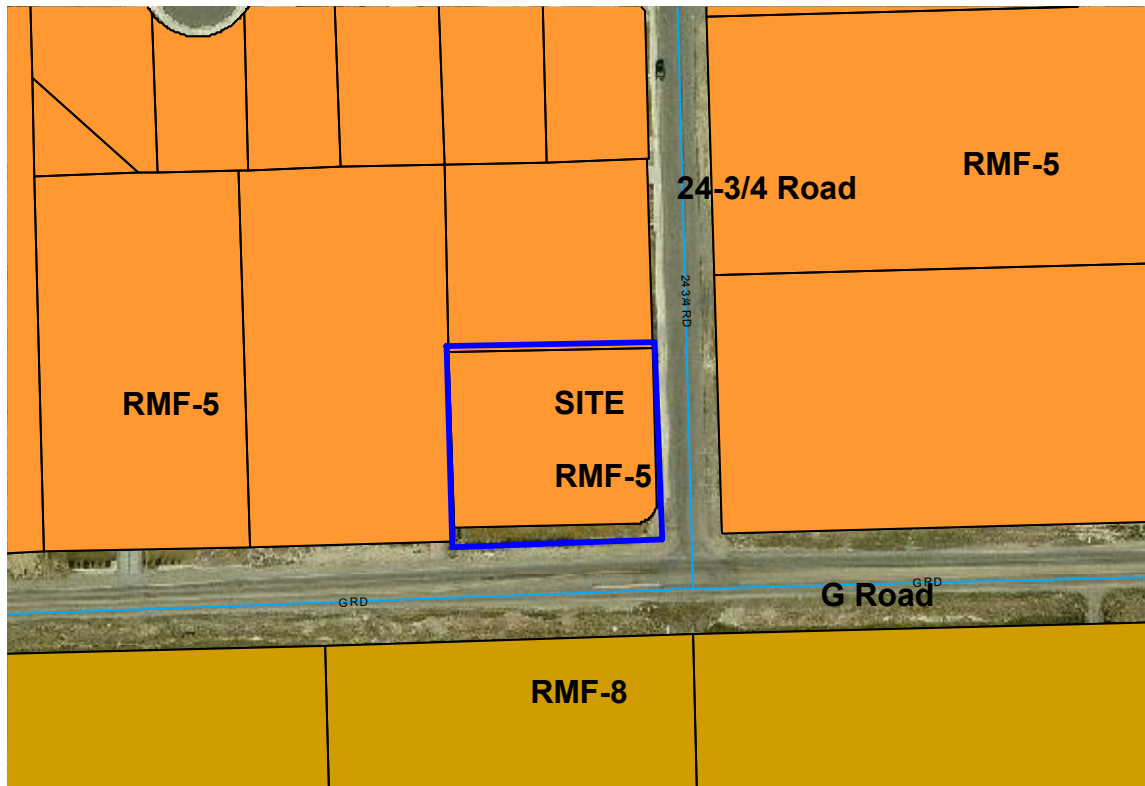
# Aerial Photo Map



# Future Land Use Map



# Existing City Zoning



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

**A RESOLUTION CONCERNING THE ISSUANCE OF A REVOCABLE PERMIT TO  
DONALD AND JOYCE ANDERSON**

**Recitals.**

Donald Anderson and Joyce Anderson, hereinafter referred to as the Petitioners, represent that they are the owners, as joint tenants, of the following described real property in the City of Grand Junction, County of Mesa, State of Colorado, to wit:

Lot 2 Fair Minor Subdivision Section 33 1N 1W containing 0.53 acres.

and have requested that the City Council of the City of Grand Junction issue a Revocable Permit to allow the Petitioners to install, operate, maintain and repair fence and landscape improvements within the limits of the following described public right-of-way for G Road, to wit:

A parcel of land situated in the southwest 1/4 of the southeast 1/4 of Section 33, Township 1 North, Range 1 West of the Ute Meridian, Mesa County, Colorado, being more particularly described as follows:

Commencing at the east 1/16th corner on the south line of said Section 33, the basis of bearing being N89°57'57"W to the south 1/4 of said Section 33;

thence N17°52'12"W a distance of 82.03 feet to the Point of Beginning;

thence S00°07'32"E a distance of 8.00 feet;

thence along the arc of a non-tangent curve to the right 38.74 feet having a central angle of 73°59'49" and a radius of 30.00 feet and a chord bearing S33°40'37"W a distance of 36.11 feet;

thence N89°57'57"W a distance of 147.65 feet;

thence N00°06'55"W a distance of 20.00 feet;

thence S89°57'57"E a distance of 147.68 feet;

thence along the arc of a curve to the left 28.32 feet having a central angle of 90°09'29" and a radius of 18.00 feet and a chord bearing N44°57'16"E a distance of 25.49 feet;

thence N89°52'28"E a distance of 2.00 feet to the Point of Beginning.

Said parcel contains 3308 square feet more or less.

2. Based on the foregoing, the City Council has determined that such action would not at this time be detrimental to the inhabitants of the City of Grand Junction.

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

That the City Manager, on behalf of the City and as the act of the City, is hereby authorized and directed to issue the attached Revocable Permit to the above-named



Petitioners for the purposes aforescribed and within the limits of the public right-of-way aforescribed, subject to each and every term and condition contained in the attached Revocable Permit.

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

Attest:

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

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

## REVOCABLE PERMIT

### Recitals.

1. Donald and Joyce Anderson, hereinafter referred to as the Petitioners, have requested that the City of Grand Junction issue a Revocable Permit to allow the Petitioners to install, operate, maintain, repair and replace landscape improvements including an irrigation system and fencing, as approved by the City, within the limits of the public right-of-way as described in Exhibits A, B and C attached.

2. Based on the authority of the Charter and § 2.17B of the Grand Junction Zoning and Development Code applying the same, the City, by and through the Public Works and Planning Director, has determined that such action would not at this time be detrimental to the inhabitants of the City.

NOW, THEREFORE, IN ACCORDANCE WITH HIS LAWFUL AUTHORITY, TIM MOORE, AS PUBLIC WORKS AND PLANNING DIRECTOR, DOES HEREBY ISSUE:

To the above-named Petitioners a Revocable Permit for the purposes of, Fencing, landscaping and irrigation within the limits of the public right-of-way described; provided, however, that this Permit is conditioned upon the following:

1. The installation, operation, maintenance, repair and replacement of landscape improvements including an irrigation system and fencing by the Petitioners within the public right-of-way as authorized pursuant to this Permit shall be performed with due care or any other higher standard of care as may be required by the City to avoid creating hazardous or dangerous situations and to avoid damaging public roadways, sidewalks, utilities, or any other facilities presently existing or which may in the future exist in said right-of-way.

2. The City, on its behalf and on behalf of the County of Mesa, the State of Colorado and the Public Utilities, hereby reserves and retains a perpetual right to utilize all or any portion of the public right-of-way for any purpose whatsoever. The City further reserves and retains the right to revoke this Permit at any time and for any or no reason.

3. The Petitioners, for themselves and for their successors and assigns, agree that they shall not hold, nor attempt to hold, the City of Grand Junction, its officers, employees and agents, liable for damages caused to any improvements and/or facilities to be installed by the Petitioners within the limits of the public right-of-way (including the removal thereof), or any other property of the Petitioners or any other party, as a result of the Petitioners' occupancy, possession or use of said public right-of-way or as a result of any City, County, State or Public Utility activity or use thereof or as a result of

the installation, operation, maintenance, repair and replacement of public improvements.

4. The Petitioners agree that they shall at all times keep the above described public right-of-way and the facilities authorized pursuant to this Permit in good condition and repair.

5. This Revocable Permit for fencing, landscaping and irrigation shall be issued only upon concurrent execution by the Petitioners of an agreement that the Petitioners and the Petitioners' successors and assigns shall save and hold the City of Grand Junction, its officers, employees and agents harmless from, and indemnify the City, its officers, employees and agents, with respect to any claim or cause of action however stated arising out of, or in any way related to, the encroachment or use permitted, and that upon revocation of this Permit by the City the Petitioners shall, at the sole expense and cost of the Petitioners, within thirty (30) days of notice of revocation (which may occur by mailing a first class letter to Petitioners' last known address), peaceably surrender said public right-of-way and, at their own expense, remove any encroachment so as to make the described public right-of-way available for use by the City, the County of Mesa, the State of Colorado, the Public Utilities or the general public. The provisions concerning holding harmless and indemnity shall survive the expiration, revocation, termination or other ending of this Permit.

6. The Petitioners, for themselves and for their successors and assigns, agree that they shall be solely responsible for maintaining and repairing the condition of any and all fencing, plantings and irrigation systems and improvements and/or facilities authorized pursuant to this Permit. The Petitioners shall not install any fencing, trees, vegetation or other improvements that create sight distance problems.

7. This Revocable Permit and the following Agreement shall be recorded by the Petitioners, at the Petitioner's expense, in the office of the Mesa County Clerk and Recorder.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

Written and Recommended by:

The City of Grand Junction,  
a Colorado home rule municipality

\_\_\_\_\_  
Project Manager/Planner

\_\_\_\_\_  
Director of Public Works and Planning

Acceptance by the Petitioner:

\_\_\_\_\_  
Donald Anderson

\_\_\_\_\_  
Joyce Anderson

**AGREEMENT**

Donald and Joyce Anderson, for themselves and for their successors and assigns, do hereby agree to abide by each and every term and condition contained in the foregoing Revocable Permit for landscaping and an irrigation system. Furthermore, they shall indemnify the City of Grand Junction, its officers, employees and agents and hold the City of Grand Junction, its officers, employees and agents harmless from all claims and causes of action as recited in said Permit.

Within thirty (30) days of revocation of said Permit, peaceably surrender said public right-of-way to the City of Grand Junction and, at their sole cost and expense, remove any encroachment so as to make said public right-of-way fully available for use by the City of Grand Junction, the County of Mesa, the State of Colorado, the Public Utilities or the general public.

The Permittee acknowledges the existence of good and sufficient consideration for this Agreement.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

By signing, the Signatories represent that they have full authority to bind the Permittee to each and every term and condition hereof and/or in the Permit.

\_\_\_\_\_  
Donald Anderson

\_\_\_\_\_  
Joyce Anderson

State of Colorado            )  
  )ss.  
County of Mesa                )

The foregoing Agreement was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2007, by \_\_\_\_\_.

My Commission expires: \_\_\_\_\_  
Witness my hand and official seal.

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

## EXHIBIT A – Permit Area Legal Description

A parcel of land situated in the southwest 1/4 of the southeast 1/4 of Section 33, Township 1 North, Range 1 West of the Ute Meridian, Mesa County, Colorado, being more particularly described as follows:

Commencing at the east 1/16th corner on the south line of said Section 33, the basis of bearing being N89°57'57"W to the south 1/4 of said Section 33;

thence N17°52'12"W a distance of 82.03 feet to the Point of Beginning;

thence S00°07'32"E a distance of 8.00 feet;

thence along the arc of a non-tangent curve to the right 38.74 feet having a central angle of 73°59'49" and a radius of 30.00 feet and a chord bearing S33°40'37"W a distance of 36.11 feet;

thence N89°57'57"W a distance of 147.65 feet;

thence N00°06'55"W a distance of 20.00 feet;

thence S89°57'57"E a distance of 147.68 feet;

thence along the arc of a curve to the left 28.32 feet having a central angle of 90°09'29" and a radius of 18.00 feet and a chord bearing N44°57'16"E a distance of 25.49 feet;

thence N89°52'28"E a distance of 2.00 feet to the Point of Beginning.

Said parcel contains 3308 square feet more or less.

This description was prepared by:

Steven L Hagedorn

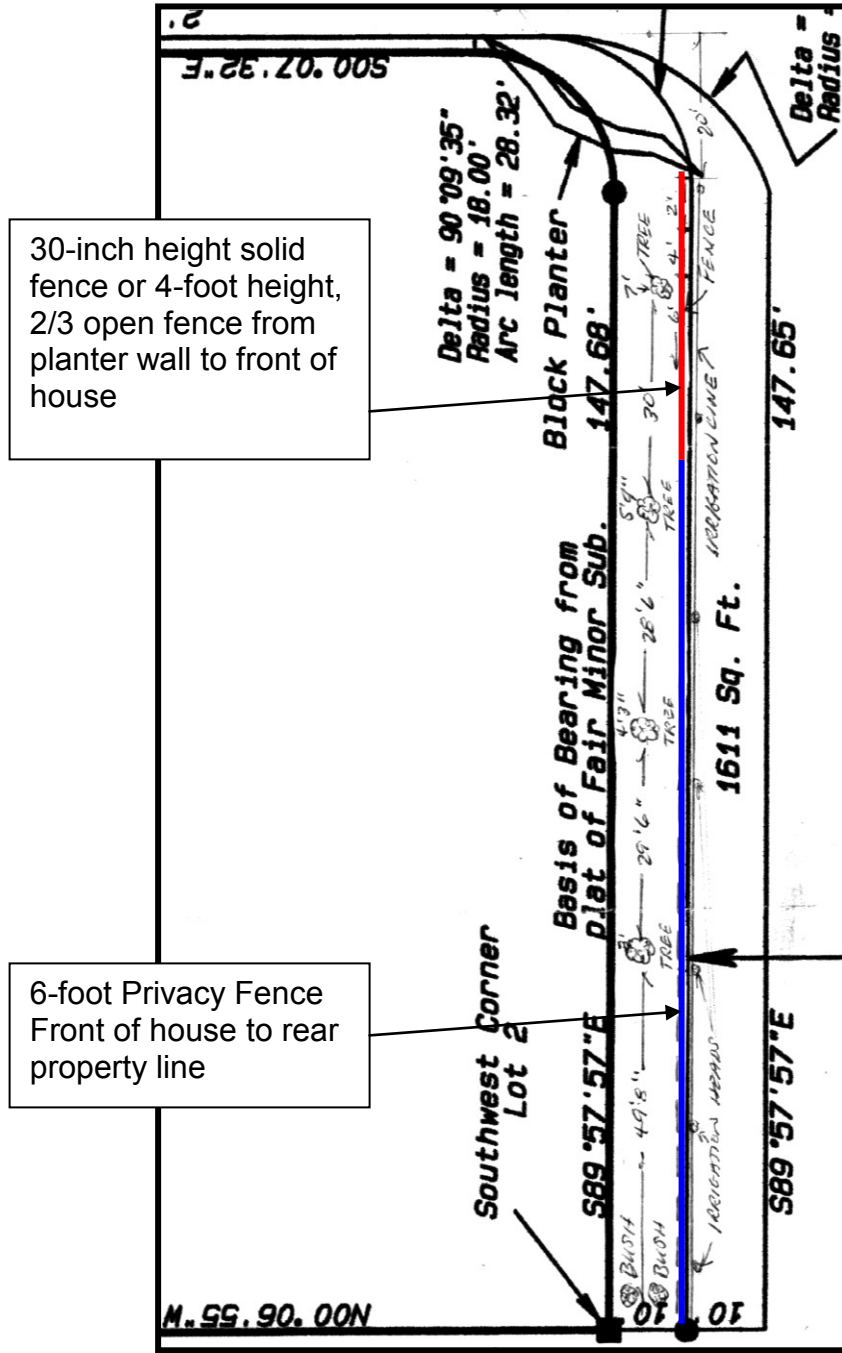
Colorado P.L.S. 24306

118 Ouray Ave.

Grand Junction, CO 81501



EXHIBIT C – SITE PLAN IMPROVEMENTS IN RIGHT-OF-WAY



**Attach 10**  
**Setting a Hearing on the Brady South Annexation**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA							
<b>Subject</b>		Brady South Annexation - Located at 347 and 348 27-1/2 Road and 2757 C-1/2 Road					
<b>Meeting Date</b>		March 21, 2007					
<b>Date Prepared</b>		March 9, 2007			File # GPA-2007-051		
<b>Author</b>		Kristen Ashbeck		Senior Planner			
<b>Presenter Name</b>		Lisa Cox		Planning Manager			
<b>Report results back to Council</b>			Yes	X	No	<b>When</b>	
<b>Citizen Presentation</b>			Yes	X	No	<b>Name</b>	
	<b>Workshop</b>	X	<b>Formal Agenda</b>		X	<b>Consent</b>	<b>Individual Consideration</b>

**Summary:** Request to annex 12.62 acres, located at 347 and 348 27-1/2 Road and 2757 C-1/2 Road. The Brady South Annexation consists of three (3) parcels.

