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

**WEDNESDAY, JUNE 6, 2007, 7:00 P.M.**

**Call to Order**

Pledge of Allegiance  
Invocation – Chaplain Abe Phiefer, New Horizons Foursquare  
Church

**Proclamations / Recognitions**

Proclaiming June 11 – 18, 2007 as “Homeless Family Week” in the City of Grand  
Junction

Proclaiming June, 2007 as “Grand Junction’s 125<sup>th</sup> Anniversary Month” in the City of  
Grand Junction

**Citizen Comments**

Mark Williams to address City Council on Bike Path Safety

**\*\*\* CONSENT CALENDAR \*\*\*®**

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

*Action: Approve the Summary of the May 14, 2007 Workshop and the Minutes of  
the May 16, 2007 Regular Meeting and the May 21, 2007 and May 30, 2007  
Special Sessions*

2. **Setting a Hearing to Amend the Niagara Village Planned Development,  
Located West of 28 ¼ Road and South of K-Mart** [File #RZ-2007-049] [Attach 3](#)

A request to amend the Niagara Village Planned Development Ordinance to allow  
zero side and rear yard setbacks for accessory structures less than 200 square  
feet.

Proposed Ordinance Amending Ordinance No. 2864 the Niagara Village Planned  
Development Zone Ordinance, Establishing Zero Side and Rear Yard Setbacks  
for Accessory Structures that are less than 200 Square Feet

Action: *Introduction of Proposed Ordinance and Set a Hearing for June 20, 2007*

Staff presentation: Adam Olsen, Associate Planner

3 **Addresses at the Commons Cottages, Located at 625 27 ½ Road** [File #PFP-2006-250] [Attach 4](#)

Hilltop Health Services, Inc. is proposing private streets within the Commons Cottages Subdivision be assigned official street names and the housing units be assigned addresses relating to the private streets rather than to Hermosa Avenue.

Resolution No. 71-07 – A Resolution Naming Private Streets within the Hilltop Commons Subdivision and Addressing Residential Units Along the Private Streets

®Action: *Adopt Resolution No. 71-07*

Staff presentation: John Shaver, City Attorney

4. **Setting a Hearing on the Sutton Annexation, Located at 413 South Camp Road** [File #ANX-2007-057] [Attach 5](#)

Request to annex 53.69 acres, located at 413 South Camp Road. The Sutton Annexation consists of two parcels which is located north of the Canyon View Subdivision on the west side of South Camp Road in the Redlands.

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

Resolution No. 77-07 – 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, Sutton Annexation, Located at 413 South Camp Road and Including the Redlands Water and Power Company Canal Property

®Action: *Adopt Resolution No. 77-07*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Sutton Annexation, Approximately 53.69 Acres, Located at 413 South Camp Road and Including the Redlands Water and Power Company Canal Property

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

Staff presentation: Faye Hall, Associate Planner

5. **Setting a Hearing on the Right-of-Way Vacation, Located at 711 Niblic Drive and 718 Horizon Drive** [File #VR-2007-022] [Attach 6](#)

A request to vacate public right-of-way adjacent to Niblic Drive, east of Horizon Drive located in the Partee Heights Subdivision. The proposed right-of-way vacation is a 50' wide unnamed stub street that was platted, but never built. A 14' multi-purpose easement will be reserved along Niblic Drive.

Proposed Ordinance Vacating Right-of-Way Adjacent to Niblic Drive, Located at 711 Niblic Drive and 718 Horizon Drive

*Action: Introduction of Proposed Ordinance and Set a Hearing for June 20, 2007*

Staff presentation: Ronnie Edwards, Associate Planner

6. **Setting a Hearing on the Vacation of a Portion of Public Right-of-Way, Located at 2397 and 2399 Mariposa Drive** [File #VR-2006-284] [Attach 7](#)

The property owners at 2397 and 2399 Mariposa Drive are requesting that Hilltop Court located between 2397 and 2399 Mariposa Drive on the Redlands be reduced from 50 feet to 20 feet in width with approximately 15 feet of Right-of-Way being vacated from each side. Within the vacated Right-of-Way a multi-purpose easement will be reserved as a perpetual easement for City approved public utilities and appurtenances.

Proposed Ordinance Vacating Right-of-Way for Hilltop Court, Located between 2397 and 2399 Mariposa Drive

*Action: Introduction of Proposed Ordinance and Set a Hearing for June 20, 2007*

Staff presentation: David Thornton, Principal Planner

7. **Setting a Hearing on Zoning the Sky View Annexation, Located at 2881 D Road** [File #ANX-2007-085] [Attach 8](#)

Request to zone the 13.89 acre Sky View Annexation, located at 2881 D Road in the Pear Park area, to R-4 (Residential, 4 units per acre).

Proposed Ordinance Zoning the Sky View Annexation to R-4, (Residential, 4 units per acre) Located at 2881 D Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for June 20, 2007*

Staff presentation: Faye Hall, Associate Planner

8. **Setting a Hearing on Zoning the Street Property Annexation, Located at 623 29 ½ Road** [File #ANX-2007-107] [Attach 9](#)

Request to zone the 1.49 acre Street Property Annexation, located at 623 29 ½ Road, to R-4 (Residential, 4 units per acre). Staff is recommending the R-5 (Residential, 5 units per acre) zone district. This property is located directly east of the Forrest Run Subdivision in the Fruitvale area.

Proposed Ordinance Zoning the Street Property Annexation to R-5 (Residential, 5 Units Per Acre), Located at 623 29 ½ Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for June 20, 2007*

Staff presentation: Faye Hall, Associate Planner

9. **Setting a Hearing for the Young Court Rezone, Located at 2575 Young Court** [File #RZ-2007-089] [Attach 10](#)

Request to rezone 2575 Young Court, comprised of 1.09 acres, from R-R (Residential – 5 ac/du) to R-2 (Residential -2 du/ac). Young Court is located off of Young Street, north of F ½ Road and west of 1<sup>st</sup> Street, in the north Grand Junction neighborhood area.

Proposed Ordinance Rezoning a Parcel of Land from Residential, One Unit per Five Acres (R-R) to Residential, Two Units per Acre (R-2), Located at 2575 Young Court

*Action: Introduction of Proposed Ordinance and Set a Hearing for June 20, 2007*

Staff presentation: Ronnie Edwards, Associate Planner



10. **Vacation of Utility Easement in the Redlands Village Subdivision** [File #VE-2006-336] [Attach 11](#)

Request to vacate a 20' utility easement, where no utilities exist on a parcel located at 565 22 ½ Road, located in the Redlands Village Subdivision.

Resolution No. 78-07 – A Resolution Vacating a Utility Easement on Lot 1, Block 8, of the Redlands Village Subdivision Filing 4, Located at 565 22 ½ Road

®Action: *Adopt Resolution No. 78-07*

Staff presentation: Senta L. Costello, Associate Planner

11. **Vacation of Storm Sewer Easement at 202 Main Street** [File #VE-2007-120] [Attach 12](#)

The City of Grand Junction proposes to vacate a storm sewer easement, originally acquired from the CSECU property at 202 Main Street as part of the Combined Sewer Elimination Project (CSEP). The CSEP project is complete and the easement was not utilized due to a design change for the project.

Resolution No. 79-07 – A Resolution Vacating a Storm Sewer Easement, Located at 202 Main Street

®Action: *Adopt Resolution No. 79-07*

Staff presentation: Tim Moore, Director of Public Works and Planning

12. **Vacation of Pedestrian Easement, Located at the Brickyard on Wellington Avenue East of 12<sup>th</sup> Street** [File #PP-2006-218] [Attach 13](#)

A request to vacate a 35-foot pedestrian easement located in the Brickyard at Wellington residential subdivision, located on Wellington Avenue, east of 12<sup>th</sup> Street. There are no improvements located in the easement and as dedicated its location encroaches into the building footprints of the proposed subdivision. A new 20-foot pedestrian easement will be required per the Urban Trails Master Plan.

Resolution No. 80-07 – A Resolution Vacating a 35 Foot Pedestrian Easement Located at 1631 Wellington Avenue, in Order to Accommodate the Proposed Brickyard at Wellington Subdivision

®Action: *Adopt Resolution No. 80-07*

Staff presentation: Lori V. Bowers, Senior Planner

13. **Setting a Hearing on Zoning the Senatore Annexation, Located at 2302 E Road** [File #ANX-2007-074] [Attach 14](#)

Request to zone 3.07 acre Senatore Annexation, located at 2302 E Road, in the Redlands, to R-4 (Residential – four units per acre). The Senatore Annexation consists of one parcel.

Proposed Ordinance Zoning the Senatore Annexation to R-4, Located at 2302 E Road

Action: *Introduction of Proposed Ordinance and Set a Hearing for June 20, 2007*

Staff presentation: Lori V. Bowers, Senior Planner

14. **Grant Application for Rail Hazard Elimination on River Road, East of the Railroad Boulevard Intersection** [Attach 15](#)

Request to apply for Federal Rail Hazard Elimination funds for an improved rail spur crossing on River Road east of the Railroad Boulevard intersection.

Action: *Authorize Staff to Submit an Application to CDOT for Federal Rail-Highway Safety Improvements for the Rail Spur Cross #254295W for FY 2009-2011*

Staff presentation: Tim Moore, Public Works and Planning Director

16. **Public Hearing - Jones Annexation, Located at 2858 C ½ Road** [File #ANX-2007-087] [Attach 16](#)

Request to continue the Jones Annexation to the June 20, 2007 City Council meeting. The request to continue is due to the May 8, 2007 Planning Commission meeting being cancelled. Due to the cancellation of this meeting, the annexation schedule dates had to be shifted to accommodate the change.

Action: *Continue the Adoption of the Resolution Accepting the Petition for the Jones Annexation and Public Hearing to Consider Final Passage of the Annexation Ordinance to June 20, 2007 City Council Meeting*

Staff presentation: Faye Hall, Associate Planner

16. **Setting a Hearing on Zoning the Jones Annexation, Located at 2858 C ½ Road** [File #ANX-2007-087] [Attach 17](#)

Request to zone the 3.42 acre Jones Annexation, located at 2858 C ½ Road in Pear Park, to R-4 (Residential, 4 units per acre).

Proposed Ordinance Zoning the Jones Annexation to R-4, Located at 2858 C ½ Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for June 20, 2007*

Staff presentation: Faye Hall, Associate Planner

17. **Public Hearing - Younger Annexation, Located at 2172 and 2176 H Road** [File #GPA-2007-054] [Attach 18](#)

Request to continue the Younger Annexation to the June 20, 2007 City Council meeting. The request to continue is due to the May 8, 2007 Planning Commission meeting being cancelled. Due to the cancellation of this meeting, the annexation schedule dates had to be shifted to accommodate the change.

*Action: Continue the Adoption of the Resolution Accepting the Petition for the Younger Annexation and Public Hearing to consider Final Passage of the Annexation Ordinance to the June 20, 2007 City Council Meeting.*

Staff presentation: David Thornton, Principal Planner

18. **Setting a Hearing on Zoning the Younger Annexation, Located at 2172 and 2176 H Road** [File #GPA-2007-054] [Attach 19](#)

Request to zone the 44.87 acre Younger Annexation, located at 2172 and 2176 H Road, to I-1 (Light Industrial). The Younger Annexation consists of 2 parcels inside the H Road/Northwest Area Plan boundary area that was recently changed on the Future Land Use Map from a Rural 5-35 ac/du to Commercial/Industrial.

Proposed Ordinance Zoning the Younger Annexation to I-1 (Light Industrial), Located at 2172 and 2176 H Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for June 20, 2007*

Staff presentation: David Thornton, Principal Planner

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

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

19. **2030 Comprehensive Plan Phase I and II Contract** [Attach 20](#)

Council will review a contract with the professional design and planning firm, Winston Associates, to conduct the 2030 Comprehensive Plan. The schedule for this work anticipates an April 2009 completion date.

*Action: Authorize the Purchasing Division to Enter into a Contract with Winston Associates, to Complete the 2030 Comprehensive Plan. The Contract Stipulates that Execution of Phase III and IV is Subject to Annual Appropriation by City Council*

Staff presentation: Laurie Kadrich, Deputy City Manager  
Tim Moore, Public Works and Planning Director

20. **Airport Improvement Program Grant at Walker Field Airport for an Airport Wildlife Assessment Study** [Attach 21](#)

AIP-33 is for an Airport Wildlife Assessment Study. The Project will study the variety of wildlife at the airport and determine how best to manage it. The grant amount is \$97,000.00. The Supplemental Co-sponsorship Agreement is required by the FAA as part of the grant acceptance by the City.

*Action: Authorize the Mayor to Sign FAA AIP-33 Grant and the City Manager to Sign the Supplemental Co-Sponsorship Agreement for a Wildlife Assessment Study at Walker Field Airport*

Staff presentation: Eddie F. Storer, Operations Manager

21. **Public Hearing - Mesa State College Annexation, Located at 2899 D ½ Road** [Attach 22](#)  
[File #GPA-2007-081]

Request to annex 154 acres, located at 2899 D ½ Road. The Mesa State College Annexation consists of one parcel.

**a. Acceptance Petition**

Resolution No. 81-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as Mesa State College Annexation, Located at 2899 D ½ Road is Eligible for Annexation

®Action: *Adopt Resolution No. 81-07*

**b. Annexation Ordinance**

Ordinance No. 4081 - An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Mesa State College Annexation, Approximately 154 Acres, Located at 2899 D ½ Road

®Action: *Adopt Resolution No. 81-07 and Hold a Public Hearing and Consider Final Passage and Publication of Ordinance No. 4081*

Staff presentation: Ken Kovalchik, Senior Planner

**22. Public Hearing - Page Annexation, Located at 2074 Broadway and 2076 Ferree Drive [File #GPA-2007-061] [Attach 23](#)**

Request to annex 19.7 acres, located at 2074 Broadway and 2076 Ferree Drive in the Redlands. The Page Annexation consists of 2 parcels and is a 4 part serial annexation.

**a. Acceptance Petition**

Resolution No. 82-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Page Annexation, Located at 2074 Broadway and 2076 Ferree Drive Including Portions of the 20 ½ Road, Broadway and Ferree Drive Rights-of-Way is Eligible for Annexation

®Action: *Adopt Resolution No. 82-07*

**b. Annexation Ordinances**

Ordinance No. 4082 - An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Page Annexation No. 1, Approximately 0.21 Acres, Located in a Portion of the 20 ½ Road Right-of-Way

Ordinance No. 4083 - An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Page Annexation No. 2, Approximately 0.58 Acres, Located in a Portion of the 20 ½ Road Right-of-Way

Ordinance No. 4084 - An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Page Annexation No. 3, Approximately 1.39 Acres, Located in Portions of the 20 ½ Road and Broadway Rights-of-Way

Ordinance No. 4085 - An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Page Annexation No. 4, Approximately 17.52 Acres, Located at 2074 Broadway and 2076 Ferree Drive Rights-of-Way

*®Action: Adopt Resolution No. 82-07 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 4082, 4083, 4084, and 4085*

Staff presentation: Scott D. Peterson, Senior Planner

23. **Public Hearing - Three Sisters Annexation, Located at 2431 Monument Road**  
[File #GPA-2007-076] [Attach 24](#)

Request to annex 128.92 acres, located at 2431 Monument Road in the Redlands. The Three Sisters Annexation consists of one parcel of land.

**a. Acceptance Petition**

Resolution No. 83-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Three Sisters Annexation, Located at 2431 Monument Road Including Portions of the Monument Road Right-of-Way is Eligible for Annexation

*®Action: Adopt Resolution No. 83-07*

**b. Annexation Ordinance**

Ordinance No. 4087 - An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Three Sisters Annexation, Approximately 128.92 Acres, Located at 2431 Monument Road Including Portions of the Monument Road Right-of-Way

*®Action: Adopt Resolution No. 83-07 and Hold a Public Hearing and Consider Final Passage and Publication of Ordinance No. 4087*

Staff presentation: Scott D. Peterson, Senior Planner

24. **Public Hearing – Amending the Parking Code** [Attach 25](#)

Proposed amendment to the parking code allowing peace officers working traffic enforcement to park in areas of the City where parking is not normally allowed.

Ordinance No. 4088 - An Ordinance Amending Part of Chapter 36 of the City of Grand Junction Code of Ordinances Relating to Parking

*®Action: Hold a Public Hearing and Consider Final Passage and Publication of Ordinance No. 4088*

Staff presentation: John Shaver, City Attorney

25. **Public Hearing - Repeal Ordinance No. 2575, Concerning Emergency Medical Services** [Attach 26](#)

The County adopted a county-wide ambulance regulatory system. Based on the successful implementation of the County resolution, the City no longer needs its ordinance and by this ordinance the existing ordinance will be repealed. The proposed ordinance repeals Ordinance No. 2575, which is codified as Article IV, Sections 18-86 – 18-101 of the Grand Junction Code of Ordinances, Emergency Medical Services.

Ordinance No. 4089 - An Ordinance Repealing Ordinance No. 2575 Codified as Chapter 18, Section 86 – 101 of the City of Grand Junction Code of Ordinances, Concerning Emergency Medical Services

*®Action: Hold a Public Hearing and Consider Final Passage and Publication of Ordinance No. 4089*

Staff presentation: John Shaver, City Attorney

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

27. **Other Business**

28. **Adjournment**

**Attach 1**  
Minutes

**GRAND JUNCTION CITY COUNCIL  
WORKSHOP SUMMARY  
May 14, 2007**

The City Council of the City of Grand Junction, Colorado met on Monday, May 14, 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. Councilmember Linda Romer Todd was absent.

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

- 1. APPOINTMENTS TO BOARDS & COMMISSIONS:** Stephanie Tuin, City Clerk, gave an update on the status of appointments to various volunteer boards. She also reviewed the current activities for the various boards. Volunteers for interviews for both the DDA and the Commission on Arts and Culture were solicited.

**Action summary:** Gregg Palmer, Jim Doody and Bruce Hill volunteered for DDA interviews. Bruce Hill, Bonnie Beckstein and Teresa Coons volunteered for the Arts Commission interviews.

The Council President called a recess at 7:55 p.m. The meeting reconvened at 8:02 p.m.

- 2. REQUIREMENTS FOR DEVELOPMENT IMPROVEMENTS AGREEMENTS USED FOR DEVELOPMENTS:** Tim Moore, Director of Public Works and Planning, introduced the topic noting it was a continuation of the discussion regarding Code changes to make the process smoother for the community. Planning Manager Lisa Cox reviewed the required improvements for each type of development as well as requirements for completion, guarantee and warranty as well as the method for the City to insure completion. The requirements are put into place to protect the citizens and end user, as well as the City, to make sure taxpayer dollars do not have to be expended to complete the improvements. The Development Improvements Agreements lay out all of these requirements and guarantees the completion, the performance and includes a financial guarantee. The dollar amount is 120% of the projected cost of the improvements. The Maintenance Guarantee is also a mechanism that is used to make sure of the quality of the improvements within the first year. There are also



provisions to address temporary improvements. The agreements seek to balance the rights of the owners, the developers, and the future owners. Ms. Cox said it is not unusual that construction schedules slip a little so there are provisions to extend the timeline of Maintenance Guarantees and to make sure the City is still protected. In 2006, the Planning Commission approved 35 subdivision plats where the developers used a Development Improvements Agreement. DIA's are also used to allow owners to move into their property without all the improvements being complete; not life safety improvements but improvements such as landscaping, a prime example.

Ms. Cox concluded by pointing out both documents are legal contracts and thus are very complete.

Councilmember Coons inquired about the timing of the release of such agreements. Planning Manager Cox detailed the time frame for the inspections that then in turn lets the Planner know the agreement can be released. Due to workloads, there have been some delays. Councilmember Coons asked if there is a deficiency does the time clock start over. Ms. Cox stated not always, but if the deficiency is significant, the time clock does get restarted.

Councilmember Palmer asked how long this process has been in place. City Attorney Shaver answered over 17 years. The agreements have been refined, and have evolved so the process is very predictable. Councilmember Palmer asked if these are required on all new projects. City Attorney Shaver replied any new subdivision where there are infrastructure improvements, the developer has a choice; they can allow the plat to be held or use DIA's. The DIA process is to their advantage as they can market their property sooner. Councilmember Palmer asked if there have been requests to waive the DIA. City Attorney Shaver responded infrequently; most developers are knowledgeable about the advantages including the fact that the City inspectors are keeping an eye on the contractor so it serves the developer.

Councilmember Hill wanted to clarify that the developer can do all the infrastructure improvements without a DIA but with a DIA it expedites the process to market the property. Ms. Cox said they would still execute a DIA but would use a plat hold as a guarantee not a monetary obligation for security; at completion they execute a Maintenance Guarantee. Councilmember Hill asked why do they have to sign a DIA when they are using a plat hold. City Attorney Shaver explained the DIA details the improvements that must be done. Ms. Cox said it is a promise to construct in accordance with the City standards.

Councilmember Hill stated that prior to DIA's, plats would be approved and then the improvements might not be constructed but with DIA's in place, that won't happen. City Attorney Shaver concurred.

**Action summary:** No action was requested.

3. **GJ COMMUNICATIONS CENTER UPDATE:** The Police Department will update the City Council on planning for and implementing solutions for the immediate space needs and other infrastructure challenges at the Police Department, and planning for a new public safety facility relative to the Grand Junction Regional Communications Center (GJRCC). Police Chief Bill Gardner introduced the topic and referred to those in attendance from the City and also Rebecca Thiess, Undersheriff of Mesa County, representing Sheriff Stan Hilkey. He outlined the development of how this planning process began. He introduced Deputy Chief Troy Smith.

Deputy Chief Smith reviewed the Communication Center history and 2006 data. Nearly 50% of the calls come from cell phones now which can't always be located. The training for the Communication Center is very intense and the job is very difficult.

A work team was drawn together to address two key needs: solve current challenges and strategically plan for a new public safety facility. The Communication Center is the number one priority and the property evidence facility is number two. One of the difficulties is remodeling the Communication Center and still keeping it up and running. A number of recommendations came out of the work team:

- Remodel the Communications Center to add space to the data room and the operations floor to accommodate new technological advances and anticipate future growth in both technology and personnel
- Replacement of the uninterrupted power source (previously approved by Council)
- Replacement of the back up power system
- Relocate the City's Information Systems infrastructure for the Police Department into the Communications Center's data room
- Add 3 additional dispatch consoles to the center
- Create a space for training new Telecommunicators (located in a modular)
- Relocate support personnel to offices within the modular

Current staffing requires 72 hours of overtime per week. Eighty-five percent of the staff has worked over 100 hours per pay period since the beginning of the year.

Councilmember Palmer asked if the current trainees will bring the staffing levels up to reduce the overtime. Deputy Chief Smith replied that is a good point but a

difficult question to answer. Even with the new hires there is one vacancy and likely additional vacancies coming forward. With six months of training, it will remain an issue. With the existing configuration, additional personnel cannot be accommodated. Consoles are placed so close together it is difficult for the dispatchers to hear and the heat generated by the machines is detrimental to the equipment and the employees. The uninterruptible power supply had to be placed in an office due to the floor support needed. Due to federal grant funding availability, the 911 board decided to go to the 800 MHz radio system and utilize that grant funding. Officer safety is an issue with the current system.

Coplink is a system to allow linkage of databases with other agencies and involves analytical tools. Deputy Chief Smith related a story where the Coplink system helped with an arrest. Councilmember Palmer asked if all the other agencies have to have Coplink. Deputy Chief Smith said the data will come through the Sheriff's office so it is not necessary for Fruita and Palisade to have it. Councilmember Palmer was pleased with the prospect of that type of linkage taking place and recognized the hard work that has gone into this process. Deputy Chief Smith advised the funding for the Coplink program is in the supplemental appropriation request.

Deputy Chief Smith concluded that both the operational space and the data space are insufficient to maintain the continuity of the critical public safety communications service delivery. One modular is in place and two more are on their way.

The Communication Center will have to be taken down briefly while the new uninterruptible power supply is installed.

Three lab personnel will be moving into the new CBI facility by the airport once complete in the fall or early next year. Property and evidence will remain in the current Police Department building.

Councilmember Palmer asked Deputy Chief Smith to detail taking the system down during the switch over. Deputy Chief Smith stated that it is hoped it will only be for a very short time frame but a contingency plan is in place in case the system does not come back up.

Councilmember Coons asked how the funding for the Communications Center is distributed. Deputy Chief Smith responded that Mesa County Sheriff's office pays for all of the unincorporated areas and also Collbran and Debeque. Fruita and Palisade pay their prorated amount and 60% of the funding comes from the City of Grand Junction.

Councilmember Beckstein asked if there has been any thought to a private contractor taking over. Chief Gardner responded that the private sector does a number of things very well. Currently a private company does the non-emergency transport calls and that is not really up to the City standard. Next year it may come back to the City. Private companies perform based on a profit margin and public safety does not fit a for-profit model very well. Councilmember Beckstein expressed her concerns that the budget is not meeting the needs. Deputy Chief Smith advised the budget was not exceeded any year except for 2006. He pointed out that the Police Department isn't the only department that is feeling the effects of growth.

City Attorney Shaver added that there is also significant liability for this type of operation. The costs for a private contractor would contain a large factor in insurance costs.

Councilmember Hill stated that there is a need for temporary resolutions while working on a long term solution. He asked how the staffing situation can be addressed. Chief Gardner said the staffing is unacceptable and he pledged to work with the City Manager to come up with a plan which will include increasing the number of authorized staff.

Councilmember Coons asked about the process of screening applicants. Chief Deputy Smith said this is ongoing and they are working with Human Resources and the Police Psychologist, and adjusting the training model.

Chief Gardner expressed that he knows the City has limited resources and there are infrastructure needs throughout the City, but within 4 to 5 years the need for a new public safety facility is crucial.

**Action summary:** No action is being requested except support for the supplemental appropriations request.

## **OTHER BUSINESS**

Councilmember Coons brought up the Airport Authority issue. It is clearly an emotional issue and she wondered if an invitation could be sent to the Authority to come and talk to City Council. Councilmember Palmer said he has tried to keep City Council advised but renaming the Airport is on the agenda for May 15, 2007. He can extend a request that the issue be postponed until the Airport Authority comes and talks to Council. He urged that the issue not be confrontational. Although the City appoints three members of the board, it does not fund the airport operations.

Councilmember Coons agreed but asked that the discussion be at a workshop when the public is aware. Councilmember Palmer stated the Airport Authority tried that last Monday, opened the meeting to the public and only 6 to 8 citizens showed up.

Councilmember Hill asked if the name change will bring more business and a greater position in the market.

Councilmember Palmer explained how it has been explained to him. Airport staff asked the question about going through this upgrade for which \$78,000 in signage will be spent. It was suggested that the name change should be discussed now along with marketing it to the different airlines. Councilmember Palmer said the current name implies a sports facility or military facility and there have been inquiries to that effect. The airfares are higher than they should be due to lack of competition. The Authority hopes to market the airport and region to draw additional airlines. The Authority went to an airline convention and tried to market this area and after speaking to representatives regarding the area, Montrose had an edge due to their regional name as that is what the airlines recognized. It is not to diminish the legacy of Walter Walker. The Authority is spending money on Walker Drive road signs and other signage, but rather the purpose is to market this area better.

Councilmember Hill asked if there is a compromise to have the name be Grand Junction Regional Airport at Walker Field. Councilmember Palmer said absolutely, they intend to explore several options.

Council President Doody said that the way to do business is let the community have some debate or input. Councilmember Palmer advised Council President Doody that since he will be at the Tuesday meeting that would be an appropriate comment to make.

Councilmember Palmer said all Authority members have been in community service and want to do the right thing. Council President Doody said the comments from the public are that it is not being discussed openly. Councilmember Palmer reminded the Council, all the members of the Airport Authority board are experienced community members and meetings are open to the public. Council President Doody invited the public to attend the Airport Authority meeting on Tuesday at 5:15 on the third floor of the Airport terminal.

## **ADJOURN**

The meeting adjourned at 9:48 p.m.

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

**May 16, 2007**

The City Council of the City of Grand Junction convened into regular session on the 16<sup>th</sup> day of May 2007, at 7:10 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Bruce Hill, Gregg Palmer, Doug Thomason and President of the Council Jim Doody. Absent were Councilmembers Teresa Coons and Linda Romer Todd. Also present were Acting City Manager Laurie Kadrach, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Doody called the meeting to order. He introduced his mother-in-law, Jean Nicholson. Councilmember Thomason led in the pledge of allegiance. The audience remained standing for the invocation by Chaplain David Frost, Good News Jail & Prison Chaplain.

**Proclamations / Recognitions**

Proclaiming May 11 -18, 2007 as “A Time of Remembrance and Reflection on the Early Beginnings of our Country and the 400<sup>th</sup> Anniversary of Jamestown” in the City of Grand Junction

**Citizen Comments**

There were none.

**Election of Mayor and Mayor Pro Tem/Administer Oaths of Office and Council Assignments for 2007-2008**

**a. Election of Mayor and Mayor Pro Tem**

Jim Doody was selected by acclamation to serve another one year as President of the Council/Ex-Officio Mayor for the City of Grand Junction.

Bonnie Beckstein was selected by acclamation to serve another one year as President of the Council Pro Tem/Ex-Officio Mayor Pro Tem for the City of Grand Junction.

**Administer Oaths of Office**

City Clerk Stephanie Tuin administered the oath of office to both Mayor Doody and Mayor Pro Tem Beckstein.

Councilmember Palmer left the meeting.

**b. Council Assignments – Rescheduled until July 18, 2007**

**CONSENT CALENDAR**

Councilmember Beckstein read the items on the Consent Calendar and then moved to approve the Consent Calendar. It was seconded by Councilmember Thomason and carried by roll call vote to approve the Consent Items #1 through #7.

**1. Minutes of Previous Meetings**

*Action: Approve the Summary of the April 30, 2007 Workshop and the Minutes of the April 18, 2007 and May 2, 2007 Executive Sessions and the May 2, 2007 Regular Meeting*

**2. Setting a Hearing on the Newton Annexation, Located at 2320 H Road [File #ANX-2007-101]**

Request to annex 11.44 acres, located at 2320 H Road. The Newton Annexation consists of one parcel and is a three part serial annexation.

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

Resolution No. 72-07 – 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, Newton Annexation, Located at 2320 Road

*Action: Adopt Resolution No. 72-07*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Newton Annexation No. 1, Approximately 0.46 Acres, Located at 2320 H Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Newton Annexation No. 2, Approximately 0.67 Acres, Located at 2320 H Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Newton Annexation No. 3, Approximately 10.31 Acres, Located at 2320 H Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for June 20, 2007*

3. **Setting a Hearing on the Sky View Annexation, Located at 2881 D Road** [File #ANX-2007-085]

Request to annex 13.89 acres, located at 2881 D Road. The Sky View Annexation consists of two parcels and is located to the east of the Skyler Subdivision and west of 29 Road.

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

Resolution No. 73-07 – 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, Sky View Annexation, Located at 2881 D Road and Also Includes a Portion of the D Road and Florida Street Rights-of-Way

*Action: Adopt Resolution No. 73-07*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Sky View Annexation, Approximately 13.89 Acres, Located at 2881 D Road and Also Includes a Portion of the D Road and Florida Street Rights-of-Way

*Action: Introduction of Proposed Ordinance and Set a Hearing for June 20, 2007*

4. **Setting a Hearing on the Street Property Annexation, Located at 623 29 ½ Road** [File #ANX-2007-107]

Request to annex 1.49 acres, located at 623 29 ½ Road. The Street Property Annexation consists of one parcel and is located directly east of the Forrest Run Subdivision.

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

Resolution No. 74-07 – 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, Street Property Annexation, Located at 623 29 ½ Road and a Portion of the 29 ½ Road Right-of-Way

*Action: Adopt Resolution No. 74-07*

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



Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Street Property Annexation, Approximately 1.49 Acres, Located at 623 29 ½ Road and a Portion of the 29 ½ Road Right-of-Way

*Action: Introduction of Proposed Ordinance and Set a Hearing for June 20, 2007*

5. **Setting a Hearing on the Senatore Annexation, Located at 2302 E Road** [File #ANX-2007-074]

Request to annex 3.07 acres, located at 2302 E Road. The Senatore Annexation consists of one parcel and is a two part serial annexation containing portions of 23 Road and E Road Right-of-Way.

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

Resolution No. 75-07 – 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, Senatore Annexation, Located at 2302 E Road

*Action: Adopt Resolution No. 75-07*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Senatore Annexation No. 1, Approximately 0.72 Acres, Located at 2302 E Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Senatore Annexation No. 2, Approximately 2.35 Acres, Located at 2302 E Road

*Action: Introduction of Proposed Ordinances and Set a Hearing for June 20, 2007*

6. **Setting a Hearing to Amend the Parking Code**

Proposed amendment to the parking code allowing peace officers working traffic enforcement to park in areas of the City where parking is not normally allowed.

Proposed Ordinance Amending Part of Chapter 36 of the City of Grand Junction Code of Ordinances Relating to Parking

*Action: Introduction of Proposed Ordinance and Set a Hearing for June 6, 2007*

7. **Setting a Hearing to Repeal Ordinance No. 2575, Concerning Emergency Medical Services**

Repeal Ordinance No. 2575, which is codified as Article IV, Sections 18-86 – 18-101 of the Grand Junction Code of Ordinances, Emergency Medical Services.

Proposed Ordinance Repealing Ordinance No. 2575 Codified as Chapter 18, Section 86 – 101 of the City of Grand Junction Code of Ordinances, Concerning Emergency Medical Services

*Action: Introduction of Proposed Ordinance and Set a Hearing for June 6, 2007*

**ITEMS NEEDING INDIVIDUAL CONSIDERATION**

**Setting a Hearing on the Newton Annexation, Located at 2320 H Road** [File #ANX-2007-101]

Although this item was approved on the Consent Calendar, the City Council allowed the Petitioner to address Council.

Request to annex 11.44 acres, located at 2320 H Road. The Newton Annexation consists of one parcel and is a three part serial annexation.

Debbie Newton, the petitioner, addressed the City Council. She reviewed the history of the application. She felt there was a huge misunderstanding about the process and the requirement for sewer. She asked for a variance to Section 6.2 of the Zoning and Development Code and if no variance could be granted, she asked to withdraw her request to annex. She noted that it will cost hundreds of thousands of dollars to extend the sewer. They have no intention to develop the property at this time.

Councilmember Hill explained that the request before them was just for annexation, it does not require the installation of sewer. If withdrawn, the applicant would have to start all over. Ms. Newton said her taxes would increase with annexation, so they do not want to be annexed until they can proceed with the lot split.

Tim Moore, Public Works and Planning Director, was asked how much staff time has already been invested in this review. Mr. Moore said he would estimate the cost at \$2,000.

Council President Doody asked if withdrawing the annexation would require the process be redone. Mr. Moore said yes, potentially.

Councilmember Beckstein asked how that area would be annexed if not through a petition. City Attorney Shaver said potentially through an enclave but that would be years into the future. Otherwise the City does not annex property unless development is requested.

Terry Newton, the co-applicant, stated they were told that once the sewer is available then annexation will happen. There is no reason to go further if they cannot split the property.

City Attorney Shaver clarified that the split requires annexation and that the sewer be extended. The criteria for annexation have been established.

Mrs. Newton noted that they have had substantial cost too.

Councilmember Hill pointed out that those costs would not be for naught if they go forward with the annexation. They can wait on the development until the sewer is closer to their property.

Councilmember Hill advised that the request to withdraw was only just received tonight and he has not had a chance to review it but the public hearing has been set and he will review the request between now and then.

Mrs. Newton described her experience with the Planning staff and again expressed her desire to withdraw their request.

Council President Doody asked Acting City Manager Kadrich to work with the petitioners over the next week to try to get some relief to the Newtons.

Mrs. Newton said she appreciated the offer for help from the Acting City Manager but she doesn't see any reason to be annexed.

The City Council took no additional action at this time.

### **Public Hearing – 2007 CDBG Program Year Funding for the 2007 Action Plan**

Consideration of funding requests for the CDBG 2007 Program Year allocations and set a public hearing for June 20, 2007 to adopt the CDBG 2007 Action Plan.

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

Kathy Portner, Neighborhood Services Manager, reviewed this item. She presented the 2007 CDBG Action Plan and explained the process. She also identified the criteria for projects to be funded under CDBG criteria as well as the City's established priorities for funding. Ms. Portner listed the CDBG committee recommendations for funding; noting

the allocations as presented will leverage over \$2 million. She stated many of the applicants are present and would like the opportunity to address the City Council.

Council President Doody asked if anyone wanted to speak.

Penny Frankhauser, Center for Enriched Communication Counseling and Education Center at 2708 Patterson Road, thanked the City Council for the money for mental health programs.

Judy Lopez, Western Slope Headstart, 835 N 26<sup>th</sup> Street, thanked the Council for the award of funds. It will allow the addition of another classroom at the Riverside School site.

Marianne Cooper, representing the Tree House, thanked the Council. The Tree House is experiencing an 80% success rate.

Jacque Pipe, St. Mary's Senior Companion Program, thanked the Council for not forgetting the elderly. The program tries to keep the elderly in their homes. She also thanked Council for the funding for the Grey Gourmet and the Foster Grandparent Program.

Linda Taylor, Center for Independence, a program that was not funded, explained their request. The building purchased for use has some electrical issues. John Coombs, a board member, was also present. They said they will request funding again next year if the need still exists.

The public hearing was closed at 8:03 p.m.

Councilmember Hill advised he serves on a committee through the National League of Cities that fights to keep this funding program alive. There is continually a threat to cut funding from the program and it has been cut in half since the City became an entitlement City. Senator Salazar signed a letter opposing the budget cuts to this program. He encouraged all organizations benefiting from this program to continue to tell their stories about how this funding helps them leverage additional funds. The funding can leverage up to ten times the dollars received.

Councilmember Beckstein said it is important for the lawmakers in Washington D.C. to know how this funding helps families in need and how many funds it leverages for those families.

Councilmember Thomason noted that every project is worthwhile and deciding who to fund is difficult. The leverage factor is so important.

Council President Doody knows the hard work these organizations do. His viewpoint on the committee was to spread out the funding this year. He encouraged organizations to keep applying.

Councilmember Thomason moved to set a Public Hearing for Adoption of the CDBG 2007 Action Plan, year 2 of the 2006 Five-year Consolidated Plan, for June 20, 2007. Councilmember Beckstein seconded the motion. Motion carried.

**Public Hearing – West Ouray Rezone, Located at 302 W. Ouray Avenue** [File #RZ-2007-034]

Request to rezone two properties with a combined acreage of 1.18 acres, located at 302 W. Ouray Avenue, from R-8 (Residential, 8 units per acre) to C-1 (Light Commercial).

The public hearing was opened at 8:11 p.m.

Faye Hall, Associate Planner, reviewed this item. She described the site, the location and the request. The Future Land Use Designation for the property is Commercial. The rezone request complies with the Future Land Use Designation as well as the rezone criteria.

Councilmember Thomason advised that Councilmember Palmer said he heard from a number of residents about access from Mulberry. Ms. Hall advised that will be addressed at site plan review.

There were no public comments.

The public hearing was closed at 8:14 p.m.

Council President Doody noted the improvements to this area and neighborhood.

Councilmember Hill said he recently drove through the area and the transformation was dramatic. He commented about the Growth Plan Amendment and the subsequent request of a rezone.

Councilmember Hill asked about some of the roadways in the area. Ms. Hall pointed out that some roadways and some alleys have been vacated recently.

Councilmember Thomason moved to adopt Ordinance No. 4080 and ordered it published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

**Public Hearing – Miller Annexation, Located at 450 Wildwood Drive**  
[File #GPA-2006-239]

Request to annex 35.7 acres, located at 450 Wildwood Drive. The Miller Annexation consists of one parcel and is a five part serial annexation.

The public hearing was opened at 8:19 p.m.

Kristen Ashbeck, Senior Planner, reviewed this item. She described the location and the site, which is vacant with the exception of a couple of agricultural buildings. This is the largest serial annexation the City has done. Only the annexation is being considered at this time. The request meets the annexation criteria in State Statutes and the Planning Commission and Staff recommend approval.

Wylie Miller, the petitioner, 728 Jordanna Road, said he will respond to any issues later.

Tom Volkmann, 225 N. 5<sup>th</sup> Street, an attorney representing the neighbors, addressed the City Council. He referred to the annexation plats and pointed out the serial annexation is needed to leap frog from the existing City limits to the applicant's site which includes a portion of the South Broadway right-of-way. It also is supposed to include a portion of the Wildwood Road right-of way which is in question. He noted that the property actually belongs to Dale and Alice Smith, one of his clients. Although the Assistant County Attorney asserted the road is considered a County road, he contends there is no proof of that to be so. He said no one has contacted the Smiths to try to resolve this. Therefore, the petition should be rejected because without that right-of-way, there is not the required contiguity. Although the zoning is not being considered, he wanted on record that his clients do feel the current Growth Plan Designation should be enforced.

Councilmember Hill pointed out the Smiths have allowed other neighbors to use this road, so questioned why it isn't a road.

Councilmember Beckstein asked what the concern is if the road is already being used.

Mr. Volkmann said there is no proof that the road has been used continuously and adversely for twenty years. Without that roadway, there is not 1/6<sup>th</sup> contiguity.

City Attorney Shaver advised he has discussed this with Mr. Volkmann.

Councilmember Beckstein asked why the designation is such a concern when it is already being used. Mr. Volkmann said it needs to be established in court. Councilmember Beckstein asked how long the road has been used. Mr. Volkmann said he would defer to the owners for that information.

Councilmember Hill asked the City Attorney if there is another way to annex so the road isn't an issue. Mr. Shaver said there is, but there is a reason for drawing the annexation in the current configuration. If drawn another way, the property may be landlocked.

Councilmember Hill asked if the Smiths could close the road. Mr. Shaver said yes but his contention is the road has been a County road for a number of years, and that is sufficient. The City cannot take any action unless the City has jurisdiction. The applicant has attempted to get Mesa County to take action. He referred to the Persigo Agreement as to the City's jurisdiction once the County road is annexed.

Tery Dixon, 423 Wildwood Drive, to the south of the annexation, said she is amazed at the creativity of serial annexation. She feels the spirit of the law is to include other parcels, not just rights-of-way. She said the County did purchase land for access from a property owner, but the County never followed through with remaining access.

Councilmember Hill asked Ms. Dixon how long she has lived there. She said she built her home in 1975. Councilmember Hill asked if that has always been the access. She said no, there was an older portion off South Broadway that came west into the neighborhood. The County vacated that portion of South Broadway to straighten out the road and that is when the neighbors started using the Smith's access.

Paul Cooper, 2095 Wildwood Court, a nearby homeowner, said he thinks the City is trying to surround the area to annex it all. He questioned how these small portions of right-of-way give the right to annex. He said he does not feel it is in the spirit of the law.

City Attorney Shaver corrected that surrounding the other properties is not the intent; it is to establish the 1/6<sup>th</sup> contiguity.

Mr. Cooper said the word creative is being used as a euphemism for "sneaky". Mr. Shaver said the technique is perfectly lawful. Mr. Cooper still felt it is underhanded.

Councilmember Beckstein asked if one of the purposes for the Persigo Agreement is to control the quality of development. Mr. Shaver agreed, pointing out that this property is within the 201 Persigo boundary.

Alice Smith, 467 Wildwood Drive, has been there 31 ½ years. They help maintain that road with road base, oil, and blading of the road. She asked how much of the road does the County say they own. She noted there is a bridge there, and it was recently fixed by the County.

Cheng-Er Mehmedbaisich, 456 Wildwood Drive, thought it was unethical to take away someone's property.

City Attorney Shaver said they are not taking away property.

Enver Mehmedbaisich, 456 Wildwood Drive, said there are only 17 homes there. He contended that all the homework has not been done for this annexation.

Wylie Miller, the applicant, pointed out the Smith property, and the location of the old right-of-way. The Smith home is in the middle of that right-of-way. The current access has been used for over twenty years. The Smiths brought the sewer to their property and oversized the pump station to serve the area. The rules require annexation and he has the right.

Patty Milius, 445 Wildwood, has been there 30 years, said the road was not maintained by the County, but the neighborhood maintained the road. When they moved the mailboxes up the road, they were told they had to bring the road up to County standards which the neighborhood did and it is still a dirt road. From the floods in the 1980's, the bridge was almost washed out, and the road is a drainage for water from the Monument. When the road was washed out, the neighbors redid the road. The County addressed the weakening of the bridge.

Councilmember Beckstein asked who maintains the road. Mr. Shaver said the County does.

Alice Smith returned to the podium with a drawing of her property. She asked for clarification, which was provided by Senior Planner Kristen Ashbeck.

Wayne Westcott, 2107 Wildwood Court, is new to the neighborhood. He felt the City owed the Smiths the decency to look into it further.

Mike Anton, 211 Desert Hills Road, asked for clarification. He does not know of any property being annexed on the south side of South Broadway. He does not think the bridge intersects the property. More clarification was provided by Senior Planner Kristen Ashbeck.

Annie Morrison, 452 Wildwood Drive, stated there has been a lot of questions raised and not a lot of answers and believes they deserve answers.

Tom Caper, 2411 Sandridge Court, asked if there is a question, does it make sense for the City to take a lawsuit forward and spend taxpayer dollars.

There were no additional public comments.

The public hearing was closed at 9:30 p.m.

Councilmember Thomason asked what action would have to be taken. City Attorney Shaver said it is a quiet title action where the use and adverse possession is put before a judge who decides. It is hoped that it can be avoided but Mr. Volkmann's question and if



the Smiths don't want to dedicate the property that will have to be pursued. It will be something the City will have to deal with in the future.

Councilmember Hill said part of the problem is educating folks that annexation does not change their way of life. Once annexed, there are some benefits to being in the City. This is an uncomfortable issue, because the City wants jurisdiction so it can "fix" the problem. He agrees that the issue needs to be resolved, but it needs to be cleaned up by the property owner, bringing pressure on the County to fix it. If the road is not across the Smith property, then where is it?

Councilmember Beckstein agreed. She does not believe it is the City's responsibility to resolve this issue.

Councilmember Thomason agreed, although he understands the legal argument Mr. Shaver makes.

Council President Doody said it is obviously a County road but he did question whether that has actually been established by the County. He supports the tenets of the Persigo agreement. The County needs to resolve the issue.

**a. Accepting Petition**

Resolution No. 76-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Miller Annexation, Located at 450 Wildwood Drive is Eligible for Annexation

**b. Annexation Ordinances**

Ordinance No. 4081 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Miller Annexation No. 1, Approximately 0.002 Acres, Located in Portions of the South Broadway and Wildwood Drive Rights-of-Way

Ordinance No. 4082 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Miller Annexation No. 2, Approximately 0.01 Acres, Located in Portions of the South Broadway and Wildwood Drive Rights-of-Way

Ordinance No. 4083 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Miller Annexation No. 3, Approximately 0.73 Acres, Located in a Portion of the Wildwood Drive Right-of-Way

Ordinance No. 4084 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Miller Annexation No. 4, Approximately 2.10 Acres, Located at 450 Wildwood Drive and Including a Portion of the Wildwood Drive Right-of-Way

Ordinance No. 4085 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Miller Annexation No. 5, Approximately 32.86 Acres, Located at 450 Wildwood Drive

Councilmember Hill moved to adopt Resolution No. 76-07. Councilmember Thomason seconded the motion. Motion failed by roll call vote. Failure of the motion made the consideration of the ordinances moot.

Council President Doody called a recess at 9:44 p.m.

The meeting reconvened at 9:54 p.m.

### **Public Hearing – 1<sup>st</sup> Supplemental Appropriation Ordinance for 2007**

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

The public hearing was opened at 9:54 p.m.

Jodi Romero, Financial Operations Manager, reviewed this item, noting the first supplemental appropriations ordinance is mainly for carryovers for incomplete projects and specific additional projects, which she listed.

Councilmember Thomason advised the artificial turf appropriation will partially be reimbursed. Ms. Romero agreed and identified the amount to be reimbursed, with the City portion being \$250,000.

Council President Doody asked if Mesa County is also going to contribute.

Councilmember Hill advised that, although a member of PIAB, the County has declined to participate in the artificial turf installation.

Councilmember Hill asked about carryover funds for a new police facility. Ms. Romero said the supplemental appropriation includes funds for remodeling, new equipment, and for personnel.

Acting City Manager Kadrach advised that some of the dollars will be lost when a new facility is built. Some of the equipment may be able to move into to the new facility, some costs will be recovered and some will be lost.

City Attorney Shaver said the dispatcher consoles, a very expensive item, will likely be reused.

Councilmember Hill pointed out that this is a temporary fix for the Police Department, although an expensive one.

Councilmember Thomason and Council President Doody both had positive comments on the new golf carts.

Council President Doody said they are going forward with the E-85 fueling station.

Councilmember Hill asked how the City is looking moving into the last three quarters of a two year budget.

Ms. Romero said a Finance Committee is meeting to look at not only the new budget cycle, but also how things are in the current budget.

Councilmember Hill said the Council hears questions on accountability from the citizens. He said it is Ms. Romero's job to assess those expenditures with the best use of the taxpayer's money. The other issue is TABOR; he asked what the refund would have been. Ms. Romero said \$8.2 million. Councilmember Hill wanted a document to be presented to the Chamber every year of what the refund would have been, how that affects the repayment of the bonds, along with the tally sheet and post it to the website which will tell the whole story. Acting City Manager Kadrich said they are developing that document. Councilmember Hill recommended that projections not be included. He asked if the Council can have more time to review the proposed budget, at least ten to fourteen days. Ms. Romero said the involvement of City Council at an earlier date is part of what the Committee will be looking at.

Council President Doody asked that the managers put together a document that documents the cost savings accomplished by the employees. He would like to see a report to Council on a regular basis.

There were no public comments.

The public hearing was closed at 10:12 p.m.

Ordinance No. 4086 – An Ordinance Making Supplemental Appropriations to the 2007 Budget of the City of Grand Junction

Councilmember Hill moved to adopt Ordinance No. 4086 and ordered it published. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

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

There were none.

**Other Business**

Councilmember Hill wished his mother-in-law a Happy Birthday.

Council President Doody thanked all that came and for the Council's support on his re-election.

**Adjournment**

The meeting adjourned at 10:14 p.m.

Stephanie Tuin, MMC  
City Clerk

## **GRAND JUNCTION CITY COUNCIL**

### **SPECIAL SESSION MINUTES**

**MAY 21, 2007**

The City Council of the City of Grand Junction, Colorado met in Special Session on Monday, May 21, 2007 at 1:30 p.m. in the Administration Conference Room, 2<sup>nd</sup> Floor, City Hall, 250 N. 5<sup>th</sup> Street. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Bruce Hill, Gregg Palmer, Doug Thomason, Linda Romer Todd, and President of the Council Jim Doody. Also present was City Attorney John Shaver, Acting City Manager Laurie Kadrach, Financial Operations Manager Jodi Romero, and Administrative Intern Angela Harness.

Council President Doody called the meeting to order.

Councilmember Beckstein moved to go into executive session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations and/or instructing negotiators relative to property located at the northeast corner of I-70 and 24 Road pursuant to Section 402 4 E of the Colorado's Open Meetings Act. Councilmember Palmer seconded the motion. The motion carried.

The City Council will not be returning to open session.

The City Council convened into executive session at 1:43 p.m.

Juanita Peterson, CMC  
Deputy City Clerk

# **GRAND JUNCTION CITY COUNCIL**

## **SPECIAL SESSION MINUTES**

**May 30, 2007**

The City Council of the City of Grand Junction, Colorado met in Special Session on Wednesday, May 30, 2007 at 11:30 a.m. in the Administration Conference Room, 2<sup>nd</sup> Floor, City Hall, 250 N. 5<sup>th</sup> Street. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Bruce Hill, Gregg Palmer, Doug Thomason, Linda Romer Todd and President of the Council Jim Doody. Also present were Acting City Manager Laurie Kadrach, City Attorney John Shaver and Police Chief Bill Gardner.

Council President Doody called the meeting to order.

Councilmember Beckstein moved to go into executive session for discussion of personnel matters under Section 402(4)(f)(I) of the Open Meetings Law relative to City Council employees, specifically the City Manager and Council will not be returning to open session. Councilmember Palmer seconded the motion. The motion carried.

The City Council convened into executive session at 11:43 a.m.

Stephanie Tuin, MMC  
City Clerk

**Attach 3**

Setting a Hearing to Amend the Niagara Village Planned Development, Located West of 28 1/4 Road and South of K-Mart

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Niagara Village PD amendment, located west of 28 1/4 Road and south of K-Mart.					
<b>Meeting Date</b>	June 6, 2007					
<b>Date Prepared</b>	May 31, 2007				File # RZ-2007-049	
<b>Author</b>	Adam Olsen		Associate Planner			
<b>Presenter Name</b>	Adam Olsen		Associate Planner			
<b>Report results back to Council</b>	X	No		Yes	When	
<b>Citizen Presentation</b>	x	No		Yes	Name	
	<b>Workshop</b>	X	<b>Formal Agenda</b>	X	<b>Consent</b>	<b>Individual Consideration</b>

**Summary:** A request to amend the Niagara Village Planned Development Ordinance, to allow zero side and rear yard setbacks for accessory structures less than 200 square feet.

**Budget:** N/A

**Action Requested/Recommendation:** Introduce the proposed Ordinance and set a hearing for June 20, 2007.

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

**Attachments:**

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

STAFF REPORT / BACKGROUND INFORMATION				
<b>Location:</b>		Niagara Village, west of 28 1/4 Road and south of K-Mart		
<b>Applicant:</b>		Niagara Village H.O.A.-Applicant		
<b>Existing Land Use:</b>		Residential		
<b>Proposed Land Use:</b>		Residential		
<b>Surrounding Land Use:</b>	<b>North</b>	Commercial		
	<b>South</b>	Vacant		
	<b>East</b>	Residential		
	<b>West</b>	Commercial		
<b>Existing Zoning:</b>		PD		
<b>Proposed Zoning:</b>		N/A		
<b>Surrounding Zoning:</b>	<b>North</b>	C-1		
	<b>South</b>	C-1		
	<b>East</b>	PD		
	<b>West</b>	C-1		
<b>Growth Plan Designation:</b>		RMH (Residential Medium High 8-12 du/ac)		
<b>Zoning within density range?</b>		X	<b>Yes</b>	<b>No</b>

**Staff Analysis:**

1. Background

The Niagara Village PD Ordinance was adopted in September of 1995. The PD was approved with side setbacks of 7.5 feet and rear setbacks of either 10 feet or 15 feet. When the PD was approved, it was not customary for the ordinance to call out setbacks for accessory structures. Since the time of adoption and approval, many of the residents of Niagara Village have constructed sheds on or very near the side and rear property lines. By strictly interpreting the setbacks as originally approved, very few, if any of the existing sheds would be able to remain on site. The lots are not large enough to accommodate both the primary residence and accessory structures, such as sheds, without encroaching into either the 7.5 and 10 or 15 foot setbacks. Those setbacks were intended for the principal structures.



A Code Enforcement issue arose when a resident was required to move a carport to be out of an easement. In order for the carport to be moved, a shed was required to be moved as well to make room for the carport. The shed was then found to be in violation of the side setback of 7.5 feet. It was not possible to move the shed within the 7.5 foot setback without hitting the home. Upon further inspection, it was found that nearly all of the existing sheds were out of compliance. Instead of having one resident request a variance, when nearly all sheds were out of compliance, it was decided that an amendment to the original PD Zone Ordinance would be appropriate. A neighborhood meeting was held where the Home Owners Association informed residents of the issue and it was agreed upon to request the amendment.

2. Consistency with the Growth Plan

The existing PD zone district is consistent with the Future Land Use designation of Residential Medium High (8-12 du/ac).

3. Consistency with Section 2.6.A of the Zoning and Development Code

Zone requests must meet all of the following criteria for approval:

1. The existing zoning was in error at the time of adoption; or

Response: The existing zoning of PD was not in error at the time of adoption. However, when it was adopted in 1995, no provision was made for accessory structures, such as sheds. This amendment clarifies that accessory structures less than 200 square feet may be placed in the side and rear yard setbacks as long as there are no easement encroachments.

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

Response: There has been no change of character in the neighborhood other than that of residents installing sheds which can not meet the current setback requirements which are only called out for in regards to primary structures.

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

Response: The proposed amendment to the PD ordinance is compatible with the neighborhood as well as the requirements of the Code and other City regulations.

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

Response: The proposed amendment to the PD ordinance will not allow structures to be placed on any easements such as utility and/or multipurpose easements.

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

Response: This criterion is not applicable.

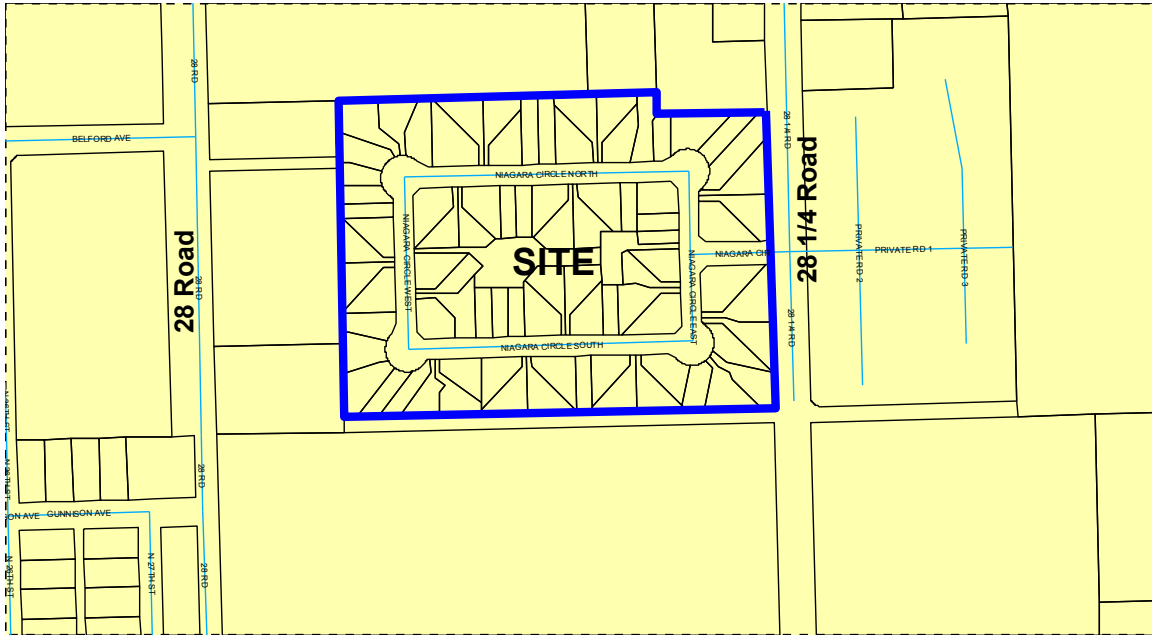
6. The community will benefit from the proposed zone.

Response: The Niagara Village PD will benefit from this proposed amendment as it will allow the residents to retain their existing sheds and will benefit residents seeking to construct sheds as there will be room on the property to accommodate them.

**PLANNING COMMISSION RECOMMENDATION:** The Planning Commission recommended approval of the requested PD zone amendment to the City Council, finding it to be consistent with the goals and policies Growth Plan and Section 2.6.A of the Zoning & Development Code.

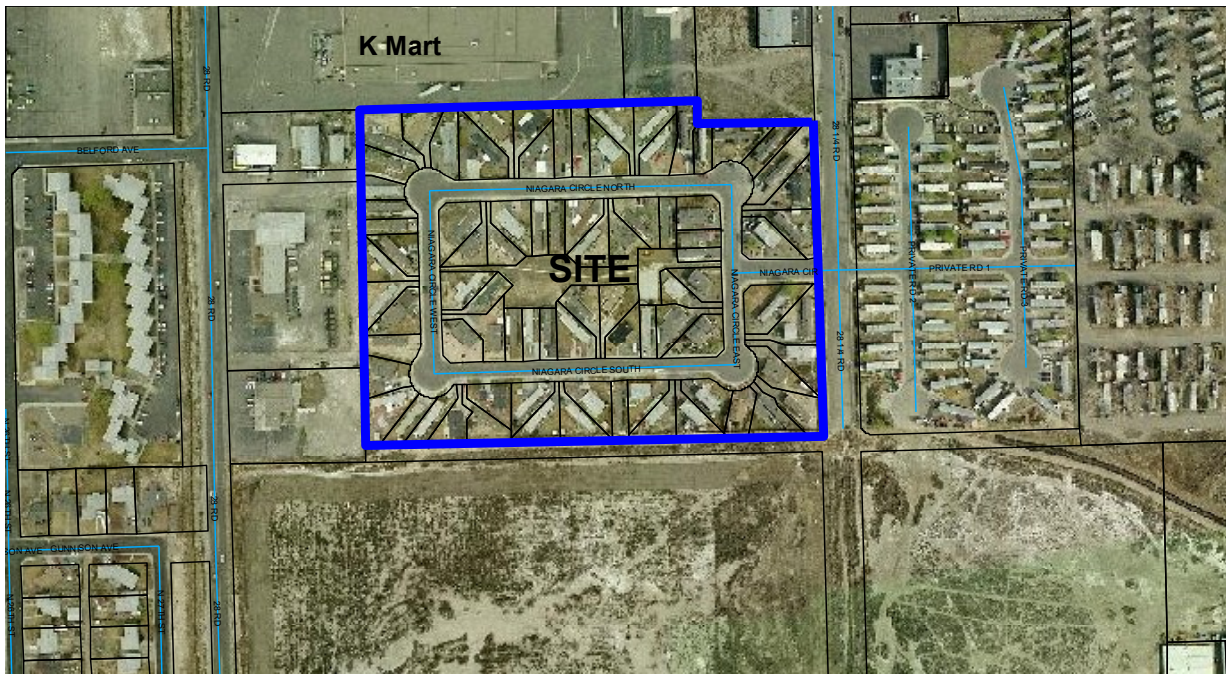
# Site Location Map

Figure 1



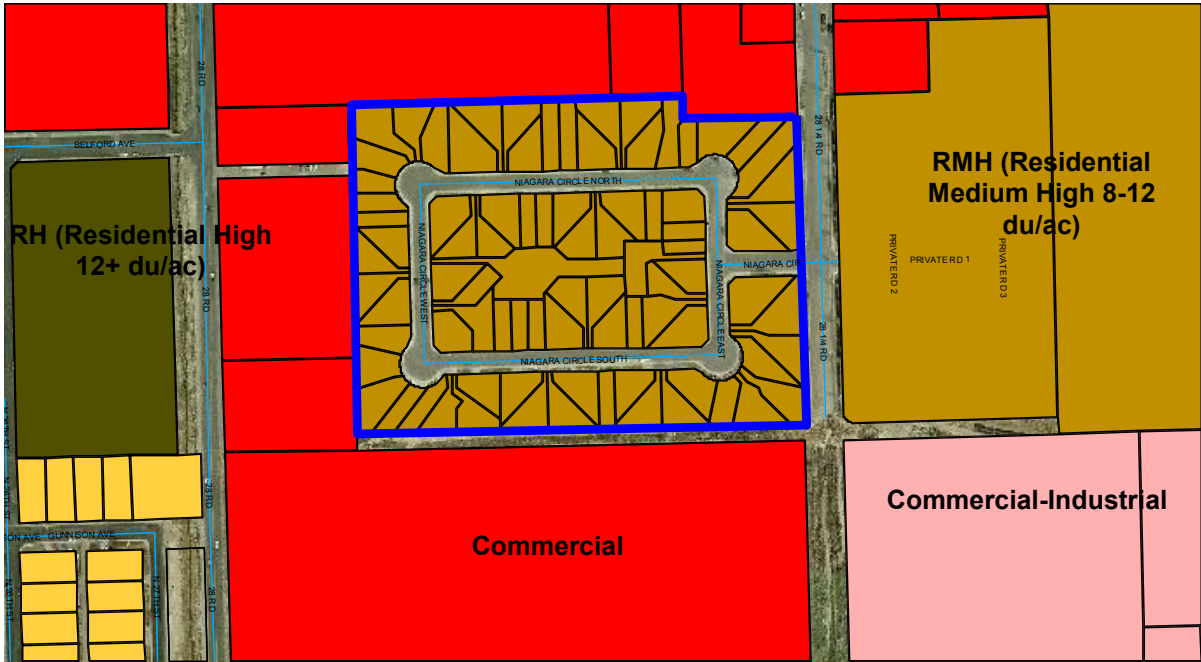
# Aerial Photo Map

Figure 2



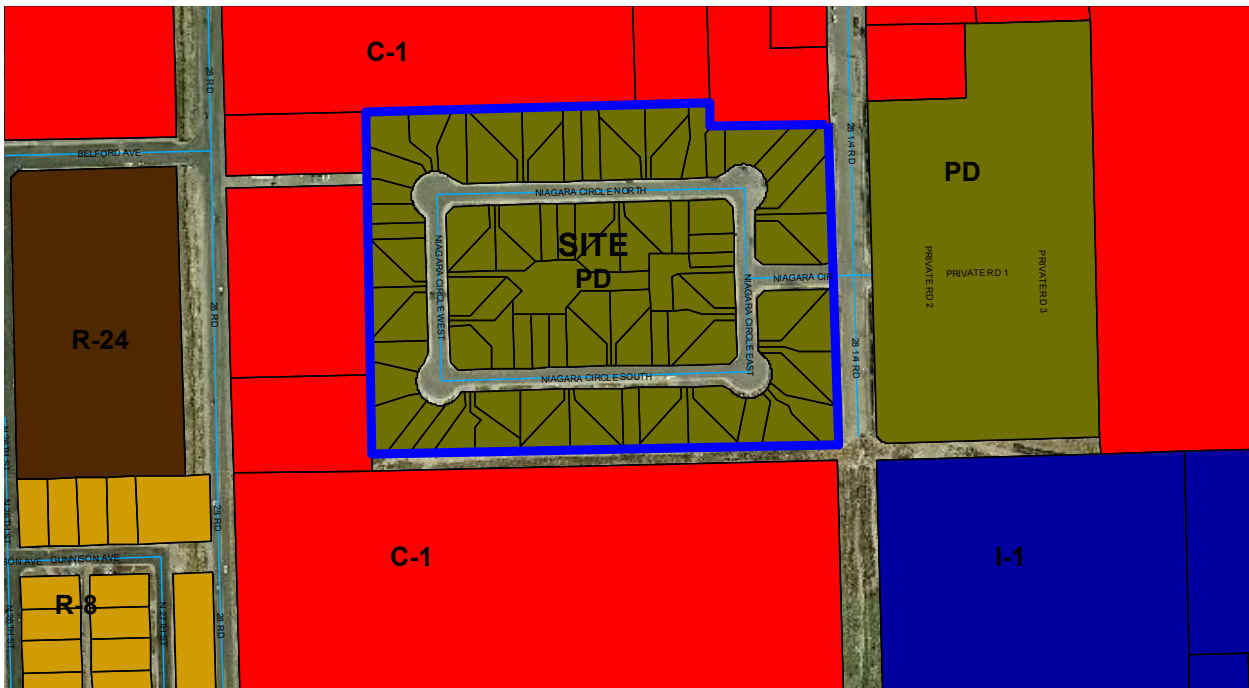
# Future Land Use Map

Figure 3



# Existing City and County Zoning

Figure 4



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

**CITY OF GRAND JUNCTION, CO**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING ORDINANCE NO. 2864 THE NIAGARA VILLAGE PLANNED DEVELOPMENT ZONE ORDINANCE, ESTABLISHING ZERO SIDE AND REAR YARD SETBACKS FOR ACCESSORY STRUCTURES THAT ARE LESS THAN 200 SQUARE FEET**

**RECITALS:**

After public notice and public hearing as required by the Grand Junction Zoning and Development Code (“Code”), the Grand Junction Planning Commission recommended approval of the request for reducing the side and rear setbacks to zero feet for accessory structures that are less than 200 square feet in size in the Niagara Village Planned Development (PD).

The Planning Commission forwarded a recommendation to City Council to adopt the proposed amendments to the Niagara Village PD Zoning Ordinance # 2864. The City Council finds that the request meets the goals and policies set forth in the Growth Plan and the requirements of the Code.

This Ordinance will establish the setback standards for accessory structures under 200 square feet located in the side and rear yards to be zero feet (0’). No structure may be located within any utility and/or multipurpose easements,

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

The Niagara Village Planned Development Zoning Ordinance #2864 is hereby amended as follows:

The side and rear setbacks for accessory structures less than 200 square feet shall be zero feet (0’).

No structure may be located within an easement. There are utility and/or multipurpose easements present in some of the rear yards and side yards within the Niagara Village Planned Development. All structures must be located outside the easements.

The remainder of Ordinance #2864 not specifically amended herein shall remain in full force and effect.

**INTRODUCED** on first reading on the 6th day of June, 2007 and ordered published.

**ADOPTED** on second reading this \_\_\_\_ day of \_\_\_\_\_, 200\_.

ATTEST:

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

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

**Attach 4**

Addresses at the Commons Cottages, Located at 625 27 ½ Road

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Commons Cottages Addressing – Located at 625 27½ Road					
<b>Meeting Date</b>	June 6, 2007					
<b>Date Prepared</b>	May 23, 2007				<b>File #</b> PFP-2006-250	
<b>Author</b>	Kristen Ashbeck		Senior Planner			
<b>Presenter Name</b>	John Shaver		City Attorney			
<b>Report results back to Council</b>		<b>Yes</b>	X	<b>No</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:** Hilltop Health Services, Inc. is proposing private streets within the Commons Cottages Subdivision be assigned official street names and the housing units be assigned addresses relating to the private streets rather than to Hermosa Avenue.

**Budget:** N/A

**Action Requested/Recommendation:** Adopt a Resolution to name private streets within the Commons Cottages Subdivision and approve addresses for residences on the private streets.

**Background Information:** See attached Staff report

**Attachments:**

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

<b>BACKGROUND INFORMATION</b>					
<b>Location:</b>		625 27-1/2 Road			
<b>Applicant:</b>		Hilltop Health Services, Inc. – Mike Stahl			
<b>Existing Land Use:</b>		Assisted Living Facility, Duplex Cottage Units and Vacant			
<b>Proposed Land Use:</b>		Same with Additional Cottage Units			
<b>Surrounding Land Use:</b>	<b>North</b>	Church and Multifamily Residential (Nellie Bechtel)			
	<b>South</b>	Attached and Detached Single Family Residential			
	<b>East</b>	Detached Single Family (Spring Valley)			
	<b>West</b>	Detached Single Family			
<b>Existing Zoning:</b>		Planned Development (PD)			
<b>Proposed Zoning:</b>		Same			
<b>Surrounding Zoning:</b>	<b>North</b>	R-8			
	<b>South</b>	R-8			
	<b>East</b>	R-8			
	<b>West</b>	R-8			
<b>Growth Plan Designation:</b>		Residential Medium High 8-12 du/ac and Residential Medium 4-8 du/ac			
<b>Zoning within density range?</b>		X	<b>Yes</b>		<b>No</b>

**BACKGROUND:**

Hilltop Health Services, Inc. has recently created a 3-lot subdivision in order to add lands to the existing Commons project located between 15<sup>th</sup> Street and 27-1/2 Road on either side of Hermosa Avenue. A revised plan to add 42 more cottage units to the project was approved by the City earlier in 2007.

Section 6.2.B.3.6 of the Zoning and Development Code states a street naming system shall be maintained to facilitate the provisions of necessary public services and provide more efficient movement of traffic. For consistency, this system shall be adhered to on all newly platted, dedicated, or named streets and roads. Existing streets and roads not conforming or inconsistent to the addressing system shall be made conforming as the opportunity occurs. Under this system, each lot in the Hilltop Commons Subdivision would have a separate address based on the location along the public streets – in this case, the addresses for the lots would be 1705, 1709 and 1715 Hermosa Avenue.



In this case, there are multiple dwelling units on each lot that would typically have the same address but be numbered or lettered (e.g. 1705 Hermosa Avenue units 1 through 8 or a through f). Due to the configuration of the private streets within the lots, and the multiple units along each street, this addressing did not work well. Thus, for ease of use by future residents, visitors, postal, emergency and other services, Hilltop requested that the private streets be named and that the addresses for the units be assigned relating to the private streets rather than to the general addresses given the three lots at the time of subdivision as shown on the exhibit attached to the resolution.

Prior to the item being scheduled for review by City Council, staff requested that the City-County addressing committee review the proposed addressing. The committee is comprised of representatives from emergency services, City Planning, County Assessor and Postal Service. In addition, the City Customer Service division reviewed the proposal for utility billing purposes. The proposal was acceptable to these entities and is actually preferred by many of them, particularly for emergency response.

The proposal is in conformance with the goals and policies of the Growth Plan and requirements of the Zoning and Development Code.

**STAFF RECOMMENDATION:**

Staff recommends that the City Council approve the resolution naming the private streets within the Hilltop Commons Subdivision and addressing dwelling units along the private streets accordingly.

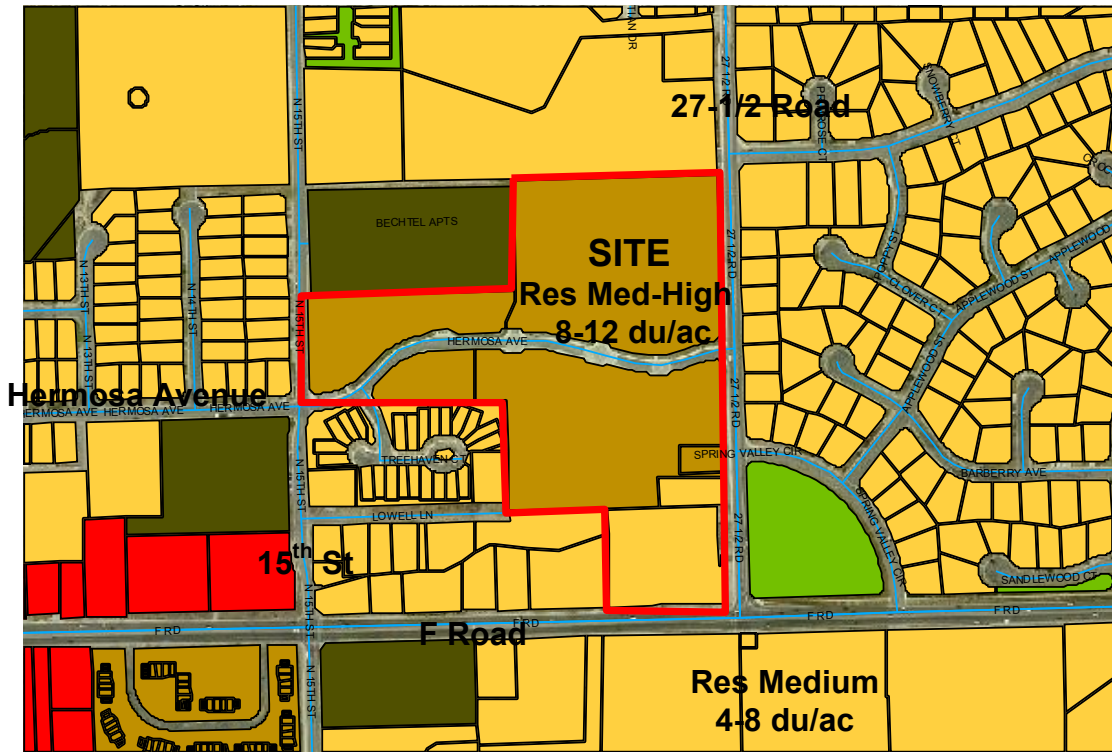
# Site Location Map



# Aerial Photo Map



## Future Land Use Map



# Existing City and County Zoning Map



**CITY OF GRAND JUNCTION, COLORADO**

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

**A RESOLUTION NAMING PRIVATE STREETS WITHIN THE HILLTOP COMMONS SUBDIVISION AND ADDRESSING RESIDENTIAL UNITS ALONG THE PRIVATE STREETS**

Recitals.

A request was made by Hilltop Health Services, Inc. to allow private streets within the Hilltop Commons Subdivision to be named and that proposed residential units be addressed along the private streets accordingly. The proposal has been reviewed and accepted by the City-County Addressing Committee and the City Customer Service Division.

Section 6.2.B.3.6 of the Zoning and Development Code states a street naming system shall be maintained to facilitate the provisions of necessary public services and provide more efficient movement of traffic. The Addressing Committee agrees that the

proposed addressing for the project will enhance postal, emergency and other services to the proposed residences.

The proposed street naming and addressing is consistent with the goals and policies of the Growth Plan and requirements of the Zoning and Development Code.

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

That the private streets within the Hilltop Commons Subdivision be named Commons Circle and Dottie Lane and the units be addresses as described on attached Exhibit A.

ADOPTED AND APPROVED THIS \_\_\_\_ day of \_\_\_\_\_. 2007.

ATTEST:

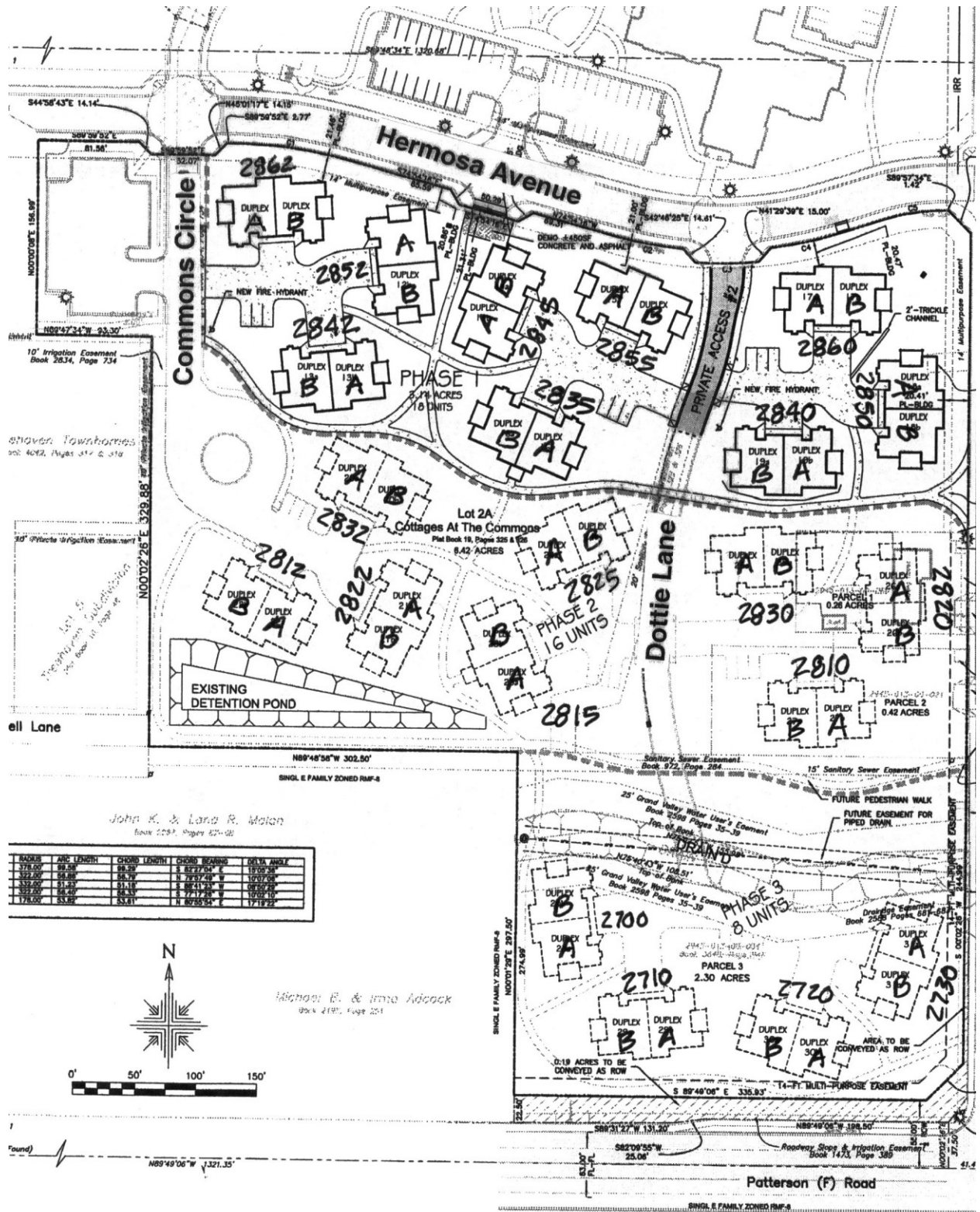
\_\_\_\_\_

Stephanie Tuin  
City Clerk

\_\_\_\_\_

James J. Doody  
President of City Council

## EXHIBIT A





**Attach 5**

Setting a Hearing on the Sutton Annexation, Located at 413 South Camp Road

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA							
<b>Subject</b>	Sutton Annexation - Located at 413 South Camp Road						
<b>Meeting Date</b>	June 6, 2007						
<b>Date Prepared</b>	May 23, 2007				File #ANX-2007-057		
<b>Author</b>	Faye Hall			Associate Planner			
<b>Presenter Name</b>	Faye Hall			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 53.69 acres, located at 413 South Camp Road. The Sutton Annexation consists of two parcels which is located north of the Canyon View Subdivision on the west side of South Camp Road in the Redlands.