**Budget:** N/A

**Action Requested/Recommendation:** Adopt a Resolution referring the petition for the Brady South Annexation and introduce the proposed Ordinance and set a hearing for May 2, 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 Zoning Maps
4. Resolution Referring Petition
5. Annexation Ordinance



STAFF REPORT / BACKGROUND INFORMATION					
<b>Location:</b>		347 and 348 27-1/2 Road and 2757 C-1/2 Road			
<b>Applicants:</b>		Owner: SLB Enterprises, LLC Representative: Vortex Engineering, Robert Jones			
<b>Existing Land Use:</b>		Vacant with 2 abandoned buildings			
<b>Proposed Land Use:</b>		Industrial			
<b>Surrounding Land Use:</b>	<b>North</b>	Vacant and Industrial			
	<b>South</b>	Colorado River			
	<b>East</b>	Large Lot Residential			
	<b>West</b>	Vacant – Future Park Site			
<b>Existing Zoning:</b>		I-2			
<b>Proposed Zoning:</b>		I-2			
<b>Surrounding Zoning:</b>	<b>North</b>	CSR and I-1			
	<b>South</b>	N/A			
	<b>East</b>	RSF-R (Mesa County)			
	<b>West</b>	CSR			
<b>Growth Plan Designation:</b>		Industrial (I) – West Parcel and Estate 2-5 ac/du (2 eastern parcels)			
<b>Zoning within density range?</b>			<b>Yes</b>	X	<b>No</b>

**Staff Analysis:**

**ANNEXATION:**

This annexation area consists of 12.62 acres of land and is comprised of three (3) 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 Brady South Annexation is eligible to be annexed because of compliance with the following:

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

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

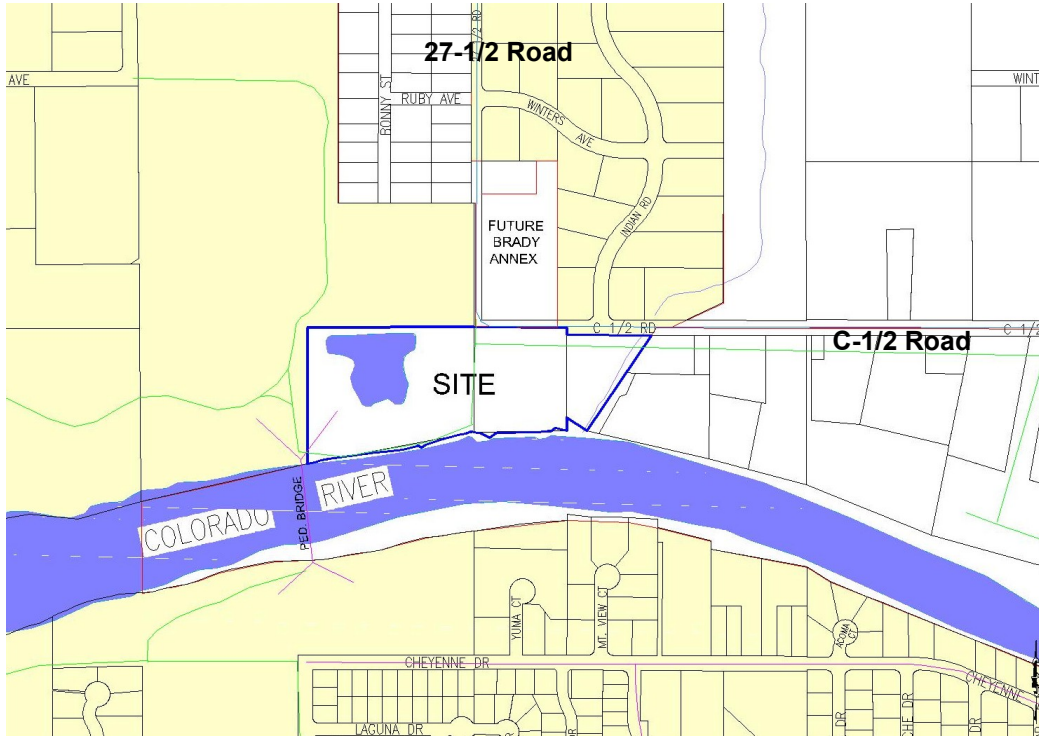
The following annexation and zoning schedule is being proposed.

<b>ANNEXATION SCHEDULE</b>	
March 21, 07	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
TBD	Planning Commission considers Zone of Annexation
TBD	Introduction Of A Proposed Ordinance on Zoning by City Council
May 2, 2007	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
June 3, 2007	Effective date of Annexation and Zoning

## BRADY SOUTH ANNEXATION SUMMARY

<b>File Number:</b>	GPA-2007-051	
<b>Location:</b>	347 and 348 27-1/2 Roads and 2757 C-1/2 Roads	
<b>Tax ID Numbers:</b>	2945-244-00-080, 2945-244-00-081 and 2945-244-00-202	
<b>Parcels:</b>	Three (3)	
<b>Estimated Population:</b>	None – Propose Nonresidential Use	
<b># of Parcels (owner occupied):</b>	NA	
<b># of Dwelling Units:</b>	NA	
<b>Acres land annexed:</b>	12.62	
<b>Developable Acres Remaining:</b>	12.62 (proposed redevelopment)	
<b>Right-of-way in Annexation:</b>	C-1/2 Road	
<b>Previous County Zoning:</b>	I-2	
<b>Proposed City Zoning:</b>	I-2	
<b>Current Land Use:</b>	Vacant with 2 Abandoned Buildings	
<b>Future Land Use:</b>	Industrial	
<b>Values:</b>	<b>Assessed:</b>	\$181,660
	<b>Actual:</b>	\$626,400
<b>Address Ranges:</b>	347 27-1/2 Road and 2751-2757 C-1/2 Road (odd only)	
<b>Special Districts:</b>	<b>Water:</b>	Ute Water
	<b>Sewer:</b>	Central Grand Valley Sanitation District
	<b>Fire:</b>	Grand Junction Rural Fire
	<b>Irrigation/ Drainage:</b>	Grand Junction Drainage
	<b>School:</b>	Mesa County Valley School District 51
	<b>Pest:</b>	Grand River Mosquito

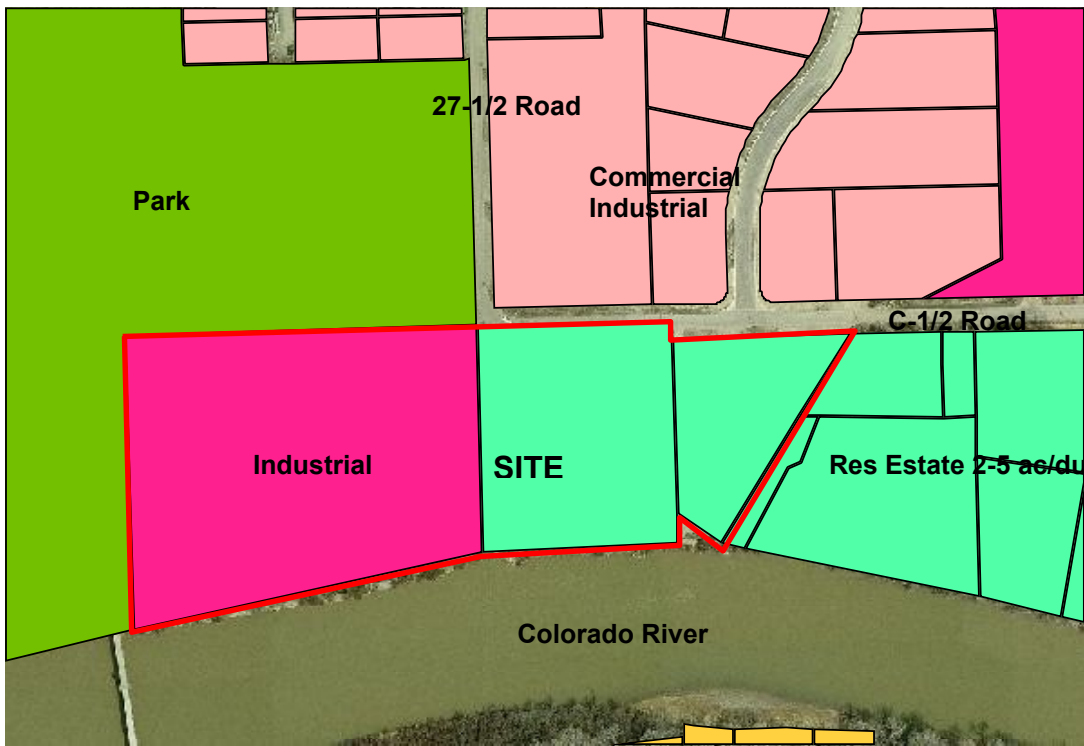
# Site Location Map



# 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 21<sup>st</sup> 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 SOUTH ANNEXATION**

**LOCATED AT 347 AND 348 27-1/2 ROAD AND 2757 C-1/2 ROAD**

WHEREAS, on the 21st 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:

**BRADY SOUTH ANNEXATION**

A certain parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) and the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 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 Northwest corner of that certain parcel of land described in Book 4172, Page 725, Public Records of Mesa County, Colorado, and assuming the North line of the NE 1/4 SW 1/4 bears N89°57'02"E with all other bearings contained herein being relative thereto; thence N89°57'02"E along said North line a distance of 664.62 feet to the Northeast corner of said NE 1/4 SW 1/4; thence along the North line of the NW 1/4 SE 1/4 of said Section 24 and along the South line of the Elite Towing Annexation No. 1, City of Grand Junction, Ordinance Number 3101 the following 3 courses: (1) S89°46'25"E a distance of 367.65 feet; (2) S00°08'41"W a distance of 30.00 feet; (3) S89°46'25"E a distance of 335.33 feet to the Northeast corner of said parcel; thence S33°59'39"W along the East line of said parcel a distance of 457.37 feet; thence along the South line of said parcel the following 2 courses: (1) N55°57'21"W a distance of 97.06 feet; (2) S00°08'40"W a distance of 47.47 feet to a point on the North Bank of the Colorado River; thence meandering Westerly along said North Bank to a point on the West line of said parcel; thence N00°06'10"W along said West line a distance of 534.28 feet, more or less, to the Point of Beginning.

Said parcel contains 12.62 acres (549,691 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 2<sup>nd</sup> of May, 2007, in the City Hall auditorium, located at 250 North 5<sup>th</sup> Street, City of Grand Junction, Colorado, at 7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Public Works and Planning 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

DATES PUBLISHED
March 23, 2007
March 30, 2007
April 6, 2007
April 13, 2007

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**BRADY SOUTH ANNEXATION**

**APPROXIMATELY 12.62 ACRES**

**LOCATED AT 347 AND 348 27-1/2 ROAD AND 2757 C-1/2 ROAD**

**WHEREAS**, on the 21<sup>st</sup> 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 2nd day of May, 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:

**BRADY SOUTH ANNEXATION**

A certain parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) and the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 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 Northwest corner of that certain parcel of land described in Book 4172, Page 725, Public Records of Mesa County, Colorado, and assuming the North line of the NE 1/4 SW 1/4 bears N89°57'02"E with all other bearings contained herein being relative thereto; thence N89°57'02"E along said North line a distance of 664.62 feet to the Northeast corner of said NE 1/4 SW 1/4; thence along the North line of the NW 1/4 SE 1/4 of said Section 24 and along the South line of the Elite Towing Annexation No. 1, City of Grand Junction, Ordinance Number 3101 the following 3

courses: (1) S89°46'25"E a distance of 367.65 feet; (2) S00°08'41"W a distance of 30.00 feet; (3) S89°46'25"E a distance of 335.33 feet to the Northeast corner of said parcel; thence S33°59'39"W along the East line of said parcel a distance of 457.37 feet; thence along the South line of said parcel the following 2 courses: (1) N55°57'21"W a distance of 97.06 feet; (2) S00°08'40"W a distance of 47.47 feet to a point on the North Bank of the Colorado River; thence meandering Westerly along said North Bank to a point on the West line of said parcel; thence N00°06'10"W along said West line a distance of 534.28 feet, more or less, to the Point of Beginning.

CONTAINING 12.62 Acres (549,691 Square feet), more or less, as described

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

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

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

Attest:

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

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

**Attach 11**  
**Setting a Hearing on the River Bend Annexation**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA							
<b>Subject</b>	River Bend Annexation - Located south of Dry Fork Way, Crystal Drive, and Sunnyside Circle.						
<b>Meeting Date</b>	March 21, 2007						
<b>Date Prepared</b>	March 15, 2007				File #ANX-2007-045		
<b>Author</b>	Adam Olsen		Associate Planner				
<b>Presenter Name</b>	Adam Olsen		Associate Planner				
<b>Report results back to Council</b>		Yes	X	No	<b>When</b>		
<b>Citizen Presentation</b>		Yes	X	No	<b>Name</b>		
	<b>Workshop</b>	X	<b>Formal Agenda</b>		X	<b>Consent</b>	<b>Individual Consideration</b>

**Summary:** Request to annex 6.47 acres, located south of Dry Fork Way, Crystal Drive and Sunnyside Circle. The River Bend Annexation consists of 24 parcels and portions of rights-of-way of Sunnyside Circle, Crystal Drive, Yampa Way, Stillwater Avenue and Dry Fork Way. This annexation is a three part serial annexation.

**Budget:** N/A

**Action Requested/Recommendation:** Adopt a Resolution referring the petition for the River Bend Annexation and introduce the proposed Ordinances and set a hearing for May 2, 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 Ordinances

**STAFF REPORT / BACKGROUND INFORMATION**

<b>Location:</b>		South of Dry Fork Way, Crystal Drive and Sunnyside Circle	
<b>Applicants:</b>		Riverview at Grand Junction LLC-Owner Atkins and Associates-Representative	
<b>Existing Land Use:</b>		Vacant	
<b>Proposed Land Use:</b>		Residential	
<b>Surrounding Land Use:</b>	<b>North</b>	Residential	
	<b>South</b>	Single Family Residential/Vacant	
	<b>East</b>	Agriculture	
	<b>West</b>	Vacant	
<b>Existing Zoning:</b>		PUD (County)	
<b>Proposed Zoning:</b>		RMF-8	
<b>Surrounding Zoning:</b>	<b>North</b>	PUD (County)	
	<b>South</b>	AFT (County)	
	<b>East</b>	RSF-R (County)	
	<b>West</b>	PUD (County)	
<b>Growth Plan Designation:</b>		RM (Residential Medium 4-8 du/ac)	
<b>Zoning within density range?</b>		<b>x</b>	<b>Yes</b>
			<b>No</b>

**Staff Analysis:**

**ANNEXATION:**

This annexation area consists of 6.47 acres of land, is comprised of 24 parcels and portions of rights-of-way of Sunnyside Circle, Crystal Drive, Yampa Way, Stillwater Avenue and Dry Fork Way. This annexation is a three 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 River Bend 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 21, 2007	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
April 10, 2007	Planning Commission considers Zone of Annexation
April 18, 2007	Introduction Of A Proposed Ordinance on Zoning by City Council
May 2, 2007	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
June 3, 2007	Effective date of Annexation and Zoning

**RIVER BEND ANNEXATION SUMMARY**

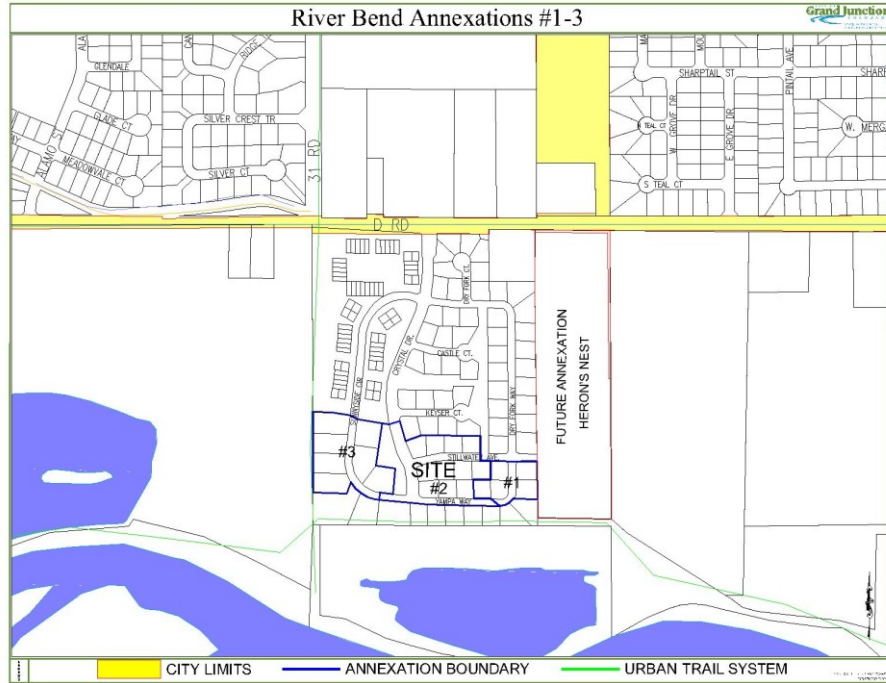
<b>File Number:</b>	ANX-2007-045
<b>Location:</b>	South of Dry Fork Way, Crystal Drive and Sunnyside Circle
<b>Tax ID Numbers:</b>	2943-222-05-009 2943-222-05-010 2943-222-05-011 2943-222-05-012 2943-222-06-001 2943-222-06-002 2943-222-06-003 2943-222-06-004 2943-222-06-005 2943-222-06-006 2943-222-06-007 2943-222-06-008 2943-222-06-009 2943-222-06-010 2943-222-07-001 2943-222-07-002 2943-222-07-013 2943-222-07-014 2943-222-07-015 2943-222-07-016 2943-222-08-001 2943-222-08-002 2943-222-08-003 2943-222-08-005
<b>Parcels:</b>	24
<b>Estimated Population:</b>	0
<b># of Parcels (owner occupied):</b>	0
<b># of Dwelling Units:</b>	0
<b>Acres land annexed:</b>	6.47
<b>Developable Acres Remaining:</b>	6.47
<b>Right-of-way in Annexation:</b>	Sunnyside Circle, Stillwater Avenue, Yampa Way, Dry Fork Way, Crystal Drive
<b>Previous County Zoning:</b>	PUD
<b>Proposed City Zoning:</b>	RMF-8
<b>Current Land Use:</b>	Vacant
<b>Future Land Use:</b>	Residential

<b>Values:</b>	<b>Assessed:</b>	\$19,440
	<b>Actual:</b>	\$67,200
<b>Address Ranges:</b>		3176-383 Sunnyside Circle 3112-3121 Stillwater Avenue 3114-3120 Yampa Way 376 ½-378 Dry Fork Way
<b>Special Districts:</b>	<b>Water:</b>	Clifton
	<b>Sewer:</b>	Central Grand Valley
	<b>Fire:</b>	Clifton
	<b>Irrigation/ Drainage:</b>	Grand Junction Drainage
	<b>School:</b>	District 51
	<b>Pest:</b>	Grand River Mosquito and Upper Grand Valley Pest



# Site Location Map

Figure 1



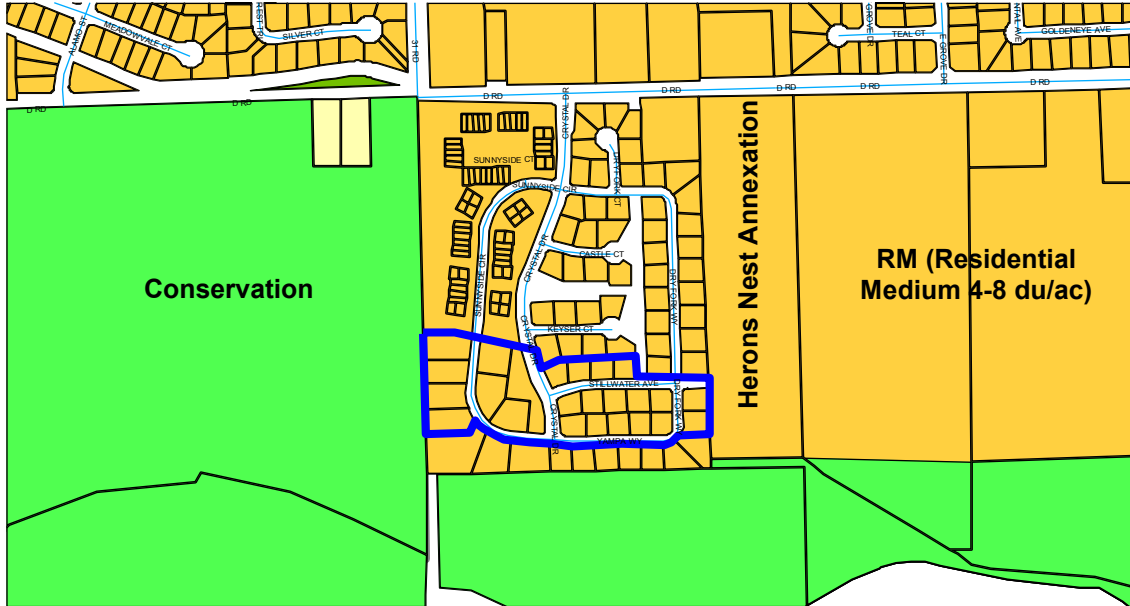
# Aerial Photo Map

Figure 2



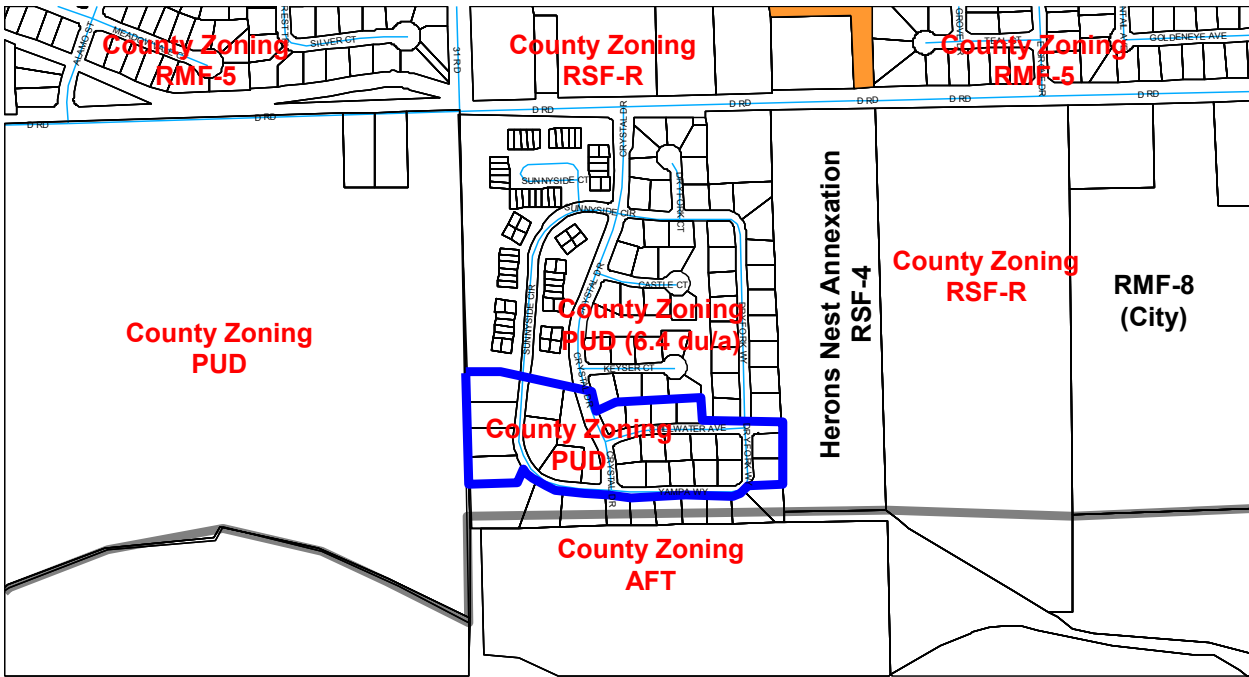
# Future Land Use Map

Figure 3



# Existing City and County Zoning

Figure 4



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

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**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**

**RIVER BEND ANNEXATION**

**LOCATED SOUTH OF DRY FORK WAY, CRYSTAL DRIVE AND SUNNYSIDE CIRCLE**

WHEREAS, on the 21st 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:

**RIVER BEND 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:

BEGINNING at the Northeast corner of Lot 1, Block Four of River Bend as same is recorded in Plat Book 13, Pages 85-86, Public Records, Mesa County, Colorado, and assuming the East line of said River Bend to bear  $S00^{\circ}10'47''W$  with all bearings contained herein relative thereto; thence  $S00^{\circ}10'47''W$ , along said East line a distance of 160.00 feet to the Southeast corner of Lot 2 of said River Bend; thence  $N89^{\circ}53'44''W$  along the South line of said Lot 2 a distance of 98.72 feet to the Southwest corner and a point on the East line of Yampa Way; thence along the East line of said Yampa Way 70.74 feet along the arc of a 67.00 foot radius curve concave Northwest, having a central angle of  $60^{\circ}29'33''$  and a chord bearing  $S59^{\circ}51'30''W$  a distance of 67.50 feet to the Northeast corner of Lot 5 of said River Bend; thence  $N00^{\circ}06'16''E$  a distance of 34.00 feet to a point on the North line of said Yampa Way; thence  $N89^{\circ}53'44''W$  along said North line a distance of 125.04 feet to the Southwest corner of Lot 9 of Block Three of said River Bend; thence  $N00^{\circ}10'56''E$  along the West line of said Lot 9 a distance of 80.00 feet to the Northwest corner of said Lot 9; thence  $S89^{\circ}53'44''E$  along the North line of said Lot 9 a distance of 78.00 feet to the Northeast corner of said Lot 9; thence  $N00^{\circ}10'56''E$  along the West line of Lot 1 of said Block Three a distance of 80.00 feet to the Northwest corner and a point on the South line of Sweetwater Avenue; thence  $S89^{\circ}53'44''E$  along said South line a distance of 204.06 feet, more or less, to the POINT OF BEGINNING.

Said parcel contains 0.93 acres (40,298 square feet), more or less, as described.

## RIVER BEND 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:

BEGINNING at the Northeast corner of Lot 9 of Block Two of River Bend as same is recorded in Plat Book 13, Pages 85-86, Public Records, Mesa County, Colorado, and assuming the North line of said Lot 9 to bear S89°53'44"E with all bearings contained herein relative thereto; thence S00°06'16"W along the East line of said Lot 9 and it's continuation a distance of 114.00 feet to a point on the South line of Sweetwater Avenue; thence S89°53'44"E along said South line a distance of 38.51 feet to the Northeast corner of Lot 2 of Block Three of said River Bend; thence S00°10'56"W along the East line of said Lot 2 a distance of 80.00 feet to the Southeast corner of said Lot 2; thence N89°53'44"W along the South line of said Lot 2 a distance of 78.00 feet to the Northeast corner of Lot 8 of said Block Three; thence S00°10'56"W along the East line of said Lot 8 a distance of 80.00 to the Southeast corner and a point on the North line of Yampa Way; thence S89°53'44"E along the North line of said Yampa way a distance of 125.04 feet; thence S00°06'16"W a distance of 34.00 feet to the Northeast corner of Lot 5 of Block Four of said River Bend and a point on the South line of said Yampa Way; thence along the South line of said Yampa Way the following three courses: (1) N89°53'44"W a distance of 223.28 feet; (2) 171.49 feet along the arc of a 1635.49 foot radius curve concave North, having a central angle of 06°00'28" and a chord bearing S86°53'30"E a distance of 171.41 feet; (3) N83°53'17"W a distance of 136.92 feet to the Northeast corner of Lot 11 of said Block Four; thence N06°06'43"E a distance of 34.00 feet to a point on the North line of said Yampa Way; thence S83°53'17"E along said North line a distance of 49.49 feet to the Southeast corner of Lot 1 of Block Five of said River Bend; thence N06°06'43"E along the East line of said Lot 1 a distance of 110.50 feet to the Northeast corner of said Lot 1; thence N83°53'17"W along the North line of said Lot 1 a distance of 88.49 feet to the Northwest corner of said Lot 1; thence N08°06'43"E along the West line of Tract D a distance of 191.49 feet to the Northwest corner of said Tract D; thence S81°53'17"E along the North line of said Tract D a distance of 32.88 feet to a point on the West line of Crystal Drive; thence N81°00'16"E a distance of 50.00 feet to a point on the East line of said Crystal Drive; thence along said East line 84.95 feet along the arc of a 651.28 foot radius curve concave East, having a central angle of 07°28'23" and a chord bearing S15°00'21"E a distance of 84.89 feet to the Northwest corner of Lot 12 of Block Two of said River Bend; thence N70°06'43"E along the North line of said Lot 12 a distance of 75.74 feet to the Southeast corner of Lot 13 of said Block Two; thence S89°53'44"E along the North line of Lots 9 through 12, inclusive, of said Block Two a distance of 267.00 feet, more or less, to the POINT OF BEGINNING.

Said parcel contains 3.13 acres (136,371 square feet), more or less, as described.

### RIVER BEND ANNEXATION NO. 3

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:

BEGINNING at the Southwest corner of Lot 13 of Block Four of River Bend as same is recorded in Plat Book 13, Pages 85-86, Public Records, Mesa County, Colorado, and assuming the West line of said River Bend to bear N00°00'35"E with all bearings contained herein relative thereto; thence N00°00'35"E along West line a distance of 360.50 feet to the Northwest corner of Lot 16 of said Block Four; thence S89°59'25"E along the North line of said Lot 16 a distance of 70.00 feet; thence S81°53'20"E along said North line a distance of 87.94 feet to a point on the West line of Sunnyside Circle; thence S55°48'44"E a distance of 37.85 feet to the Northwest corner of Lot 3 of Block Five of said River Bend also being a point on the East line of said Sunnyside Circle; thence S81°53'17"E along the North line of said Lot 3 a distance of 109.47 feet to the Northwest corner of Tract D; thence S08°06'43"W along the West line of Tract D a distance of 191.49 feet to the Northwest corner of Lot 1 of said Block Five; thence S83°53'17"E along the North line of said Lot 1 a distance of 88.49 feet to the Northeast corner of said Lot 1; thence S06°06'43"W along the East line of said Lot 1 a distance of 110.50 feet to the Southeast corner of said Lot 1 and also being a point on the North line of Yampa Way; thence N83°53'17"W along said North line a distance of 49.49 feet; thence S06°06'43"W a distance of 34.00 feet to a point on the South line of said Yampa Way; thence N83°53'17"W along said South line a distance of 10.00 feet; thence along said South line 136.40 feet along the arc of a 171.51 foot radius curve concave Northeast, having a central angle of 45°34'02" and a chord bearing S61°06'16"E a distance of 132.83 feet to a point being the Northeast corner of Lot 13 of said Block Four; thence S22°06'43"W along the East line of said Lot 13 a distance of 42.35 feet to the Southeast corner of said Lot 13; thence N89°59'25"W along the South line of said Lot 13 a distance of 151.00 feet, more or less, to the POINT OF BEGINNING.

Said parcel contains 2.41 acres (105,103 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 2nd day of May, 2007, in the City Hall auditorium, located at 250 North 5<sup>th</sup> Street, City of Grand Junction, Colorado, at 7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Public Works and Planning 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 23, 2007
March 30, 2007
April 6, 2007
April 13, 2007



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**RIVER BEND ANNEXATION NO. 1**

**APPROXIMATELY 0.93 ACRES**

**LOCATED SOUTH OF DRY FORK WAY, CRYSTAL DRIVE AND SUNNYSIDE  
CIRCLE**

**WHEREAS**, on the 21st 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 2nd day of May, 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:

**RIVER BEND 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:

BEGINNING at the Northeast corner of Lot 1, Block Four of River Bend as same is recorded in Plat Book 13, Pages 85-86, Public Records, Mesa County, Colorado, and assuming the East line of said River Bend to bear S00°10'47"W with all bearings contained herein relative thereto; thence S00°10'47"W, along said East line a distance of 160.00 feet to the Southeast corner of Lot 2 of said River Bend; thence N89°53'44"W along the South line of said Lot 2 a distance of 98.72 feet to the Southwest corner and

a point on the East line of Yampa Way; thence along the East line of said Yampa Way 70.74 feet along the arc of a 67.00 foot radius curve concave Northwest, having a central angle of 60°29'33" and a chord bearing S59°51'30"W a distance of 67.50 feet to the Northeast corner of Lot 5 of said River Bend; thence N00°06'16"E a distance of 34.00 feet to a point on the North line of said Yampa Way; thence N89°53'44"W along said North line a distance of 125.04 feet to the Southwest corner of Lot 9 of Block Three of said River Bend; thence N00°10'56"E along the West line of said Lot 9 a distance of 80.00 feet to the Northwest corner of said Lot 9; thence S89°53'44"E along the North line of said Lot 9 a distance of 78.00 feet to the Northeast corner of said Lot 9; thence N00°10'56"E along the West line of Lot 1 of said Block Three a distance of 80.00 feet to the Northwest corner and a point on the South line of Sweetwater Avenue; thence S89°53'44"E along said South line a distance of 204.06 feet, more or less, to the POINT OF BEGINNING.