**Budget:** N/A

**Action Requested/Recommendation:** Adopt a Resolution referring the petition for the Sutton Annexation and introduce the proposed Ordinance and set a hearing for July 18, 2007.

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

**Attachments:**

1. Staff report/Background information
2. Site location Map/Aerial Photo Map
3. Future Land Use Map/Existing City and County Zoning Map
4. Resolution Referring Petition
5. Annexation Ordinance



**STAFF REPORT / BACKGROUND INFORMATION**

<b>Location:</b>		413 South Camp Road		
<b>Applicants:</b>		Owners: Sutton Family Trust – Bob Sutton and Redlands Water and Power Representative: River City Consultants, Inc. – Tracy Moore		
<b>Existing Land Use:</b>		Residential and Agricultural		
<b>Proposed Land Use:</b>		Residential		
<b>Surrounding Land Use:</b>	<b>North</b>	Residential		
	<b>South</b>	Residential		
	<b>East</b>	Residential		
	<b>West</b>	Residential and Public Lands		
<b>Existing Zoning:</b>		County RSF-2		
<b>Proposed Zoning:</b>		City R-2 (Residential, 2 units per acre)		
<b>Surrounding Zoning:</b>	<b>North</b>	County RSF-2		
	<b>South</b>	Planned Development - 2 units per acre		
	<b>East</b>	City R-4 (Residential, 4 units per acre)		
	<b>West</b>	County RSF-2		
<b>Growth Plan Designation:</b>		Residential Low ½ - 2 acres per dwelling unit		
<b>Zoning within density range?</b>		<b>X</b>	<b>Yes</b>	<b>No</b>

**Staff Analysis:**

**ANNEXATION:**

This annexation area consists of 53.69 acres of land and is comprised of two parcels. The first and main parcel is owned by the Sutton Family Trust and is approximately 52.28 acres in size. The second property is owned by the Redlands Water and Power Company and is approximately 1.67 acres and consists of canal right of way. 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 Sutton Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

The following annexation and zoning schedule is being proposed.

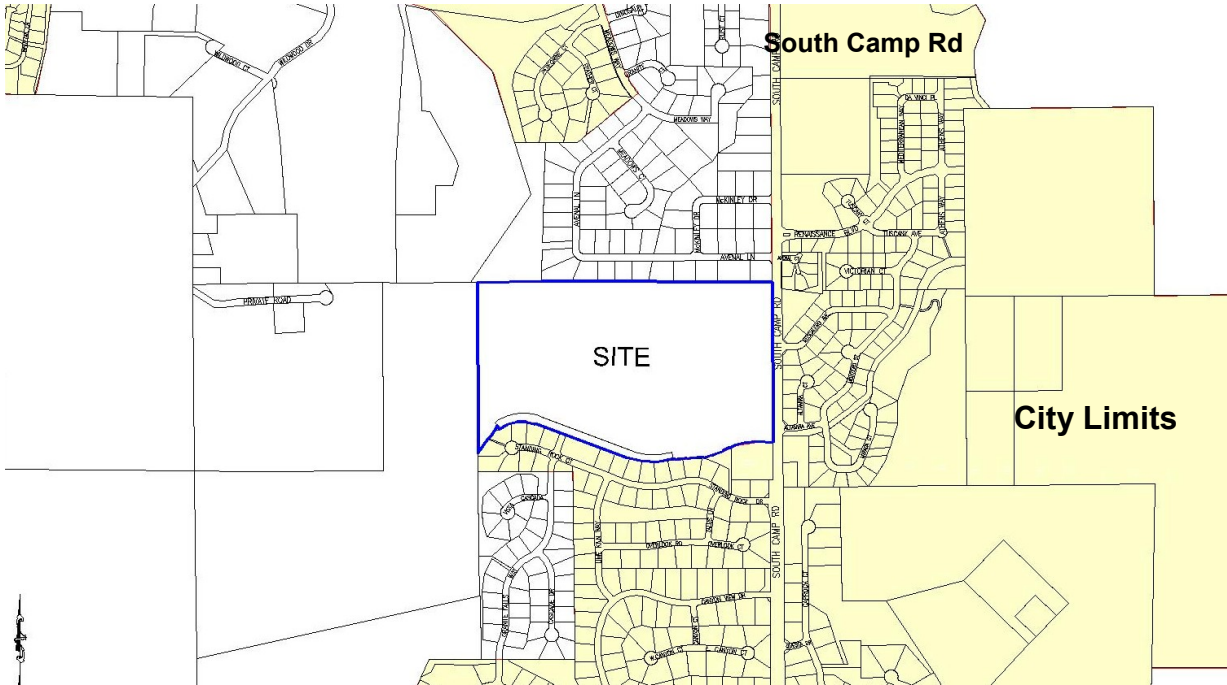
<b><u>ANNEXATION SCHEDULE</u></b>	
<b>June 6, 2007</b>	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
<b>June 12, 2007</b>	Planning Commission considers Zone of Annexation
<b>June 20, 2007</b>	Introduction of a Proposed Ordinance on Zoning by City Council
<b>July 18, 2007</b>	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
<b>August 19, 2007</b>	Effective date of Annexation and Zoning

**SUTTON ANNEXATION SUMMARY**

<b>File Number:</b>	ANX-2007-057	
<b>Location:</b>	413 South Camp Road	
<b>Tax ID Number:</b>	2947-264-00-030 and 2947-263-00-946	
<b>Parcels:</b>	2	
<b>Estimated Population:</b>	2	
<b># of Parcels (owner occupied):</b>	1	
<b># of Dwelling Units:</b>	1	
<b>Acres land annexed:</b>	53.69 acres	
<b>Developable Acres Remaining:</b>	53.69 acres	
<b>Right-of-way in Annexation:</b>	None	
<b>Previous County Zoning:</b>	RSF-2	
<b>Proposed City Zoning:</b>	R-2 (Residential, 2 units per acre)	
<b>Current Land Use:</b>	Residential and Agricultural	
<b>Future Land Use:</b>	Residential	
<b>Values:</b>	<b>Assessed:</b>	\$15,900
	<b>Actual:</b>	\$150,510
<b>Address Ranges:</b>	399 thru 423 South Camp Road (odd only)	
<b>Special Districts:</b>	<b>Water:</b>	Ute Water
	<b>Sewer:</b>	Persigo
	<b>Fire:</b>	Grand Junction Rural Fire
	<b>Irrigation/ Drainage:</b>	Redlands Water and Power
	<b>School:</b>	District 51
	<b>Pest:</b>	N/A

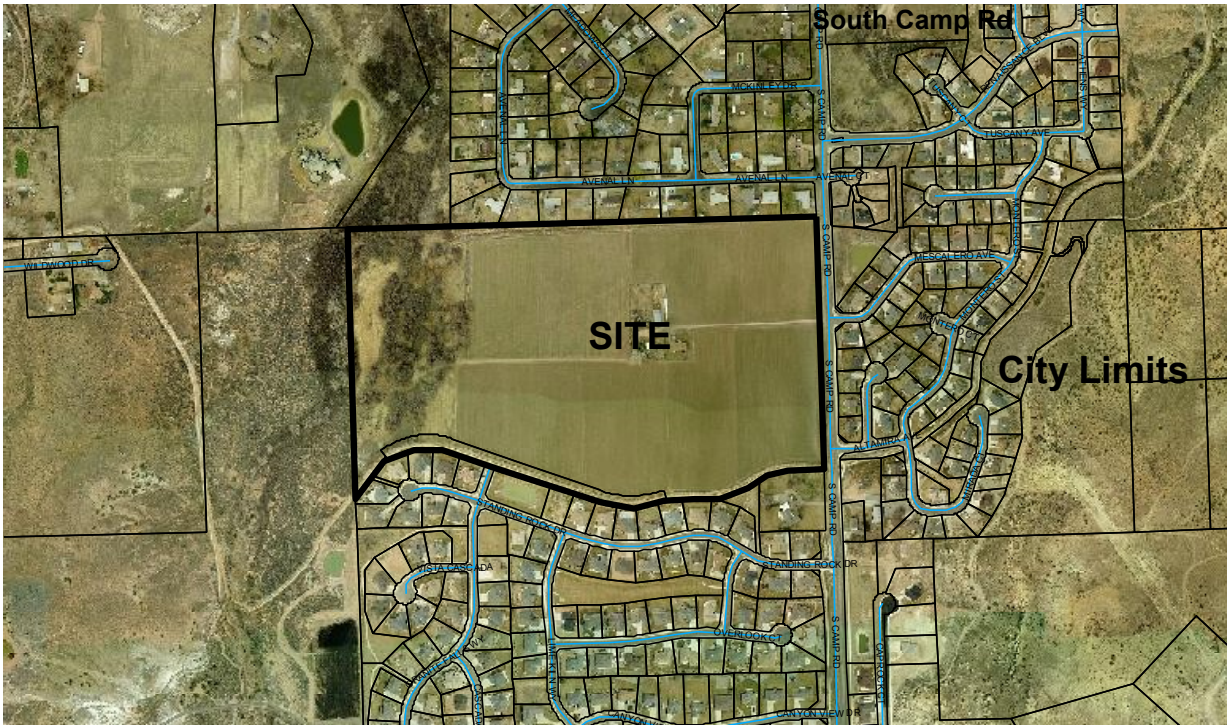
# Site Location Map

Figure 1



# Aerial Photo Map

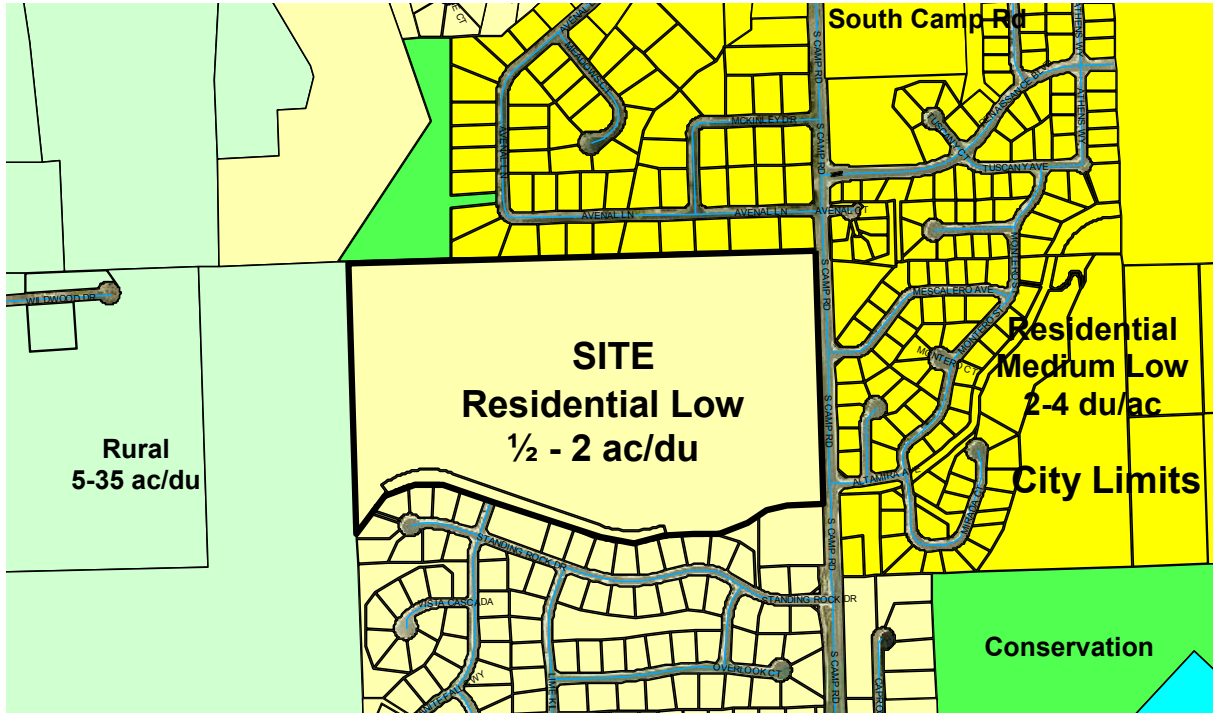
Figure 2





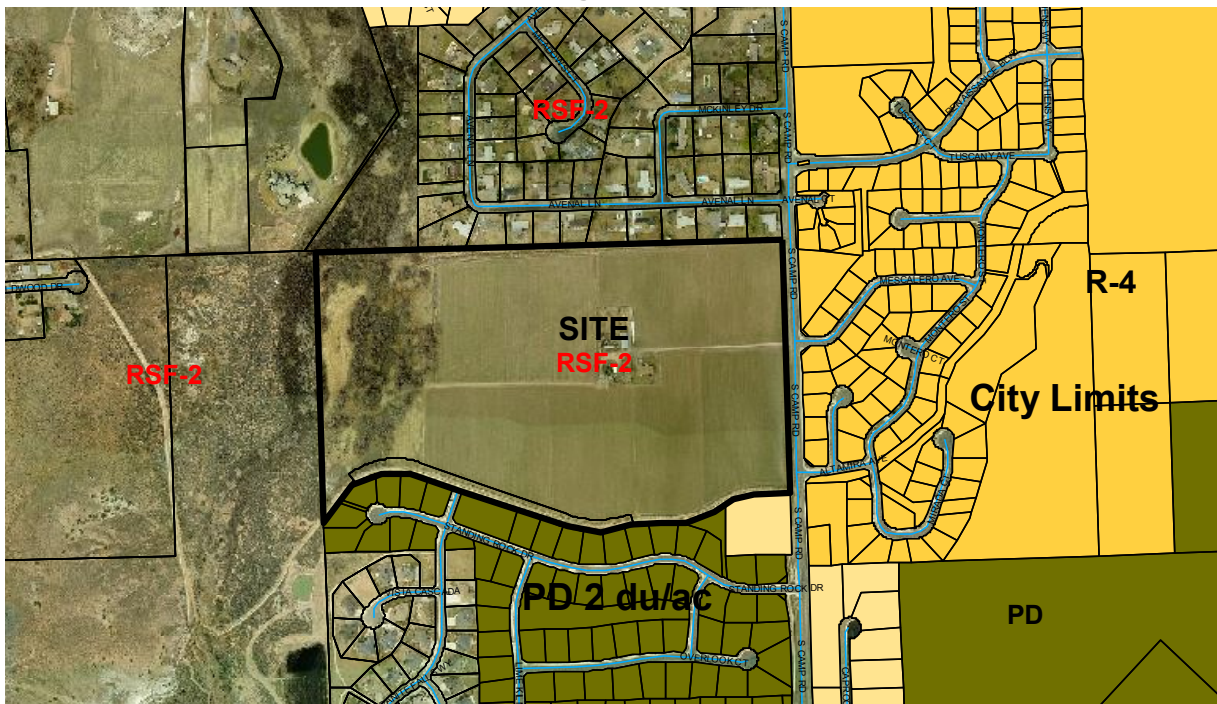
# Future Land Use Map

Figure 3



# Existing City and County Zoning

Figure 4



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

**NOTICE IS HEREBY GIVEN** that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 6<sup>th</sup> of June, 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**

**SUTTON ANNEXATION**

**LOCATED AT 413 SOUTH CAMP ROAD AND INCLUDING THE REDLANDS WATER  
AND POWER COMPANY CANAL PROPERTY**

WHEREAS, on the 6th day of June, 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:

**SUTTON ANNEXATION**

A certain parcel of land lying in the South Half (S 1/2) of Section 26, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

ALL that part of the East-half of the Southeast Quarter of the Southwest Quarter (E 1/2 SE 1/4 SW 1/4) and the West-half (W 1/2) of Lot 4 of said Section 26 lying North of the North line of the plat of Canyon View Phase VIII, as same is recorded in Plat Book 17, Pages 195 through 197, inclusive and the North line of the plat of Canyon View Phase VII, as same is recorded in Plat Book 17, Pages 97 through 99, inclusive and ALL that part of the East-half of Lot 4 of said Section 26 lying West of the West right of way for South Camp Road and North of line 20 feet South of the centerline of the Redlands Water and Power Company Second Lift Ditch and the North line of said Canyon View Phase VII.

Said parcel contains 53.69 acres (2,338,735 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 18<sup>th</sup> day of July, 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><b>DATES PUBLISHED</b></i>
<b>June 8, 2007</b>
<b>June 15, 2007</b>
<b>June 22, 2007</b>
<b>June 29, 2007</b>

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**SUTTON ANNEXATION**

**APPROXIMATELY 53.69 ACRES**

**LOCATED AT 413 SOUTH CAMP ROAD AND INCLUDING THE REDLANDS WATER  
AND POWER COMPANY CANAL PROPERTY**

**WHEREAS**, on the 6<sup>th</sup> day of June, 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 18<sup>th</sup> day of July, 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:

**SUTTON ANNEXATION**

A certain parcel of land lying in the South Half (S 1/2) of Section 26, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

ALL that part of the East-half of the Southeast Quarter of the Southwest Quarter (E 1/2 SE 1/4 SW 1/4) and the West-half (W 1/2) of Lot 4 of said Section 26 lying North of the North line of the plat of Canyon View Phase VIII, as same is recorded in Plat Book 17, Pages 195 through 197, inclusive and the North line of the plat of Canyon View Phase VII, as same is recorded in Plat Book 17, Pages 97 through 99, inclusive and ALL that part of the East-half of Lot 4 of said Section 26 lying West of the West right of way for

South Camp Road and North of line 20 feet South of the centerline of the Redlands Water and Power Company Second Lift Ditch and the North line of said Canyon View Phase VII.

Said parcel contains 53.69 acres (2,338,735 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 6**

Setting a Hearing on the ROW Vacation, Located at 711 Niblic Drive and 718 Horizon Drive

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<b>CITY COUNCIL AGENDA</b>							
<b>Subject</b>	Right-of-Way Vacation – 711 Niblic Drive & 718 Horizon Drive						
<b>Meeting Date</b>	June 6, 2007						
<b>Date Prepared</b>	May 21, 2007					<b>File #VR-2007-022</b>	
<b>Author</b>	Ronnie Edwards		Associate Planner				
<b>Presenter Name</b>	Ronnie Edwards		Associate Planner				
<b>Report results back to Council</b>	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When		
<b>Citizen Presentation</b>	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No	Name		
	Workshop	<input checked="" type="checkbox"/>	<b>Formal Agenda</b>		<input checked="" type="checkbox"/>	Consent	<b>Individual Consideration</b>

**Summary:** A request to vacate public right-of-way adjacent to Niblic Drive, east of Horizon Drive located in the Partee Heights Subdivision. The proposed right-of-way vacation is a 50’ wide unnamed stub street that was platted, but never built. A 14’ multi-purpose easement will be reserved along Niblic Drive.

**Budget:** N/A

**Action Requested/Recommendation:** Introduction of proposed Ordinance and set a public hearing for June 20, 2007.

**Background Information:** See attached.

**Attachments:**

1. Site Location Map/Aerial Photo Map
2. Future Land Use/Existing City and County Zoning Map
3. Ordinance/Exhibit Map

**BACKGROUND INFORMATION**

<b>Location:</b>		<b><i>711 Niblic Drive and 718 Horizon Drive</i></b>	
<b>Applicants:</b>		Stanley Lupinski	
<b>Existing Land Use:</b>		<b><i>Vacant</i></b>	
<b>Proposed Land Use:</b>		<b><i>Residential</i></b>	
Surrounding Land Use:	North	<b><i>Residential</i></b>	
	South	<b>Residential</b>	
	<b>East</b>	Residential	
	West	<b>Country Inns Motel</b>	
<b>Existing Zoning:</b>		R-5 and C-1	
<b>Proposed Zoning:</b>		<b><i>R-5 and C-1</i></b>	
Surrounding Zoning:	<b>North</b>	<b><i>R-5</i></b>	
	<b>South</b>	R-5	
	<b>East</b>	R-5	
	<b>West</b>	C-1	
<b>Growth Plan Designation:</b>		Residential Medium-Low (2-4 du/ac)	
<b>Zoning within density range?</b>		Yes	<input checked="" type="checkbox"/> No

**Staff Analysis:**

1. The affected properties and adjacent right-of-way were created as Lot 1, Block 8 of the Partee Heights Subdivision platted in 1959 and an unplatted parcel fronting on Horizon Drive. The entire subdivision were originally zoned R1B (Residential Single Family) and the unplatted parcel was zoned HO

(Highway-Oriented) in Mesa County. The two properties were annexed in 1978 and zoned HO, as there was common ownership of the two and they were united under one tax parcel number with the Mesa County Assessor's Office. With the adoption of the revised Zoning and Development Code in 2000, the HO became C-1 (Light Commercial).

In 2006 the applicant decided to separate the parcels so that each one would have its own tax parcel number. This would create a residentially platted lot with a commercial zoning. In 2006, the applicant applied for a Growth Plan Amendment to change the Commercial land use designation of 711 Niblic Drive to Residential Medium Low (2-4 du/ac) to be consistent with the entire subdivision.

The applicant has applied for the right-of-way vacation because it limits the development potential of the residential lot and the commercial lot. The subject right-of-way is a 50' unnamed stub street platted with the subdivision and was never built. Due to the physical constraints of the area and commercial building construction along Horizon Drive the street will never be constructed.

A 14' multi-purpose easement along Niblic Drive is being reserved with the request to vacate (See Exhibit B).

2. Consistency with the Growth Plan:

Policy 9.2 states the City will encourage neighborhood designs which promote neighborhood stability and security.

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

Vacation of this right-of-way will allow the residentially zoned lot to be subdivided and developed.

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

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

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

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

- b. No parcel shall be landlocked as a result of the vacation.

No parcel shall be landlocked by the requested vacation as the residential lot will have direct access from Niblic Drive and the commercial lot has existing access from Horizon Drive that was approved with the construction of the Country Inn Motel.

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

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

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

There will be no adverse impacts to the general community and the quality of public facilities and services provided will not be reduced. Existing facilities were constructed with the original subdivision development.

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

Provision of adequate public facilities and services will not be inhibited to any property. A 14' multi-purpose easement will be reserved with the vacation process.

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

This proposal provides a benefit to the City as the vacated area will be the responsibility of the property owners for maintenance. By vacating the area, the residential parcel can be developed as intended with the original subdivision approval.

## FINDINGS OF FACT/CONCLUSIONS

After reviewing the Lupinski Right-of-Way Vacation application, VR-2007-022, for the vacation of an unnamed and unbuilt stub street section adjacent to Niblic Drive, staff makes the following findings of fact and conclusions:

1. The requested right-of-way vacation is consistent with the goals and policies of the Growth Plan.
2. The review criteria in Section 2.11.C of the Zoning and Development Code have all been met.
3. A 14' multi-purpose easement shall be reserved as part of the vacation process.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission forward a recommendation of approval of the requested right-of-way vacation, VR-2007-022, to the City Council with the findings and conclusions listed above, and subject to the reservation of a 14' multi-purpose easement.

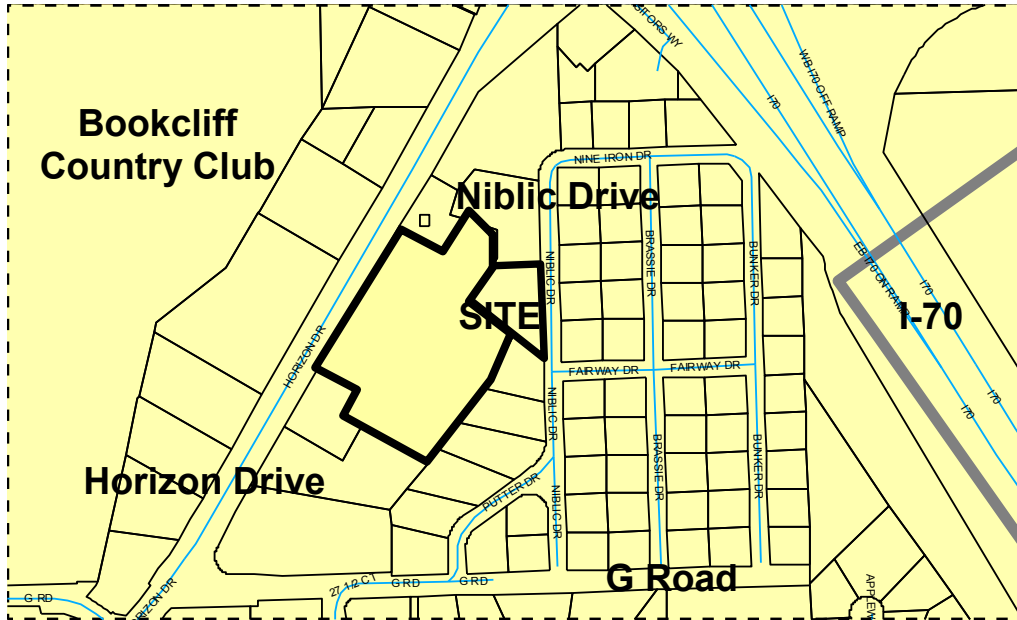
RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on item VR-2007-022, I move that the Planning Commission forward a recommendation of approval to the City Council on the requested right-of-way vacation, with the findings and conclusions listed in the staff report, and subject to the reservation of a 14' multi-purpose easement.



# Site Location Map

Figure 1



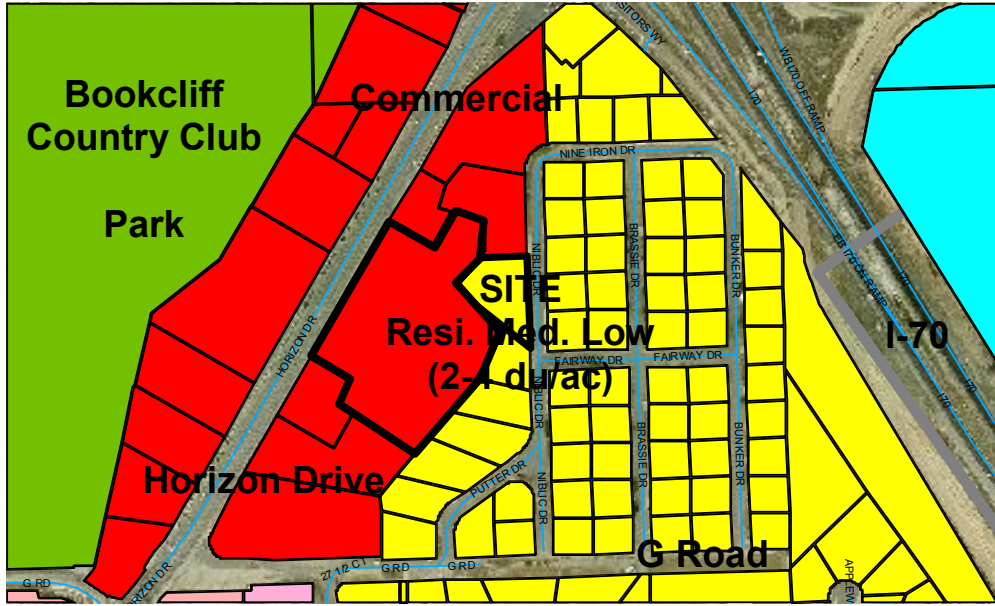
# Aerial Photo Map

Figure 2



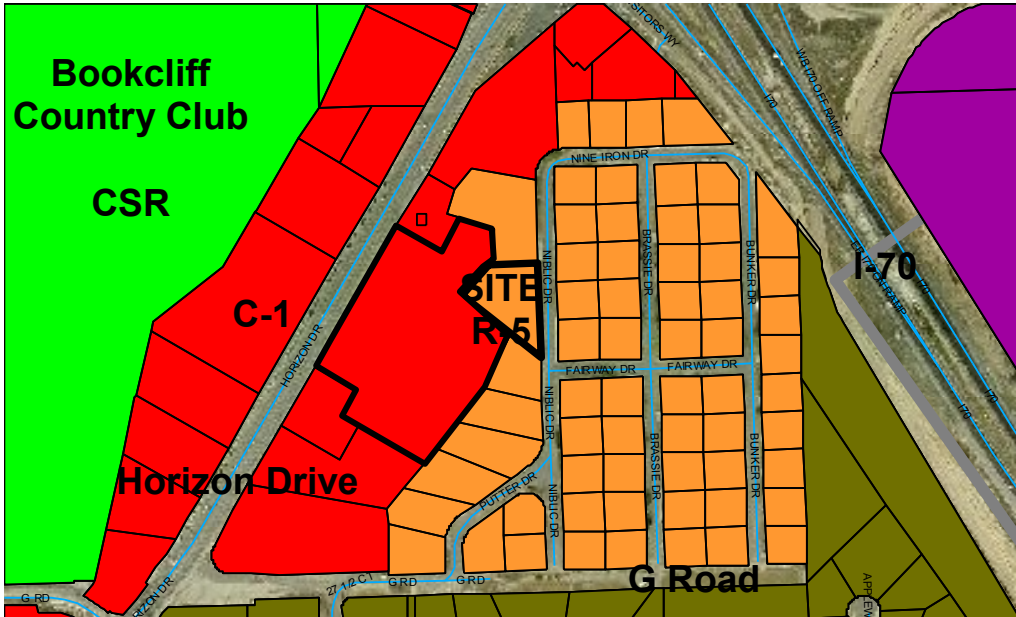
# Future Land Use Map

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**

**ORDINANCE NO.**

**AN ORDINANCE VACATING RIGHT-OF-WAY  
ADJACENT TO NIBLIC DRIVE**

**LOCATED AT 711 NIBLIC DRIVE AND 718 HORIZON DRIVE**

**RECITALS:**

A vacation of the dedicated right-of-way has been requested by the property owner because it limits the development potential of the two lots. The subject right-of-way is a 50' unnamed stub street platted with the subdivision and was never built. Due to the physical constraints of the area, the street will never be constructed.

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

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

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

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

1. Applicants shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents.
2. A 14' multi-purpose easement shall be reserved with this vacation request (See Exhibit B).

"Exhibit A"

Dedicated right-of-way, as described in "Exhibit A", is the area to be vacated:

A parcel or tract of land situate in the SW1/4 SE1/4 Section 36, Township 1 North, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being the same parcel as the un-named 50-foot road right-of-way southwesterly of Lot 1, Block 8 and northeasterly of Lot 6, Block 5 as depicted on the Partee Heights plat, filed in the records of the Mesa County, Colorado, Clerk and Recorder at Plat Book 9, Page 64, being more particular described as follows:

BEGINNING at the NE corner of Lot 6, Block 5 of Partee Heights, in the SW1/4 SE1/4 Section 36, Township 1 North, Range 1 West of the Ute Meridian, as filed in the records of the Mesa County, Colorado Clerk and Recorder at Plat Book 9, Page 64, said point being a 1-inch plastic cap on 5/8-inch rebar, PLS 16413, whence the S 1/4 corner of said Section 36, being a found 3 1/2-inch aluminum cap (unreadable), bears S43°41'47"W, a distance of 862.16 feet, with all other bearings contained herein being relative thereto; thence N50°33'45"W along the northeasterly line of said Lot 6, a distance of 99.13 feet to the NW corner of said Lot 6, monumented by a 1 1/2-inch aluminum cap on 5/8-inch rebar, PLS 16835; thence N50°33'45"W along the southwesterly subdivision line of said Partee Heights, a distance of 171.29 feet to the westerly subdivision line of said Partee Heights, said point not monumented; thence N40°16'23"E along the westerly subdivision line of said Partee Heights, a distance of 50.01 feet to the SW corner of Lot 1, Block 8 of said Partee Heights, said point not monumented; thence along the southerly lot line of said Lot 1 on the following two (2) courses:

- (1) S50°33'45"E, a distance of 146.45 feet, said point not monumented;
- (2) along the arc of a curve to the left, with an interior angle of 128°39'52", a radius of 40.00 feet, for an arc distance of 89.82 feet, the chord of which bears N65°06'19"E, a distance of 72.11 feet, said point not monumented; thence S00°46'23"W along the westerly right-of-way line of Niblic Drive as depicted on said Partee Heights plat, a distance of 147.27 feet to the POINT OF BEGINNING; containing 0.32 acres by these measures.

RESERVING therein a 14-foot multipurpose easement to be retained by the City of Grand Junction being a strip of land 14.00 feet in width measured at right angles along the easterly boundary of said vacated right-of-way.

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

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

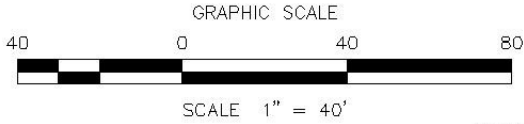
PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:

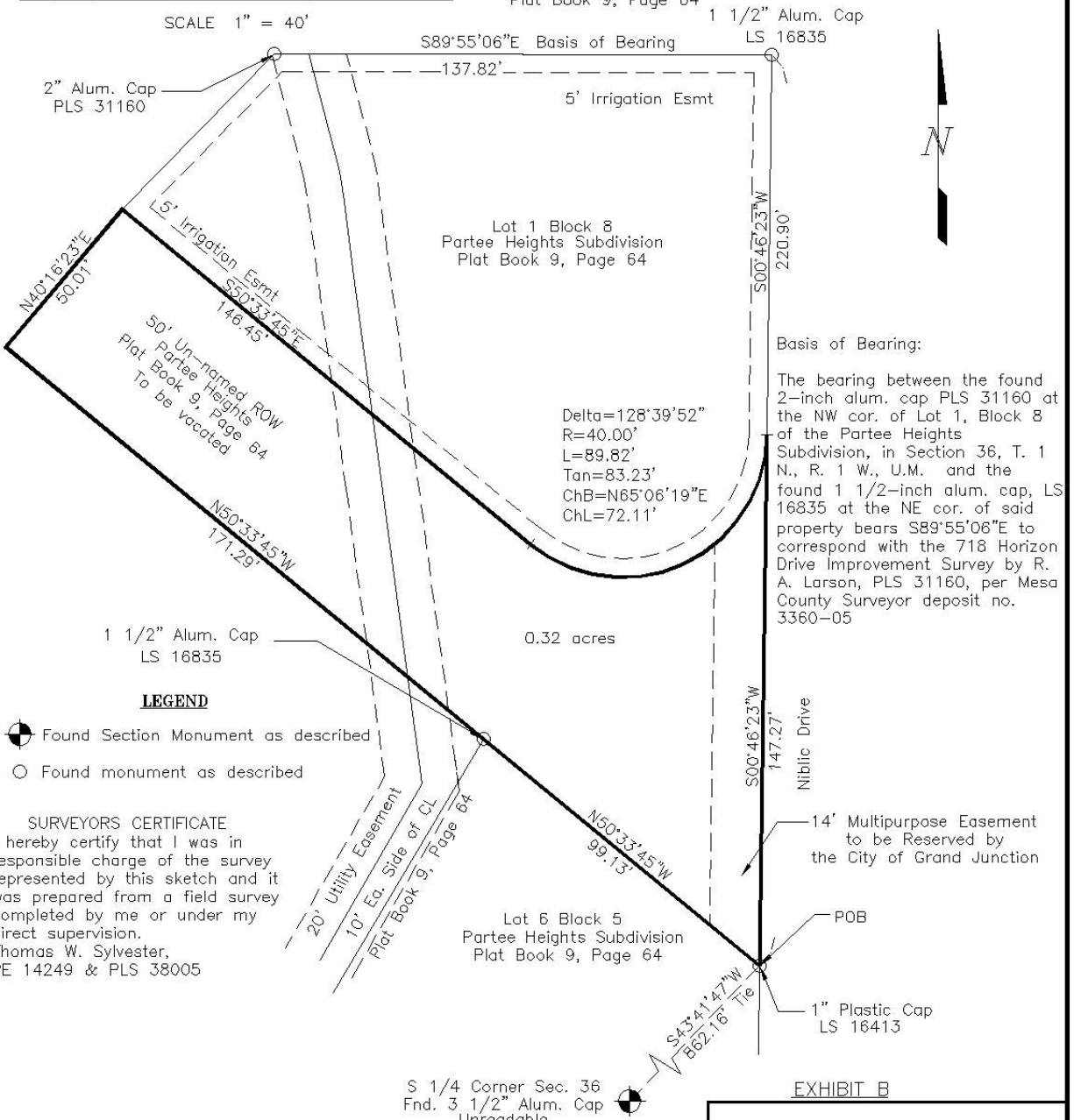
\_\_\_\_\_  
President of City Council

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

A PORTION OF THE SW1/4 SE1/4 SECTION 36, TOWNSHIP 1 NORTH,  
RANGE 1 WEST, UTE MERIDIAN, MESA COUNTY, COLORADO



Lot 2 Block 8  
Partee Heights Subdivision  
Plat Book 9, Page 64



Basis of Bearing:  
The bearing between the found 2-inch alum. cap PLS 31160 at the NW cor. of Lot 1, Block 8 of the Partee Heights Subdivision, in Section 36, T. 1 N., R. 1 W., U.M. and the found 1 1/2-inch alum. cap, LS 16835 at the NE cor. of said property bears S89°55'06"E to correspond with the 718 Horizon Drive Improvement Survey by R. A. Larson, PLS 31160, per Mesa County Surveyor deposit no. 3360-05

1 1/2" Alum. Cap  
LS 16835

**LEGEND**

- ⊙ Found Section Monument as described
- Found monument as described

**SURVEYORS CERTIFICATE**  
I hereby certify that I was in responsible charge of the survey represented by this sketch and it was prepared from a field survey completed by me or under my direct supervision.  
Thomas W. Sylvester,  
PE 14249 & PLS 38005

S 1/4 Corner Sec. 36  
Fnd. 3 1/2" Alum. Cap  
Unreadable

**EXHIBIT B**  
Un-named ROW Vacation  
Partee Heights

**Attach 7**

Setting a Hearing on the Vacation of a Portion of Public ROW, Located at 2397 and 2399 Mariposa Drive

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
Subject	Vacation of a portion of Public Right-of-Way – Located at 2397 and 2399 Mariposa Drive					
Meeting Date	June 6, 2007					
Date Prepared	May 22, 2007				File # <b>VR-2006-284</b>	
Author	David Thornton		Principal Planner			
Presenter Name	David Thornton		Principal Planner			
Report results back to Council		Yes	X	No	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda	X	Consent	Individual Consideration

**Summary:**

The property owners at 2397 and 2399 Mariposa Drive are requesting that Hilltop Court located between 2397 and 2399 Mariposa Drive on the Redlands be reduced from 50 feet to 20 feet in width with approximately 15 feet of Right-of-Way (ROW) being vacated from each side. Within the vacated Right-of-Way a multi-purpose easement will be reserved as a perpetual easement for City approved public utilities and appurtenances.