Said parcel contains 0.93 acres (40,298 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**

**RIVER BEND ANNEXATION NO. 2**

**APPROXIMATELY 3.13 ACRES**

**LOCATED SOUTH OF DRY FORK WAY, CRYSTAL DRIVE AND SUNNYSIDE  
CIRCLE**

**WHEREAS**, on the 21st 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 2nd day of May, 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:

**RIVER BEND 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:

BEGINNING at the Northeast corner of Lot 9 of Block Two of River Bend as same is recorded in Plat Book 13, Pages 85-86, Public Records, Mesa County, Colorado, and assuming the North line of said Lot 9 to bear S89°53'44"E with all bearings contained herein relative thereto; thence S00°06'16"W along the East line of said Lot 9 and it's continuation a distance of 114.00 feet to a point on the South line of Sweetwater Avenue; thence S89°53'44"E along said South line a distance of 38.51 feet to the

Northeast corner of Lot 2 of Block Three of said River Bend; thence S00°10'56"W along the East line of said Lot 2 a distance of 80.00 feet to the Southeast corner of said Lot 2; thence N89°53'44"W along the South line of said Lot 2 a distance of 78.00 feet to the Northeast corner of Lot 8 of said Block Three; thence S00°10'56"W along the East line of said Lot 8 a distance of 80.00 to the Southeast corner and a point on the North line of Yampa Way; thence S89°53'44"E along the North line of said Yampa way a distance of 125.04 feet; thence S00°06'16"W a distance of 34.00 feet to the Northeast corner of Lot 5 of Block Four of said River Bend and a point on the South line of said Yampa Way; thence along the South line of said Yampa Way the following three courses: (1) N89°53'44"W a distance of 223.28 feet; (2) 171.49 feet along the arc of a 1635.49 foot radius curve concave North, having a central angle of 06°00'28" and a chord bearing S86°53'30"E a distance of 171.41 feet; (3) N83°53'17"W a distance of 136.92 feet to the Northeast corner of Lot 11 of said Block Four; thence N06°06'43"E a distance of 34.00 feet to a point on the North line of said Yampa Way; thence S83°53'17"E along said North line a distance of 49.49 feet to the Southeast corner of Lot 1 of Block Five of said River Bend; thence N06°06'43"E along the East line of said Lot 1 a distance of 110.50 feet to the Northeast corner of said Lot 1; thence N83°53'17"W along the North line of said Lot 1 a distance of 88.49 feet to the Northwest corner of said Lot 1; thence N08°06'43"E along the West line of Tract D a distance of 191.49 feet to the Northwest corner of said Tract D; thence S81°53'17"E along the North line of said Tract D a distance of 32.88 feet to a point on the West line of Crystal Drive; thence N81°00'16"E a distance of 50.00 feet to a point on the East line of said Crystal Drive; thence along said East line 84.95 feet along the arc of a 651.28 foot radius curve concave East, having a central angle of 07°28'23" and a chord bearing S15°00'21"E a distance of 84.89 feet to the Northwest corner of Lot 12 of Block Two of said River Bend; thence N70°06'43"E along the North line of said Lot 12 a distance of 75.74 feet to the Southeast corner of Lot 13 of said Block Two; thence S89°53'44"E along the North line of Lots 9 through 12, inclusive, of said Block Two a distance of 267.00 feet, more or less, to the POINT OF BEGINNING.

Said parcel contains 3.13 acres (136,371 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**

**RIVER BEND ANNEXATION NO. 3**

**APPROXIMATELY 2.41 ACRES**

**LOCATED SOUTH OF DRY FORK WAY, CRYSTAL DRIVE AND SUNNYSIDE  
CIRCLE**

**WHEREAS**, on the 21st 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 2nd day of May, 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:

**RIVER BEND ANNEXATION NO. 3**

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:

BEGINNING at the Southwest corner of Lot 13 of Block Four of River Bend as same is recorded in Plat Book 13, Pages 85-86, Public Records, Mesa County, Colorado, and assuming the West line of said River Bend to bear N00°00'35"E with all bearings contained herein relative thereto; thence N00°00'35"E along West line a distance of 360.50 feet to the Northwest corner of Lot 16 of said Block Four; thence S89°59'25"E along the North line of said Lot 16 a distance of 70.00 feet; thence S81°53'20"E along

said North line a distance of 87.94 feet to a point on the West line of Sunnyside Circle; thence S55°48'44"E a distance of 37.85 feet to the Northwest corner of Lot 3 of Block Five of said River Bend also being a point on the East line of said Sunnyside Circle; thence S81°53'17"E along the North line of said Lot 3 a distance of 109.47 feet to the Northwest corner of Tract D; thence S08°06'43"W along the West line of Tract D a distance of 191.49 feet to the Northwest corner of Lot 1 of said Block Five; thence S83°53'17"E along the North line of said Lot 1 a distance of 88.49 feet to the Northeast corner of said Lot 1; thence S06°06'43"W along the East line of said Lot 1 a distance of 110.50 feet to the Southeast corner of said Lot 1 and also being a point on the North line of Yampa Way; thence N83°53'17"W along said North line a distance of 49.49 feet; thence S06°06'43"W a distance of 34.00 feet to a point on the South line of said Yampa Way; thence N83°53'17"W along said South line a distance of 10.00 feet; thence along said South line 136.40 feet along the arc of a 171.51 foot radius curve concave Northeast, having a central angle of 45°34'02" and a chord bearing S61°06'16"E a distance of 132.83 feet to a point being the Northeast corner of Lot 13 of said Block Four; thence S22°06'43"W along the East line of said Lot 13 a distance of 42.35 feet to the Southeast corner of said Lot 13; thence N89°59'25"W along the South line of said Lot 13 a distance of 151.00 feet, more or less, to the POINT OF BEGINNING.

Said parcel contains 2.41 acres (105,103 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:

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President of the Council

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City Clerk

**Attach 12**

**Extension of Arbors Subdivision Planned Development Preliminary Plan  
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA							
<b>Subject</b>	The Arbors Subdivision Planned Development						
<b>Meeting Date</b>	March 21, 2007						
<b>Date Prepared</b>	March 14, 2007				File #PP-2005-105		
<b>Author</b>	Lori V. Bowers		Senior Planner				
<b>Presenter Name</b>	Lori V. Bowers		Senior Planner				
<b>Report results back to Council</b>		Yes	X	No	<b>When</b>		
<b>Citizen Presentation</b>		Yes	X	No	<b>Name</b>		
	<b>Workshop</b>	X	<b>Formal Agenda</b>		X	<b>Consent</b>	<b>Individual Consideration</b>

**Summary:** A request for an extension of the Preliminary Plan for the Arbors Subdivision Planned Development. The project is located at 2910 Orchard Avenue. The plan will expire April 2, 2007. The applicant requests a 180 day extension of the Preliminary Plan until September 28, 2007.

**Budget:** N/A

**Action Requested/Recommendation:** Approve an Extension of the Expiration Date of a Preliminary Plan for a Planned Development and Designate the Expiration Date for the Preliminary Plan as September 28, 2007 for the Arbors Subdivision

**Background Information:** See attached Staff Report analysis.

**Attachments:**

1. Site Location Map/Aerial Photo Map
2. Preliminary Plan

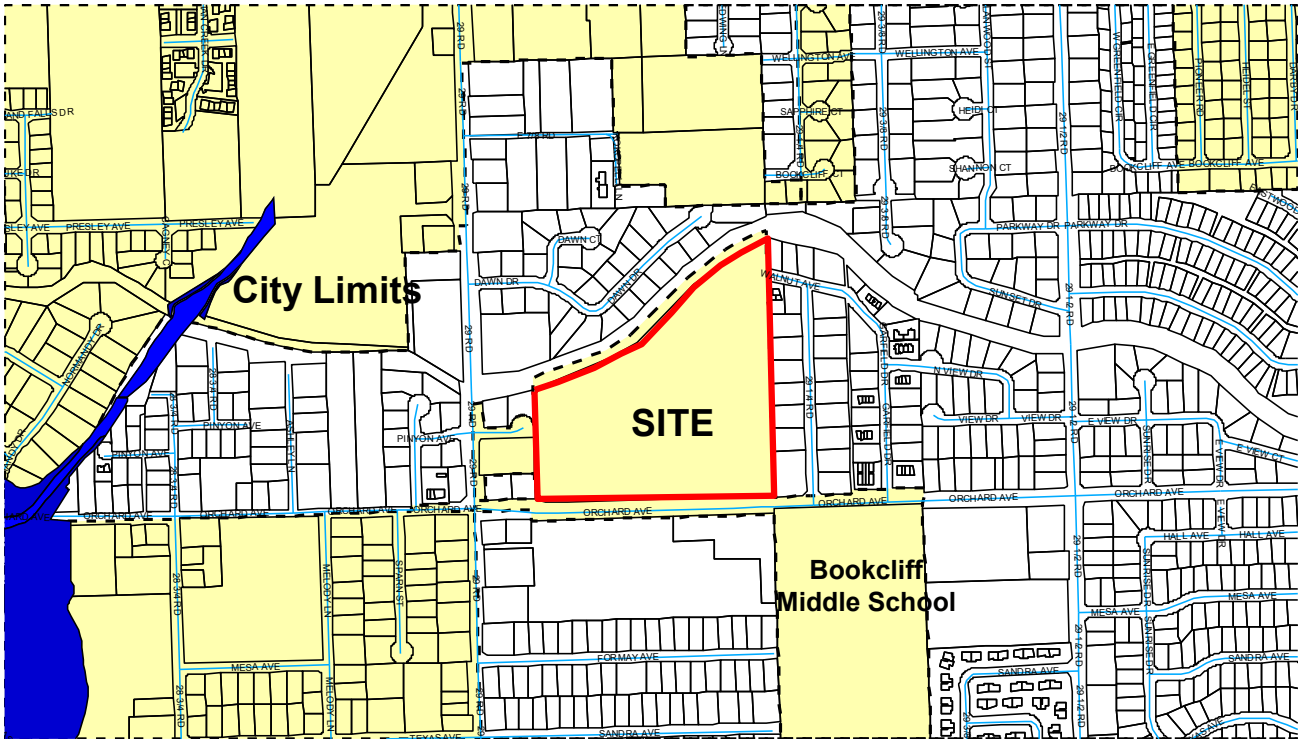
**ANALYSIS:**

The owner of the Arbors Subdivision which is zoned Planned Development in accordance with Ordinance No. 3872, is requesting an extension of the Preliminary Plan. The Preliminary Plan (PP-2005-105) will expire on April 2, 2007. Final Plan approval may not be granted due to the delay of receipt of outside agency review comments. The owner of the land needs sufficient time to address all concerns and is requesting a 180 day extension of the Preliminary Plan until September 28, 2007.



# Site Location Map

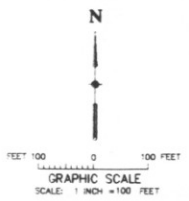
2910 Orchard Avenue



# Aerial Photo Map

2910 Orchard Avenue





**LEGEND**

- DRAINAGE FLOW DIRECTION
- PROPOSED STREET LIGHT
- EXISTING OVERHEAD POWER LINE
- EXISTING 8" WATER LINE, METER, AND FIRE HYDRANT
- EXISTING 8" SANITARY SEWER LINE AND MANHOLE
- PROPOSED 8" C-900 WATER LINE, SERVICE, AND FIRE HYDRANT
- PROPOSED 8" SDR-35 SANITARY SEWER LINE, SERVICE, AND MANHOLE
- PROPOSED 18" HDPE STORM DRAIN, MANHOLE, AND INLET
- BUILDING SETBACK LINE (PRINCIPAL STRUCTURE)
- EXISTING FENCE
- OPEN SPACE TRACT
- PUBLIC ALLEY

**PUBLIC FACILITIES**

- ER      Ute Water Conservancy District
- ER      Central Grand Valley Sanitation District
- & ELECTRIC      Xcel Energy
- LE TELEVISION      Breehan Communications
- PHONE      Qwest
- IGATION      Grand Valley Irrigation
- IRIAGE      Grand Junction Drainage District



**Attach 13**  
**Purchase of 90 Electric Golf Cars**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>		Purchase of 90 Electric Golf Cars				
<b>Meeting Date</b>		March 21, 2007				
<b>Date Prepared</b>		March 5, 2007			<b>File #</b>	
<b>Author</b>		Shirley Nilsen		<b>Senior Buyer</b>		
<b>Presenter Name</b>		Rob Stong Jay Valentine		<b>Director of Golf Purchasing Manager</b>		
<b>Report results back to Council</b>		X	No		Yes	<b>When</b>
<b>Citizen Presentation</b>			Yes	X	No	<b>Name</b>
	<b>Workshop</b>	X		<b>Formal Agenda</b>		
					<b>Consent</b>	X <b>Individual Consideration</b>

**Summary:** This purchase is for ninety 2007 Club Car DS IQ electric golf cars for Tiara Rado and Lincoln Park Golf Courses. These cars will replace the 82 cars currently owned by the City with the trade in value offered for these cars netted against the purchase price.

**Budget:** \$71,200.00 budgeted in the golf course funds to make a lease payment for 90 electric golf cars. Rather than lease the cars from a private company, the Fleet Replacement Fund will request \$190,250.00 to cover the cost of purchasing the golf cars and then rent them back to the golf courses for \$51,486.00 per year for 4 years.

**Action Requested/Recommendation:** Authorize the City Purchasing Division to purchase 90 Club Car 2007 DS IQ Electric Golf Cars, from Colorado Golf & Turf, Inc, Littleton, CO for the amount of \$190,250.00 (\$309,150 less \$118,900 trade).

**Background Information:** In an effort to obtain the best value for the City, bidders were asked to submit prices for 90 golf car cars on both a 4 year lease basis as well as an outright purchase price. After careful analysis and review of the two options, it was determined that it is in the City's best interest to purchase these cars rather than lease them. Purchasing these cars, however, would not be an option for the Golf Course Funds due to their limited fund balance. Because of this, the Fleet Replacement Fund will finance this transaction. The solicitation was advertised in the Daily Sentinel, and invitations were sent to 19 potential bidders. Four proposals were received as shown below.

Company	Location	Price
Colorado Golf and Turf	Littleton, CO	\$190,250.00
Masek Golf Car Company	Gearing, NE	\$190,382.00
Zarlingo's Golf Cars, LLC	Grand Junction, CO	Non-responsive
E-Z-Go Textron	Fort Collins, CO	Non-responsive

The Club Car Golf Cars were selected through a competitive Request for Proposal process using the following evaluation criteria:

- Net Cost
- Responsiveness of the RFP
- Demonstrated capability
- Compliance with specifications
- Delivery Time
- Service/parts availability
- Customer Base: Provide References

Proposals were opened and evaluated by a team of representatives from Parks and Recreation and Purchasing. The proposals from Zarlingo's Golf Cars and E-Z-Go Textron were deemed unresponsive because the golf cars were unable to meet the standard equipment specifications. Neither car met the turning clearance diameter which is critical for entering the storage barn or the maximum dry weight which is critical to maintaining the turf.

Colorado Golf and turf was chosen because of the following:

- Overall best value: High quality equipment and professional services at a fair price.
- Delivery date
- Proven performance, City Golf Courses have used Club Cars for the past 7 years
- Local Club Car dealer maintenance facility

The evaluation team is recommending Colorado Golf and Turf for the electric golf cars. The Parks and Recreation Director and Purchasing Manager agree with this recommendation.