**Budget:** N/A

**Action Requested/Recommendation:** Introduction of the proposed Ordinance and set a Public Hearing for June 20, 2007.

**Attachments:**

1. Site Location Map/Aerial Photo Map
2. Future Land Use Map/Existing City and County Zoning Map
3. Site Plan
4. Applicant’s General Project Report
5. Proposed Right-of-Way Vacation Ordinance

<b>BACKGROUND INFORMATION</b>					
Location:		<b><i>2397 and 2399 Mariposa Drive</i></b>			
Applicants:		Michael & Barbara Salogga Anita & Osten Axelsson			
Existing Land Use:		<b><i>Residential</i></b>			
Proposed Land Use:		<b><i>Residential</i></b>			
Surrounding Land Use:	<b>North</b>	<b><i>Residential</i></b>			
	<b>South</b>	<b>Residential</b>			
	East	<b>Residential</b>			
	<b>West</b>	<b>Residential</b>			
Existing Zoning:		PD			
Proposed Zoning:		No Change			
Surrounding Zoning:	North	PD			
	South	PD			
	East	PD			
	West	PD			
Growth Plan Designation:		Residential Medium Low (2-4 du/ac)			
Zoning within density range?		<b>X</b>	<b>Yes</b>		<b>No</b>

**Staff Analysis:**

1. Background

The Salogga's and Axelsson's, two property owners adjacent to Hilltop Court are requesting the vacation of undeveloped Right-of-Way adjacent to their properties located at 2397 and 2399 Mariposa Drive. The request is to reduce Hilltop Court from 50 feet to 20 feet in width with approximately 15 feet of Right-of-Way (ROW) being vacated from each side. At the time of vacation, a multi-purpose easement will be reserved for that area being vacated, reserved as a multipurpose easement for the use of City approved public utilities as a

perpetual easement for the installation, operation, maintenance and repair of utilities and appurtenances including, but not limited to, electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, equivalent other public utility providers and appurtenant facilities.

The proposed vacations are being requested to allow the property owners to erect fences, complete driveway and landscaping improvements, etc. for their properties located at 2397 and 2399 Mariposa Drive. The Hilltop Court Right-of-Way currently runs between the two residential properties with no existing road improvements. This portion of Hilltop Court stubs into Redlands Mesa Filing #7 and is connected by a 20 ft. pedestrian easement. As proposed by this ROW vacation request, a 20 ft ROW will remain and connect directly into the 20 ft. pedestrian easement provided by Redlands Mesa filing #7. This will allow for the continuance of pedestrian access through this area.

Also within this remaining 20 ft. ROW is a sanitary sewer line that serves Redlands Mesa. The sewer line runs down the centerline of the proposed remaining 20 ft. ROW. Domestic water exists within Hilltop Court and will be accommodated by the proposed 15 multi-purpose easement. Ute Water has granted permission to allow for their main water line to be located within the 15 ft. multi-purpose easement that is being proposed to replace the existing public ROW being vacated. The Ute water line only serves one property, 2397 Mariposa Drive. Other existing utility service lines such as gas, electric, telephone and cable TV will remain within the multi-purpose easements.

2. Consistency with the Growth Plan

The Future Land Use Map of the Growth Plan designates this area as Residential Medium Low (2 to 4 dwellings per acre). The existing land use on both properties is currently residential single family and will continue as such. The current zoning on both properties is Planned Development (PD) and is part of the Ridges PD Zone District.

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

Requests vacating any public right-of-way must conform to all of the following:

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

The undeveloped Hilltop Court Right-of-Way is not identified in the Grand Valley Circulation Plan and has never been utilized for purposes of accessing the adjacent property to the west which is part of Redlands Mesa Subdivision except



as a utility corridor and pedestrian access. For these purposes a 20 ft. ROW will be maintained.

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

Vacation of these two portions of Right-of-Way will not land lock these properties or any other adjacent property. Pedestrian Access will remain for access to the west and the utility corridor will be maintained with the 20 ft. ROW remaining and the two 15 ft. multi-purpose easements on each side of the 20 ft. ROW.

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

The proposed vacation of Right-of-Way will not restrict access to these or any adjacent properties. Adequate access can still be gained from existing, adjacent, developed rights-of-way on the periphery of the site (Mariposa Drive).

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

There will be no adverse impacts on the health, safety, and/or welfare of the general community due to the proposed vacation of Right-of-Way. There is a sanitary sewer line that runs east-west through the ROW and an easement will need to be retained for The Ute Water Line and other utility services existing now and in the future that serve adjacent properties.

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

Refer to discussion regarding needs above. No other public utilities facilities or services will be impacted by the vacation of Right-of-Way.

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

Any future expectation for City participation in constructing full street improvements for the Hilltop Court ROW will not be an issue if the proposed vacation is granted.

FINDINGS OF FACT/CONCLUSIONS

After reviewing the Salogga/Axelsson ROW vacation application, VR-2006-284 for the vacation of a public Right-of-Way, staff and Planning Commission make the following findings of fact and conclusions:

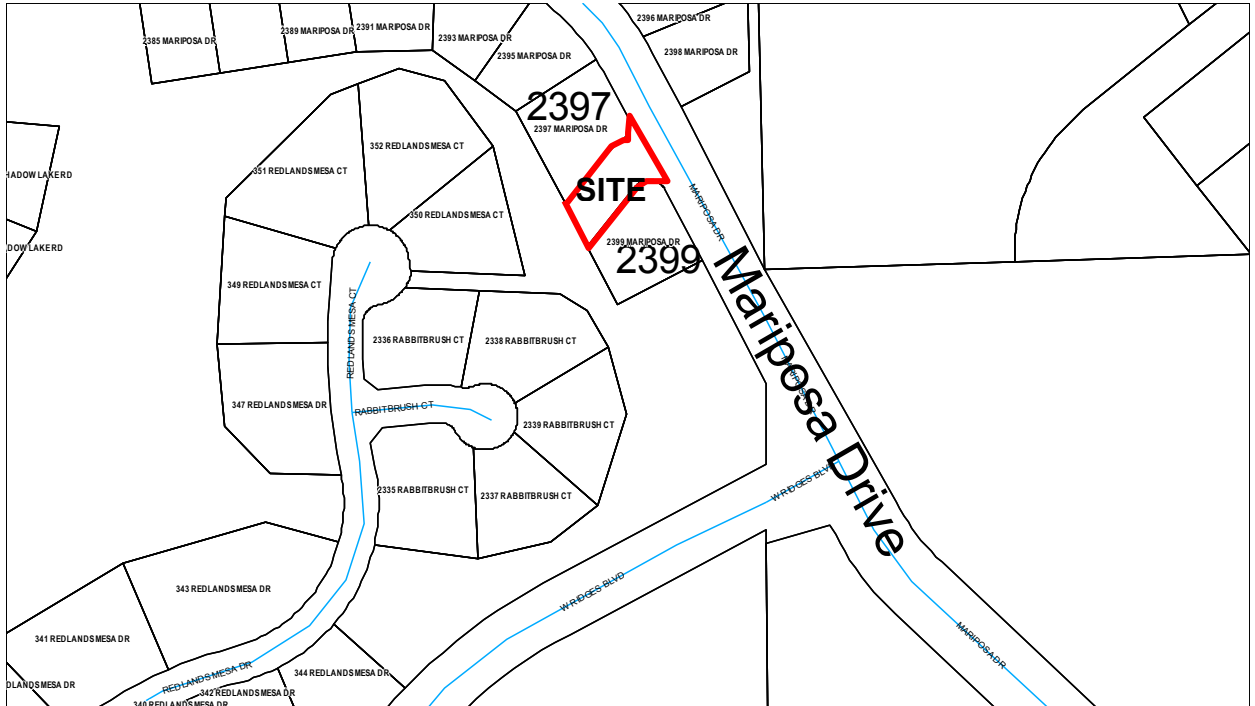
4. The requested right-of-way vacation is consistent with the Growth Plan.
5. The review criteria in Section 2.11.C of the Zoning and Development Code pertaining to the vacation have all been met.

**STAFF AND PLANNING COMMISSION RECOMMENDATION:**

Staff and Planning Commission recommends approval of the requested Right-of-Way vacation, VR-2006-284 with the findings and conclusions listed above.

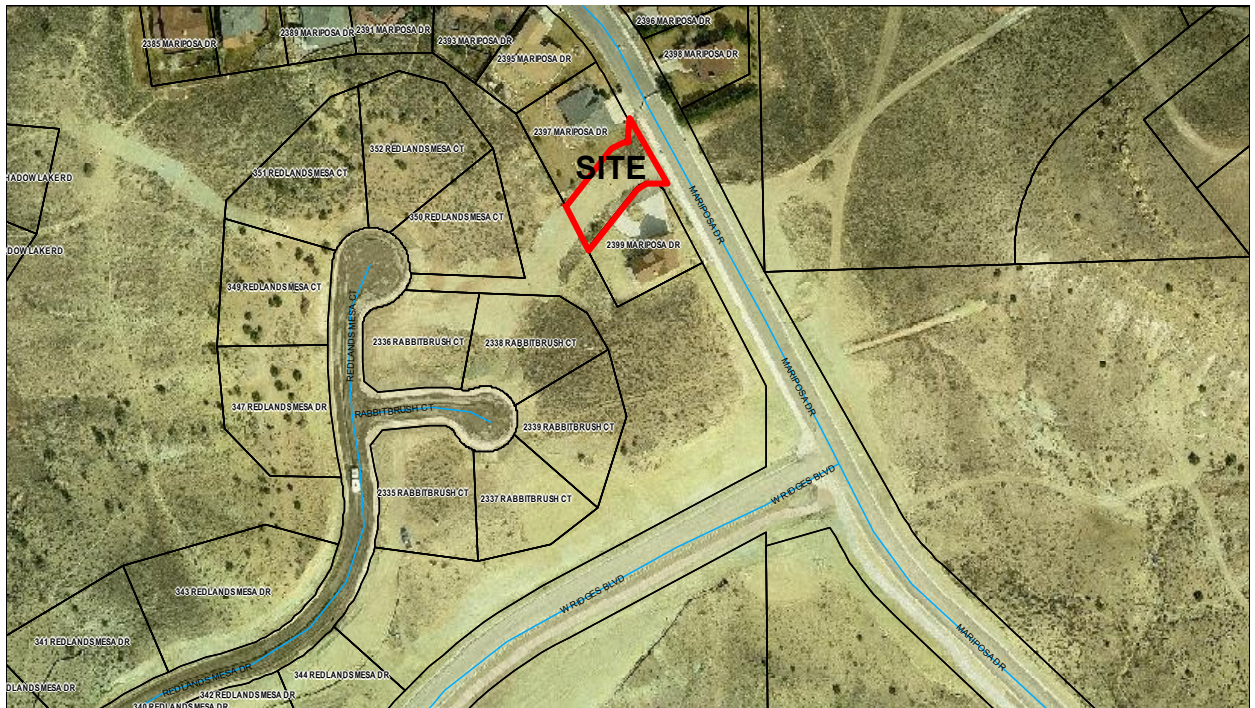
# Site Location Map

Figure 1



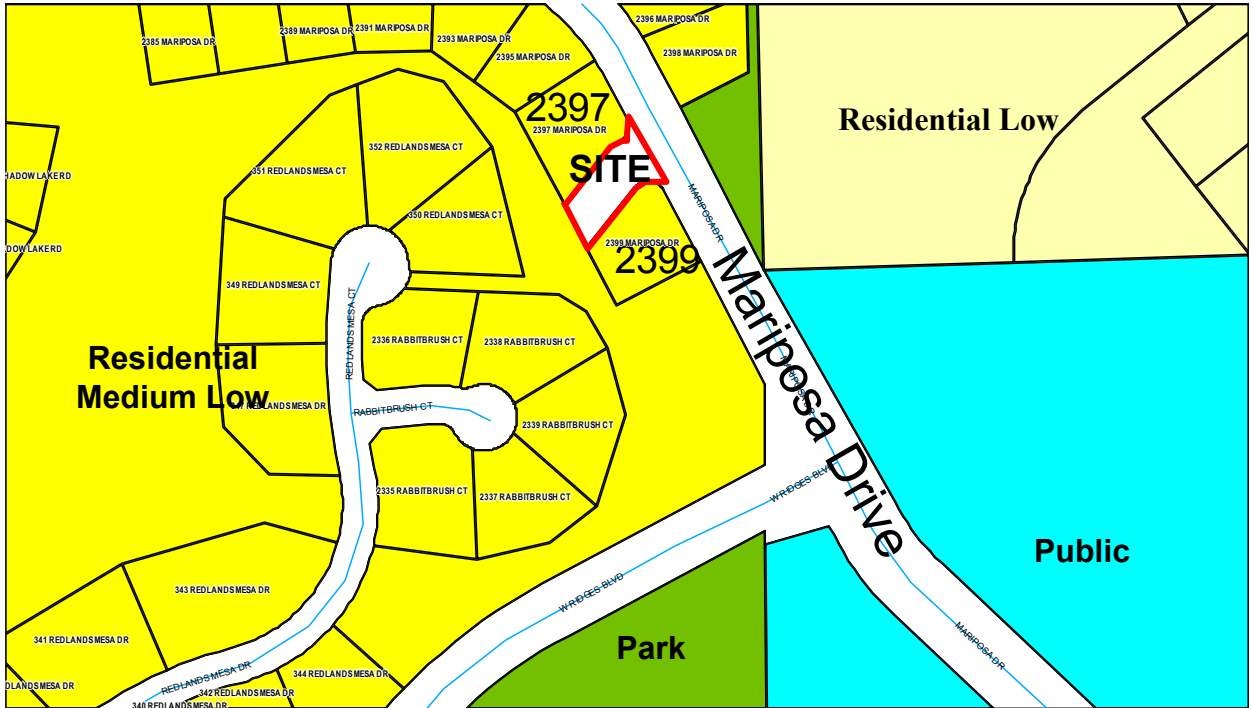
# Aerial Photo Map

Figure 2



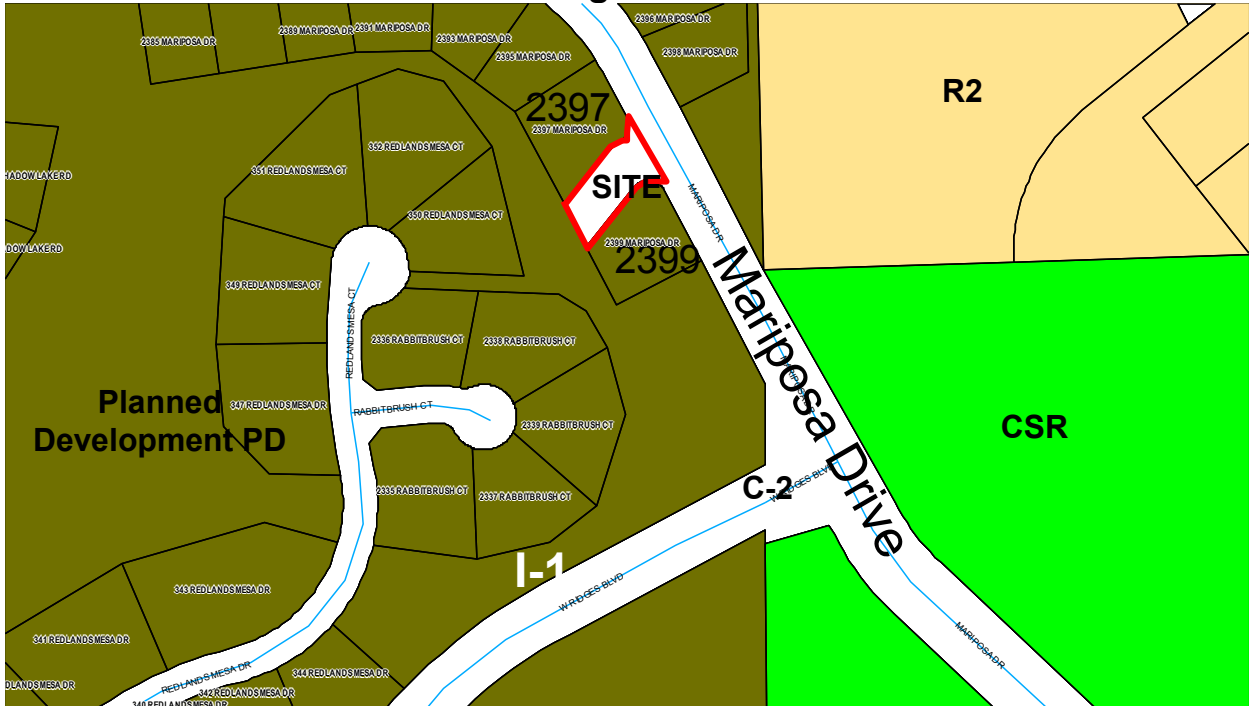
# Future Land Use Map

Figure 3



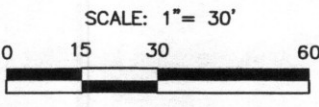
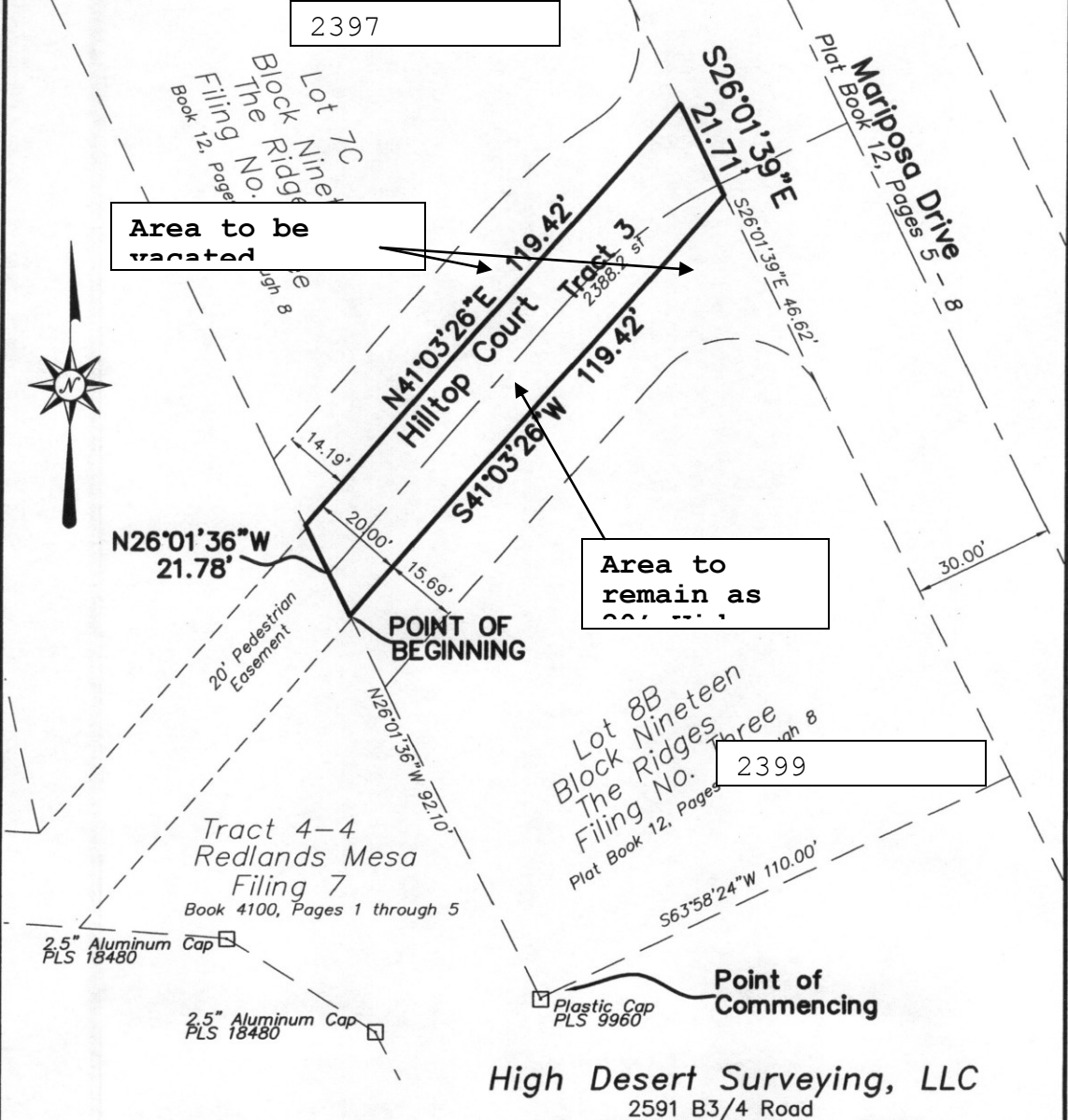
## Existing City and County Zoning

Figure 4



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

# SITE PLAN



**High Desert Surveying, LLC**  
 2591 B3/4 Road  
 Grand Junction, Colorado 81503  
 Tele: 970-254-8649 Fax: 970-240-0451

PROJ. NO. 06-147	Surveyed	Drawn	APP'D	SHEET	OF
DATE: Sept, 2006	dwj	rsk	skw	1	2

September 26, 2006

Osten & Anita Axelsson  
2399 Mariposa Drive  
Grand Junction, CO 81503  
AND  
Michael & Barbara Salogga  
2397 Mariposa Drive  
Grand Junction, CO 81503

## **General Project Report**

**Location:** 2397 Mariposa Drive, 2399 Mariposa Drive, Hilltop Court

**Acreage:** 2397 to increase to 0.301 acres, 2399 to increase to 0.291 acres

**Proposed Use:** Residential Yard

**Public Benefit:** Saving the City the cost of maintaining unused roadway

**Neighborhood Meeting:** N/A

**Adopted plans and/or policies:** With the abandonment of the use Hilltop Court by Redlands Mesa as an access, we are requesting that the City vacate the adjacent property with the exception of City property required for sewer maintenance.

**Land Use in Surrounding Area:** Residential

**Site Access & Traffic Patterns:** N/A

**Availability of Utilities, Fire Hydrants:** No change

**Special & Unusual Demands on Utilities:** N/A

**Effects on Public Facilities:** N/A

**Site Soils and Geology:** N/A

**Impact of Project on Site Geology and Geological Hazards:** N/A

**Hours of Operation:** N/A

**Number of Employees:** N/A

**Signage Plans:** N/A

**Development Schedule and Phasing:** As soon as the property is vacated, property owners plan to incorporate vacated property into their existing landscaping design as weather permits.

**CITY OF GRAND JUNCTION**

**ORDINANCE NO.**

**AN ORDINANCE VACATING RIGHT-OF-WAY FOR HILLTOP COURT  
LOCATED BETWEEN 2397 AND 2399 MARIPOSA DRIVE**

RECITALS:

Two property owners adjacent to Hilltop Court are requesting the vacation of undeveloped Right-of-Way adjacent to their properties. The proposed vacations are being requested to allow the property owners to erect fences, complete driveway and landscaping of yards, etc. for their properties located at 2397 and 2399 Mariposa Drive. The Right-of-Way currently runs between the two residential properties with no existing road improvements.

For that area being vacated, a multi-purpose easement is being retained. This easement is needed for all existing utilities and future utilities that may be located there.

The City Council finds that the property owner's requests are consistent with the Growth Plan Future Land Use Plan and the Grand Valley Circulation Plan. The application also meets the criteria of section 2.11 of the Zoning and Development Code.

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

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

The following described dedicated right-of-way for Hilltop Court is hereby vacated subject to the listed conditions:

2. Applicants shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents; and
3. Provided that the Hilltop Court Right-of-Way vacated hereby in said Tracts No.'s 1 and 2 is reserved as a multipurpose easement for the use of City approved public utilities as a perpetual easement for the installation, operation, maintenance and repair of utilities and appurtenances including, but not limited to, electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, equivalent other public utility providers and appurtenant facilities.



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

Dedicated right-of-way to be vacated:

Tract 1, Right-of-Way Vacation  
Exhibit A

The Southern portion of right-of-way for Hilltop Court to be vacated, located in The Ridges Filing No. Three, as shown on plat recorded at Book 12, Pages 5 through 8, Mesa County records, in the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$  SE $\frac{1}{4}$ ) Section 20, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado and more particularly described as follows:

The basis of bearings being the East line of SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 20, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado, as shown on Exhibit C of this document, which bears South 00 degrees 16 minutes 07 seconds West, a distance of 1317.04 feet, from the Northeast corner to the Southeast corner said SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 20, as established by observation of Mesa County GPS local coordinate system, with all bearings contained herein relative thereto; thence South 01 degrees 17 minutes 35 seconds West a distance of 130.74 feet; thence North 26 degrees 01 minutes 36 seconds West, a distance of 160.00 feet, along the South right-of-way line of Mariposa Drive, as shown on said plat of The Ridges, Filing No. Three, to the Southeast corner of said Lot 8B, Block Nineteen, The Ridges, Filing No. Three; thence South 63 degrees 58 minutes 24 seconds West, a distance of 110.00 feet to the Southwest corner of said Lot 8B, the POINT OF COMMENCING; thence North 26 degrees 01 minutes 36 seconds West, a distance of 75.00 feet to the existing Northwest corner of said Lot 8B, the POINT OF BEGINNING; thence North 26 degrees 01 minutes 36 seconds West, a distance of 17.10 feet, along the Westerly boundary of said Block 19, The Ridges Filing No. Three; thence North 41 degrees 03 minutes 26 seconds East, a distance of 119.42 feet; thence South 26 degrees 01 minutes 39 seconds East, a distance of 46.56 feet, to a point at the intersection of Hilltop Court right-of-way (a 50 foot wide right-of-way) and Mariposa Drive (a 60 foot wide right-of-way), as shown on said plat of The Ridges, Filing No. Three, to a point at the beginning of a non-tangent curve to the left; thence along said non-tangent curve to the left, having a delta angle of 113 degrees 19 minutes 53 seconds, with a radius of 20.00 feet, an arc length of 39.56 feet, with a chord bearing of North 82 degrees 41 minutes 44 seconds West, with a chord length of 33.42 feet; thence South 40 degrees 38 minutes 24 seconds West, a distance of 89.39 feet, along the Southerly right-of-way of said Hilltop Court to the POINT OF BEGINNING.

Said parcel containing an area of 2041.5 square feet, as described.



Tract 2, Right-of-Way Vacation  
Exhibit B

The Northern portion of right-of-way for Hilltop Court to be vacated, located in The Ridges Filing No. Three, as shown on plat recorded at Book 12, Pages 5 through 8, Mesa County records, in the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$  SE $\frac{1}{4}$ ) Section 20, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado and more particularly described as follows:

The basis of bearings being the East line of SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 20, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado, as shown on Exhibit C of this document, which bears South 00 degrees 16 minutes 07 seconds West, a distance of 1317.04 feet, from the Northeast corner to the Southeast corner said SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 20, as established by observation of Mesa County GPS local coordinate system, with all bearings contained herein relative thereto; thence South 01 degrees 17 minutes 35 seconds West a distance of 130.74 feet; thence North 26 degrees 01 minutes 36 seconds West, a distance of 160.00 feet, along the South right-of-way line of Mariposa Drive, as shown on said plat of The Ridges, Filing No. Three, to the Southeast corner of Lot 8B, Block Nineteen, The Ridges, Filing No. Three; thence South 63 degrees 58 minutes 24 seconds West, a distance of 110.00 feet to the Southwest corner of said Lot 8B, the POINT OF COMMENCING; thence North 26 degrees 01 minutes 36 seconds West, a distance of 113.81 feet, along the Westerly boundary of said Block 19, The Ridges Filing No. Three to the POINT OF BEGINNING; thence North 26 degrees 01 minutes 36 seconds West, a distance of 15.65 feet, continuing along the Westerly boundary of said Block 19, to the Southwest corner of Lot 7C, said Block Nineteen, to a point on the Northerly right-of-way line of Hilltop Court right-of-way (a 50 foot wide right-of-way), as shown on said plat of The Ridges, Filing No. Three; thence along said Northerly right-of-way of said Hilltop Court the following three (3) courses: (1) North 40 degrees 38 minutes 24 seconds East, a distance of 67.82 feet, to the beginning of a non-tangent curve to the right; (2) along said non-tangent curve to the right, having a delta angle of 15 degrees 09 minutes 01 seconds, with a radius of 120.50 feet, an arc length of 31.86 feet, with a chord bearing of North 48 degrees 12 minutes 53 seconds East, with a chord length of 31.77 feet, to a point at the beginning of a reverse curve to the left; (3) along said curve to the left, having a delta angle of 81 degrees 48 minutes 05 seconds, with a radius of 20.00 feet, an arc length of 28.55 feet, with a chord bearing of North 14 degrees 52 minutes 53 seconds East, with a chord length of 26.19 feet, to a point on the Westerly right-of-way line of Mariposa Drive (a 60 foot wide right-of-way), as shown on said plat of The Ridges, Filing No. Three; thence South 26 degrees 01 minutes 39 seconds East, a distance of 24.43 feet; thence South 41 degrees 03 minutes 26 seconds West, a distance of 119.42 feet to the POINT OF BEGINNING.

Said parcel containing an area of 1666.1 square feet, as described.

See Street Vacation Exhibits A, B and C attached hereto and incorporated by this reference as if fully set forth.

*Provided, however, that the Hilltop Court Right-of-Way vacated hereby in said Tracts No.'s 1 and 2 is reserved as a multipurpose easement for the use of City approved public utilities as a perpetual easement for the installation, operation, maintenance and repair of utilities and appurtenances including, but not limited to, electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, storm sewers, water lines, telephone lines, equivalent other public utility providers and appurtenant facilities.*

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

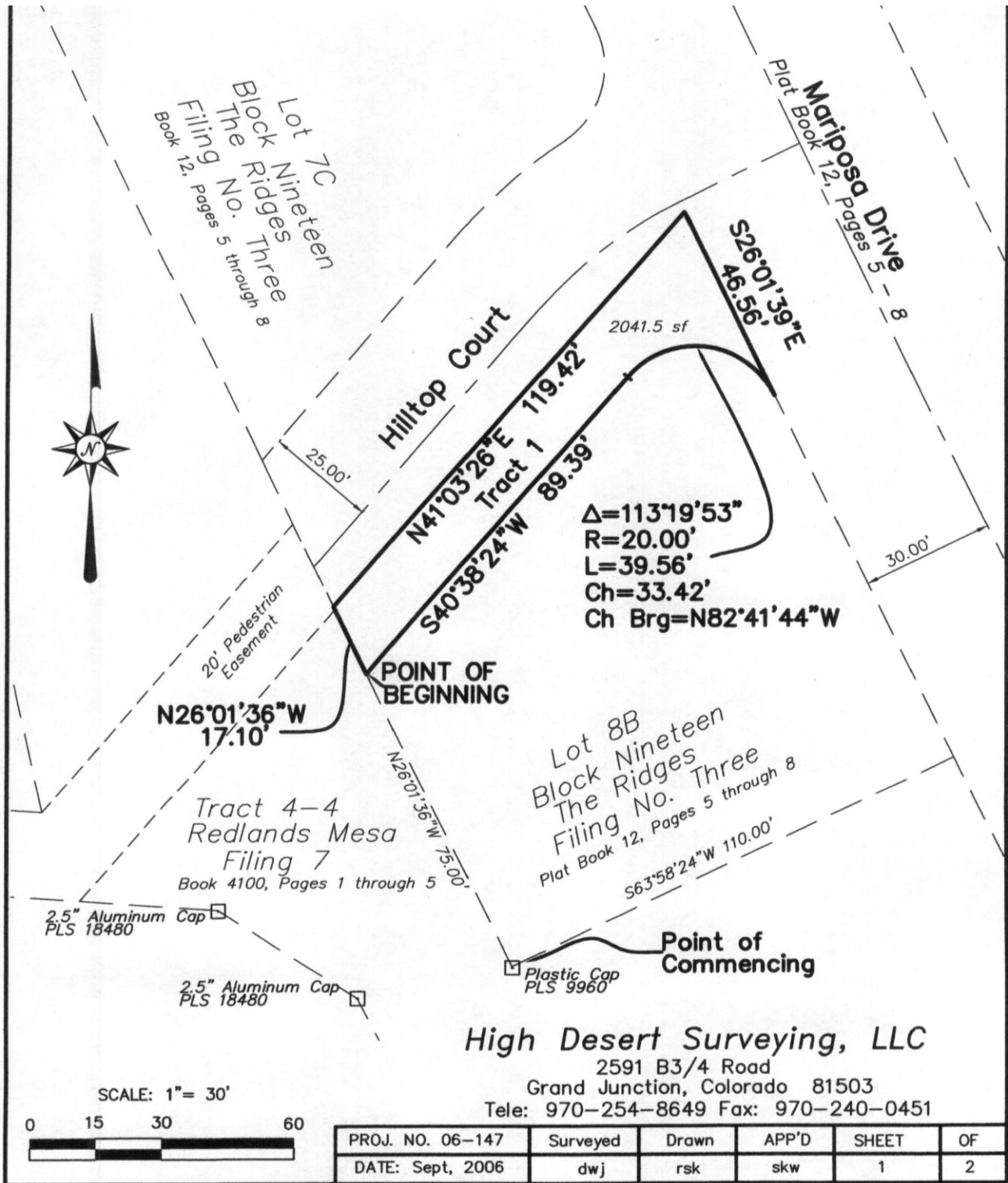
PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:

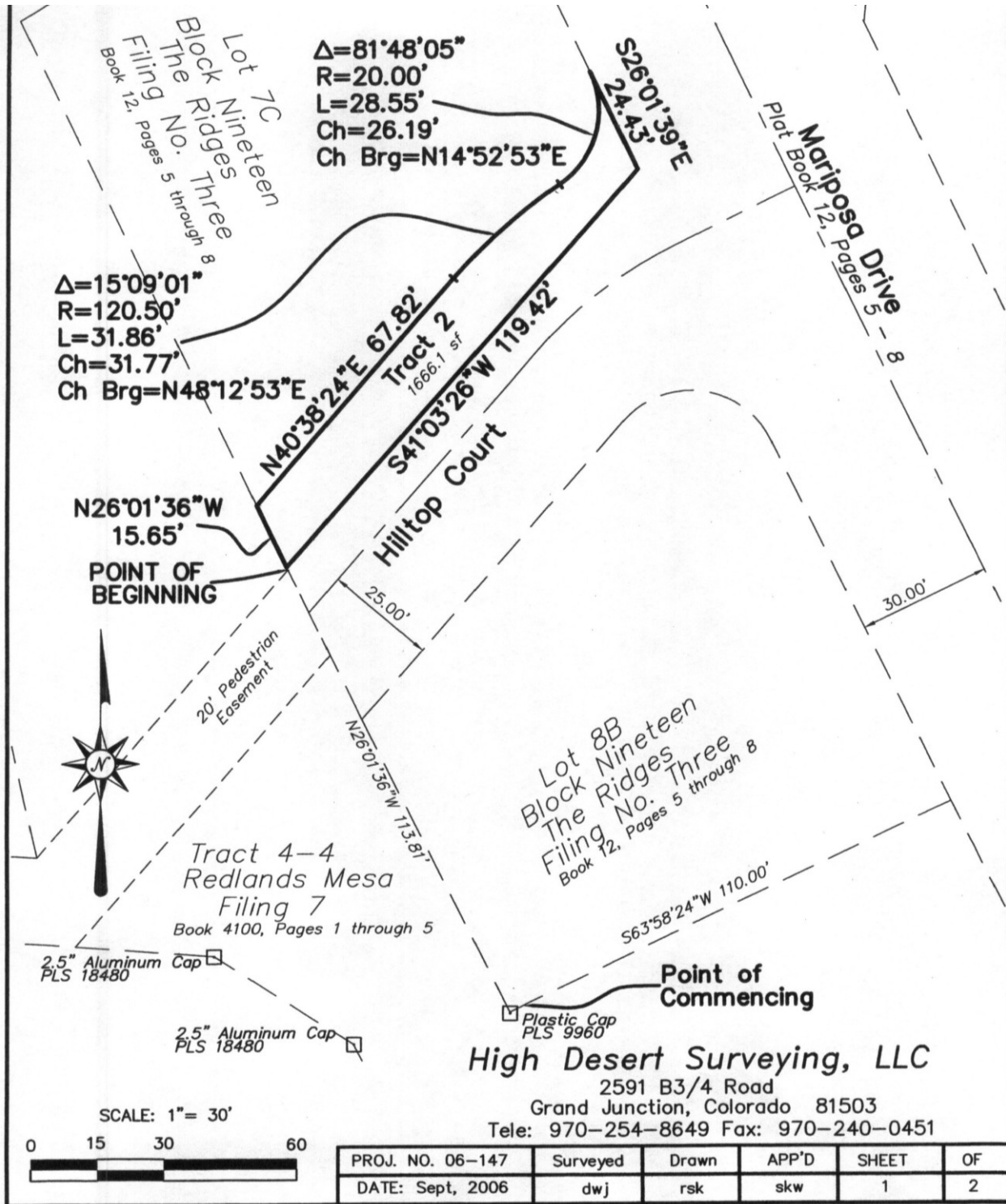
\_\_\_\_\_  
President of City Council

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

# EXHIBIT A



# EXHIBIT B



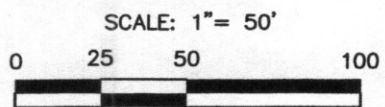
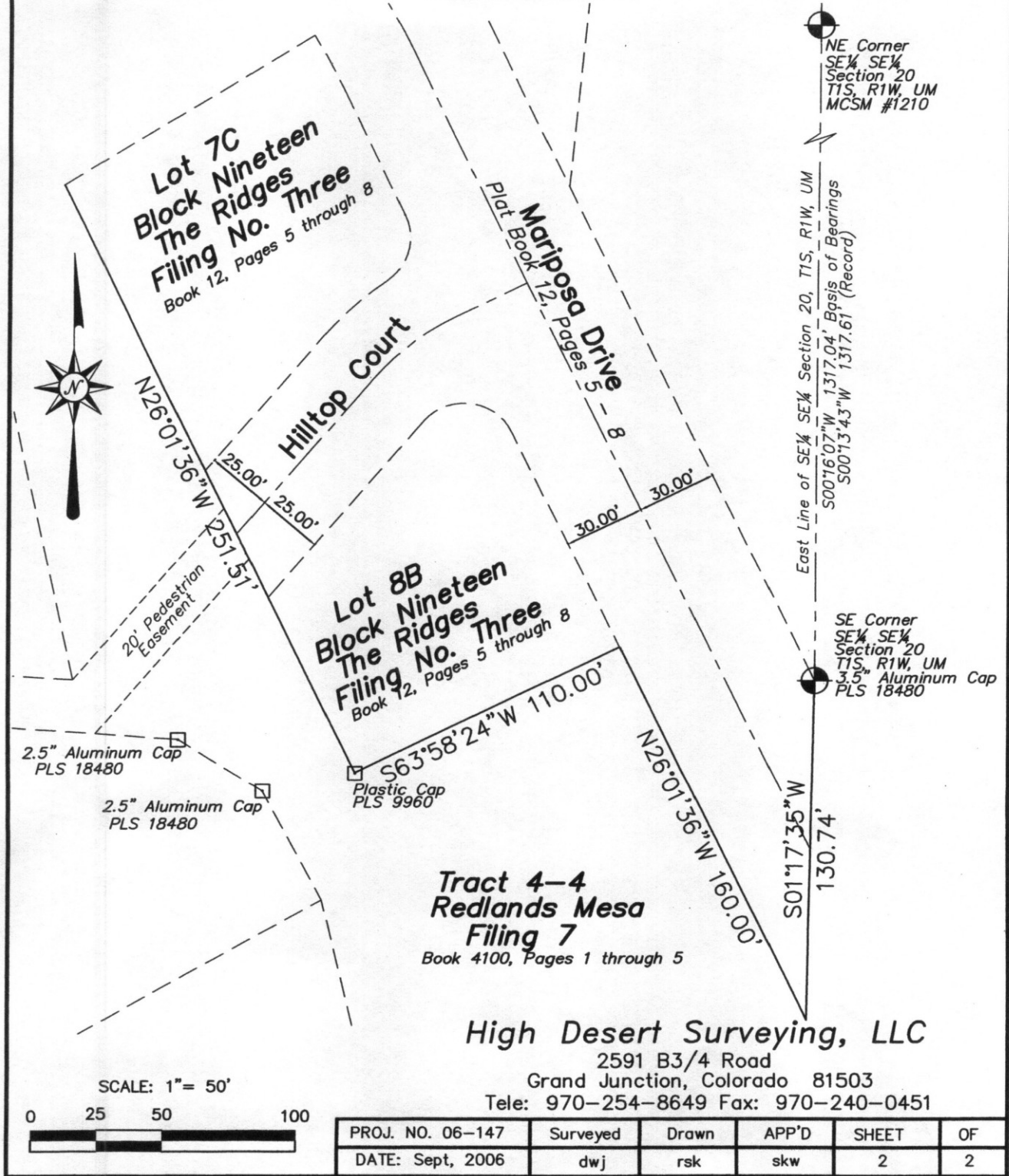
**High Desert Surveying, LLC**

2591 B3/4 Road  
 Grand Junction, Colorado 81503

Tele: 970-254-8649 Fax: 970-240-0451

PROJ. NO.	Surveyed	Drawn	APP'D	SHEET	OF
06-147	dwj	rsk	skw	1	2
DATE: Sept, 2006					

# EXHIBIT C CONTROL LAYOUT



**High Desert Surveying, LLC**  
 2591 B3/4 Road  
 Grand Junction, Colorado 81503  
 Tele: 970-254-8649 Fax: 970-240-0451

PROJ. NO. 06-147	Surveyed	Drawn	APP'D	SHEET	OF
DATE: Sept, 2006	dwj	rsk	skw	2	2

**Attach 8**

Setting a Hearing on Zoning the Sky View Annexation, Located at 2881 D Road

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Zoning the Sky View Annexation - Located at 2881 D Road.					
<b>Meeting Date</b>	June 6, 2007					
<b>Date Prepared</b>	May 24, 2007			File #ANX-2007-085		
<b>Author</b>	Faye Hall		Associate Planner			
<b>Presenter Name</b>	Faye Hall		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 zone the 13.89 acre Sky View Annexation, located at 2881 D Road in the Pear Park area, to R-4 (Residential, 4 units per acre).

**Budget:** N/A

**Action Requested/Recommendation:** Introduce a proposed ordinance and set a public hearing for June 20, 2007.

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

**Attachments:**

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

STAFF REPORT / BACKGROUND INFORMATION				
<b>Location:</b>		2881 D Road		
<b>Applicants:</b>		Owners: Don Jensen and Dorothy Jensen Living Trust Developer: B & G Development – Lawrence Balerio Representative: Development Construction Services, Inc. – Michael Markus		
<b>Existing Land Use:</b>		Residential and Agricultural		
<b>Proposed Land Use:</b>		Residential		
<b>Surrounding Land Use:</b>	<b>North</b>	Mesa State College Annexation (GPA in process), currently has a Public designation, but requesting a Commercial/Industrial and Residential Med High		
	<b>South</b>	Vacant – Residential Medium Low		
	<b>East</b>	Residential Medium Low		
	<b>West</b>	Residential Medium Low – Skyler Subdivision		
<b>Existing Zoning:</b>		County RSF-R (Residential Single Family, Rural)		
<b>Proposed Zoning:</b>		City R-4 (Residential, 4 units per acre)		
<b>Surrounding Zoning:</b>	<b>North</b>	County PUD with no plan, (requesting I-1, C-2, R-12 if GPA is approved)		
	<b>South</b>	County RSF-R		
	<b>East</b>	County PUD with no plan		
	<b>West</b>	City PD 3.6 units per acre (Skyler Subdivision)		
<b>Growth Plan Designation:</b>		Residential Medium Low 2-4 du/ac		
<b>Zoning within density range?</b>	<b>X</b>	<b>Yes</b>		<b>No</b>

**Staff Analysis:**

Zone of Annexation: The requested zone of annexation to the R-4 zone district is consistent with the Growth Plan designation of Residential Medium Low 2-4 du/ac. The existing County zoning is RSF-R which does not implement the Future Land Use designation of Residential Medium Low 2-4 du/ac. Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

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

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

Response: The proposed zone district of R-4 is compatible with the neighborhood as the Skyler Subdivision to the west is zoned PD with a density of 3.6 units per acre. The White Willows Subdivision located directly west of the Skyler Subdivision is zoned R-4 and currently the Jones Annexation which is located to the southwest of this property is also requesting an R-4 zone district.

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

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

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. R-2 (Residential, 2 units per acre)

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

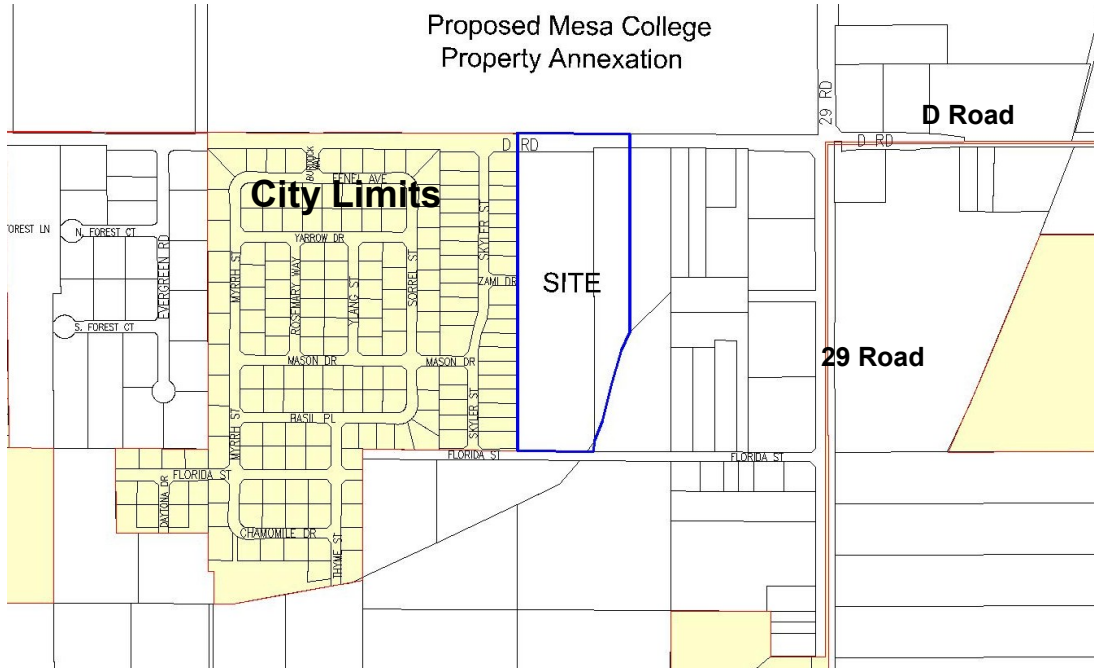
**PLANNING COMMISSION RECOMMENDATION:** The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the R-4 (Residential, 4 units per acre) district to be consistent with the Growth Plan, and Sections 2.6 and 2.14 of the Zoning and Development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



# Site Location Map

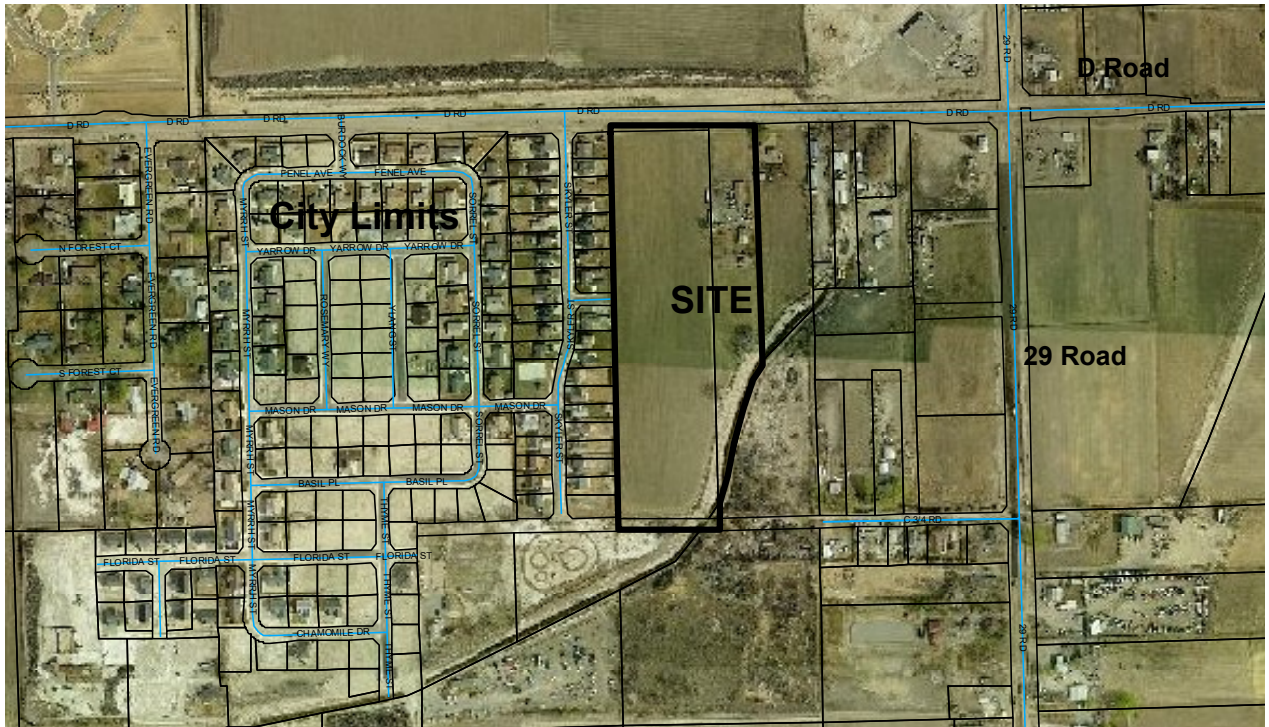
Figure 1

Proposed Mesa College  
Property Annexation



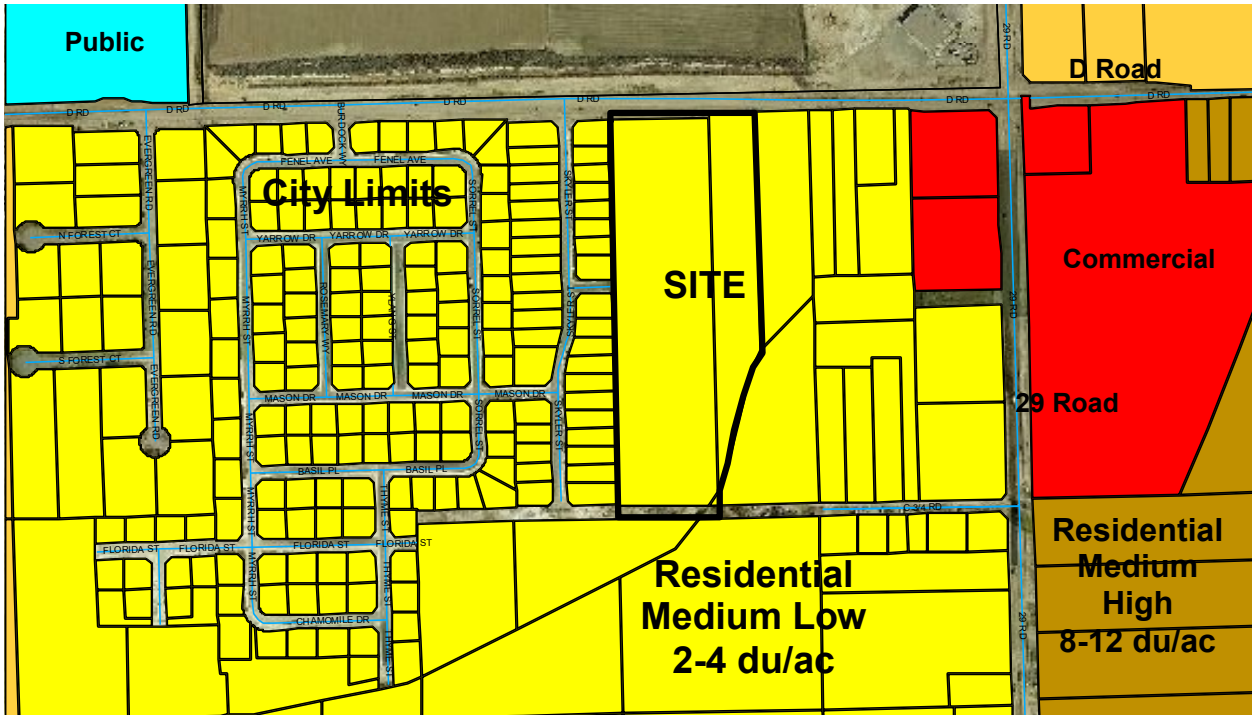
# Aerial Photo Map

Figure 2



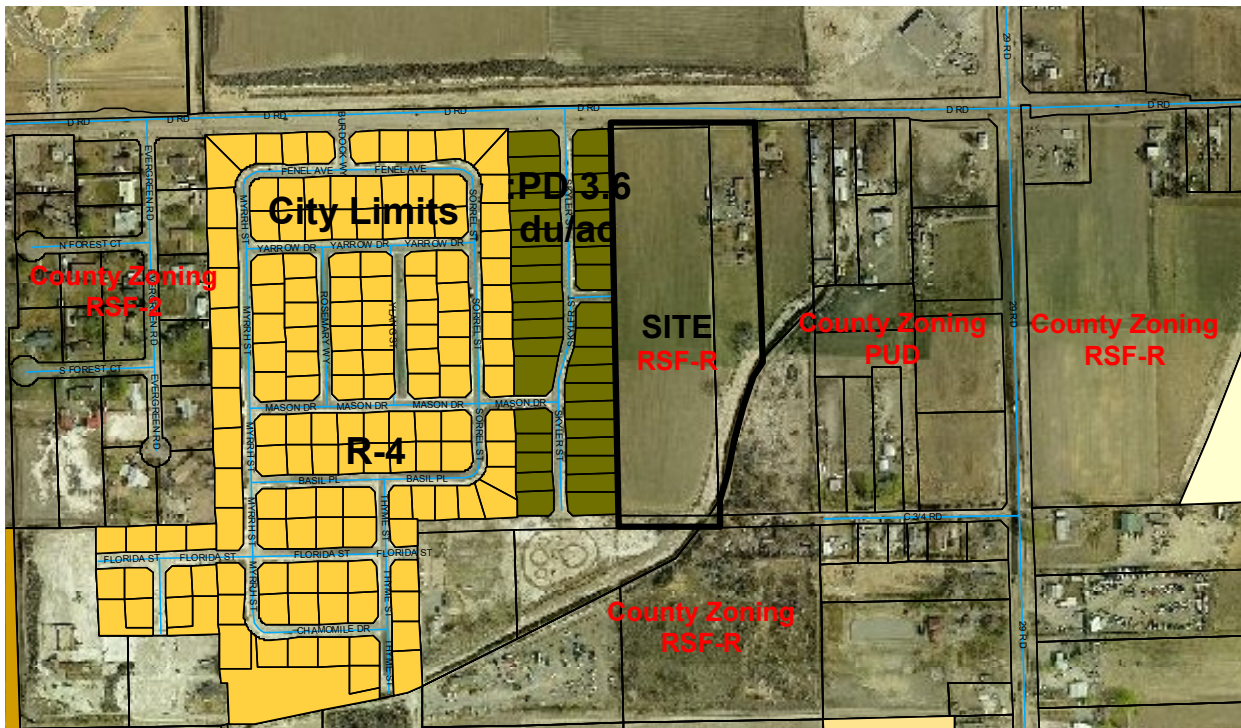
# Future Land Use Map

Figure 3



# Existing City and County Zoning

Figure 4



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE ZONING THE SKY VIEW ANNEXATION TO  
R-4 (RESIDENTIAL, 4 UNITS PER ACRE)**

**LOCATED AT 2881 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 Sky View Annexation to the R-4 (Residential, 4 units per acre) 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 R-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 R-4 (Residential, 4 units per acre).

A certain parcel of land located in the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of Section 18, 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 Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of said Section 18 and assuming the North line of said NE 1/4 SE 1/4 bears S89°40'49"E with all other bearings contained herein being relative thereto; thence S89°40'49"E along said North line a distance of 481.58 feet; thence S00°01'06"E along the East line of that certain parcel of land as recorded in Book 3887, Page 295, Public Records of Mesa County Colorado, a distance of 817.68 feet to the Southeast corner of said parcel; thence Southwesterly along the South line of said parcel the following 4 courses: (1) S25°14'54"W a distance of 119.31 feet, (2) S18°17'54"W a distance of 228.33 feet, (3) S09°38'54"W a distance of 129.02 feet; thence S34°24'54"W a distance of 68.32 feet to a point on the North line of Florida Street; thence S00°27'27"W a distance of 40.00 feet to a point on the South line of said Florida Street; thence N89°32'33"W along said South line a distance of 301.46 feet to a

point on the West line of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of said Section 18; thence N00°06'50"E along said West line a distance of 40.00 feet to the Southwest corner of said NE 1/4 SE 1/4; thence N00°06'55"E along the West line of said NE 1/4 SE 1/4, said West line also being the East line of the Darren Davidson Annexation, City of Grand Junction, Ordinance NO. 3205, a distance of 1326.21 feet, more or less to the POINT OF BEGINNING.

Said parcel contains 13.89 acres (605,162 square feet), more or less, as described.

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

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

ATTEST:

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

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



**Attach 9**

Setting a Hearing on Zoning the Street Property Annexation, Located at 623 29 ½ Road

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA							
<b>Subject</b>	Zoning the Street Property Annexation - Located at 623 29 ½ Road.						
<b>Meeting Date</b>	June 6, 2007						
<b>Date Prepared</b>	May 24, 2007				File #ANX-2007-107		
<b>Author</b>	Faye Hall			Associate Planner			
<b>Presenter Name</b>	Faye Hall			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 zone the 1.49 acre Street Property Annexation, located at 623 29 ½ Road, to R-4 (Residential, 4 units per acre). Staff is recommending the R-5 (Residential, 5 units per acre) zone district. This property is located directly east of the Forrest Run Subdivision in the Fruitvale area.

**Budget:** N/A

**Action Requested/Recommendation:** Introduce a proposed ordinance and set a public hearing for June 20, 2007.

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

**Attachments:**

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

STAFF REPORT / BACKGROUND INFORMATION				
<b>Location:</b>		623 29 ½ Road		
<b>Applicants:</b>		Owners: Jim and Gloria Street Representative: Rolland Engineering – Rick Mason		
<b>Existing Land Use:</b>		Residential		
<b>Proposed Land Use:</b>		Residential		
<b>Surrounding Land Use:</b>	<b>North</b>	Residential		
	<b>South</b>	Residential		
	<b>East</b>	Residential		
	<b>West</b>	Residential		
<b>Existing Zoning:</b>		County RSF-4 (Residential Single Family, 4 units per acre)		
<b>Proposed Zoning:</b>		City R-4 (Residential, 4 units per acre)		
<b>Surrounding Zoning:</b>	<b>North</b>	County RSF-4		
	<b>South</b>	County RSF-4		
	<b>East</b>	County RSF-4		
	<b>West</b>	City R-5		
<b>Growth Plan Designation:</b>		Residential Medium 4-8 du/ac		
<b>Zoning within density range?</b>		<b>X</b>	<b>Yes</b>	<b>No</b>

**Staff Analysis:**

Zone of Annexation: The requested zone of annexation to the R-4 (Residential, 4 units per acre) zone district is consistent with the Growth Plan designation of Residential Medium 4-8 du/ac. The existing County zoning is RSF-4 which also implements the Residential Medium designation. Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

The applicant is requesting a zone district of R-4 (Residential, 4 units per acre) simply because they want to be able to subdivide the parcel and also so they do not have to hold a neighborhood meeting. City Staff recommends the R-5 (Residential, 5 units per acre). A neighborhood meeting is required when a request for a zone district with a greater intensity or density than the existing zone district is being proposed. In this case, the existing zone district is County RSF-4. If the applicant were to request an R-5 zone district then a neighborhood meeting would be required of the applicant. Since the R-4 zone district serves the purpose of what the applicant wants, they are not willing to change their request. Staff feels that with the existing City zoning of R-5 that is in place adjacent to this parcel and the potential for future development that this site

should be zoned R-5. Therefore, staff is recommending a zone district of R-5 (Residential, 5 units per acre).

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

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

Applicant's response: The requested zone district of R-4 is consistent with the existing county zoning of RSF-4 and the Growth Plan designation of Residential Medium. The applicant wants to be able to subdivide the property and the R-4 zone district meets the requirements to accomplish that. Also, the applicant does not wish to hold a neighborhood meeting which would be required if they were to request a zone district with a higher density.

Staff Response: The proposed zone district of R-5 is compatible with the neighborhood in that the Forrest Run Subdivision directly west of this property is also zoned R-5 in the City. The adjoining properties are zoned RSF-4 in the County and most have the potential to be further subdivided. The built subdivision to the southeast is zoned RMF-5 in the County, which shows that when the RSF-4 properties are annexed to the City due to development the most compatible zone district would be R-5.

- 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 following zone districts implement the Residential Medium land use classification and are consistent with the Growth Plan designation for the subject property.

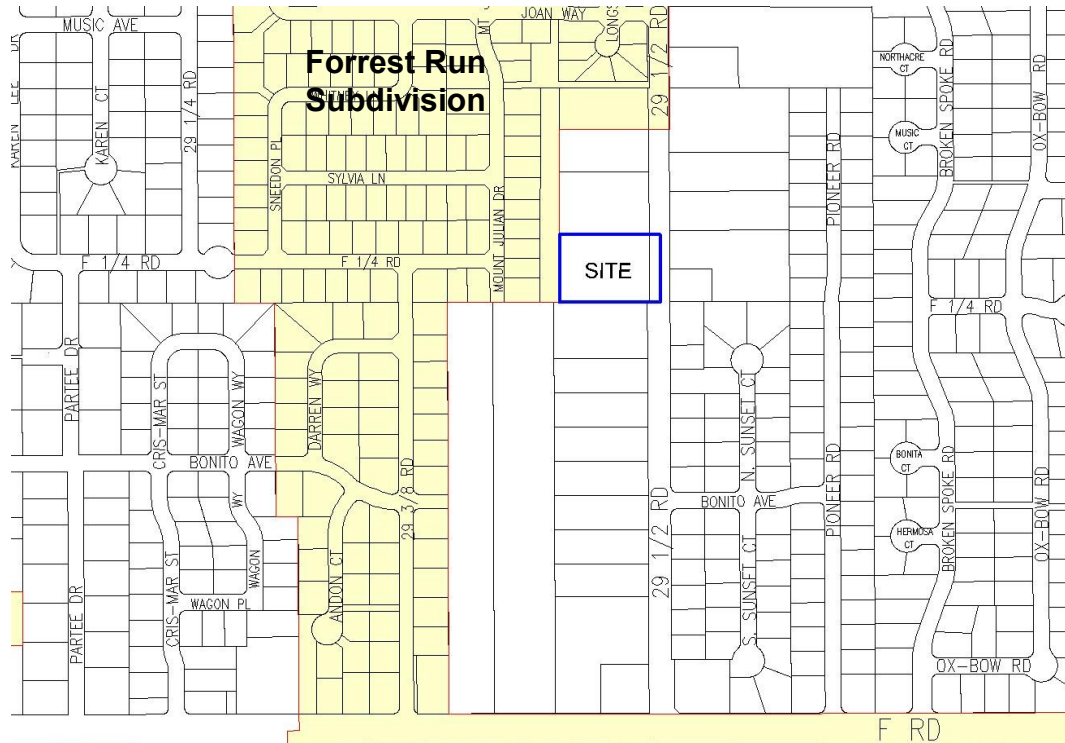
- b. R-4 (Residential, 4 units per acre)
- c. R-5 (Residential, 5 units per acre)
- d. R-8 (Residential, 8 units per acre)

When City Council recommends a zone district, specific findings must be made.

**PLANNING COMMISSION RECOMMENDATION:** At the time that this staff report was written this information was not available. Planning Commission will meet on the recommendation for zoning on May 29, 2007. The proper information will be included on the staff report for second reading which is scheduled for June 20, 2007.

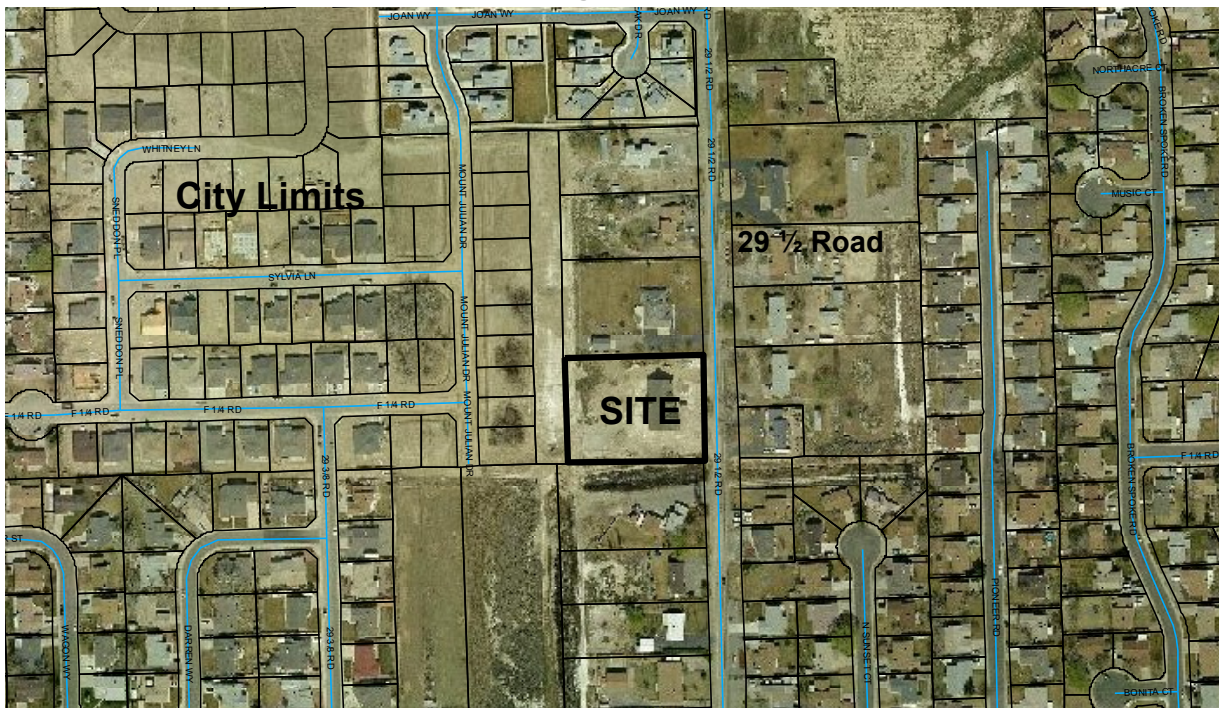
# Site Location Map

Figure 1



# Aerial Photo Map

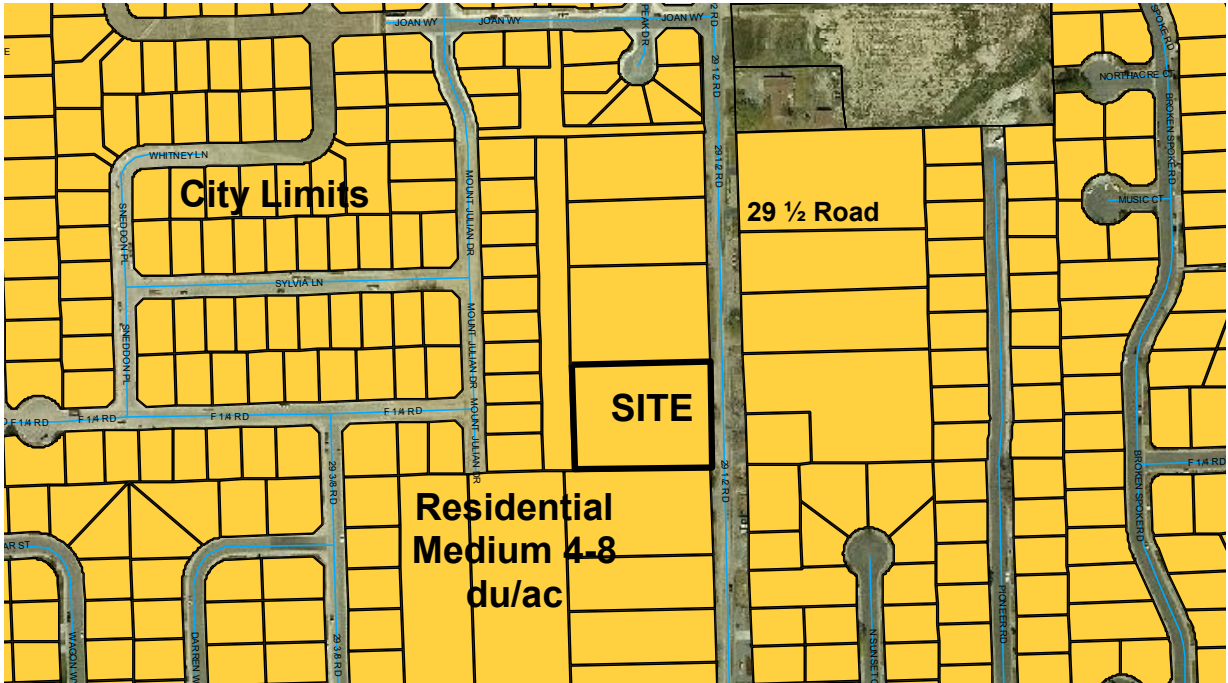
Figure 2





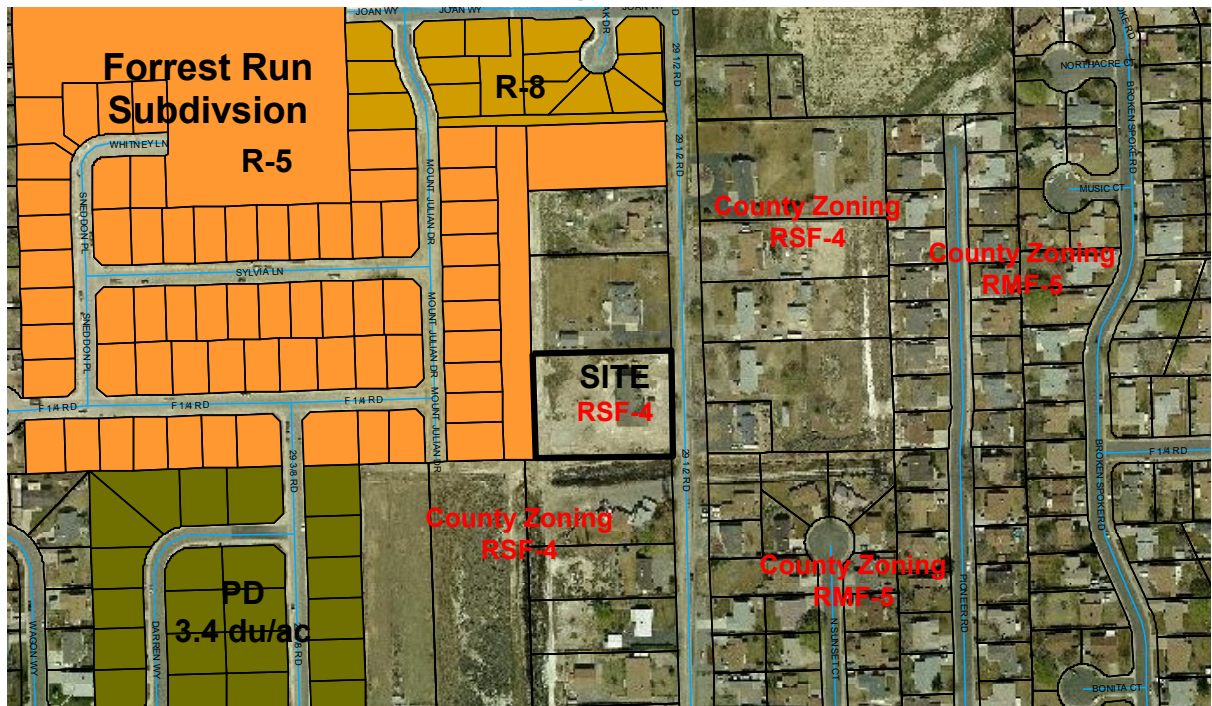
# Future Land Use Map

Figure 3



# Existing City and County Zoning

Figure 4



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE ZONING THE STREET PROPERTY ANNEXATION TO  
R-5 (RESIDENTIAL, 5 UNITS PER ACRE)**

**LOCATED AT 623 29 ½ ROAD**

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Street Property Annexation to the R-5 (Residential, 5 units per acre) 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 R-5 zone district is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

The following property be zoned R-5 (Residential, 5 units per acre).

A certain parcel of land situate in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 5, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southeast corner of the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of said Section 5, and assuming the East line of said NE 1/4 SW 1/4 bears S00°11'54"E with all other bearings contained herein being relative thereto; thence S89°59'41"W along the South line of said NE 1/4 SW 1/4 a distance of 311.56 feet to the Southwest corner of Lot 2 of Taylor Two Subdivision, as same is recorded in Book 3850, Page 907, Public Records, Mesa County, Colorado; thence N00°10'17"E along the West line of said Lot 2 a distance of 208.70 feet to the Northwest corner of said Lot 2; thence N89°59'41"E along the North line of said Lot 2 a distance of 310.21 feet to a point on the East line of said NE 1/4 SW 1/4; thence S00°11'54"E along said East line a distance of 208.70 feet, more or less, to the Point of Beginning.

Said parcel contains 1.49 acres (64,882 square feet), more or less, as described.

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

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

ATTEST:

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

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

**Attach 10**

Setting a Hearing for the Young Court Rezone, Located at 2575 Young Court

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Young Court Rezone - Located at 2575 Young Court					
<b>Meeting Date</b>	June 6, 2007					
<b>Date Prepared</b>	May 21, 2007			File #RZ-2007-089		
<b>Author</b>	Ronnie Edwards		<b>Associate Planner</b>			
<b>Presenter Name</b>	Ronnie Edwards		<b>Associate Planner</b>			
<b>Report results back to Council</b>	<input checked="" type="checkbox"/>	<b>No</b>	<input type="checkbox"/>	<b>Yes</b>	<b>When</b>	
<b>Citizen Presentation</b>	<input type="checkbox"/>	<b>Yes</b>	<input checked="" type="checkbox"/>	<b>No</b>	<b>Name</b>	
<b>Workshop</b>	<input checked="" type="checkbox"/>	<b>Formal Agenda</b>		<input checked="" type="checkbox"/>	<b>Consent</b>	<b>Individual Consideration</b>

**Summary:** Request to rezone 2575 Young Court, comprised of 1.09 acres, from R-R (Residential – 5 ac/du) to R-2 (Residential – 2 du/ac). Young Court is located off of Young Street, north of F 1/2 Road and west of 1st Street, in the north Grand Junction neighborhood area.

**Budget:** N/A

**Action Requested/Recommendation:** Introduction of Proposed Ordinance and Set a Hearing for June 20, 2007.

**Attachments:**

1. Site Location Map/Aerial Photo Map
2. Future Land Use Map/Existing City and County Zoning Map
3. Zoning Ordinance

<b>BACKGROUND INFORMATION</b>			
<b>Location:</b>		2575 Young Court	
<b>Applicants:</b>		David and Jenny Hall	
<b>Existing Land Use:</b>		Residential	
<b>Proposed Land Use:</b>		Residential	
<b>Surrounding Land Use:</b>	<b>North</b>	Residential	
	<b>South</b>	Residential	
	<b>East</b>	Residential	
	<b>West</b>	Residential	
<b>Existing Zoning:</b>		R-R	
<b>Proposed Zoning:</b>		R-2	
<b>Surrounding Zoning:</b>	<b>North</b>	R-1 and R-R	
	<b>South</b>	PD (Residential at 3.7 du/ac)	
	<b>East</b>	R-2	
	<b>West</b>	R-R	
<b>Growth Plan Designation:</b>		Residential Low (1/2 – 2 ac/du)	
<b>Zoning within density range?</b>		X	<b>Yes</b>
			<b>No</b>

1. BACKGROUND:

The subject property was annexed in 2000 with the G Road South Enclave Annexation. The property was zoned RSF-R with the annexation as area residents at that time requested that the enclave area be zoned the same as existing Mesa County zoning. It was noted at that time in the staff report that some of the proposed zoning did not meet the Growth Plan's Future Land Use Map recommended densities and rezone requests to higher densities could be expected for some or all of the properties proposed for RSF-R. The Future Growth Plan designation for this property and parcels to the north, south and east are Residential Low (1/2-2 ac/du), making these adjacent lots non-conforming. Parcels to the west have designations of Residential Medium Low (2-4 du/ac).

The subdivisions west of this property were developed in 1995 through 1997 prior and during the adoption of the Growth Plan as planned residential development with densities of 2.8 to 3.86 dwellings per acre. The adjacent property to the east was rezoned to RSF-2 in 2003. With the new zoning designations now adopted, the parcels to the north, south and east are R-1 and R-R. The properties in the area have developed residentially, consistent with the

Growth Plan and Future Land Use Map. The requested zoning of R-2 provides a transition from the higher densities to the west and the lower densities to the north, south and east and brings the parcel into conformance with the goals and policies of the Growth Plan.

At the present time, all the parcels along Young Court and Young Street north of the Grand Valley Canal are on individual septic systems. The applicant is proposing this rezone in order to create a new residential lot, which will require extension of sewer lines to service both parcels. This parcel is located in the proposed Galley Lane Sewer Improvement District. This district is part of the Septic System Elimination Program (SSEP) initiated by the City and County in 2000. Bret Guillory, City Utility Engineer, has been in contact with the applicant regarding possible formation of the district this fall to accomplish this extension for the benefit of the entire neighborhood. Staff is recommending approval of the rezone request to allow the applicant to continue to move forward with a separate subdivision submittal. At the time of development of the property, the applicant will be responsible for extending the sewer line or formation of the sewer district must occur.

2. Consistency with the Growth Plan:

Policy 1.3 states the City decisions about the types and intensity of land uses will be consistent with the Future Land Use Map and Plan policies.

Policy 5.2 states the City will encourage development that uses existing facilities and is compatible with existing development.

The R-2 zone district is consistent with the goals and policies of the Growth Plan and is providing a development transition between residential neighborhoods.

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

Zone requests must meet all of the following criteria for approval:

2. The existing zoning was in error at the time of adoption; or

The existing zone district of R-R was imposed because staff was directed by City Council at the time of annexation to propose City zoning identical to Mesa County zoning for the entire enclave area. The proposed zoning did not meet the Future Land Use Map recommended densities and was given a nonconforming zone district.

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

Property in the area has developed as residential consistent with the Growth Plan, with zone districts ranging from one to four dwelling units per acre. This rezone request provides a transition between the various densities.