**Attach 14**  
**Public Hearing – Wexford Annexation and Zoning**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA									
<b>Subject</b>		Wexford Annexation and Zoning, located at 2949 and 2953 D 1/2 Road							
<b>Meeting Date</b>		March 21, 2007							
<b>Date Prepared</b>		March 15, 2007			File #ANX-2006-324				
<b>Author</b>		Adam Olsen		Associate Planner					
<b>Presenter Name</b>		Adam Olsen		Associate Planner					
<b>Report results back to Council</b>			Yes	X	No	<b>When</b>			
<b>Citizen Presentation</b>			Yes	x	No	<b>Name</b>			
	<b>Workshop</b>	X	<b>Formal Agenda</b>				<b>Consent</b>	X	<b>Individual Consideration</b>

**Summary:** Request to annex and zone 14.46 acres, located at 2949 and 2953 D 1/2 Road, to RMF-8 (Residential Multi-Family 8 du/ac). The Wexford Annexation consists of two parcels.

**Budget:** N/A

**Action Requested/Recommendation:** Adopt Resolution accepting the petition for the Wexford Annexation and hold a public hearing and consider final passage of the annexation ordinance and zoning ordinance.

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

**Attachments:**

1. Staff report/Background information
2. Site Location Map/Aerial Photo Map
3. Future Land Use Map/Existing City and County Zoning
4. Letter of Opposition
5. Acceptance Resolution
6. Annexation Ordinance
7. Zoning Ordinance

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

**Staff Analysis:**

**ANNEXATION:**

This annexation area consists of 14.46 acres of land and is comprised of two parcels. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

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

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

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

The following annexation and zoning schedule is being proposed.

<b><u>ANNEXATION SCHEDULE</u></b>	
February 7, 2007	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
February 27, 2007	Planning Commission considers Zone of Annexation
March 7, 2007	Introduction Of A Proposed Ordinance on Zoning by City Council
March 21, 2007	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
April 22, 2007	Effective date of Annexation and Zoning

<b>WEXFORD ANNEXATION SUMMARY</b>		
<b>File Number:</b>	ANX-2006-324	
<b>Location:</b>	2949 and 2953 D 1/2 Road	
<b>Tax ID Number:</b>	2943-173-00-203, 2943-174-00-248	
<b>Parcels:</b>	2	
<b>Estimated Population:</b>	5	
<b># of Parcels (owner occupied):</b>	2	
<b># of Dwelling Units:</b>	2	
<b>Acres land annexed:</b>	14.46	
<b>Developable Acres Remaining:</b>	14.46	
<b>Right-of-way in Annexation:</b>	0	
<b>Previous County Zoning:</b>	RSF-R	
<b>Proposed City Zoning:</b>	RMF-8	
<b>Current Land Use:</b>	Residential	
<b>Future Land Use:</b>	Residential	
<b>Values:</b>	<b>Assessed:</b>	\$36,540
	<b>Actual:</b>	\$445,430
<b>Address Ranges:</b>	2949-2953 D 1/2 Road	
<b>Special Districts:</b>	<b>Water:</b>	Ute Water
	<b>Sewer:</b>	Central Grand Valley
	<b>Fire:</b>	GJ Rural
	<b>Irrigation/Drainage:</b>	Grand Junction Drainage
	<b>School:</b>	District 51

**Zone of Annexation:** The requested zone of annexation to the RMF-8 district is consistent with the Growth Plan designation of 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.*

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

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

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

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

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

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

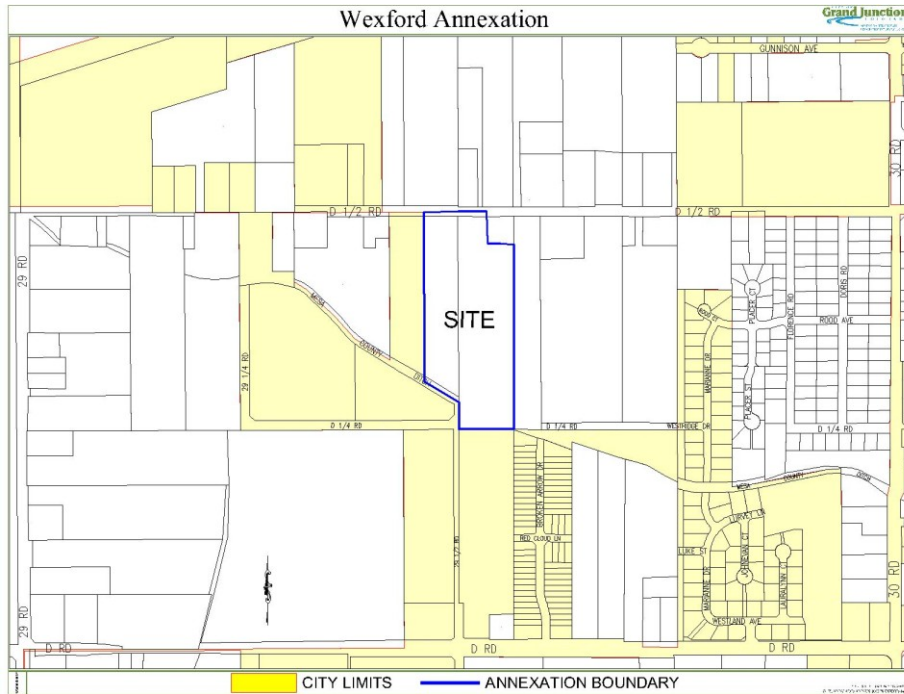
- a. RSF-4
- b. RMF-5

**PLANNING COMMISSION RECOMMENDATION:**

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

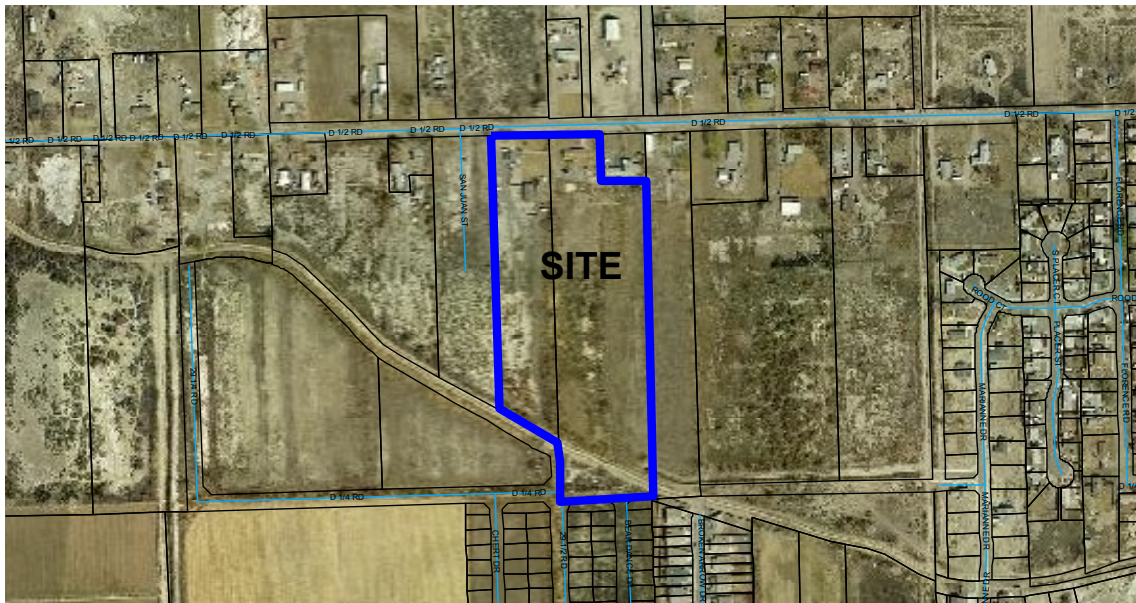
# Site Location Map

Figure 1



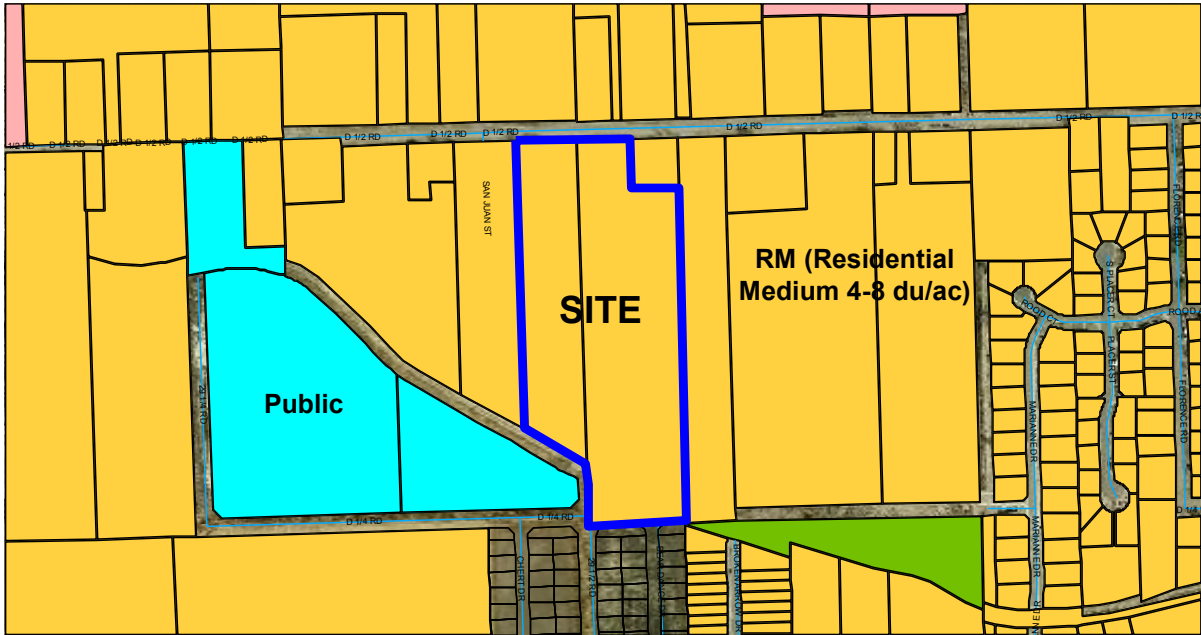
# Aerial Photo Map

Figure 2



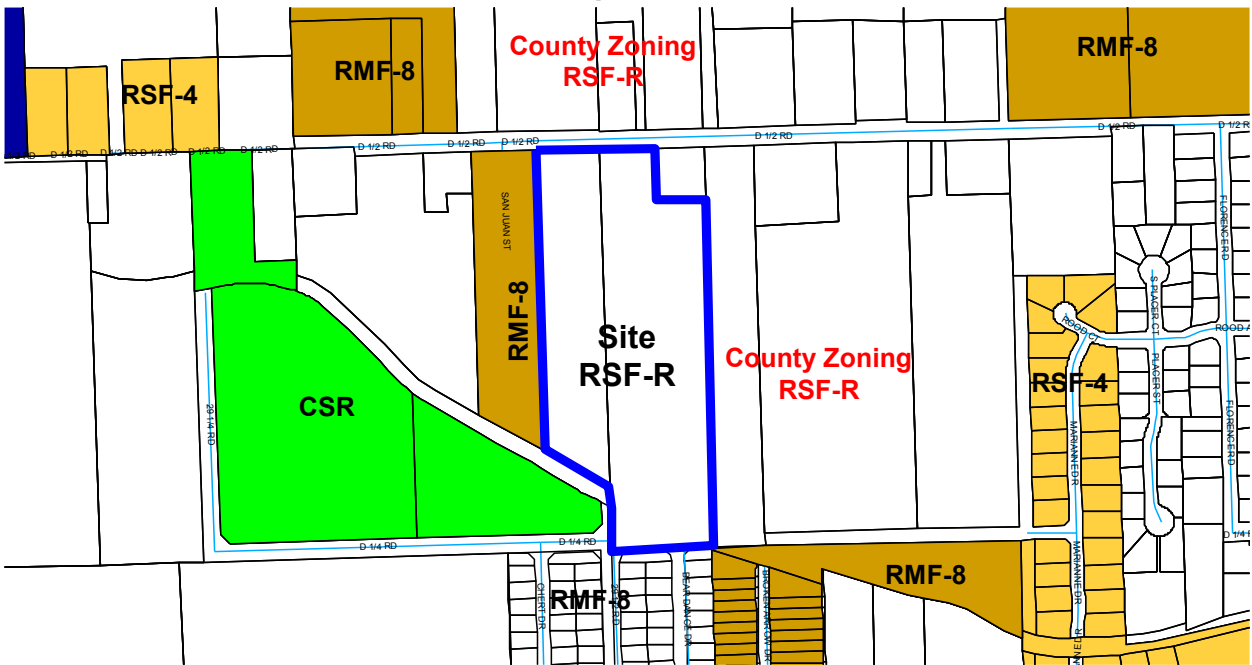
# Future Land Use Map

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."

Marianne Traver  
2967 D 1/2 Rd.  
Grand Junction CO

**RE: Monarch Ridge and Autumn Glenn Prelim Hearings Feb. 27.**

Ever since this area started exploding in subdivisions, it seems we are continuously being railroaded by all involved. The neighborhood meetings take five minutes, where the developer just mentions what we already know, and that is that he has bought the property and will someday do a subdivision, but with absolutely NO information as to what the plan is..... then the meeting is over! It is not even worth the time we have taken out of our lives to attend!!!! What a farce. At least the developer of Autumn Glenn brought a small drawing of his idea for the Costopoulos site to the meeting. I wasn't able to attend the meeting for the Autumn Glenn site.

Now, we get short notice of the hearings.

**RE: Wexford Annexation hearing Feb. 27.**

*Adam Olsen*

I am against RMF-8 being so close to our property. We will eventually be developing next to this area with an RMF-5. RMF-5 looks slightly "packed in" as it is, but RMF-8 is much worse. It seems all around us are asking for only RMF-8.

Concerning the above and upcoming subdivisions, will there be nothing but RMF-8 planned in this area????? Greed has dibs on this area. All I ask is that someone cares about what this area will look like after all is developed. So far, there is only one RMF-4 development, one future RMF-5, and the rest are just "packing them in". It looks like that's pretty much what the City cares about, not about character, as stated in several pamphlets handed out concerning Pear Park. In the past, we had tried to show you what Flint Ridge I was going to be like, but were ignored. The developers there claimed they were going to be low income housing, knowing that's what the Commission and Council wanted to hear. The houses there did NOT end up low income. We pointed out how there was no room for cars to park on the street, and that was ignored. The buildings were then sold to interests in California, and became around 90 % rentals, at \$850 to \$900. That's low income? We had reported how the police visits there started pouring in as soon as it began to be inhabited. We have pages of police visits in just months. Several deputies have told us it's called Clifton Village West out here now.

Hopefully, these developers will have quality plans for these sites. A few more RMF-4 sites would be most pleasing.

Thank you for your attention,

*Marianne Traver*

Marianne Traver

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

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

**WEXFORD ANNEXATION**

**LOCATED AT 2949 AND 2953 D 1/2 ROAD**

**IS ELIGIBLE FOR ANNEXATION**

WHEREAS, on the 7th day of February, 2007, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

**WEXFORD ANNEXATION**

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.

WHEREAS, a hearing on the petition was duly held after proper notice on the 21st day of March, 2007; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefore, that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

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

The said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2007.

Attest:

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

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

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**WEXFORD ANNEXATION**

**APPROXIMATELY 14.46 ACRES**

**LOCATED AT 2949 AND 2953 D 1/2 ROAD**

**WHEREAS**, on the 7th day of February, 2007, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

**WHEREAS**, a hearing on the petition was duly held after proper notice on the 21st 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:

Wexford Annexation

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.

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

**INTRODUCED** on first reading on the 7th day of February, 2007 and ordered published.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

Attest:

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

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

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE ZONING THE 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).

**WEXFORD ANNEXATION**

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 this 7th day of March, 2007 and ordered published.