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

The proposed rezone will allow one new residential lot to be created, which is compatible with existing and surrounding land uses and will bring this parcel into conformance with the goals and policies of the Growth Plan.

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

Public facilities and services will be made available concurrent with development. The formation of a sewer improvement district is anticipated this year, to not only serve the applicant, but the entire neighborhood as well. The applicant will be required to extend sewer service should the district not be formed prior to development of his property.

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

The Future Land Use designation of Residential Low (1/2 – 2 ac/du) would allow for a range of densities, as R-E, R-1 and R-2. The R-2 zone district provides a transition between various densities in the area and brings the site into conformance. The R-2 zoning is the highest range of density supported by the Future Land Use Map.

6. The community will benefit from the proposed zone.

The proposed rezone would allow for one new residential lot to be developed, resulting in sewer extension to Young Court.

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.

- e. R-E, (Residential Estate, 1 du/2 ac)
- f. R-1, (Residential, 1 du/1 ac)

If the Planning Commission chooses to recommend one of the alternative zone designations, specific alternative findings must be made as to why the Planning Commission is recommending an alternative zone designation the City Council.

**FINDINGS OF FACT/CONCLUSIONS:**

Staff makes the following findings of fact:

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

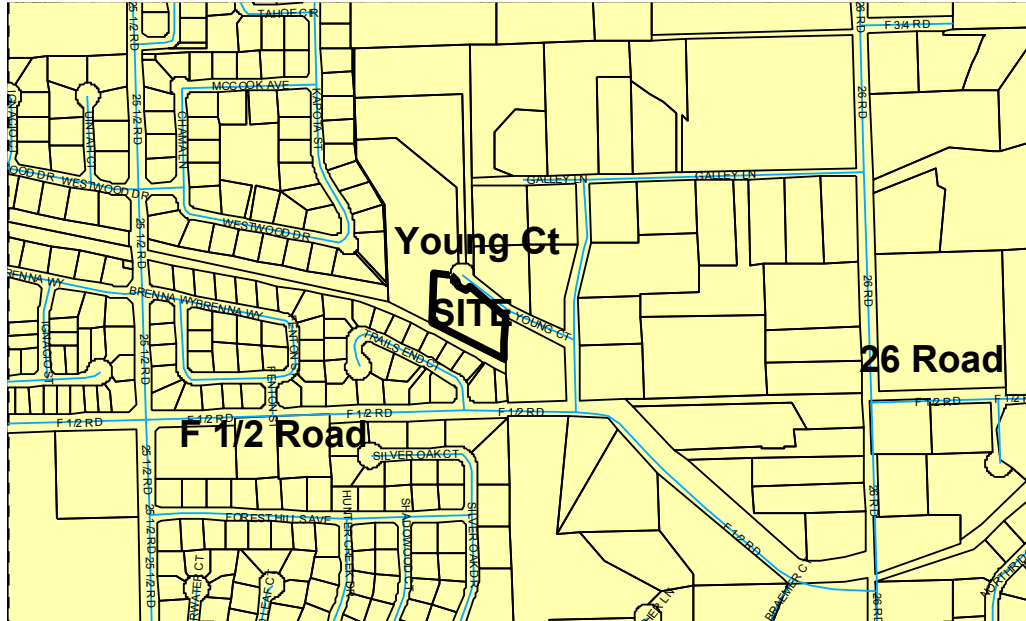
**PLANNING COMMISSION RECOMMENDATION:**

At their May 22, 2007 hearing, the Planning Commission forwarded a recommendation of approval of the rezone request.



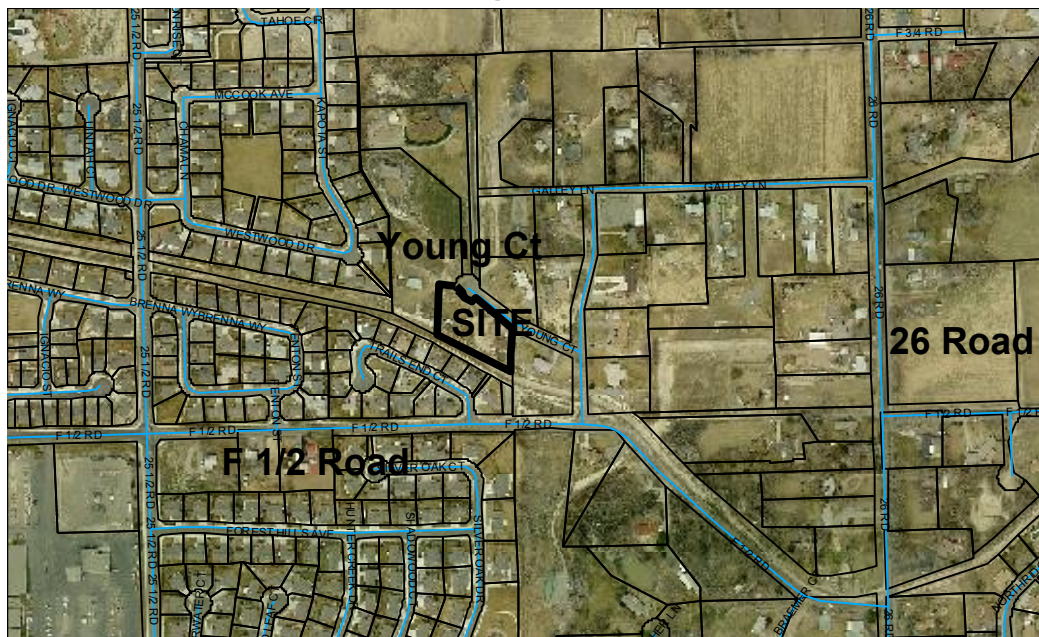
# Site Location Map

Figure 1



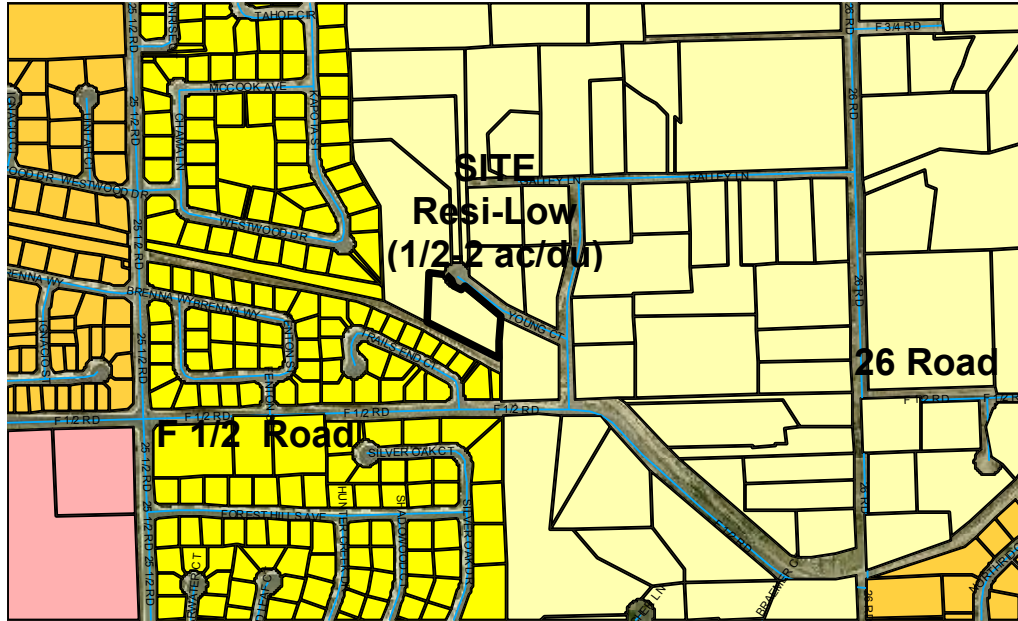
# Aerial Photo Map

Figure 2



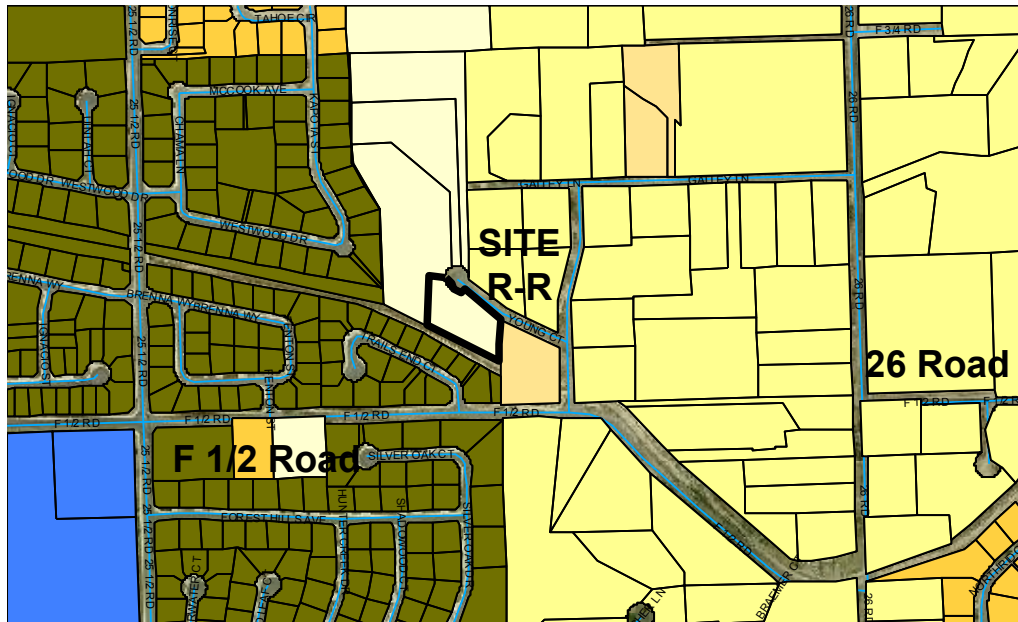
# Future Land Use Map

Figure 3



# Existing City and County Zoning

Figure 4



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

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING A PARCEL OF LAND FROM  
RESIDENTIAL, ONE UNIT PER FIVE ACRES (R-R) TO  
RESIDENTIAL, TWO UNITS PER ACRE (R-2)**

**LOCATED AT 2575 YOUNG COURT**

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 the rezone request from R-R zone district to the R-2 zone district.

After public notice and public hearing before the Grand Junction City Council, City Council finds the rezone request meets the goals and policies and future land use as set forth by the Growth Plan, Residential Low (1/2 – 2 ac/du). City Council also finds that the requirements for a rezone as set forth in Section 2.6 of the Zoning and Development Code have been satisfied. At the time of development of the property, the applicant will be responsible for sewer line extension or formation of a sewer improvement district for the neighborhood must occur.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE PARCEL DESCRIBED BELOW IS HEREBY ZONED R-2 (RESIDENTIAL-TWO UNITS PER ACRE):**

Beginning N0°02'24"W 173.0 feet from SE corner SW4 NE4 Section 3 T1S R1W N61°15'48"W 292.83 feet N0°27'24" W 180.90 feet N89°32'36"E 58.72 feet along arc curve to left whose radius is 50 feet chord bear S58°15'26"E 75.23 feet S47°02'24"E 185.02 feet S0°02'24"E 156.22 feet to beginning.

Introduced on first reading on the \_\_\_\_ day of \_\_\_\_\_, 2007.

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

Attest:

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

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

**Attach 11**

Vacation of Utility Easement in the Redlands Village Subdivision

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA							
Subject	Vacation of Public Right-of-Way , Located at 565 22½ Road in Redlands Village Subdivision						
Meeting Date	June 6, 2007						
Date Prepared	May 25, 2007				File #VE-2006-336		
Author	Senta L. Costello		Associate Planner				
Presenter Name	Senta L. Costello		Associate Planner				
Report results back to Council		Yes	X	No	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop		Formal Agenda		X	Consent	Individual Consideration

**Summary:** Request to vacate a 20' utility easement, where no utilities exist on a parcel located at 565 22 ½ Road, located in the Redlands Village Subdivision.

**Budget:** N/A

**Action Requested/Recommendation:** Approval of a Resolution vacating a 20' utility easement.

**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 Zoning Map
4. Resolution
5. Exhibit A

<b>BACKGROUND INFORMATION</b>					
Location:		<b>565 22 1/2 Road</b>			
Applicants:		Leonard F & Kathleen A Hoffmann			
Existing Land Use:		<b>Single Family Residence</b>			
Proposed Land Use:		<b>Single Family Residence</b>			
Surrounding Land Use:	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:		R-2			
Proposed Zoning:		R-2			
Surrounding Zoning:	North	County RSF-4			
	South	City R-2			
	East	County RSF-4			
	West	County RSF-4			
Growth Plan Designation:		Residential Medium Low 2-4 du/ac			
Zoning within density range?		<b>X</b>	<b>Yes</b>		<b>No</b>

**Staff Analysis**

1. Background

The property was annexed August 20, 2006 and zoned to a City R-2 zone district. The applicant submitted for the vacation of easement and simple subdivision in December of 2006. The 20' utility easement requested to be vacated is located on the western end of the property and was originally dedicated in 1967 with the Redlands Village Subdivision Filing 4 plat for the installation/maintenance of telephone, electrical, storm sewer, sanitary sewer, water, and gas lines. The utilities planned in this easement were not installed at this location, but are in the 10' easement along the west and south property lines or come in from the street.

2. Consistency with the Growth Plan

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

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

Goal 6: To promote the cost-effective provision of services for businesses and residents by all service providers.

Policy 6.4 – The City and County will encourage consolidations of services whenever such consolidations will result in improved service efficiencies while maintaining adopted level of service standards.

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

Requests vacate any easement must conform to all of the following:

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

- The request is in conformance with the Growth Plan, major street plan, the Redlands Area Plan, and other adopted plans and policies of the City.

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

- No parcels will be landlocked as a result of the vacation.

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

- Access will not be restricted to any parcels as a result of the vacation.

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

a. The easement vacation will not cause any adverse impacts on the health, safety and/or welfare of the general community and the quality of public facilities and services provided to any parcel of land will not be reduced.

b. The vacation eliminates an unnecessary public easement, reducing public maintenance without reducing public services.

c. The vacation allows for the creation of a residential lot that is in character with the neighborhood and furthers the use of existing infrastructure without the need to extend facilities.

- q. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter Six of the Zoning and Development Code.
  - The vacation eliminates an unnecessary easement and will not inhibit any public facilities or services to any properties.
- r. The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.
  - The proposal eliminates an unused utility easement that will alleviate any potential future maintenance issues.

#### FINDINGS OF FACT/CONCLUSIONS

After reviewing the Hoffmann Easement Vacation application, VE-2006-336 for the vacation of an easement, staff makes the following findings of fact and conclusions:

- 6. The requested easement vacation is consistent with the goals and policies of the Growth Plan.
- 7. The review criteria in Section 2.11.C of the Zoning and Development Code have all been met.

#### STAFF RECOMMENDATION:

Staff recommends approval of the requested easement vacation, VE-2006-336, with the findings and conclusions listed above.

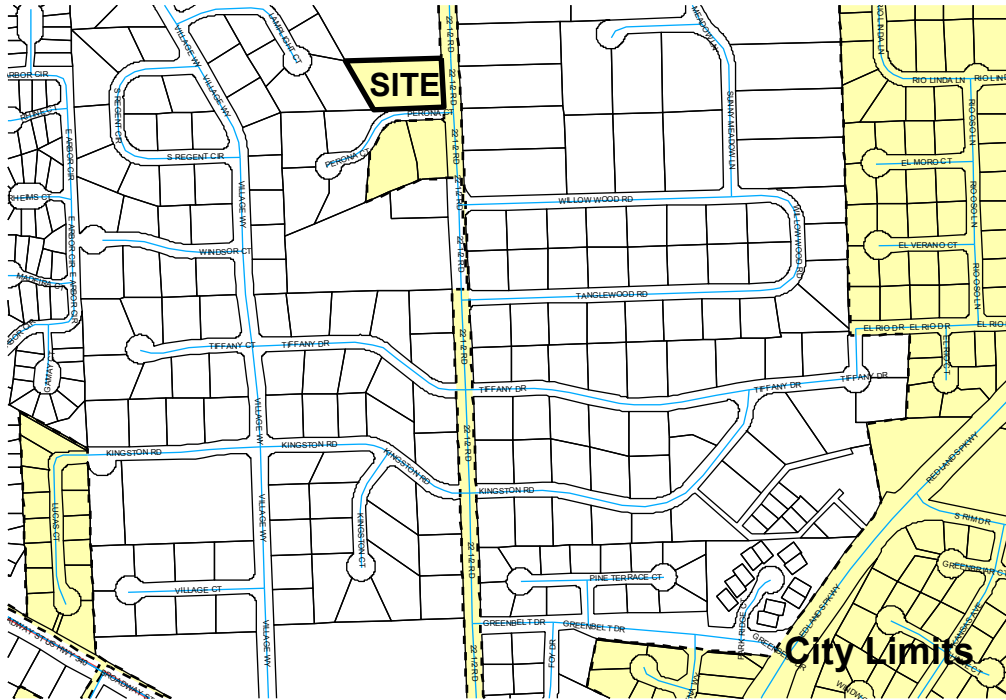
#### PLANNING COMMISSION RECOMMENDATION:

The Planning Commission forwarded a recommendation of approval of the requested easement vacation, VE-2006-336 to the City Council with the findings and conclusions listed above.



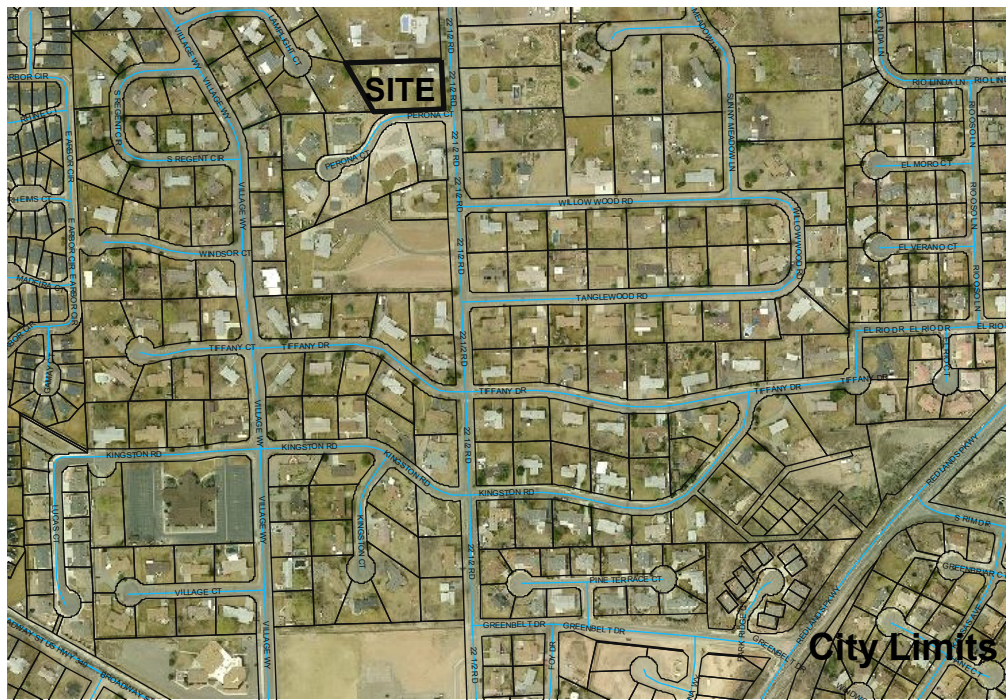
# Site Location Map

Figure 1



# Aerial Photo Map

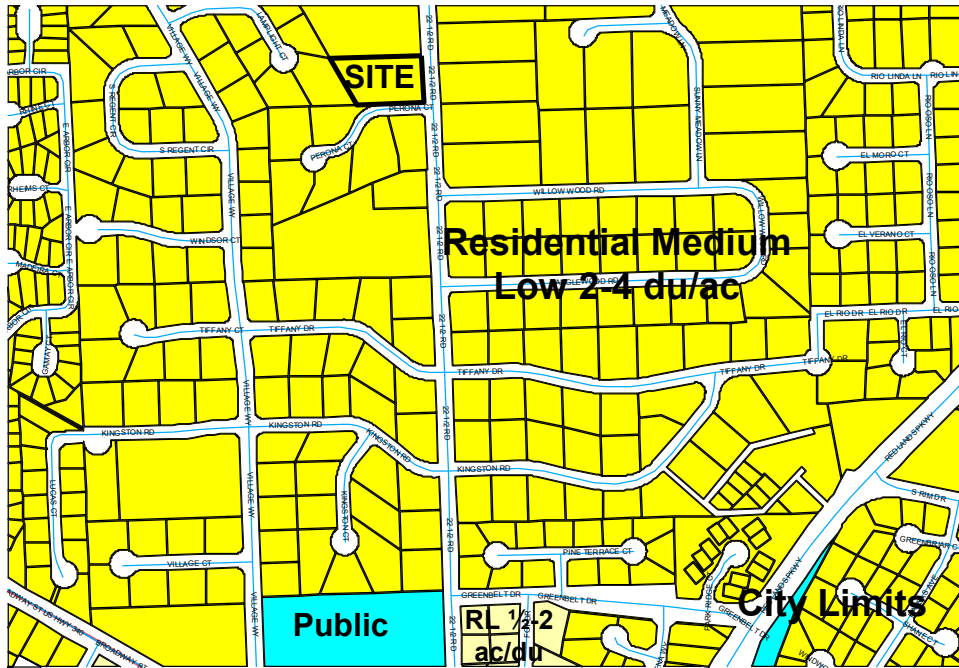
Figure 2





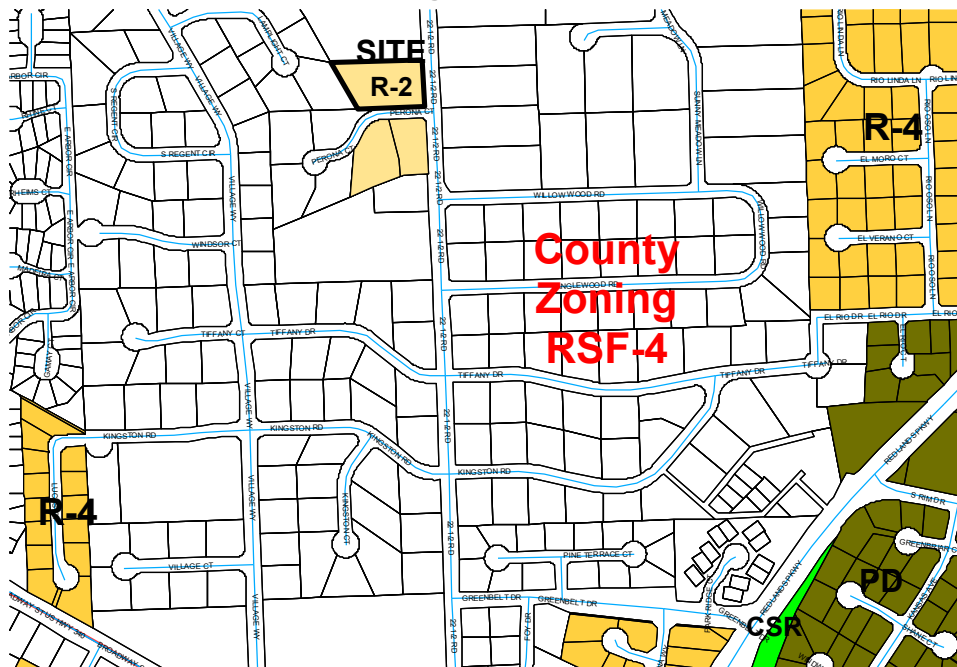
# Future Land Use Map

Figure 3



# Existing City and County Zoning

Figure 4



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

**CITY OF GRAND JUNCTION, COLORADO**

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

**A RESOLUTION VACATING A UTILITY EASEMENT ON LOT 1 BLOCK 8, OF THE REDLANDS VILLAGE SUBDIVISION FILING 4, LOCATED AT 565 22 1/2 ROAD**

Recitals:

A request for the vacation of a utility easement has been submitted in accordance with the Zoning and Development Code. The applicant has requested that the 20' utility easement located in the westerly portion of Lot 1, Block 8, Redlands Village Subdivision Filing 4, be vacated. The 20-foot utility easement was dedicated in Book 10, Page 43 of the Mesa County Clerk and Records Office. There are no existing utility infrastructure located within this easement.

In a public hearing, the Planning Commission reviewed the request for the vacation request and determined that it satisfied the criteria as set forth and established in Section 2.11.C of the Zoning and Development Code. The proposed vacation is also consistent with the purpose and intent of the Growth Plan.

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

That the area described below is hereby vacated.

That portion of a 20' utility easement located in Lot 1 Block 8 of Redlands Village Subdivision Filing 4, recorded in plat book 10 at Page 43 in the Mesa County Clerk and Records Office. See Attached Exhibit "A"

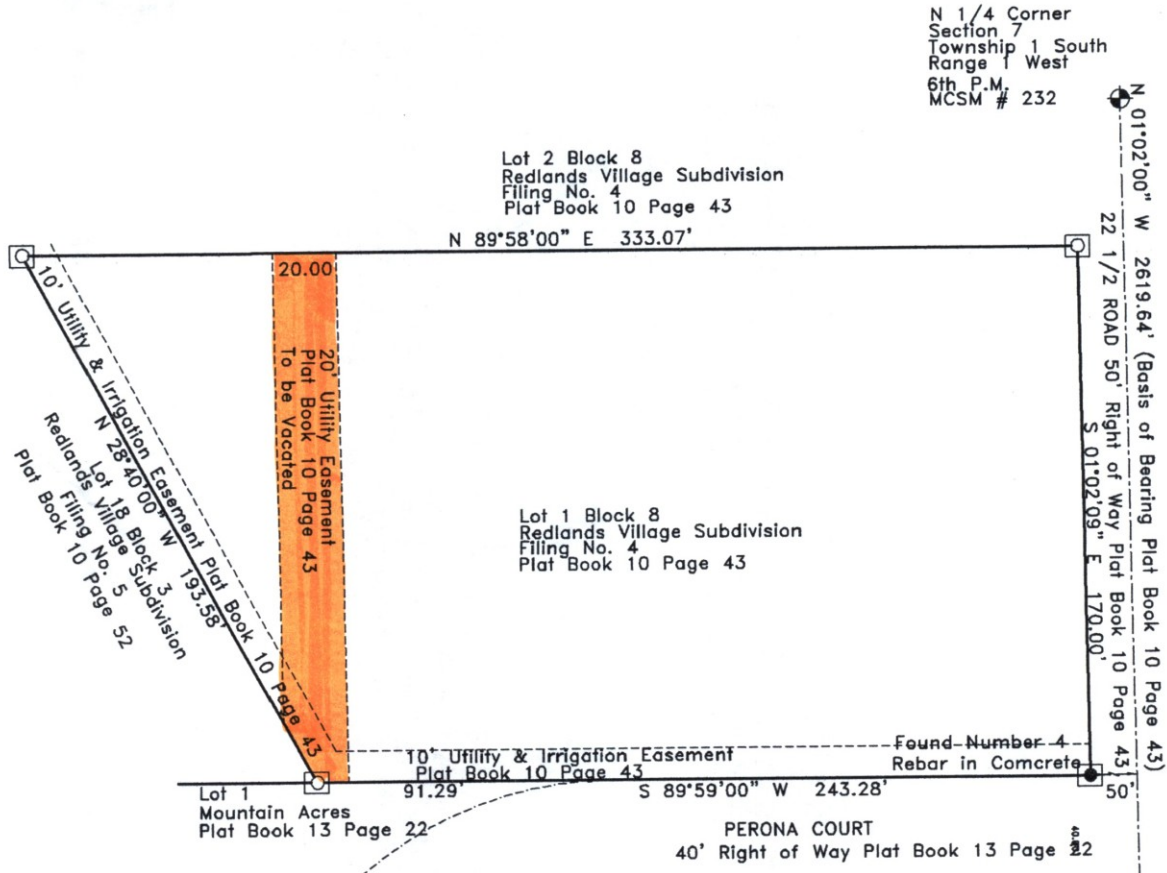
PASSED on this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:

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

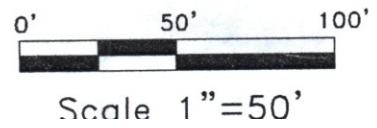
\_\_\_\_\_  
President of Council

# EXHIBIT A Utility Easement Vacation



### LEGEND

- = Set No. 5 Rebar & Cap "Monument P.L.S. 24943"
- ⊕ = Found Mesa County Survey Marker
- = Found No. 5 Rebar as Noted.
- = Set Monument in Concrete



**Attach 12**

Vacation of Storm Sewer Easement at 202 Main Street

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA							
<b>Subject</b>	Easement Vacation – Located at 202 Main Street						
<b>Meeting Date</b>	June 6, 2007						
<b>Date Prepared</b>	May 23, 2007				<b>File #</b> VE-2007-120		
<b>Author</b>	Kristen Ashbeck		Senior Planner				
<b>Presenter Name</b>	Tim Moore		Director of Public Works and Planning				
<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 City of Grand Junction proposes to vacate a storm sewer easement, originally acquired from the CSECU property at 202 Main Street as part of the Combined Sewer Elimination Project (CSEP). The CSEP project is complete and the easement was not utilized due to a design change for the project.

**Budget:** N/A

**Action Requested/Recommendation:** Adopt Resolution vacating an easement at 202 Main Street.

**Attachments:**

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

BACKGROUND INFORMATION				
Location:		202 Main Street		
Applicant:		City of Grand Junction		
Existing Land Use:		Office – Credit Union		
Proposed Land Use:		Same		
<b>Surrounding Land Use:</b>	North	Commercial – City Market		
	South	Public – Two Rivers; Commercial – Hotel		
	East	Commercial		
	West	Commercial		
Existing Zoning:		B-2 (Downtown Business)		
Proposed Zoning:		Same		
<b>Surrounding Zoning:</b>	North	B-2		
	South	B-2		
	East	B-2		
	West	B-2		
Growth Plan Designation:		Commercial		
Zoning within density range?		X	Yes	No

**Staff Analysis:**

1. Background

The proposed easement vacation is an area south of Rood Avenue, just east of the vacated 2<sup>nd</sup> Street right-of-way on property owned by CSECU. The easement, acquired by the City for the CSEP project in 2004 is 15 feet in width and runs along the eastern boundary of the property. The CSEP project has been completed and due to a design change, the easement was not needed. The easement is considered surplus by the City of Grand Junction.

2. Consistency with the Growth Plan

Vacation of the easement does not impact the Growth Plan.

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

Requests to vacate any easement must conform to all of the following:

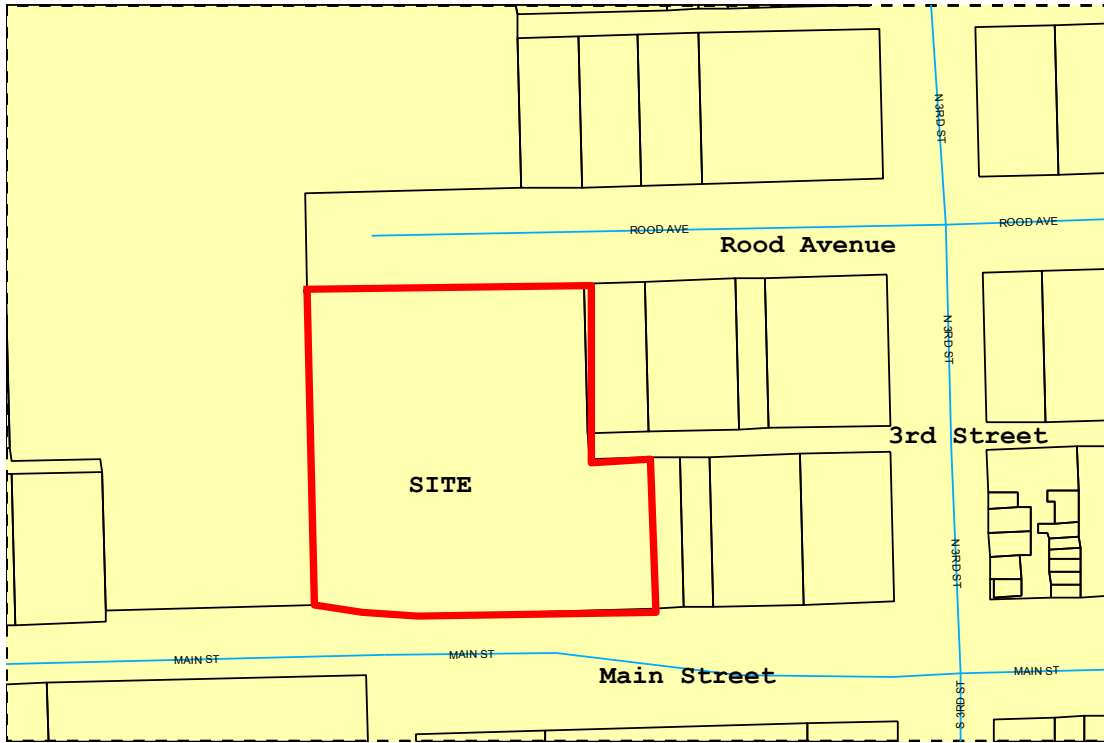
- s. The Growth Plan, major street plan and other adopted plans and policies of the City.  
*See statement above.*
- t. No parcel shall be landlocked as a result of the vacation.  
*Vacation of the easement does not landlock any parcel*
- u. Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive or reduces or devalues any property affected by the proposed vacation.  
*Access to any parcel will be unaffected by the proposed vacation.*
- v. There shall be no adverse impacts on the health, safety, and/or welfare of the general community and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g. police/fire protection and utility services).  
*The proposed vacation has no adverse impact on the public or the quality of public facilities and services.*
- w. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter Six of the Zoning and Development Code.  
*Access for protective services and maintenance will be unaffected by the proposed easement vacation.*
- x. The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.  
*CSECU will receive the unburdened, full use of this portion of their property.*

## FINDINGS OF FACT/CONCLUSIONS

After reviewing the CSECU Easement Vacation application, VE-2007-120 for the vacation of an easement, Planning Commission made the following findings of fact and conclusions and recommended approval of the easement vacation:

- 8. The requested easement vacation is consistent with the Growth Plan.
- 9. The review criteria in Section 2.11.C of the Zoning and Development Code have all been met.

# Site Location Map



# Aerial Photo Map

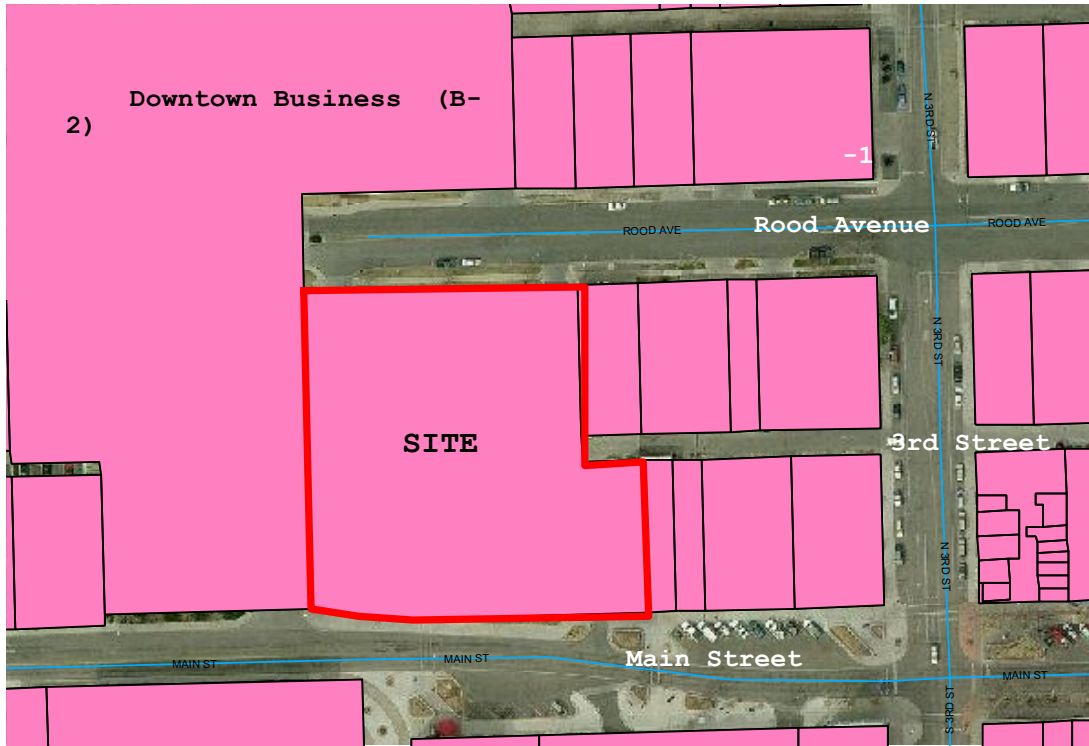


## Future Land Use Map





# Existing City Zoning



**CITY OF GRAND JUNCTION, COLORADO**

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

**A RESOLUTION VACATING STORM SEWER EASEMENT  
LOCATED 202 MAIN STREET**

**RECITALS:**

A vacation of the dedicated storm sewer easement has been requested by the City of Grand Junction.

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

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

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

The following described dedicated storm sewer easement is hereby vacated.

A perpetual easement in the SW1/4 of Section 14, Township One South, Range One West of the Ute Meridian, in the City of Grand Junction, County of Mesa, State of Colorado, said easement being described as follows:

The west fifteen feet of Lot 6 in Block 101, City of Grand Junction, TOGETHER WITH all of that part of a vacated alley lying between the west fifteen feet of said Lot 6 and the west fifteen feet of Lot 27 of said Block 101, containing 2,189.7 square feet as described herein and as depicted on Exhibit A attached hereto and incorporated herein by reference.