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

ATTEST:

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President of the Council

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City Clerk

**Attach 15**  
**Public Hearing – Heron’s Nest Annexation and Zoning**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA								
<b>Subject</b>	Heron’s Nest Annexation and Zoning, located at 3125 D Road							
<b>Meeting Date</b>	March 21, 2007							
<b>Date Prepared</b>	March 15, 2007				File #ANX-2006-350			
<b>Author</b>	Adam Olsen		Associate Planner					
<b>Presenter Name</b>	Adam Olsen		Associate Planner					
<b>Report results back to Council</b>		Yes	X	No	<b>When</b>			
<b>Citizen Presentation</b>		Yes	X	No	<b>Name</b>			
	<b>Workshop</b>	X	<b>Formal Agenda</b>			<b>Consent</b>	X	<b>Individual Consideration</b>

**Summary:** Request to annex and zone 9.43 acres, located at 3125 D Road, to RSF-4 (Residential Single Family 4 du/ac). The Heron’s Nest Annexation consists of one parcel and is a two part serial annexation.

**Budget:** N/A

**Action Requested/Recommendation:** Adopt Resolution accepting the petition for the Heron’s Nest Annexation and hold a public hearing and consider final passage of the annexation ordinance and zoning ordinance.

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

**Attachments:**

1. Staff report/Background information
2. Site Location Map/Aerial Photo Map
3. Future Land Use Map/Existing City and County Zoning
4. Acceptance Resolution
5. Annexation Ordinance (2)
6. Zoning Ordinance

STAFF REPORT/BACKGROUND INFORMATION			
<b>Location:</b>		3125 D Road	
<b>Applicants:</b>		Austin and Augusta Design and Construction Management-Owner Tom Logue-Representative	
<b>Existing Land Use:</b>		Agriculture	
<b>Proposed Land Use:</b>		Residential	
<b>Surrounding Land Use:</b>	<b>North</b>	Residential	
	<b>South</b>	Single Family Residential/Vacant Land	
	<b>East</b>	Agriculture	
	<b>West</b>	Residential	
<b>Existing Zoning:</b>		RSF-R	
<b>Proposed Zoning:</b>		RSF-4	
<b>Surrounding Zoning:</b>	<b>North</b>	RSF-R (County) and RMF-5 (City)	
	<b>South</b>	AFT (County)	
	<b>East</b>	RSF-R (County)	
	<b>West</b>	PUD (County)	
<b>Growth Plan Designation:</b>		RM (Residential Medium 4-8 du/ac)	
<b>Zoning within density range?</b>		<input checked="" type="checkbox"/> <b>Yes</b>	<input type="checkbox"/> <b>No</b>

**Staff Analysis:**

**ANNEXATION:**

This annexation area consists of 9.43 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 professional opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Heron's Nest Annexation is eligible to be annexed because of compliance with the following:

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

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

The following annexation and zoning schedule is being proposed.

<b><u>ANNEXATION SCHEDULE</u></b>	
February 7, 2007	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
February 27, 2007	Planning Commission considers Zone of Annexation
March 7, 2007	Introduction Of A Proposed Ordinance on Zoning by City Council
March 21, 2007	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
April 22, 2007	Effective date of Annexation and Zoning

<b>HERON'S NEST ANNEXATION SUMMARY</b>		
<b>File Number:</b>		ANX-2006-350
<b>Location:</b>		3125 D Road
<b>Tax ID Number:</b>		2943-222-00-096
<b>Parcels:</b>		1
<b>Estimated Population:</b>		0
<b># of Parcels (owner occupied):</b>		0
<b># of Dwelling Units:</b>		0
<b>Acres land annexed:</b>		9.43
<b>Developable Acres Remaining:</b>		9.21
<b>Right-of-way in Annexation:</b>		0.22
<b>Previous County Zoning:</b>		RSF-R
<b>Proposed City Zoning:</b>		RSF-4
<b>Current Land Use:</b>		Agriculture
<b>Future Land Use:</b>		Residential
<b>Values:</b>	<b>Assessed:</b>	\$1,730
	<b>Actual:</b>	\$5,960
<b>Address Ranges:</b>		3125 D Road
<b>Special Districts:</b>	<b>Water:</b>	Clifton Water
	<b>Sewer:</b>	Central Grand Valley
	<b>Fire:</b>	Clifton Fire
	<b>Irrigation/Drainage:</b>	Grand Junction Drainage
	<b>School:</b>	District 51

**Zone of Annexation:** The requested zone of annexation to the RSF-4 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.*

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

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



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

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

*Response: 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.

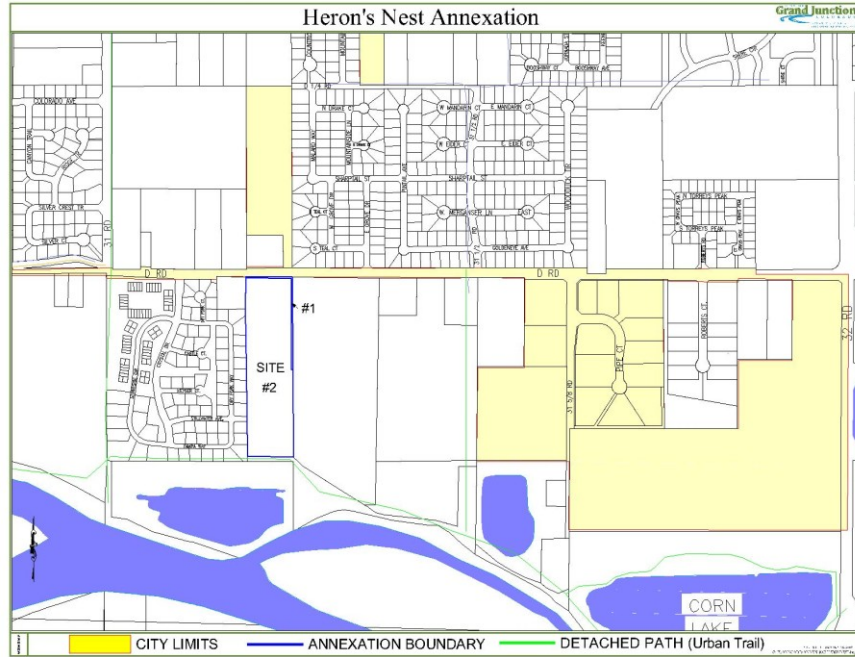
- c. RMF-5
- d. RMF-8

**PLANNING COMMISSION RECOMMENDATION:**

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

# Site Location Map

Figure 1



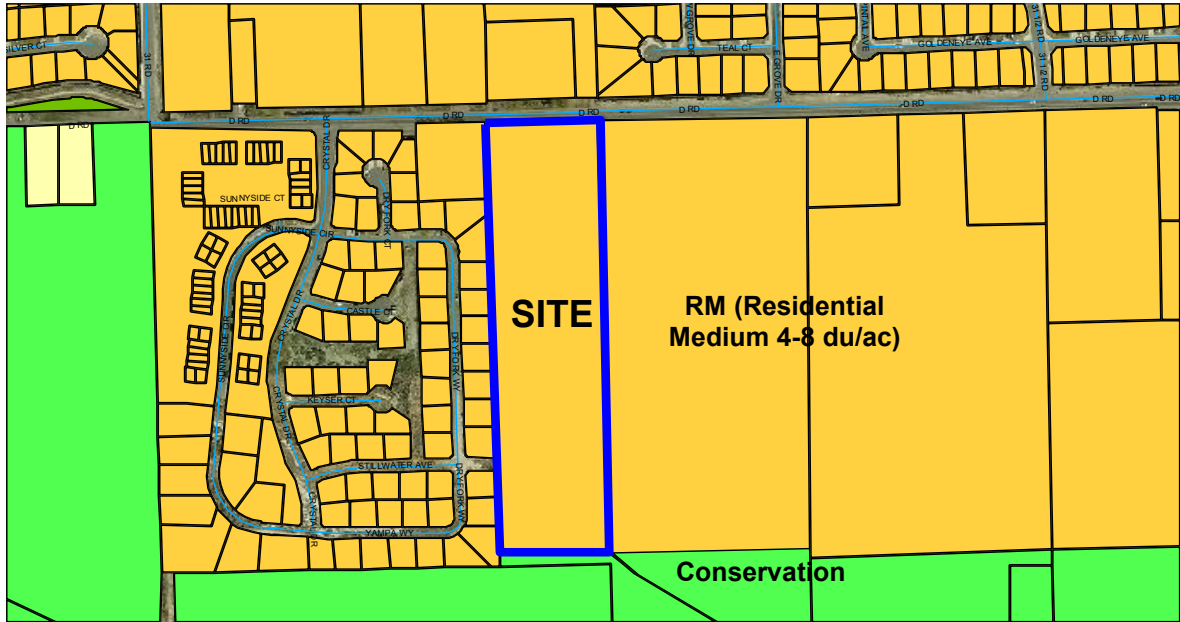
# Aerial Photo Map

Figure 2



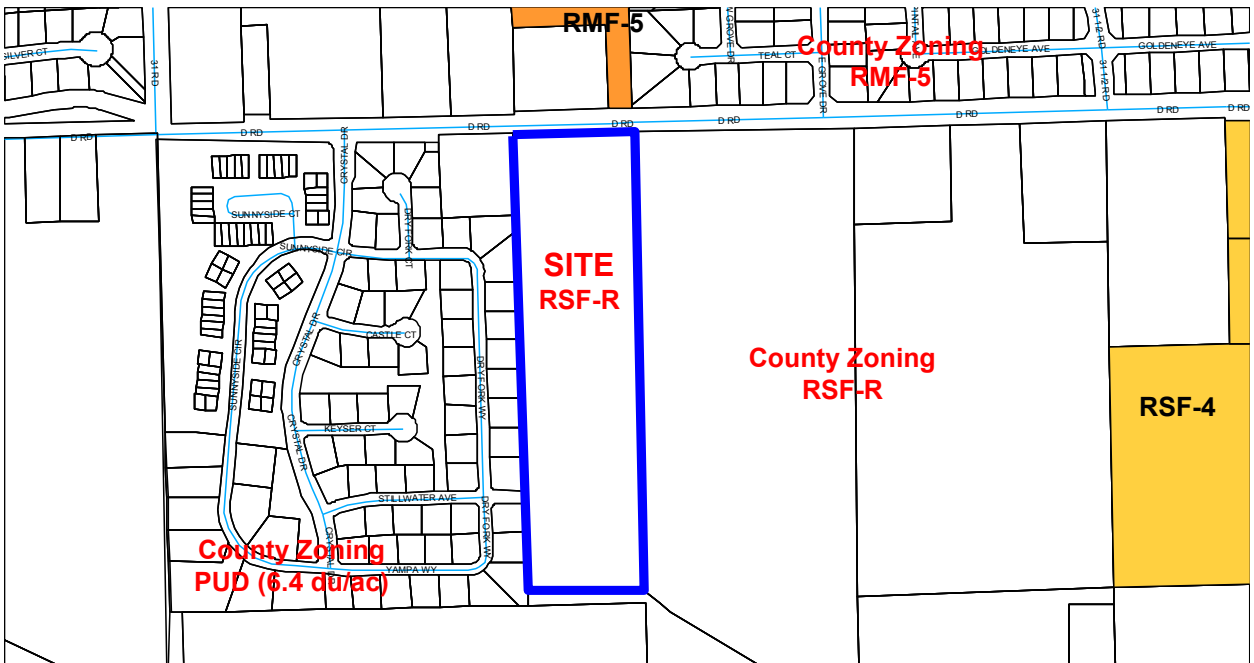
# Future Land Use Map

Figure 3



# Existing City and County Zoning

Figure 4



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

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

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

**HERON'S NEST ANNEXATION**

**LOCATED AT 3125 D ROAD**

**IS ELIGIBLE FOR ANNEXATION**

WHEREAS, on the 7th day of February, 2007, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

**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.

WHEREAS, a hearing on the petition was duly held after proper notice on the 21st day of March, 2007; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefore, that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

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

The said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2007.

Attest:

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

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

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**HERON'S NEST ANNEXATION #1**

**APPROXIMATELY 0.22 ACRES**

**LOCATED AT 3125 D ROAD**

**WHEREAS**, on the 7th day of February, 2007, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

**WHEREAS**, a hearing on the petition was duly held after proper notice on the 21st 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:

**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.

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

**INTRODUCED** on first reading on the 7th day of February, 2007 and ordered published.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

Attest:

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

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



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**HERON'S NEST ANNEXATION #2**

**APPROXIMATELY 9.21 ACRES**

**LOCATED AT 3125 D ROAD**

**WHEREAS**, on the 7th day of February, 2007, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

**WHEREAS**, a hearing on the petition was duly held after proper notice on the 21st 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:

**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.

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

**INTRODUCED** on first reading on the 7th day of February, 2007 and ordered published.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

Attest:

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

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

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE ZONING THE 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 this 7th day of March, 2007 and ordered published.

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

ATTEST:

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

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

**Attach 16**

**Public Hearing – Cimarron Mesa Enclaves 1-4 Annexation and Zoning  
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Annexation and Zoning the Cimarron Mesa Enclaves No. 1-4 Annexation, located at 246, 248, 250, 256, 268 26 1/4 Road, 272 Linden Avenue, and 2677, 2685 S Highway 50.					
<b>Meeting Date</b>	March 21, 2007					
<b>Date Prepared</b>	March 15, 2007				File #ANX-2007-019	
<b>Author</b>	Senta L. Costello		Associate Planner			
<b>Presenter Name</b>	Senta L. Costello		Associate Planner			
<b>Report results back to Council</b>		Yes	X	No	<b>When</b>	
<b>Citizen Presentation</b>		Yes		No	<b>Name</b>	
	<b>Workshop</b>	X	<b>Formal Agenda</b>		<b>Consent</b>	X <b>Individual Consideration</b>

**Summary:** Consider the annexation and zoning for the Cimarron Mesa Enclaves No. 1-4 Annexation. The Cimarron Mesa Enclaves No. 1-4 Annexation is located at 246, 248, 250, 256, 268 26 1/4 Road, 272 Linden Avenue, and 2677, 2685 S Highway 50 and consists of 9 parcels on 21.65 acres. The zoning being requested is RSF-2 (Residential Single Family 2 du/ac), RSF-4 (Residential Single Family 4 du/ac), and C-1 (Light Commercial).

**Budget:** N/A

**Action Requested/Recommendation:** Public hearing to consider final passage of annexation and zoning ordinances.

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

**Attachments:**

1. Staff report/Background information
2. Site Location Map / Aerial Photo
3. Future Land Use Map / Zoning Map
4. Annexation Ordinance
5. Zoning Ordinances

**STAFF REPORT / BACKGROUND INFORMATION  
CIMARRON MESA ENCLAVE No.1**

<b>Location:</b>		268 26 1/4 Road		
<b>Owner:</b>		Mark E. and Loretta J. Danford		
<b>Existing Land Use:</b>		Single Family Residential		
<b>Proposed Land Use:</b>		Single Family Residential		
<b>Surrounding Land Use:</b>	<b>North</b>	Cemetery		
	<b>South</b>	Single Family Residential		
	<b>East</b>	Single Family Residential		
	<b>West</b>	Cemetery		
<b>Existing Zoning:</b>		County RSF-4		
<b>Proposed Zoning:</b>		City RSF-4		
<b>Surrounding Zoning:</b>	<b>North</b>	CSR		
	<b>South</b>	RSF-4		
	<b>East</b>	RSF-4		
	<b>West</b>	CSR		
<b>Growth Plan Designation:</b>		Residential Medium Low 2-4 du/ac		
<b>Zoning within density range?</b>		<b>X</b>	<b>Yes</b>	<b>No</b>

**STAFF REPORT / BACKGROUND INFORMATION  
CIMARRON MESA ENCLAVE No.2**

<b>Location:</b>		256 26 1/4 Road		
<b>Owner:</b>		Paul Harshman		
<b>Existing Land Use:</b>		Single Family Residential		
<b>Proposed Land Use:</b>		Single Family Residential		
<b>Surrounding Land Use:</b>	<b>North</b>	Single Family Residential		
	<b>South</b>	Single Family Residential		
	<b>East</b>	Single Family Residential		
	<b>West</b>	Cemetery		
<b>Existing Zoning:</b>		County RSF-4		
<b>Proposed Zoning:</b>		City RSF-4		
<b>Surrounding Zoning:</b>	<b>North</b>	RSF-4		
	<b>South</b>	RSF-4		
	<b>East</b>	RSF-4		
	<b>West</b>	CSR		
<b>Growth Plan Designation:</b>		Residential Medium Low 2-4 du/ac		
<b>Zoning within density range?</b>		<b>X</b>	<b>Yes</b>	<b>No</b>

STAFF REPORT / BACKGROUND INFORMATION CIMARRON MESA ENCLAVE No.3				
<b>Location:</b>		246, 248, 250 26 1/4 Road		
<b>Owner:</b>		David Eugene and Mary Edith Colby; Dale G and Terrie L Koch; Weston C and Shelly A Lewis		
<b>Existing Land Use:</b>		Residential Single Family		
<b>Proposed Land Use:</b>		Residential Single Family		
<b>Surrounding Land Use:</b>	<b>North</b>	Residential Single Family		
	<b>South</b>	City Water Treatment Plant		
	<b>East</b>	Residential Single Family		
	<b>West</b>	Crawford's Tomb		
<b>Existing Zoning:</b>		County RSF-4		
<b>Proposed Zoning:</b>		City RSF-2/RSF-4		
<b>Surrounding Zoning:</b>	<b>North</b>	RSF-4		
	<b>South</b>	CSR		
	<b>East</b>	RSF-4		
	<b>West</b>	CSR		
<b>Growth Plan Designation:</b>		Residential Medium Low 2-4 du/ac		
<b>Zoning within density range?</b>		<b>X</b>	<b>Yes</b>	<b>No</b>

STAFF REPORT / BACKGROUND INFORMATION CIMARRON MESA ENCLAVE No. 4				
<b>Location:</b>		272 Linden Avenue; 2677, 2685 S Highway 50		
<b>Owner:</b>		Linford Land Management LLC; Gerald R. Derby; Waverly Lamb		
<b>Existing Land Use:</b>		Dairy Queen, Vacant Commercial, Retail trailer repair/truck accessories		
<b>Proposed Land Use:</b>		Dairy Queen, Vacant Commercial, Retail trailer repair/truck accessories		
<b>Surrounding Land Use:</b>	<b>North</b>	Retail; Multi-Family Residential		
	<b>South</b>	Multi-Family Residential		
	<b>East</b>	Storage Units; Vacant Commercial		
	<b>West</b>	Vacant Commercial		
<b>Existing Zoning:</b>		County B-2		
<b>Proposed Zoning:</b>		City C-1		
<b>Surrounding Zoning:</b>	<b>North</b>	C-1		
	<b>South</b>	RMF-16		
	<b>East</b>	C-1		
	<b>West</b>	C-1; RSF-4		
<b>Growth Plan Designation:</b>		Commercial		
<b>Zoning within density range?</b>		<b>X</b>	<b>Yes</b>	<b>No</b>

**Staff Analysis:**

**ANNEXATION:**

This annexation area consists of annexing 21.65 acres of land. Under the 1998 Persigo Agreement with Mesa County the City is to annex all enclave areas within 5 years. State law allows a municipality to annex enclave areas unilaterally after they have been enclaved for a period of three years. The Cimarron Mesa Enclaves 1-4 have been enclaved since February 17, 2002.

Letters, maps, and the "What It Means To Live In The City of Grand Junction" pamphlet have been sent to all affected property owners giving them notice of the intent to annex.

**Zone of Annexation:** The zone of annexation to the RSF-2 for the properties located at 246 and 248 26 1/2 Road and RSF-4 for 250, 256, and 268 26 1/2 Road is consistent with the Growth Plan density of Residential Medium Low 2-4 du/ac; the C-1 zone district for the properties located at 272 Linden Avenue, 2677 and 2685 S Highway 50 is consistent with the Growth Plan density of Commercial. The existing County zoning is RSF-4 and B-2 respectively. 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 is being recommended, the following zone districts would also be consistent with the Growth Plan designation for the subject properties.

- e. RSF-2
- f. RSF-4
- g. R-O
- h. B-1
- i. C-2
- j. 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 district.

**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.

The following annexation and zoning schedule is being proposed.

<b><u>ANNEXATION SCHEDULE</u></b>	
<b>February 7, 2007</b>	Notice of Intent to Annex & (30 Day Notice)
<b>February 27, 2007</b>	Planning Commission considers Zone of Annexation
<b>March 7, 2007</b>	First Reading on Annexation & Zoning by City Council
<b>March 21, 2007</b>	Public hearing on Annexation and Zoning by City Council
<b>April 22, 2007</b>	Effective date of Annexation and Zoning

**CIMARRON MESA ENCLAVE No. 1 ANNEXATION SUMMARY**

<b>File Number:</b>	ANX-2007-019
<b>Location:</b>	268 26 1/4 Road
<b>Tax ID Number:</b>	2945-262-00-035
<b>Parcels:</b>	1
<b>Estimated Population:</b>	2
<b># of Parcels (owner occupied):</b>	1
<b># of Dwelling Units:</b>	1
<b>Acres land annexed:</b>	2.51 acres
<b>Developable Acres Remaining:</b>	Approximately 2 acres
<b>Right-of-way in Annexation:</b>	0.00 acres
<b>Previous County Zoning:</b>	RSF-4
<b>Proposed City Zoning:</b>	RSF-4
<b>Current Land Use:</b>	Single Family Residential
<b>Future Land Use:</b>	Single Family Residential
<b>Values:</b>	<b>Assessed:</b> = \$11,120
	<b>Actual:</b> = \$139,600
<b>Address Ranges:</b>	266-268 26 1/4 Road
<b>Special Districts:</b>	<b>Water:</b> Ute Water
	<b>Sewer:</b> Orchard Mesa Sanitation District
	<b>Fire:</b> Grand Junction Rural Fire District
	<b>Irrigation/Drainage:</b> Orchard Mesa Irrigation
	<b>School:</b> Mesa County School District #51
	<b>Pest:</b> Grand Valley Mosquito

**CIMARRON MESA ENCLAVE No. 2 ANNEXATION SUMMARY**

<b>File Number:</b>	ANX-2007-019	
<b>Location:</b>	256 26 1/4 Road	
<b>Tax ID Number:</b>	2945-262-00-027	
<b>Parcels:</b>	1	
<b>Estimated Population:</b>	2	
<b># of Parcels (owner occupied):</b>	1	
<b># of Dwelling Units:</b>	1	
<b>Acres land annexed:</b>	0.73 acres	
<b>Developable Acres Remaining:</b>	Approximately 0.3 acres	
<b>Right-of-way in Annexation:</b>	0.0 acres	
<b>Previous County Zoning:</b>	RSF-4	
<b>Proposed City Zoning:</b>	RSF-4	
<b>Current Land Use:</b>	Single Family Residential	
<b>Future Land Use:</b>	Single Family Residential	
<b>Values:</b>	<b>Assessed:</b>	= \$5,360
	<b>Actual:</b>	= \$67,410
<b>Address Ranges:</b>	256 26 1/4 Road	
<b>Special Districts:</b>	<b>Water:</b>	Ute Water
	<b>Sewer:</b>	Orchard Mesa Sanitation District
	<b>Fire:</b>	Grand Junction Rural Fire District
	<b>Irrigation/Drainage:</b>	Orchard Mesa Irrigation
	<b>School:</b>	Mesa County School District #51
	<b>Pest:</b>	Grand Valley Mosquito

**CIMARRON MESA ENCLAVE No. 3 ANNEXATION SUMMARY**

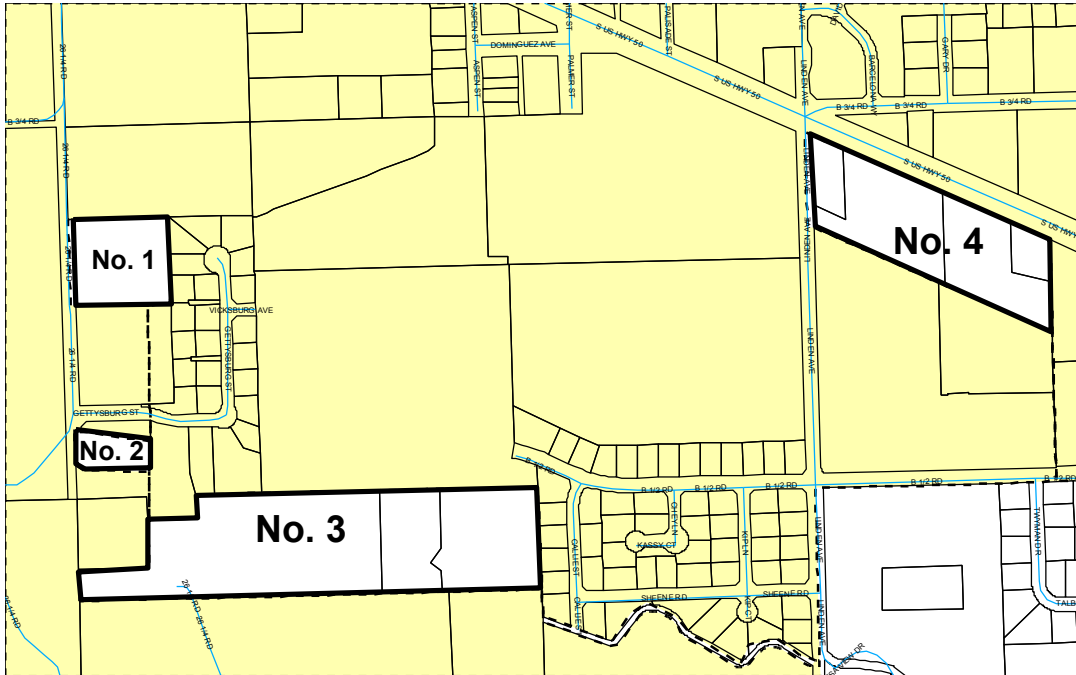
<b>File Number:</b>	ANX-2007-019	
<b>Location:</b>	246, 248, 250 26 1/4 Road	
<b>Tax ID Number:</b>	2945-263-00-032; 2945-263-00-051; 2945-263-00-050	
<b>Parcels:</b>	3	
<b>Estimated Population:</b>	7	
<b># of Parcels (owner occupied):</b>	3	
<b># of Dwelling Units:</b>	3	
<b>Acres land annexed:</b>	11.86 acres	
<b>Developable Acres Remaining:</b>	Approximately 9.0 acres	
<b>Right-of-way in Annexation:</b>	0.0 acres	
<b>Previous County Zoning:</b>	RSF-4	
<b>Proposed City Zoning:</b>	RSF-2/RSF-4	
<b>Current Land Use:</b>	Single Family Residential	
<b>Future Land Use:</b>	Single Family Residential	
<b>Values:</b>	<b>Assessed:</b>	= \$45,800
	<b>Actual:</b>	= \$575,360
<b>Address Ranges:</b>	246-250 26 1/4 Road (even only)	
<b>Special Districts:</b>	<b>Water:</b>	Ute Water
	<b>Sewer:</b>	Orchard Mesa Sanitation District
	<b>Fire:</b>	Grand Junction Rural Fire District
	<b>Irrigation/Drainage:</b>	Orchard Mesa Irrigation
	<b>School:</b>	Mesa County School District #51
	<b>Pest:</b>	Grand Valley Mosquito

**CIMARRON MESA ENCLAVE No. 4 ANNEXATION SUMMARY**

<b>File Number:</b>	ANX-2007-019	
<b>Location:</b>	272 Linden Avenue, 2677 and 2685 S Highway 50	
<b>Tax ID Number:</b>	2945-261-28-009; 2945-261-28-014; 2945-262-28-013; 2945-261-28-007	
<b>Parcels:</b>	4	
<b>Estimated Population:</b>	0	
<b># of Parcels (owner occupied):</b>	0	
<b># of Dwelling Units:</b>	0	
<b>Acres land annexed:</b>	6.55 acres	
<b>Developable Acres Remaining:</b>	Approximately 4.0 acres	
<b>Right-of-way in Annexation:</b>	0.0 acres	
<b>Previous County Zoning:</b>	County B-2	
<b>Proposed City Zoning:</b>	City C-1	
<b>Current Land Use:</b>	Dairy Queen, Vacant Commercial, Retail trailer repair/truck accessories	
<b>Future Land Use:</b>	Dairy Queen, Vacant Commercial, Retail trailer repair/truck accessories	
<b>Values:</b>	<b>Assessed:</b>	= \$180,680
	<b>Actual:</b>	=\$623,050
<b>Address Ranges:</b>	272 Linden Avenue, 2677 - 2685 S Highway 50 (odd only)	
<b>Special Districts:</b>	<b>Water:</b>	Ute Water
	<b>Sewer:</b>	Orchard Mesa Sanitation District
	<b>Fire:</b>	Grand Junction Rural Fire District
	<b>Irrigation/Drainage:</b>	Orchard Mesa Irrigation
	<b>School:</b>	Mesa County School District #51
	<b>Pest:</b>	Grand Valley Mosquito