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

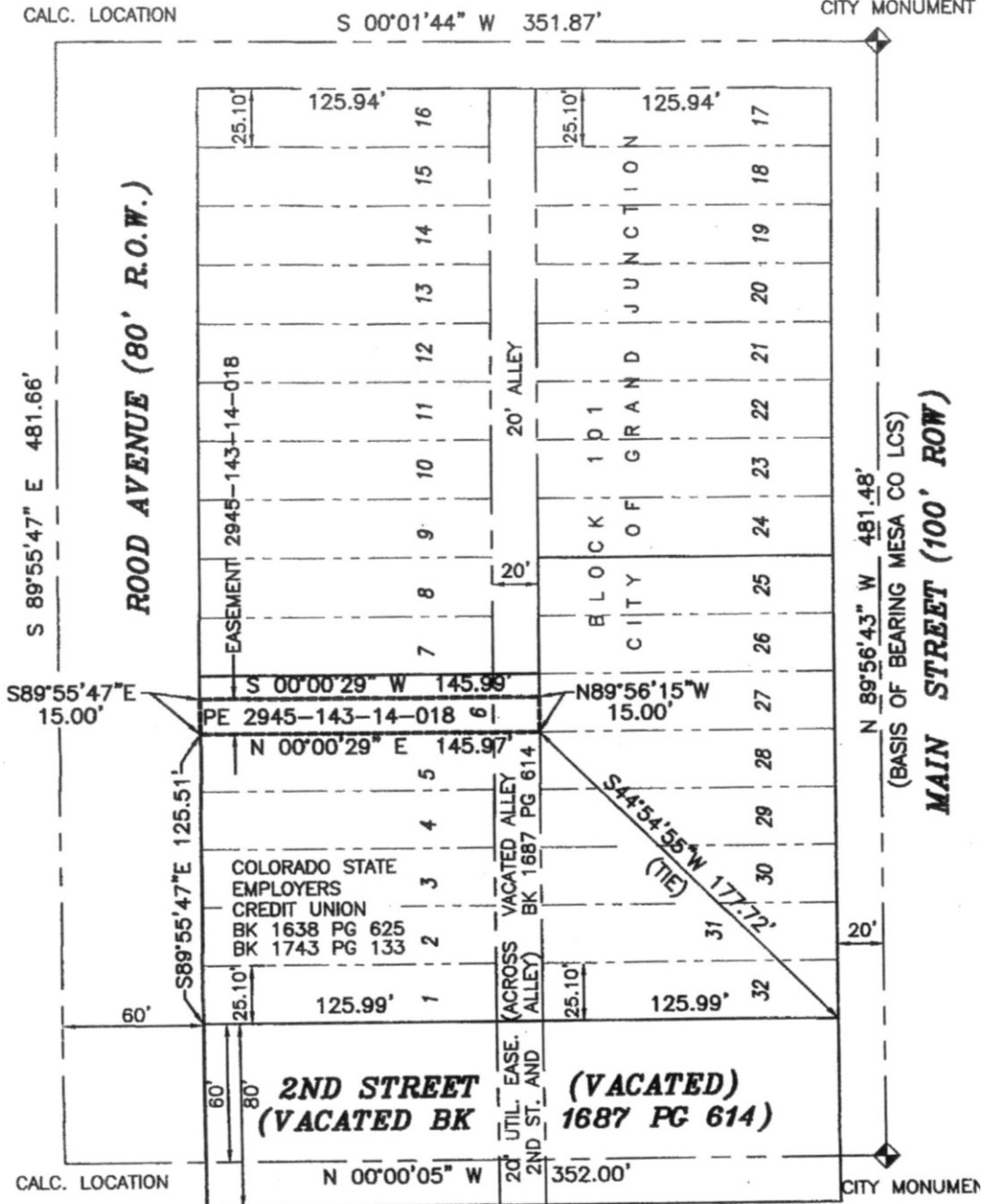
**ATTEST:**

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

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

**EXHIBIT A**

# 3RD STREET (80' R.O.W.)



## LEGEND

◆ CITY MONUMENT



**Attach 13**

Vacation of Pedestrian Easement, Located at the Brickyard on Wellington Avenue East of 12<sup>th</sup> Street

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Vacation of Easement – Located at The Brickyard on Wellington Avenue East of 12th Street					
<b>Meeting Date</b>	June 6, 2007					
<b>Date Prepared</b>	May 23, 2007				<b>File #</b> PP-2006-218	
<b>Author</b>	Lori V. Bowers			Senior Planner		
<b>Presenter Name</b>	Lori V. Bowers			Senior Planner		
<b>Report results back to Council</b>		<b>Yes</b>	X	<b>No</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:** A request to vacate a 35-foot pedestrian easement located in the Brickyard at Wellington residential subdivision, located on Wellington Avenue, east of 12<sup>th</sup> Street. There are no improvements located in the easement and as dedicated its location encroaches into the building footprints of the proposed subdivision. A new 20-foot pedestrian easement will be required per the Urban Trails Master Plan.

**Budget:** N/A

**Action Requested/Recommendation:** Approve the Resolution vacating a 35-foot pedestrian easement.

**Attachments:**

1. Background Information/Staff Report
2. Site Location Map/Aerial Photo
3. Growth Plan Map/Existing City and County Zoning Map
4. Proposed Resolution
5. Exhibit A

**Background Information:** See attached Staff Report

BACKGROUND INFORMATION				
Location:		1631 Wellington Avenue		
Applicants:		Wellington Investors LLC, owner; Ray Rickard, developer and representative.		
Existing Land Use:		Vacant land		
Proposed Land Use:		48 units; residential townhouse subdivision		
Surrounding Land Use:	North	Single-family residence and Northeast Christian Church		
	South	Irrigation canal, single-family residential and vacant land		
	East	Vacant land		
	West	The Cottages at Wellington (attached single-family)		
Existing Zoning:		R-8		
Proposed Zoning:		R-8		
Surrounding Zoning:	North	R-8		
	South	R-8 and R-24		
	East	R-8		
	West	PD (PR-8)		
Growth Plan Designation:		RM – Residential Medium (4 to 8 dwelling units per acre)		
Zoning within density range?		X	Yes	No

**Staff Analysis:**

1. **Background:** The property was annexed into the City in 1975 as part of the Brodak Enclave. At one time the property was home to a brick manufacturing plant, hence the name “The Brickyard at Wellington”. There was a single family residence on the site that was recently removed.

There are two parcels associated with this subdivision; 3.23 acres are located at the east end of Wellington Avenue; 4.0 acres are being added from the adjoining parcel to the east, which is Northeast Christian Church. A simple subdivision was done by the church to create an additional lot. This creates the 7.23 acre parcel known as the Brickyard at Wellington Subdivision.

The topography of the area is rather severe. Significant engineering has occurred in the early stages of the project to ensure that the proposed grading works. It is the intent of the developer and builder to work with the existing topography of the site. Most units will be two-story to attempt to mitigate the grade changes in the north-south direction. Some lots are proposed to have walkout basements. The building footprints

shown on the plan are to include the entire area allowed for residential structures including the patio areas, provided there are no encroachments to the final recorded easements. All foundations shall be professionally engineered and a statement to that effect will be required on the final plat.

The plan provides a total of 48 townhouse dwelling units. Eighteen of the units are in the configuration of two attached units. Thirty of the units will be three attached units. Outside of the townhouse pods is common open space, divided into Tracts A and B. A retaining wall is required along a portion of the northern property line where Masonry Way will be extended in the future. This may seem an odd feature to be required at this time, but the future extension of this road will require a major cut through the church property if and when it re-develops.

There is a 35-foot pedestrian easement that is depicted on the Brodak Minor Subdivision plat recorded in 1997. This easement runs parallel to the G.V.I.C. easement along the north bank of the canal. The easement is not improved. The 35-foot pedestrian easement is large for a pedestrian path. Most pedestrian easements are 20 feet in width. The easement, as dedicated, encroaches into the building footprints therefore the applicant requests to vacate the easement at this time. By vacating the easement, adequate room will be available for the town homes as proposed. At final platting a 20-foot pedestrian trail as shown on the Urban Trails Master Plan shall be provided and placed in a Tract.

2. Consistency with the Growth Plan: The Growth Plan for this area is designated as Residential Medium which allows for a maximum of eight dwelling units per acre and a minimum of four dwelling units per acre. The proposed plan's density of 6.64 dwelling units per acre meets the requirements of the Growth Plan.

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

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

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

The vacation of the pedestrian easement is in compliance with the Growth Plan, the major street plan and other adopted plans and policies of the City. The current easement is 35 feet in width. The City standard for a pedestrian easement is 20 feet. At final plat stage a pedestrian easement

20

feet in width will need to be provided at a different location in the subdivision to remain in compliance with the Urban Trails Master Plan.

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

No parcel will be landlocked as a result of the vacation of the pedestrian easement.

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

Access will not be restricted as a new easement will be provided on the Final Plat in accordance with the Urban Trails Master Plan. This will not reduce or devalue the property.

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

There will be no adverse impacts to the health, safety or welfare of the community by vacating the oversized pedestrian easement. The new easement will meet the City standards of 20 feet and will be placed in a Tract on the Final Plat.

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

Public facilities and services will not be inhibited by the vacation of the pedestrian easement. There are no existing improvements in the easement.

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

The benefit to the City will be reduced maintenance of this area as a new easement, placed in a Tract will be dedicated to the H.O.A. and the H.O.A. will be held accountable for its maintenance.

#### FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Brickyard at Wellington application, file number PP-2006-218, for preliminary subdivision plan approval, staff makes the following findings of fact and conclusions:

10. The proposed easement vacation is consistent with the Growth Plan.

11. The review criteria in Section 2.11.C of the Zoning and Development Code have all been met.

#### PLANNING COMMISSION RECOMMENDATION:

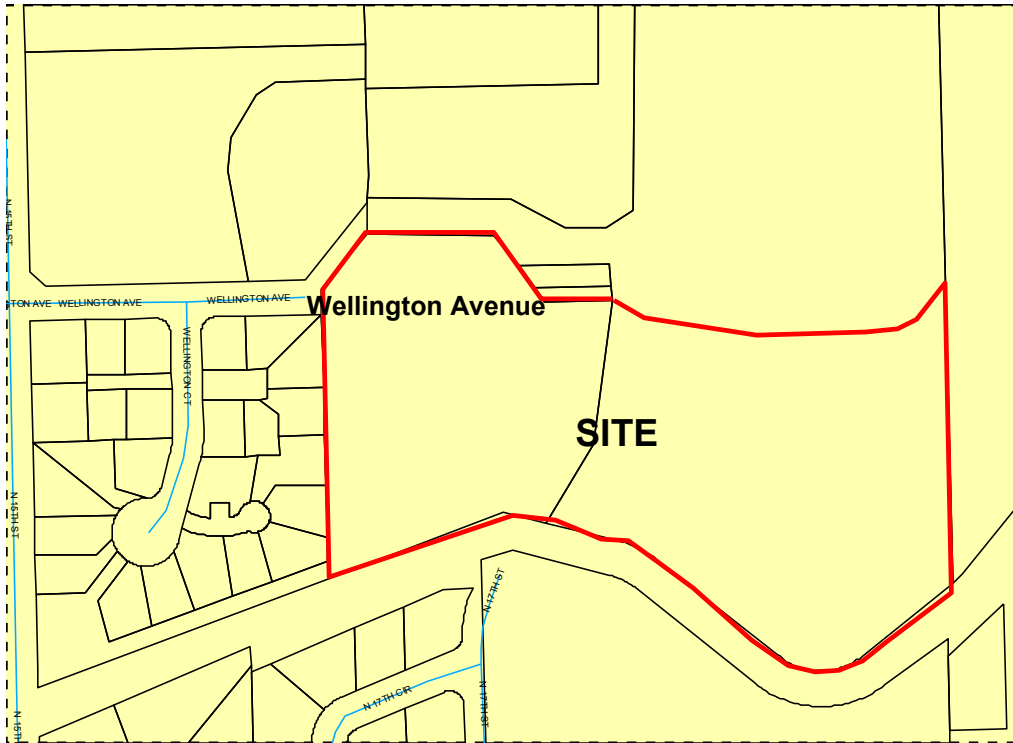


At their regularly scheduled meeting of May 22, 2007, the Planning Commission forwarded a recommendation of approval of the requested easement vacation, file number PP-2006-218, to the City Council with the findings and conclusions listed above.



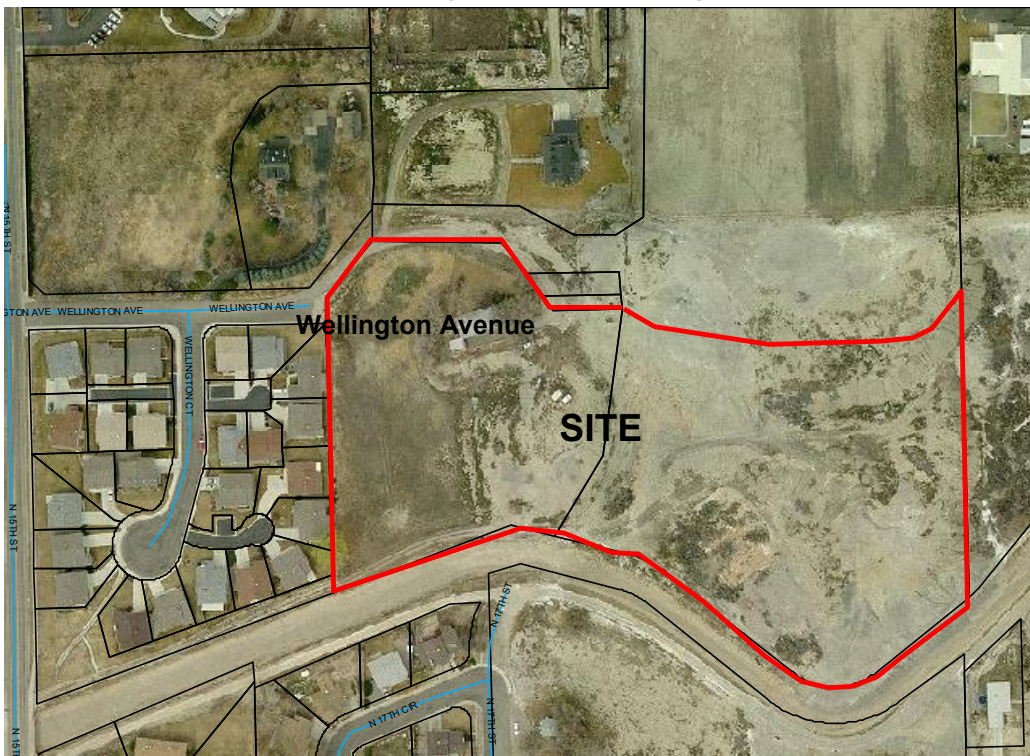
# Site Location Map

## The Brickyard at Wellington



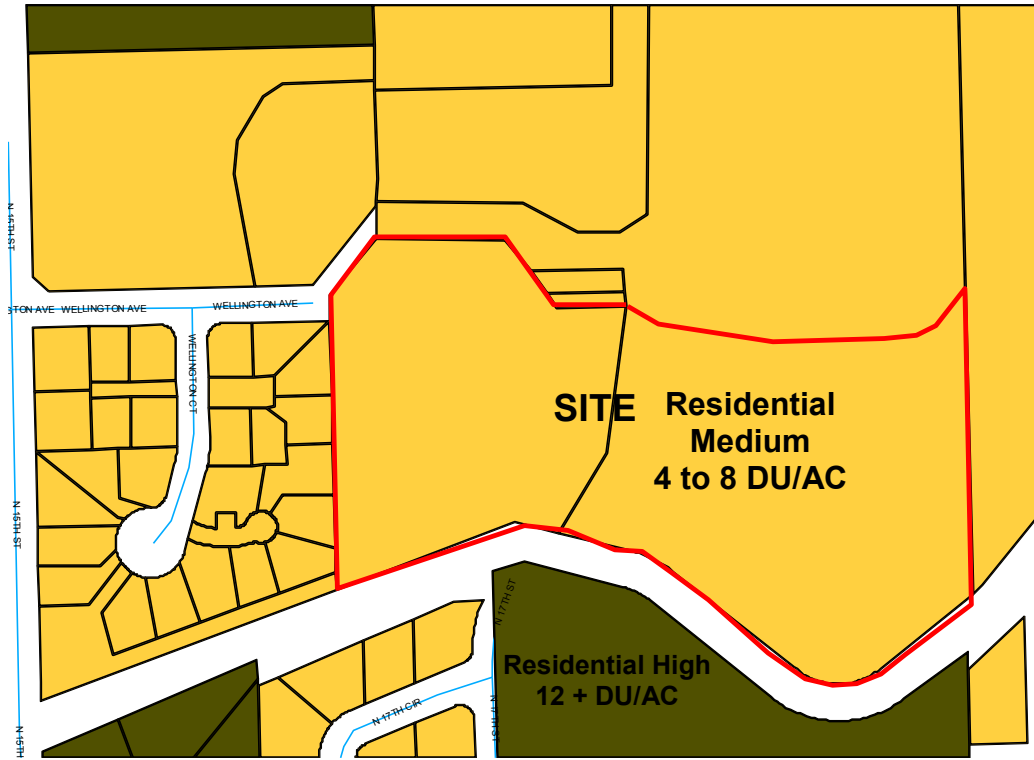
# Aerial Photo Map

## The Brickyard at Wellington



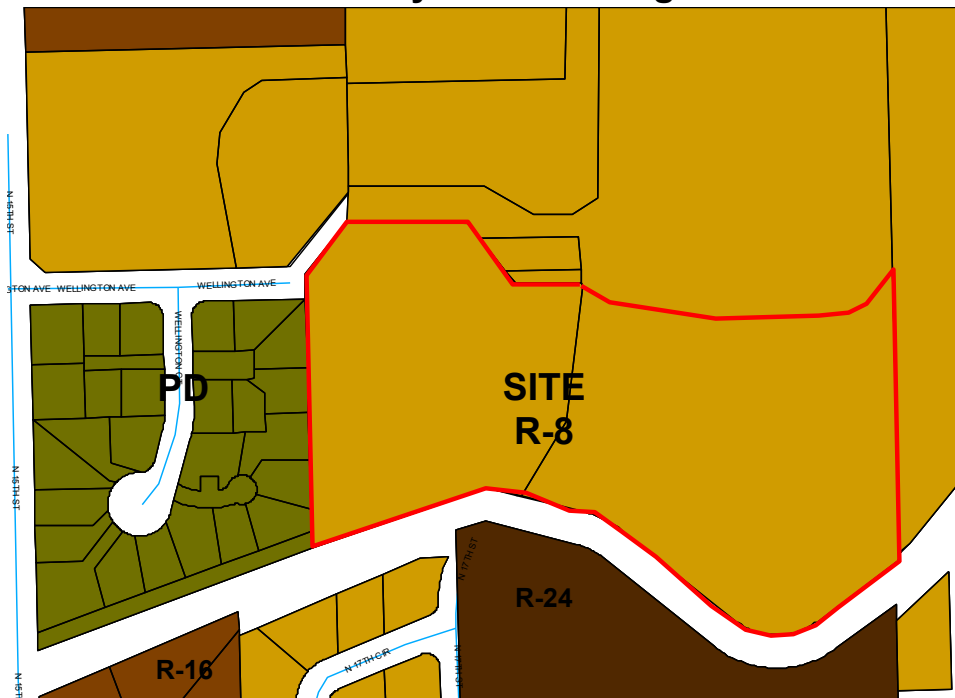
# Future Land Use Map

## The Brickyard at Wellington



# Existing City and County Zoning

## The Brickyard at Wellington



**CITY OF GRAND JUNCTION, COLORADO**

**RESOLUTION NO.**

**A RESOLUTION VACATING A 35-FOOT PEDESTRIAN EASEMENT LOCATED AT 1631 WELLINGTON AVENUE, IN ORDER TO ACCOMMODATE THE PROPOSED BRICKYARD AT WELLINGTON SUBDIVISION**

Recitals:

A request for the vacation of a pedestrian easement has been submitted in accordance with the Zoning and Development Code. The applicant has requested that the 35-foot pedestrian easement which runs parallel to the G.V.I.C. easement along the north bank of the canal be vacated. The pedestrian easement will be replaced with a 20-foot pedestrian easement that will be placed in a Tract on the Final Plat, in accordance with the Urban Trails Master Plan. The vacation request is required to proceed with the Brickyard at Wellington Subdivision.

In a public hearing, the Planning Commission reviewed the request for the vacation request and determined that it satisfied the criteria as set forth and established in Section 2.11.C of the Zoning and Development Code. The proposed vacation is also consistent with the purpose and intent of the Growth Plan.

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

The area described below is hereby vacated.

The 35-foot pedestrian easement which runs parallel to the G.V.I.C. easement, along the north bank of the canal, Recorded at Book 15, Page 290, Lot 1, Brodak Minor Subdivision, and as shown on Exhibit A.

This vacation is effective upon the recording of The Brickyard at Wellington Subdivision plat which shall contain the new easements as described in this Resolution.

**PASSED** on this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:

\_\_\_\_\_

Council

President of the

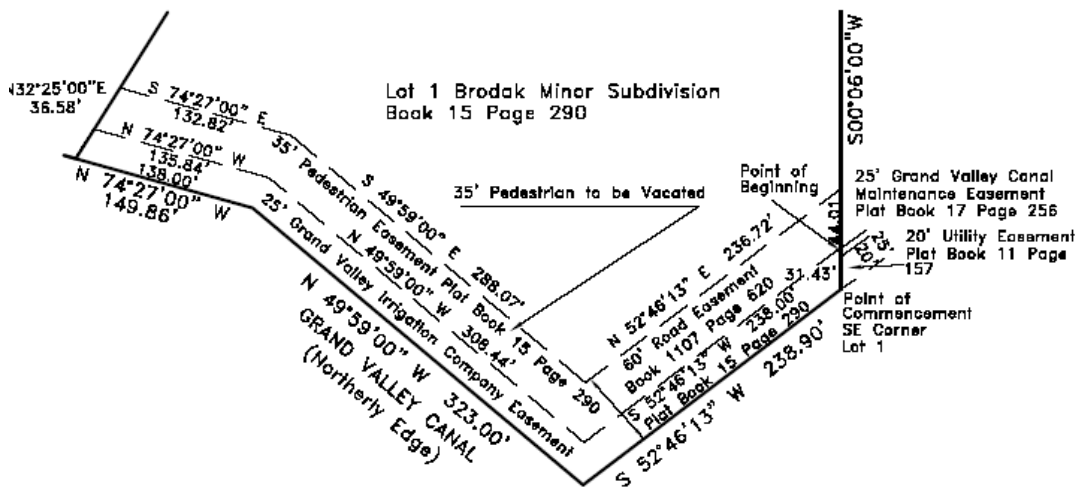
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City Clerk

EXHIBIT B



Scale 1"=100'



Description of a 35 foot Pedestrian Easement to be vacated.

Commencing at the SE corner of Lot 1 of Brodak Minor Subdivision as recorded in Plat Book 15 at Page 290 in the Mesa County Clerk and Recorder's Office whose East line is shown as bearing S00°06'00"W and all bearings contained herein to be relative thereto; thence N00°06'00"E 31.43 feet to the point of beginning; thence S52°46'13"W 238.00 feet; thence N49°59'00"W 308.44 feet; thence N74°27'00"W 135.84 feet to the Westerly line of said Lot 1; thence along said Westerly line N32°25'00"E 36.58 feet; thence leaving said Westerly line S74°27'00"E 132.82 feet; thence S49°59'00"E 288.07 feet; thence N52°46'13"E 236.72 feet to the Easterly line of said Lot 1; thence along said Easterly S00°06'00"E 44.01 feet to the point of beginning, City of Grand Junction, Mesa County, Colorado.

Basis of Bearing: A bearing of S00°06'00"W has been used between the number 5 rebar in concrete LS 12085 at the NE corner of Lot 1 Brodak Subdivision and number 5 rebar marked 3' witness corner Monument PLS 24943 in concrete at the SE corner of said Lot 1 of Brodak Subdivision.

	Monument Surveying Inc.	
	741 Road Ave.	
	Grand Junction, CO 81501	
	245-4189	11/30/06
Easement Vacation Lot 1 Brodak Minor Subdivision		

**Attach 14**

Setting a Hearing on Zoning the Senatore Annexation, Located at 2302 E Road

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Zoning the Senatore Annexation – Located at 2302 E Road					
<b>Meeting Date</b>	June 6, 2007					
<b>Date Prepared</b>	May 23, 2007				<b>File #</b> ANX-2007-074	
<b>Author</b>	Lori V. Bowers		Senior Planner			
<b>Presenter Name</b>	Lori V. Bowers		Senior Planner			
<b>Report results back to Council</b>		<b>Yes</b>	X	<b>No</b>	<b>When</b>	
<b>Citizen Presentation</b>		<b>Yes</b>		<b>No</b>	<b>Name</b>	
	<b>Workshop</b>	X	<b>Formal Agenda</b>	X	<b>Consent</b>	<b>Individual Consideration</b>

**Summary:** Request to zone 3.07 acre Senatore Annexation, located at 2302 E Road, in the Redlands, to R-4 (Residential – four units per acre). The Senatore Annexation consists of one parcel.

**Budget:** N/A

**Action Requested/Recommendation:** Introduce a proposed Ordinance and set a public hearing for June 20, 2007.

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

**Attachments:**

1. Staff report/Background information
2. General Location Map/Aerial Photo
3. Growth Plan Map/Existing City and County Zoning Map
4. Zoning Ordinance



STAFF REPORT / BACKGROUND INFORMATION				
<b>Location:</b>		2302 E Road		
<b>Applicants:</b>		Steven R. Below, owner; RJ Development, LLC, developer; Vista Engineering, representative.		
<b>Existing Land Use:</b>		Vacant land		
<b>Proposed Land Use:</b>		Residential subdivision		
<b>Surrounding Land Use:</b>	<b>North</b>	Residential		
	<b>South</b>	Residential		
	<b>East</b>	Residential		
	<b>West</b>	Residential		
<b>Existing Zoning:</b>		County RSF-4		
<b>Proposed Zoning:</b>		R-4 (Residential not to exceed four units per acre)		
<b>Surrounding Zoning:</b>	<b>North</b>	County RSF-4		
	<b>South</b>	County RSF-4		
	<b>East</b>	County RSF-4		
	<b>West</b>	County RSF-4		
<b>Growth Plan Designation:</b>		Residential Med-low (2 to 4 du/ac)		
<b>Zoning within density range?</b>		<b>X</b>	<b>Yes</b>	<b>No</b>

**Staff Analysis:**

1. Background:

The 3.07 acre Senatore Annexation consists of one parcel located at 2302 E Road. 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.

2. Consistency with the Growth Plan:

The requested zone district is consistent with the Future Land Use designation of Residential Medium-low, 2 to 4 dwelling units per acre.

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

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

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

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

Response: The applicants offer the opinion that the proposed zoning will be compatible with the surrounding land uses as there is a mixture of previously platted single family developments. The previously platted lots are ½ acre in size or larger. There are other larger lots in the area that have not yet been platted. Staff has received several calls from the adjacent and nearby property owners stating that they feel the R-4 zoning designation is too dense for this area, even though the existing County zoning on their properties is also RSF-4. R-2 zoning also meets the goals of the Growth Plan for this area by providing medium-low density. Staff feels that the R-2 designation would better match the existing lot sizes in this area. The minimum lot size for R-4 is 8,000 square feet. The minimum lot size for R-2 is 17,000 square feet.

- 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. A short section of sanitary sewer main will need to be extended in order to provide service to the proposed subdivision. There are existing water lines located in both 23 and E Road what will provide domestic water. The existing water lines are only three inches in size and not large enough to provide for adequate fire flow protection. An eight-inch water line extension is being proposed for this project from the Bluffs West Estates subdivision a distance of approximately 1,000-feet to better serve this area. The overhead utility lines will be placed under ground for the proposed subdivision.

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

- g. R-2 (Residential, 2 dwelling units per acre).

If the City Council chooses to recommend this alternative zone designation, specific alternative findings must be made as to why the City Council is recommending an alternative zone designation.

#### FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Senatore Annexation, ANX-2007-074, for a Zone of Annexation, staff recommends that the City Council make the following findings of fact and conclusions:

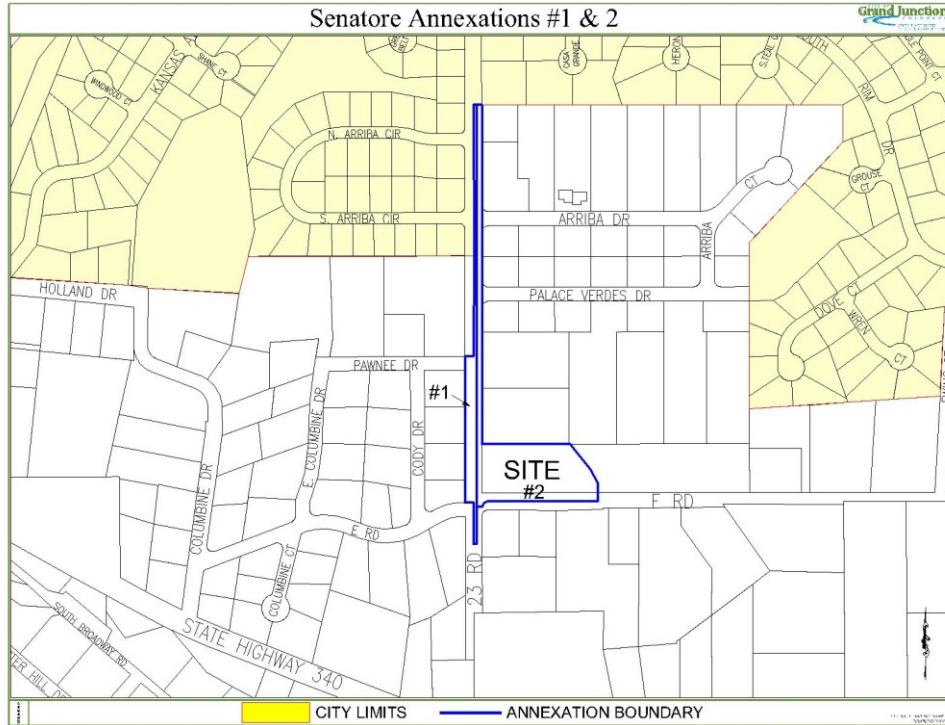
12. The requested zone is consistent with the goals and policies of the Growth Plan.
13. The review criteria in Section 2.6.A.3 and 4 of the Zoning and Development Code have all been met.

**PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission will review this item at their May 29, 2007 meeting. Their recommendation will be forwarded on and be made part of the Staff report for June 20, 2007.

# Site Location Map

2302 E Road



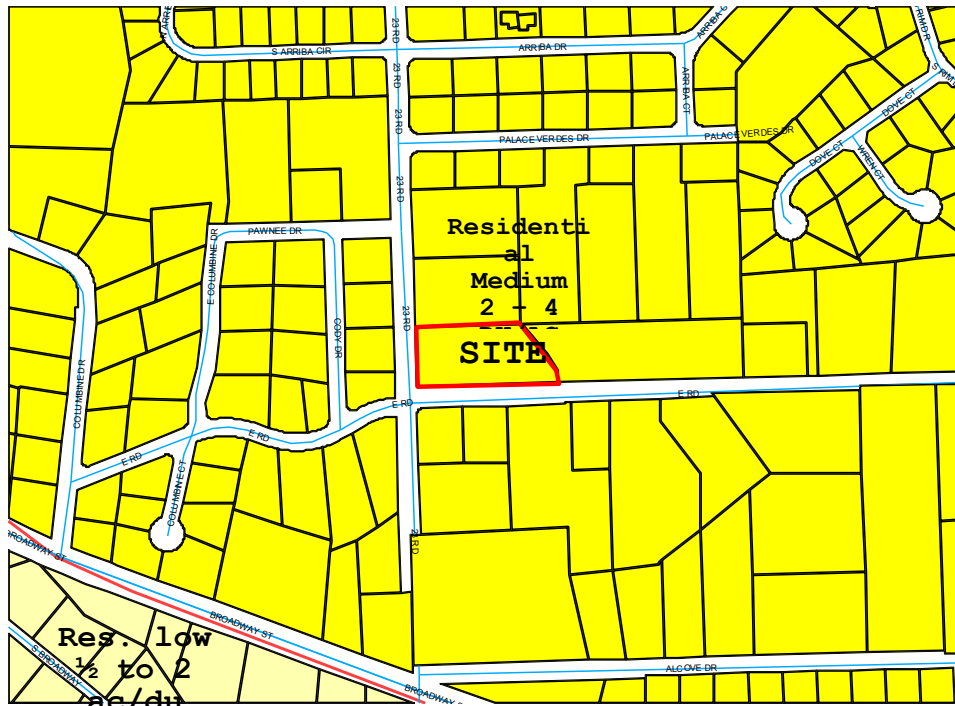
# Aerial Photo Map

2302 E Road



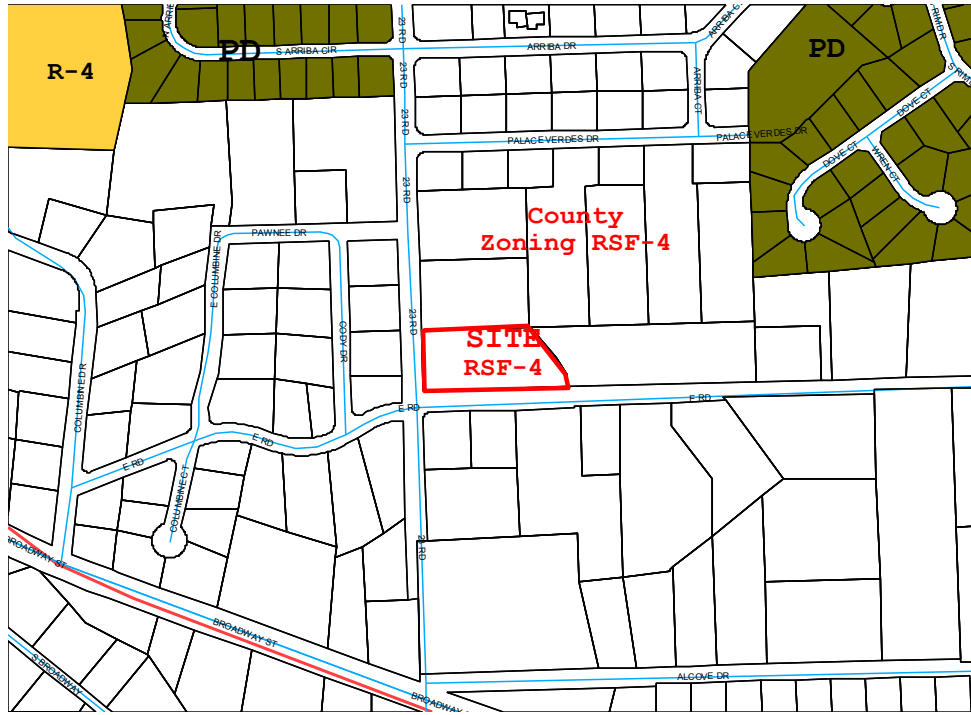
# Future Land Use Map

2302 E Road



# Existing City and County Zoning

2302 E Road



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

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE ZONING THE SENATORE ANNEXATION TO  
R-4**

**LOCATED AT 2302 E 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 Senatore Annexation to the R-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 R-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 R-4 (Residential, four dwelling units per acre).

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 8 and the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section 17, 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 Palace Verdes Estates Filing No. 3, as same is recorded in Plat Book 11, Page 4, Public Records, Mesa County, Colorado and assuming the East line of 23 Road bears S00°03'06"W with all other bearings contained herein being relative thereto; thence S00°03'06"W along said East line a distance of 1210.00 feet to the Northwest corner of that certain parcel of land as described in Book, 2423, Page 41, Public Records, Mesa County, Colorado; thence N89°59'58"E along the North line of said parcel a distance of 290.04 feet; thence S39°09'29"E along the East line of said parcel a distance of 116.59 feet; thence S30°25'01"E along the East line of said parcel a distance of 55.19 feet; thence S00°10'16"E along the East line of said parcel a distance of 36.18 feet to a point on the North line of E Road; thence S00°00'59"W a distance of 30.00 feet to a point on the South line of said E Road; thence N89°59'01"W along said South line a distance of 371.68 feet; thence 31.44 feet along the arc of a 20.00 foot radius curve concave Southeast, having a central angle of 90°04'10" and a chord bearing S44°58'54"W a distance of 28.30 feet to a point on the East line of said 23 Road; thence S89°56'47"W a distance of 20.00 feet to a point on a line being 10.00 feet East of and parallel with the West line Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of said Section 17; thence N00°03'13"W along said West line a distance of 115.03 feet to a point on the North line of said NW 1/4 NW 1/4; thence N00°03'06"E along a line being 10.00 feet East of and parallel with the West line of the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of said Section 8 a distance of 1319.10 feet to a point on the North line of said SW 1/4 SW 1/4; thence S89°57'56"E along said North line a distance of 20.00 feet, more or less, to the Point of Beginning.

Said parcel contains 2.35 acres (102,222 square feet), more or less, as described.

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

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

ATTEST:

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

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



**Attach 15**

Grand Application for Rail Hazard Elimination on River Road, East of the Railroad Blvd. Intersection

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
Subject	Application for Federal Rail Hazard Elimination – Located on River Road east of the Railroad Boulevard Intersection					
Meeting Date	June 6, 2007					
Date Prepared	March 30, 2006				File #	
Author	Jody Kliska			Transportation Engineer		
Presenter Name	Tim Moore			Public Works & Planning Director		
Report results back to Council	<input type="checkbox"/>	No	<input type="checkbox"/>	Yes	When	
Citizen Presentation	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda	<input checked="" type="checkbox"/>	Consent	Individual Consideration

**Summary:** Request to apply for Federal Rail Hazard Elimination funds for an improved rail spur crossing on River Road east of the Railroad Boulevard intersection.

**Budget:** The program is administered by CDOT for which there may or may not be an indirect cost or overhead charge of approximately 2%. If the project costs were to run \$500,000, the cost to the city would be \$10,000.

**Action Requested/Recommendation:** Authorize staff to submit an application to CDOT for federal Rail-Highway Safety Improvements for the rail spur cross #254295W for FY 2009-2011. Applications are due July 1.

**Attachments:** Photos westbound and eastbound at rail spur.

**Background Information:** In recent years the City has received complaints from the public about the rough pavement condition of the spur crossing and from employees of Burlington Northern about perceived safety issues with the crossing. The crossing serves the Railhead Industrial Park and delivers gasoline tankers to Conoco Phillips and Colorado Refining Company as well as natural gas to Amerigas Eagle Propane. The Union Pacific Railroad operates the crossing and has replaced the pavement at the crossing two years ago.

Traffic control for the crossing consists only of the required signing installed by the railroad, which is an advance railroad warning sign and a cross-buck railroad sign at the crossing. The request is to design and construct flashing lights, gates and a concrete grade crossing.

Existing traffic on River Road is 2800 vehicles per day, with 44% heavy truck traffic. The posted speed limit is 45 MPH, with a measured 85<sup>th</sup> percentile speed of 51 MPH.



Westbound River Road  
at the rail spur.



Eastbound River Road  
at the rail spur.

**Attach 16**

Public Hearing – Jones Annexation, Located at 2858 C ½ Road

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Jones Annexation - Located at 2858 C ½ Road					
<b>Meeting Date</b>	June 6, 2007					
<b>Date Prepared</b>	May 29, 2007				File #ANX-2007-087	
<b>Author</b>	Faye Hall			Associate Planner		
<b>Presenter Name</b>	Faye Hall			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 continue the Jones Annexation to the June 20, 2007 City Council Meeting. The request to continue is due to the May 8, 2007 Planning Commission meeting being cancelled. Due to the cancellation of this meeting we had to shift the annexation schedule dates to accommodate the change.

**Budget:** N/A

**Action Requested/Recommendation:** Continue the adoption of the Resolution Accepting the Petition for the Jones Annexation and Public Hearing to Consider Final Passage of the Annexation Ordinance to the June 20, 2007 City Council Meeting.

**Attach 17**

Setting a Hearing on Zoning the Jones Annexation, Located at 2858 C ½ Road

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Zoning the Jones Annexation - Located at 2858 C ½ Road.					
<b>Meeting Date</b>	June 6, 2007					
<b>Date Prepared</b>	May 23, 2007			File #ANX-2007-087		
<b>Author</b>	Faye Hall		Associate Planner			
<b>Presenter Name</b>	Faye Hall		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 zone the 3.42 acre Jones Annexation, located at 2858 C ½ Road in Pear Park, to R-4 (Residential, 4 units per acre).

**Budget:** N/A

**Action Requested/Recommendation:** Introduce a proposed ordinance and set a public hearing for June 20, 2007.

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

**Attachments:**

1. Staff report/Background information
2. General Location Map/Aerial Photo
3. Growth Plan Map/Existing City and County Zoning Map
4. Zoning Ordinance

STAFF REPORT / BACKGROUND INFORMATION				
<b>Location:</b>		2858 C ½ Road		
<b>Applicants:</b>		Owner: John Jones Representative: Vortex Engineering – Robert Jones II		
<b>Existing Land Use:</b>		Residential		
<b>Proposed Land Use:</b>		Residential		
<b>Surrounding Land Use:</b>	<b>North</b>	Residential		
	<b>South</b>	Residential		
	<b>East</b>	Residential		
	<b>West</b>	Residential		
<b>Existing Zoning:</b>		County RSF-R		
<b>Proposed Zoning:</b>		City R-4		
<b>Surrounding Zoning:</b>	<b>North</b>	R-4		
	<b>South</b>	County RSF-R		
	<b>East</b>	County RSF-R		
	<b>West</b>	R-4		
<b>Growth Plan Designation:</b>		Residential Medium Low 2-4 du/ac		
<b>Zoning within density range?</b>	<b>X</b>	<b>Yes</b>		<b>No</b>

**Staff Analysis:**

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

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

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

Response: The proposed zone district of R-4 is compatible with the surrounding properties as the White Willows Subdivision to the west is also zoned R-4 and Skyler Subdivision to the north has a built density of 3.6 units to the acre.