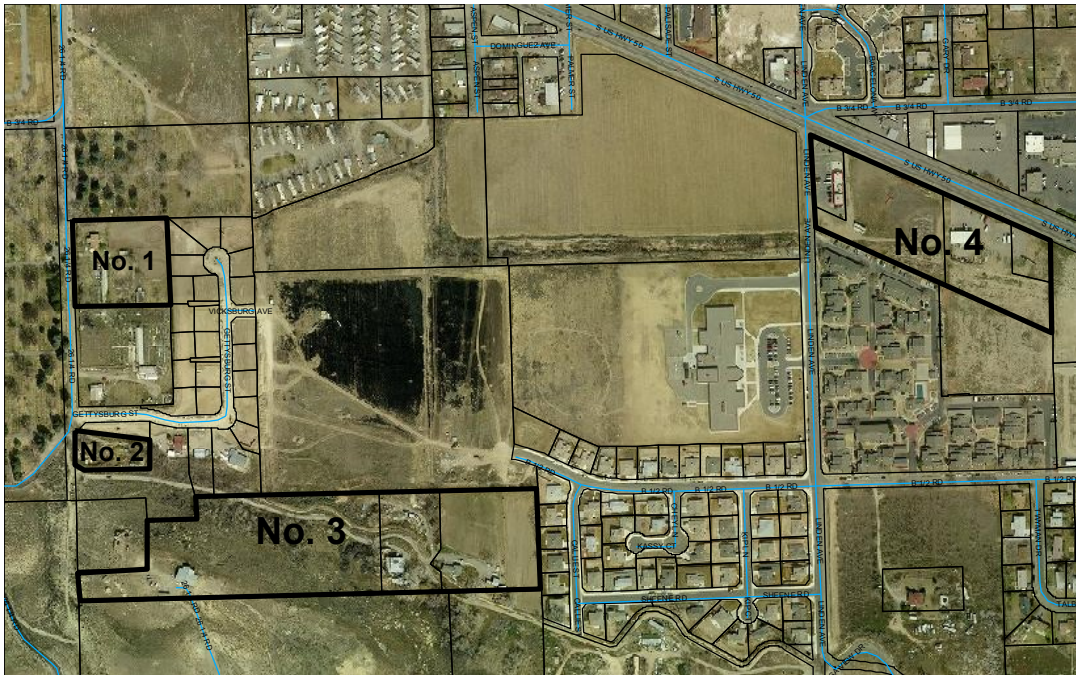
# Site Location Map

Figure 1



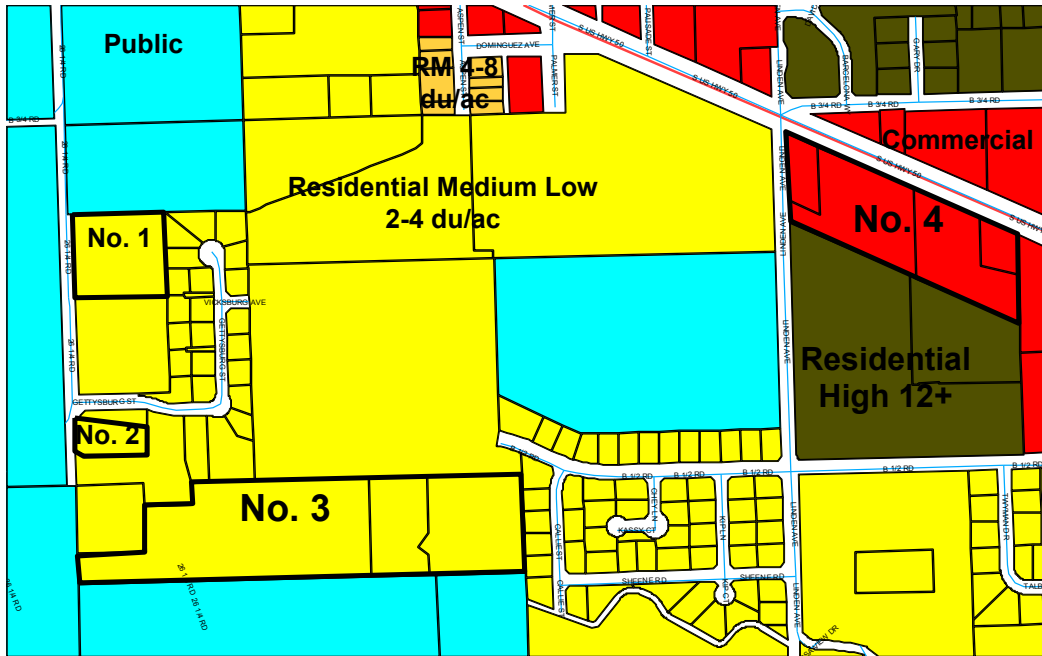
# Aerial Photo Map

Figure 2



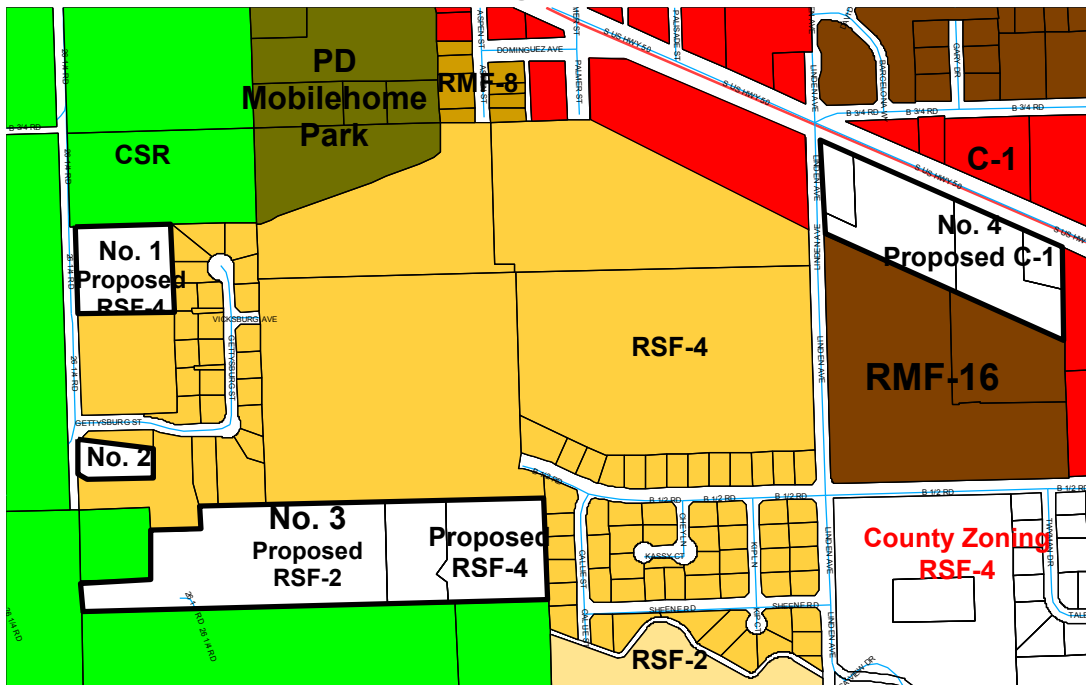
# Future Land Use Map

Figure 3



## Existing City and County Zoning

Figure 4



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

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**CIMARRON MESA ENCLAVE NO. 1 ANNEXATION  
LOCATED AT 268 26 1/4 ROAD**

**CONSISTING OF APPROXIMATELY 2.51 ACRES**

**WHEREAS**, on the 7<sup>th</sup> day of February, 2007 the City Council of the City of Grand Junction gave notice that they will consider for annexation to the City of Grand Junction, a tract of land in the County of Mesa, State of Colorado, commonly known as the Cimarron Mesa Enclave No. 1, and more particularly described as follows:

**CIMARRON MESA ENCLAVE NO. 1**

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.



The area proposed to be annexed is entirely contained within the boundaries of the City of Grand Junction and said area has been so surrounded for a period of not less than 3 years, pursuant to 31-12-106(1). C. R S.

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 commonly known as the Cimarron Mesa Enclave No. 1, is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 7<sup>th</sup> day February, 2007.

ADOPTED and ordered published this \_\_\_\_\_ day \_\_\_\_\_, 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**

**CIMARRON MESA ENCLAVE NO. 2 ANNEXATION  
LOCATED AT 256 26 1/4 ROAD**

**CONSISTING OF APPROXIMATELY 0.73 ACRES**

**WHEREAS**, on the 7<sup>th</sup> day of February, 2007 the City Council of the City of Grand Junction gave notice that they will consider for annexation to the City of Grand Junction, a tract of land in the County of Mesa, State of Colorado, commonly known as the Cimarron Mesa Enclave No. 2, and more particularly described as follows:

**CIMARRON MESA ENCLAVE NO. 2**

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.

The area proposed to be annexed is entirely contained within the boundaries of the City of Grand Junction and said area has been so surrounded for a period of not less than 3 years, pursuant to 31-12-106(1). C. R S.

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 commonly known as the Cimarron Mesa Enclave No. 2, is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 7<sup>th</sup> day February, 2007.

ADOPTED and ordered published this \_\_\_\_\_ day \_\_\_\_\_, 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**

**CIMARRON MESA ENCLAVE NO. 3 ANNEXATION  
LOCATED AT 246, 248, AND 250 26 1/4 ROAD**

**CONSISTING OF APPROXIMATELY 11.86 ACRES**

**WHEREAS**, on the 7<sup>th</sup> day of February, 2007 the City Council of the City of Grand Junction gave notice that they will consider for annexation to the City of Grand Junction, a tract of land in the County of Mesa, State of Colorado, commonly known as the Cimarron Mesa Enclave No. 3, and more particularly described as follows:

**CIMARRON MESA ENCLAVE NO. 3**

A certain parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) and the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 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 the NE 1/4 SW 1/4 of said Section 26 and assuming the North line of the NW 1/4 SE 1/4 bears S89°51'58"E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, S89°51'58"E along said North line a distance of 329.50 feet to the Northeast corner of that certain parcel of land as described in Book 2795, Pages 205-206, Public Records of Mesa County, Colorado, said North line also being a line on the Cimarron Mesa Annexation, City of Grand Junction, Ordinance No. 3396; thence S00°36'45"E along the East line of said parcel a distance of 360.01 feet to the Southeast corner of said parcel, said East line also being a line on said Cimarron Mesa Annexation; thence N89°51'58"W along the South line of said parcel a distance of 329.00 feet to a point on the West line of the NW 1/4 SE 1/4 of said Section 26, said South line also being a line on the Reservoir Hill Annexation, City of Grand Junction, Ordinance No. 1445; thence N89°51'58"W along said Annexation line a distance of 1319.45 feet to the most Southwesterly corner of that certain parcel of land as described in Book 2042, Page 861, Public Records of Mesa County, Colorado, said corner also being a point on the West line of the NE 1/4 SW 1/4 of said Section 26; thence N00°15'34"W along said West line a distance of 109.98 feet, said West line also being a line on said Reservoir Hill Annexation; thence S89°51'58"E along said Annexation line a distance of 249.64 feet; thence N00°15'34"W along said Annexation line a distance of 170.01 feet; thence

S89°51'58"E along said Antietam Annexation a distance of 174.34 feet; thence N00°15'34"W along said Antietam Annexation a distance of 80.00 feet to a point on the North line of the NE 1/4 SW 1/4 of said Section 26; thence S89°51'58"E along said North line a distance of 892.76 feet, more or less, to the Point of Beginning.

Said parcel contains 11.86 acres (516,651 square feet), more or less, as described.

The area proposed to be annexed is entirely contained within the boundaries of the City of Grand Junction and said area has been so surrounded for a period of not less than 3 years, pursuant to 31-12-106(1). C. R S.

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 commonly known as the Cimarron Mesa Enclave No. 3, is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 7<sup>th</sup> day February, 2007.

ADOPTED and ordered published this \_\_\_\_\_ day \_\_\_\_\_, 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**

**CIMARRON MESA ENCLAVE NO. 4 ANNEXATION  
LOCATED AT 272 LINDEN AVENUE, 2677 AND 2685 S HIGHWAY 50**

**CONSISTING OF APPROXIMATELY 6.55 ACRES**

**WHEREAS**, on the 7<sup>th</sup> day of February, 2007 the City Council of the City of Grand Junction gave notice that they will consider for annexation to the City of Grand Junction, a tract of land in the County of Mesa, State of Colorado, commonly known as the Cimarron Mesa Enclave No. 4, and more particularly described as follows:

**CIMARRON MESA ENCLAVE NO. 4**

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.

The area proposed to be annexed is entirely contained within the boundaries of the City of Grand Junction and said area has been so surrounded for a period of not less than 3 years, pursuant to 31-12-106(1). C. R S.

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 commonly known as the Cimarron Mesa Enclave No. 4, is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 7<sup>th</sup> day February, 2007.

ADOPTED and ordered published this \_\_\_\_\_ day \_\_\_\_\_, 2007.

Attest:

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

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

**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 No. 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 7<sup>th</sup> day of March, 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 No. 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 7<sup>th</sup> day of March, 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, 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 No. 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 7<sup>th</sup> day of March, 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 No. 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 7<sup>th</sup> day of March, 2007 and ordered published.

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

ATTEST:

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

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

**Attach 17**  
**Public Hearing – Zoning and Development Code Text Amendments**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Zoning and Development Code Text Amendments Regarding Various Development Standards and Issues					
<b>Meeting Date</b>	March 21, 2007					
<b>Date Prepared</b>	March 12, 2007				<b>File #</b> TAC-2007-006	
<b>Author</b>	Lisa Cox, AICP		Planning Manager			
<b>Presenter Name</b>	Lisa Cox, AICP		Planning Manager			
<b>Report results back to Council</b>	X	No		Yes	<b>When</b>	
<b>Citizen Presentation</b>	X	No		Yes	<b>Name</b>	
	<b>Workshop</b>	X		<b>Formal Agenda</b>		<b>Consent</b> X <b>Individual Consideration</b>

**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:** Hold a public hearing and adopt the final ordinance.

**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  
 Ordinance



<b>BACKGROUND INFORMATION</b>	
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 of 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 nonconforming 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 grant 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(s) being met by the applicant, such as landscaping along the site frontage, even if some of it is in the right-of-way?
2. Are there other upgrades, amenities or public benefits 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 Site Design Exception Team?

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?**

**c. A request to deviate from the required parking, landscaping, screening and/or buffering improvements for nonconforming structures and sites must be submitted in writing on a form or application provided by the City to the applicant, for determination by 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). An 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:

<b>RSF-R</b>	<b>R-R</b>
<b>RSF-E</b>	<b>R-E</b>
<b>RSF-1</b>	<b>R-1</b>
<b>RSF-2</b>	<b>R-2</b>
<b>RSF-4</b>	<b>R-4</b>
<b>RMF-5</b>	<b>R-5</b>
<b>RMF-8</b>	<b>R-8</b>
<b>RMF-12</b>	<b>R-12</b>
<b>RMF-16</b>	<b>R-16</b>
<b>RMF-24</b>	<b>R-24</b>

**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 Director, through the review 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 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 otherwise established), which is land within a development designed for and perpetually limited to the common use or enjoyment of the residents or occupants of the development and/or the public but 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 of 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 portion of the tract 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 otherwise established) which is land within a development designed for and perpetually limited to for the common use or enjoyment of the residents or occupants of the development and/or the public, but 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 of 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 portion of the tract 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 otherwise established) which is land within a development designed for and perpetually limited to the common use or enjoyment of the residents or occupants of the development and/or the public, but 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 portion of the tract 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.

**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 of 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 nonconforming 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 grant 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(s) being met by the applicant, such as landscaping along the site frontage, even if some of it is in the right-of-way?**
- 2. Are there other upgrades, amenities, or public benefits 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 Site Design Exception Team?**

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?

**c. A request to deviate from the required parking, landscaping, screening and/or buffering improvements for nonconforming structures and sites must be submitted in writing on a form or application provided by the City to the applicant, for determination by 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:

<b>RSF-R</b>	<b>R-R</b>
<b>RSF-E</b>	<b>R-E</b>
<b>RSF-1</b>	<b>R-1</b>
<b>RSF-2</b>	<b>R-2</b>
<b>RSF-4</b>	<b>R-4</b>
<b>RMF-5</b>	<b>R-5</b>
<b>RMF-8</b>	<b>R-8</b>
<b>RMF-12</b>	<b>R-12</b>
<b>RMF-16</b>	<b>R-16</b>
<b>RMF-24</b>	<b>R-24</b>

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 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 otherwise established), which is land within a development designed for and perpetually limited to the common use or enjoyment of the residents or occupants of the development and/or the public, but 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 of 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 portion of the tract 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 otherwise established) which is land within a development designed for and perpetually limited to, the common use or enjoyment of the residents or occupants of the development and/or public, but 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 of 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 portion of the tract 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 otherwise established) which is land within a development designed for and perpetually**

limited to, the common use or enjoyment of the residents or occupants of the development and/or the public, but 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 portion of the tract 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 7th day of March, 2007

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

ATTEST:

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

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

**Attach 18  
Establishing Ozone Monitoring in Western Colorado**

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

**A Resolution Requesting the Colorado Air Quality Control  
Commission  
Establish Ozone Monitoring in Western Colorado**

**RECITALS:**

Population growth and development is occurring at an unprecedented pace in Colorado and the Rocky Mountain West. The population in Western Colorado is expected to double by the year 2030.

As a result of that growth, air quality in Colorado will deteriorate.

Increased air pollution results directly from increases in population, traffic and growth and development. The vehicles driven by that increasing population coupled with the growth in housing, construction and industry have resulted in increased air pollutants, many of which are precursors to ozone pollution.

Air pollution in general but especially ozone contributes to the formation of smog. Smog poses health threats to our communities, contributes to the loss of scenic vistas and poses threats to economic our well-being. Air pollution may lead to the imposition of burdensome federal regulations, economic sanctions, loss of business opportunities and a lessening of our high quality of life.

Colorado cities and counties impacted by rapid growth are unable to independently act under the current regulatory framework to reduce air pollution. That fact coupled with the fact that there is no ozone air monitoring currently being performed in Western Colorado makes the need for obtaining baseline ozone monitoring data essential.

The Colorado Air Quality Control Commission has the authority to act on air pollution problems, to be proactive, rather than reactive and accordingly the City Council of the City of Grand Junction urgently requests that the State take immediate steps, in cooperation with the City, Mesa County and other partners, to begin monitoring ozone concentrations and to further assess the risks of increasing air pollution.

NOW, THEREFORE, BE IT RESOLVED, that the Grand Junction City Council requests that the Colorado Air Quality Control Commission require the Colorado Air Pollution Control Division to establish an air monitoring station network in Western Colorado. The air monitoring



should include ozone and other pollutants. The essential purposes of the monitoring will be to obtain qualitative and quantitative emissions data related to traffic and population growth and as applicable to develop data regarding the emissions from energy development as well as other industrial and other unique area sources within the region.

BE IT FURTHER RESOLVED, that the City of Grand Junction supports the Colorado Air Quality Control Commission's efforts to proactively address air pollution problems throughout the state of Colorado and specifically requests the Commission by and through the Division actively monitor air quality, specifically ozone, in the Grand Valley and North Fork – Uncompahgre Valley Airshed.

The City Council finds that air pollution and the lack of monitoring in the Grand Valley is so significant a problem that it would welcome and encourage the State and other interested parties to form partnerships, alliances and coalitions to develop means and methods to fund, place, operate and maintain air quality testing equipment in the airshed as soon as possible.

ADOPTED AND APPROVED THIS 21<sup>st</sup> day of March 2007.

APPROVED:

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James J. Doody  
President of the Council

ATTEST:

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Stephanie Tuin  
City Clerk, City of Grand Junction