- 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.

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

h. R-2

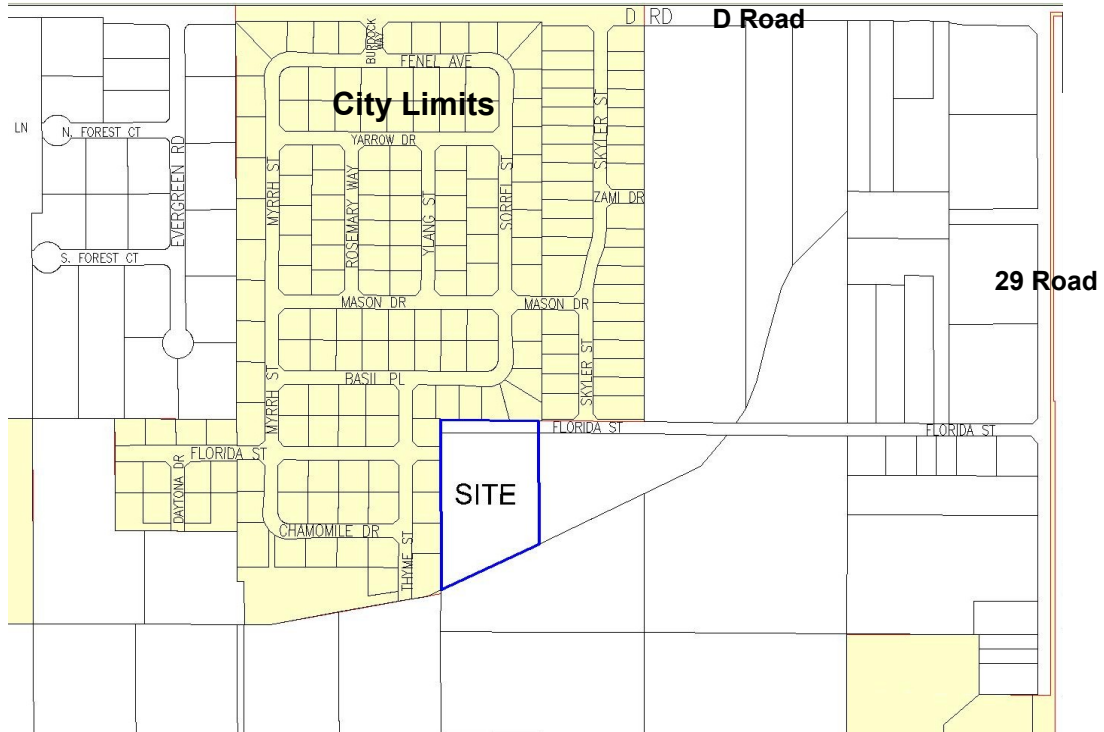
If the City Council chooses to recommend one of the alternative zone designations, specific alternative findings must be made.

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



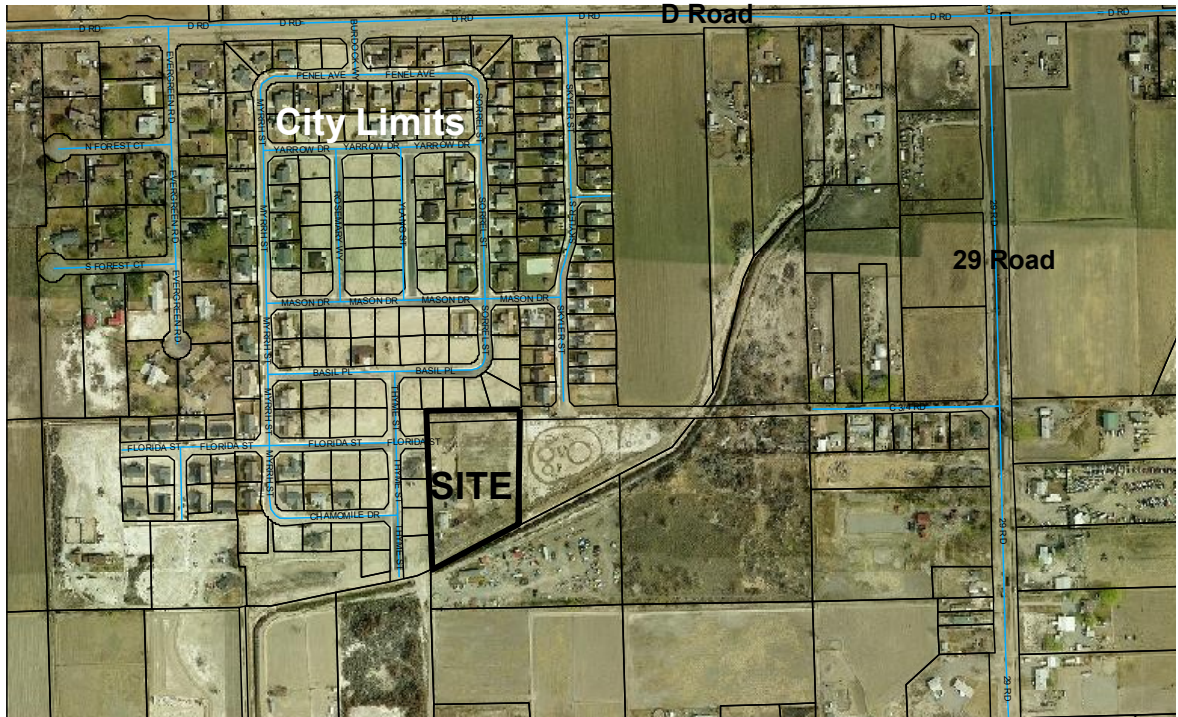
# Site Location Map

Figure 1



# Aerial Photo Map

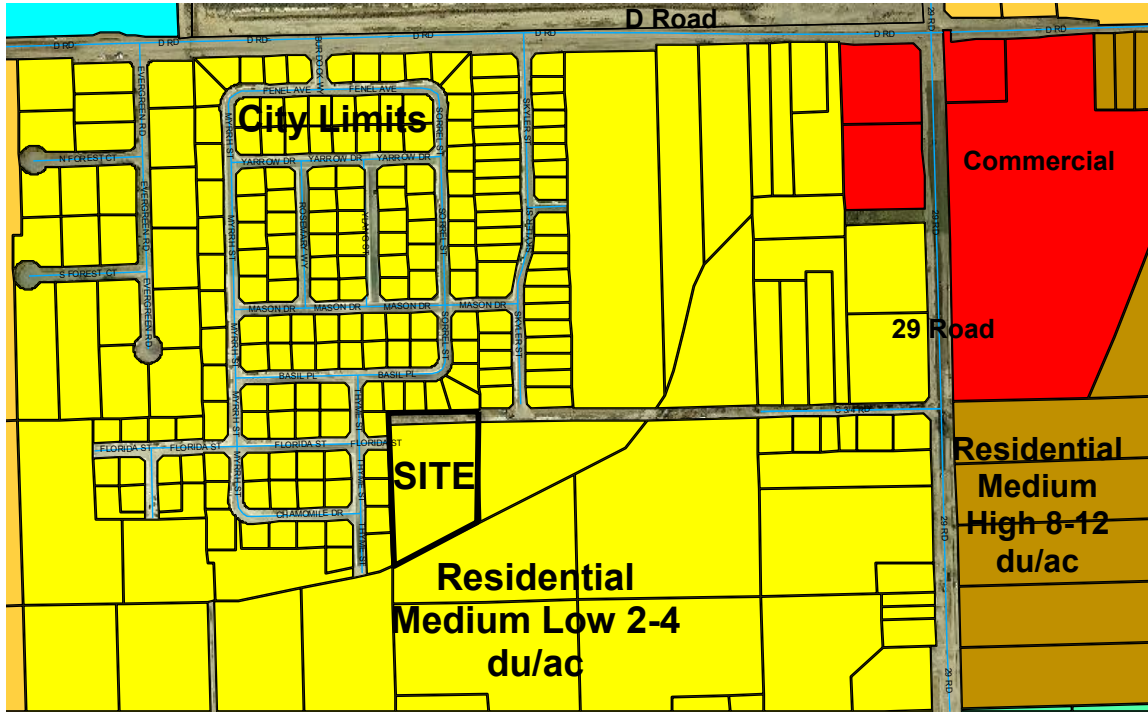
Figure 2





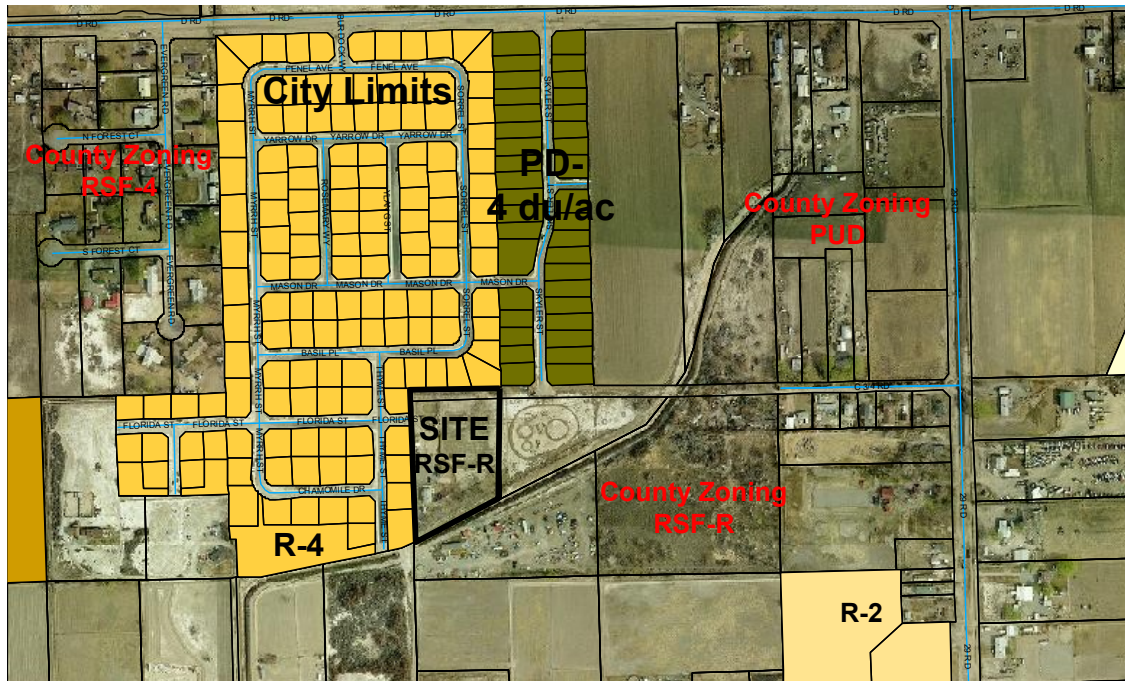
# Future Land Use Map

Figure 3



# Existing City and County Zoning

Figure 4



**CITY OF GRAND JUNCTION, CO**

**ORDINANCE NO.**

**AN ORDINANCE ZONING THE JONES ANNEXATION TO  
R-4**

**LOCATED AT 2858 C ½ ROAD**

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Jones Annexation to the R-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 R-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 R-4 (Residential, 4 units per acre).

A certain parcel of land located in the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) of Section 19, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southeast corner of Lot 1 of Jensen Subdivision A Replat of A portion of Lots 4-6, Bevier Subdivision, as same is recorded in Book 4369, Page 169, Public Records of Mesa County Colorado, and assuming the South line of said Lot 1 bears S64°37'01"W with all other bearings contained herein being relative thereto; thence S64°37'01"W along said South line a distance of 350.78 feet to a point on the East line of White Willows, Filing Two as same is recorded in Book 3855, Pages 821-823, Public Records of Mesa County Colorado; thence N00°01'58"E along said East line a distance of 546.82 feet to a point on the North line of Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) of said Section 19; thence S89°32'05"E along said North line a distance of 316.15 feet; thence S00°04'07"E along the East line of said Lot 1, a distance of 393.92 feet, more or less to the POINT OF BEGINNING.

Said parcel contains 3.42 acres (148,885 square feet), more or less, as described.

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

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

ATTEST:

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

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

**Attach 18**

Public Hearing – Younger Annexation, Located at 2172 and 2176 H Road  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Younger Annexation - Located at 2172 and 2176 H Road					
<b>Meeting Date</b>	June 6, 2007					
<b>Date Prepared</b>	May 29, 2007				File #GPA-2007-054	
<b>Author</b>	Senta L. Costello		Associate Planner			
<b>Presenter Name</b>	David Thornton		Principal 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 continue the Younger Annexation to the June 20, 2007 City Council Meeting. The request to continue is due to the May 8, 2007 Planning Commission meeting being cancelled. Due to the cancellation of this meeting we had to shift the annexation schedule dates to accommodate the change.

**Budget:** N/A

**Action Requested/Recommendation:** Continue the Adoption of the Resolution Accepting the Petition for the Younger Annexation and Public Hearing to Consider Final Passage of the Annexation Ordinance to the June 20, 2007 City Council Meeting.

**Attach 19**

Setting a Hearing Zoning the Younger Annexation, Located at 2172 and 2176 H Road

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA							
<b>Subject</b>	Zoning the Younger Annexation - Located at 2172 and 2176 H Road						
<b>Meeting Date</b>	June 6, 2007						
<b>Date Prepared</b>	May 25, 2007				File #GPA-2007-054		
<b>Author</b>	Senta L. Costello		Associate Planner				
<b>Presenter Name</b>	David Thornton		Principal 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 zone the 44.87 acre Younger Annexation, located at 2172 and 2176 H Road, to I-1 (Light Industrial). The Younger Annexation consists of 2 parcels inside the H Road/Northwest Area Plan boundary area that was recently changed on the Future Land Use Map from a Rural 5-35 ac/du to Commercial/Industrial

**Budget:** N/A

**Action Requested/Recommendation:** Introduce a proposed Ordinance and set a public hearing for June 20, 2007.

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

**Attachments:**

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

STAFF REPORT / BACKGROUND INFORMATION				
<b>Location:</b>		2172 and 2176 H Road		
<b>Applicants:</b>		Owner/Developer: Glen Younger Representative: Mandy Rush		
<b>Existing Land Use:</b>		Residential/Agricultural		
<b>Proposed Land Use:</b>		Industrial		
<b>Surrounding Land Use:</b>	<b>North</b>	Residential/Agricultural		
	<b>South</b>	Commercial/Industrial uses		
	<b>East</b>	Residential/Agricultural		
	<b>West</b>	Commercial/Industrial uses		
<b>Existing Zoning:</b>		County AFT		
<b>Proposed Zoning:</b>		City I-1 (Light Industrial)		
<b>Surrounding Zoning:</b>	<b>North</b>	County AFT		
	<b>South</b>	City I-1 (Light Industrial)/C-2 (General Commercial)		
	<b>East</b>	County AFT		
	<b>West</b>	County PI/AFT		
<b>Growth Plan Designation:</b>		Commercial/Industrial		
<b>Zoning within density range?</b>	<b>X</b>	<b>Yes</b>		<b>No</b>

**Staff Analysis:**

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

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

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

Response: The proposed I-1 (Light Industrial) zone district implements the recent change to a Commercial/Industrial land use category for this property as part of the H Road/Northwest Area Plan.

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

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

Alternatives: In addition to the zoning that the petitioner has requested, the following zone districts would also be consistent with the Growth Plan designation for the subject property. However, as part of the planning effort for the H Road/Northwest Area Plan, the C-2 zone was identified as not being a desirable or recommended zone district for the implementation of the Plan.

- i. C-2 (General Commercial)
- j. I-O (Industrial – Office)
- k. M-U (Mixed Use)

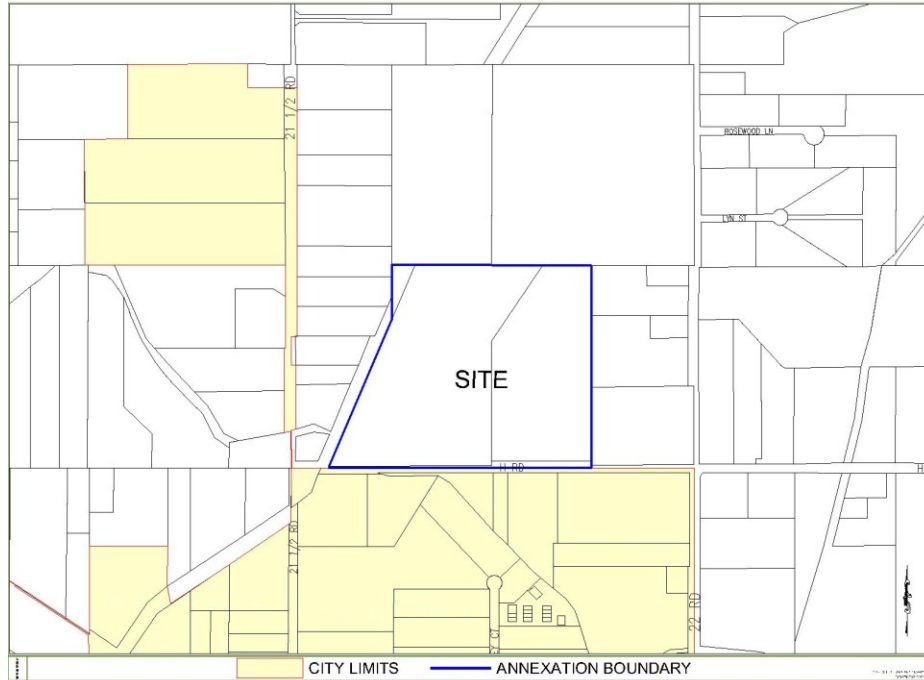
If the City Council chooses to recommend one of the alternative zone designations, specific alternative findings must be made.

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



# Site Location Map

Figure 1



# Aerial Photo Map

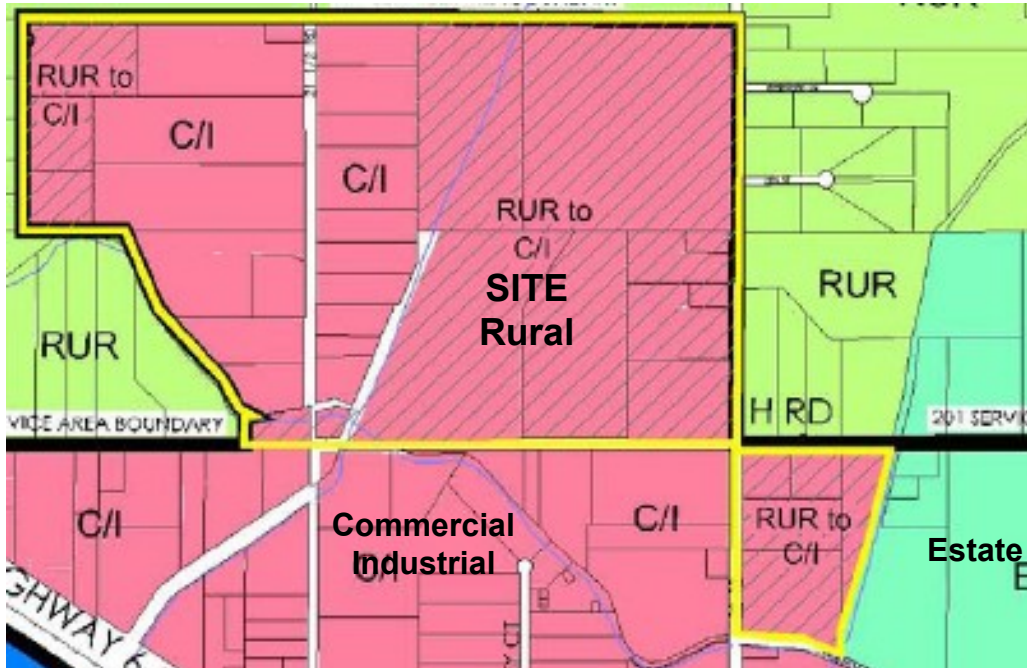
Figure 2





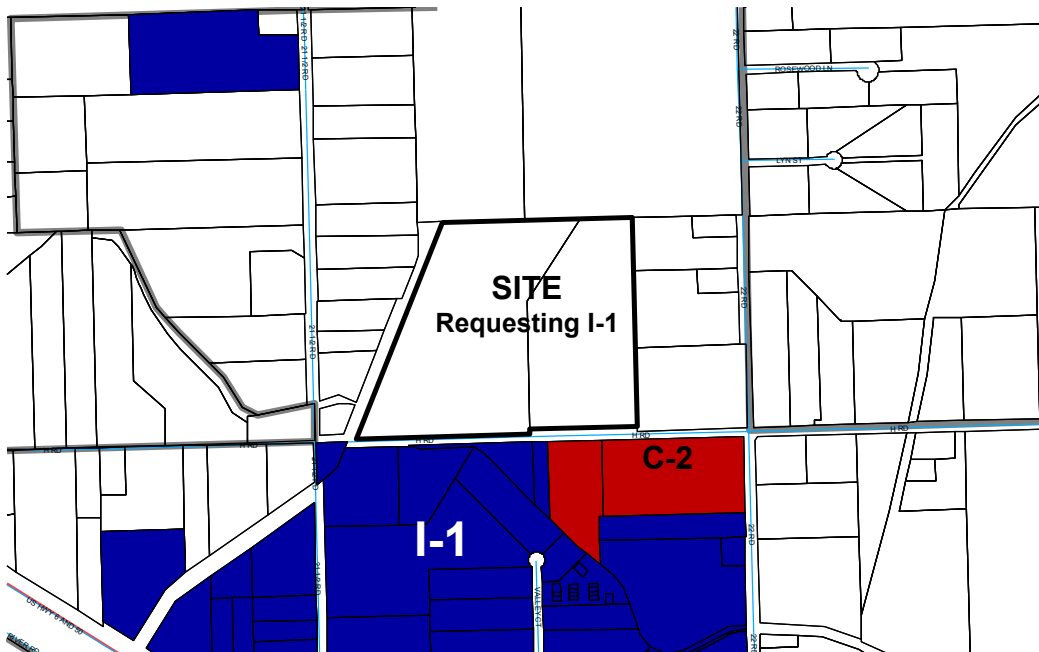
# Future Land Use Map

Figure 3



# Existing City and County Zoning

Figure 4



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

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE ZONING THE YOUNGER ANNEXATION TO  
I-1 (LIGHT INDUSTRIAL)**

**LOCATED AT 2172 AND 2176 H 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 Younger Annexation to the I-1 (Light Industrial) 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 implements the H Road/Northwest Area Plan, and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

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

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

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

A certain parcel of land located in the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 25, Township 1 North, Range 2 West, of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Southwest corner of the Southwest Quarter of the Southeast Quarter SW 1/4 SE 1/4 of said Section 25 and assuming the South line of said SW 1/4 SE 1/4 to bear S89°53'09"E with all bearings contained herein relative thereto; thence S89°53'09"E along said South line a distance of 284.00 feet to the Southwest corner of that certain parcel of land as described in Book 1815, Page 513, Public Records of Mesa County, Colorado, and also being the POINT OF BEGINNING ; thence N22°18'06"E along the West line of said parcel a distance of 991.40 feet; thence N00°00'21"E along said West line a distance of 402.66' to the Northwest corner of said parcel; thence S89°52'11"E along the North line of said parcel a distance of 1311.38 feet to the Northeast corner of that certain parcel of land as described in Book 1816, Page 747, Public Records of Mesa County, Colorado, thence S00°03'11"W along the East line and its continuation of said parcel a distance of 1350.28 feet to a point on the

Persigo Annexation No. 2, City of Grand Junction, Ordinance No. 2556; thence N89°53'09"W along said Annexation line a distance of 1686.44 feet; thence N00°06'51"E a distance of 30.00 feet, more or less, to the Point of Beginning.

Said parcel contains 44.87 acres (1,954,345 square feet), more or less, as described.

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

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

ATTEST:

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

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

**Attach 20**

2030 Comprehensive Plan Phase I and II Contract

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	2030 Comprehensive Plan Contract Request					
<b>Meeting Date</b>	June 6, 2007					
<b>Date Prepared</b>	May 22, 2007				<b>File #</b>	
<b>Author</b>	Scott Hockins		Senior Buyer			
<b>Presenter Name</b>	Laurie Kadrich Tim Moore		Deputy City Manager Public Works & Planning Director			
<b>Report results back to Council</b>	X	No		Yes	<b>When</b>	
<b>Citizen Presentation</b>		Yes	X	No	<b>Name</b>	
	<b>Workshop</b>	X	<b>Formal Agenda</b>			<b>Consent</b> X <b>Individual Consideration</b>

**Summary:** Council will review a contract with the professional design and planning firm, Winston Associates, to conduct the 2030 Comprehensive Plan. The schedule for this work anticipates an April 2009 completion date.

**Budget:** The 2007 budget allocates \$250,000 for Phase I and Phase II of the Comprehensive Plan which includes the project initiation and inventory & analysis of the existing growth policies and practices. This phase is scheduled to be complete by December 2007. Phase III and Phase IV include the development alternative growth scenarios, the fiscal impact of the scenarios and the development of the preferred plan. Scheduled completion of this set is April 2009. The estimated cost for Phase III & IV is \$170,000 and will be requested in the 2008 & 2009 budgets.

**Action Requested/Recommendation:** Authorize the Purchasing Division to enter into a contract with Winston Associates to complete the 2030 Comprehensive Plan. The contract stipulates that execution of Phase III and IV is subject to annual appropriation by City Council.

**Attachments:** N/A

**Background Information:** The Comprehensive Plan is a policy document and a vision statement that serves as a guide for future development based on an assessment of existing conditions. The Plan is a written document that identifies the goals, objectives, principles, guidelines, policies, standards, and strategies for the growth and development of the community.

The Comprehensive Plan drives policy. The budget and the long term Capital Improvement Plan are both determined based on the goals of the Comprehensive Plan.

It will be considered the umbrella plan over all the other plans the City has developed and implemented. The land use plan is one element of a comprehensive plan, as is our Urban Trails Master Plan, our Parks Master Plans, and our Transportation Plan.

A comprehensive plan provides a broad overview of the physical development of our area, which includes much of the Grand Valley. It will review past development patterns that have led to our present conditions, and then provide a long range view of how we should develop or redevelop. A comprehensive plan is the policy that tells where we have been, where we are now, where we want to go, and how we are going to get there. However, it is not an end product and should be considered a flexible, evolutionary policy guide that is able to accommodate change as necessary.

The Request for Proposal was advertised in the Daily Sentinel, posted on a governmental solicitation website, and sent to firms on the current source list for consulting services. There were seven responsive proposals received and evaluated. Three firms were selected for interviews and oral presentations. The selection panel selected Winston Associates as the most qualified to perform the scope of services based upon responsiveness, understanding of the project and objectives, necessary resources, required skills, and demonstrated capability.

**Attach 21**

Airport Improvement Program Grant at Walker Field Airport for an Airport Wildlife Assessment Study

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Federal Aviation Administration Airport Improvement Program Grant 3-08-0027-33 (AIP-33) at Walker Field Airport. Supplemental Co-sponsorship Agreement					
<b>Meeting Date</b>	June 6, 2007					
<b>Date Prepared</b>	May 10, 2007				<b>File #</b>	
<b>Author</b>	Eddie F. Storer		Operations Manager			
<b>Presenter Name</b>	Eddie F. Storer		Operations Manager			
<b>Report results back to Council</b>		<b>No</b>		<b>Yes</b>	<b>When</b>	
<b>Citizen Presentation</b>		<b>Yes</b>		<b>No</b>	<b>Name</b>	
	<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>	<b>X</b>	<b>Consent</b>	<b>Individual Consideration</b>

**Summary:**

AIP-33 is for an Airport Wildlife Assessment Study. The project will study the variety of wildlife at the airport and determine how best to manage it. The grant amount is \$97,000.00. The Supplemental Co-sponsorship Agreement is required by the FAA as part of the grant acceptance by the City.

**Budget:**

No funds are being requested of the City of Grand Junction.

**Action Requested/Recommendation:**

Authorize the Mayor to sign FAA AIP-33 Grant for a Wildlife Assessment Study at Walker Field Airport. Also, authorize the City Manager to sign the Supplemental Co-sponsorship Agreement for AIP-33.

**Attachments:**

1. Grant Agreement for AIP-33.
2. Supplemental Co-sponsorship Agreement.

**Background Information:**

The benefits of this study will be to determine how best to manage wildlife at the airport to insure the safety of all users.

U.S. Department  
of Transportation

## GRANT AGREEMENT

Federal Aviation  
Administration

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### Part I - Offer

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**Date of Offer:** April 25, 2007  
**Airport:** Walker Field  
**Project Number:** 3-08-0027-33  
**Contract Number:** DOT-FA07NM-1005  
**DUNS Number:** 156135394

**To:** The City of Grand Junction, the County of Mesa, and the Walker Field, Colorado, Public Airport Authority (herein called the "Sponsor")

**From:** The United States of America (acting through the Federal Aviation Administration, herein called the "FAA")

**Whereas**, the Sponsor has submitted to the FAA a Project Application dated August 14, 2006 for a grant of Federal funds for a project at or associated with Walker Field, which Project Application, as approved by the FAA, is hereby incorporated herein and made a part hereof; and

**Whereas**, the FAA has approved a project for the Airport (herein called the "Project") consisting of the following:

**Conduct Miscellaneous Study (Conduct Wildlife Assessment Study),**

all as more particularly described in the Project Application.

**NOW THEREFORE**, pursuant to and for the purpose of carrying out the provisions of Title 49, United States Code, as amended, herein called "the Act", and in consideration of (a) the Sponsor's adoption and ratification of the representations and assurances contained in said Project Application and its acceptance of this offer as hereinafter provided, and (b) the benefits to accrue to the United States and the public from the accomplishment of the Project and compliance with the assurances and conditions as herein provided, **THE FEDERAL AVIATION ADMINISTRATION, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES** to pay, as the United States share of the allowable costs incurred in accomplishing the Project, 95.00 per centum thereof.

This Offer is made on and **SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:**

**Conditions**

1. The maximum obligation of the United States payable under this offer shall be \$97,000. For the purpose of any future grant amendments which may increase the foregoing maximum obligation of the United States under the provisions of Section 47108(b) of the Act, the following amounts are being specified for this purpose:  

\$97,000 for planning;  
\$0 for airport development and noise program implementation.
2. The allowable costs of the project shall not include any costs determined by the FAA to be ineligible for consideration as to allowability under the Act.
3. Payment of the United States share of the allowable project costs will be made pursuant to and in accordance with the provisions of such regulations and procedures as the Secretary shall prescribe. Final determination of the United States share will be based upon the final audit of the total amount of allowable project costs and settlement will be made for any upward or downward adjustments to the Federal share of costs.
4. The sponsor shall carry out and complete the Project without undue delay and in accordance with the terms hereof, and such regulations and procedures as the Secretary shall prescribe, and agrees to comply with the assurances which were made part of the project application.
5. The FAA reserves the right to amend or withdraw this offer at any time prior to its acceptance by the sponsor.
6. This offer shall expire and the United States shall not be obligated to pay any part of the costs of the project unless this offer has been accepted by the sponsor on or before June 6, 2007, or such subsequent date as may be prescribed in writing by the FAA.
7. The Sponsor shall take all steps, including litigation if necessary, to recover Federal funds spent fraudulently, wastefully, or in violation of Federal antitrust statutes, or misused in any other manner in any project upon which Federal funds have been expended. For the purposes of this grant agreement, the term "Federal funds" means funds however used or disbursed by the Sponsor that were originally paid pursuant to this or any other Federal grant agreement. It shall obtain the approval of the Secretary as to any determination of the amount of the Federal share of such funds. It shall return the recovered Federal share, including funds recovered by settlement, order or judgment, to the Secretary. It shall furnish to the Secretary, upon request, all documents and records pertaining to the determination of the amount of the Federal share or to any settlement, litigation, negotiation, or



other efforts taken to recover such funds. All settlements or other final positions of the Sponsor, in court or otherwise, involving the recovery of such Federal share shall be approved in advance by the Secretary.

8. The United States shall not be responsible or liable for damage to property or injury to persons which may arise from, or be incident to, compliance with this grant agreement.

#### Special Conditions

9. The sponsor will carry out the project in accordance with policies, standards, and specifications approved by the Secretary including but not limited to the advisory circulars listed in the "Current FAA Advisory Circulars for AIP Projects," dated June 15, 2005, and included in this grant, and in accordance with applicable state policies, standards, and specifications approved by the Secretary.
10. The sponsor agrees to monitor progress on the work to be accomplished by this grant. For consultant services, the Sponsor agrees to make payment only for work that has been satisfactorily completed. It is understood by and between the parties hereto that the approximate value of the final project documentation is ten percent (10%) of the total value of the engineering services contract, and that amount will not be paid to the Engineer until acceptable final project documentation is provided.
11. The Sponsor agrees to request cash drawdowns on the letter of credit only when actually needed for its disbursements and to timely reporting of such disbursements as required. It is understood that failure to adhere to this provision may cause the letter of credit to be revoked.
12. The FAA in tendering this Grant Offer on behalf of the United States recognizes the existence of a Co-Sponsorship Agreement between the Walker Field, Colorado Public Airport Authority, the City of Grand Junction, Colorado, and the County of Mesa, Colorado. By acceptance of the Grant Offer, said parties assume their respective obligations as set forth in said Co-Sponsorship Agreement. It is understood and agreed that said Agreement will not be amended, modified, or terminated without prior written approval of the FAA.
13. It is mutually understood and agreed that if, during the life of the project, the FAA determines that the maximum grant obligation of the United States exceeds the expected needs of the Sponsor by \$25,000.00 or five percent (5%), whichever is greater, the maximum obligation of the United States can be unilaterally reduced by letter from the FAA advising of the budget change. It is further understood and agreed that if, during the life of the project, the FAA determines that a change in the grant description is advantageous and in the best interests of the United States, the change in grant description will be unilaterally amended by letter from the FAA. Upon issuance of the aforementioned letter, either the grant obligation of the United States is adjusted to the amount specified or the grant description is amended to the description specified.

The Sponsor's acceptance of this Offer and ratification and adoption of the Project Application incorporated herein shall be evidenced by execution of this instrument by the Sponsor, as hereinafter provided, and this Offer and Acceptance shall comprise a Grant Agreement, as provided by the Act, constituting the contractual obligations and rights of the United States and the Sponsor with respect to the accomplishment of the Project and compliance with the assurances and conditions as provided herein. Such Grant Agreement shall become effective upon the Sponsor's acceptance of this Offer.

UNITED STATES OF AMERICA  
FEDERAL AVIATION ADMINISTRATION

Craig A Sparks  
Manager, Denver Airports District Office

Part II - Acceptance

The Sponsor does hereby ratify and adopt all assurances, statements, representations, warranties, covenants, and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer and does hereby accept this Offer and by such acceptance agrees to comply with all of the terms and conditions in this Offer and in the Project Application.

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

CITY OF GRAND JUNCTION, COLORADO

(SEAL)

\_\_\_\_\_  
Sponsor's Designated Official Representative

Attest: \_\_\_\_\_ Title: \_\_\_\_\_

Title: \_\_\_\_\_

Certificate of Sponsor's Attorney

I, \_\_\_\_\_, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the State of Colorado. Further, I have examined the foregoing Grant Agreement and the actions taken by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and the Act. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

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

\_\_\_\_\_  
Signature of Sponsor's Attorney

---

Part II - Acceptance

---

The Sponsor does hereby ratify and adopt all assurances, statements, representations, warranties, covenants, and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer and does hereby accept this Offer and by such acceptance agrees to comply with all of the terms and conditions in this Offer and in the Project Application.

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

COUNTY OF MESA, COLORADO

(SEAL)

\_\_\_\_\_  
Sponsor's Designated Official Representative

Attest: \_\_\_\_\_ Title: \_\_\_\_\_

Title: \_\_\_\_\_

Certificate of Sponsor's Attorney

I, \_\_\_\_\_, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the State of Colorado. Further, I have examined the foregoing Grant Agreement and the actions taken by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and the Act. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

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

\_\_\_\_\_  
Signature of Sponsor's Attorney

---

Part II - Acceptance

---

The Sponsor does hereby ratify and adopt all assurances, statements, representations, warranties, covenants, and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer and does hereby accept this Offer and by such acceptance agrees to comply with all of the terms and conditions in this Offer and in the Project Application.

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

WALKER FIELD, COLORADO, PUBLIC AIRPORT  
AUTHORITY

(SEAL)

\_\_\_\_\_  
Sponsor's Designated Official Representative

Attest: \_\_\_\_\_ Title: \_\_\_\_\_

Title: \_\_\_\_\_

Certificate of Sponsor's Attorney

I, \_\_\_\_\_, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the State of Colorado. Further, I have examined the foregoing Grant Agreement and the actions taken by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and the Act. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

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

\_\_\_\_\_  
Signature of Sponsor's Attorney



## CURRENT FAA ADVISORY CIRCULARS FOR AIP/PFC PROJECTS

Updated on: 6/15/05

### The following apply to both AIP and PFC Projects

NUMBER	TITLE
70/7460-1J	Obstruction Marking and Lighting
150/5000-13	Announcement of Availability--RTCA Inc., Document RTCA-221, Guidance and Recommended Requirements for Airport Surface Movement Sensors
150/5210-5B	Painting, Marking and Lighting of Vehicles Used on an Airport
150/5210-7B	Aircraft Fire and Rescue Communications
150/5210-13A	Water Rescue Plans, Facilities, and Equipment
150/5210-14A	Airport Fire and Rescue Personnel Protective Clothing
150/5210-15	Airport Rescue & Firefighting Station Building Design
150/5210-18	Systems for Interactive Training of Airport Personnel
150/5210-19	Driver's Enhanced Vision System (DEVS)
150/5220-4B	Water Supply Systems for Aircraft Fire and Rescue Protection
150/5220-10B	Guide Specification for Water/Foam Type Aircraft Rescue and Firefighting Vehicles
150/5220-13B	Runway Surface Condition Sensor Specification Guide
150/5220-16B	Automated Weather Observing Systems for NonFederal Applications
150/5220-17A	Design Standards for Aircraft Rescue Firefighting Training Facilities
150/5220-18	Buildings for Storage and Maintenance of Airport Snow and Ice Control Equipment and Materials
150/5220-19	Guide Specification for Small, Dual-Agent Aircraft Rescue and Firefighting Vehicles
150/5220-20 CHG 1	Airport Snow and Ice Control Equipment
150/5220-21A	Guide Specification for Lifts Used to Board Airline Passengers With Mobility Impairments
150/5300-13 CHG 1, 2, 3, 4, 5	Airport Design
150/5300-14	Design of Aircraft Deicing Facilities
150/5320-5B	Airport Drainage
150/5320-8D	Airport Pavement Design and Evaluation
150/5320-12C	Measurement, Construction, and Maintenance of Skid Resistant Airport Pavement Surfaces
150/5320-14	Airport Landscaping for Noise Control Purposes
150/5320-16	Airport Pavement Design for the Boeing 777 Airplane
150/5325-4A CHG 1	Runway Length Requirements for Airport Design
150/5340-1G	Standards for Airport Markings
150/5340-4C	Installation Details for Runway Centerline Touchdown Zone Lighting Systems
CHG 1 & 2	
150/5340-5B CHG 1	Segmented Circle Airport Marker System
150/5340-14B	Economy Approach Lighting Aids
CHG 1 & 2	
150/5340-17B	Standby Power for Non-FAA Airport Lighting Systems
150/5340-18C CHG 1	Standards for Airport Sign Systems
150/5340-19	Taxiway Centerline Lighting System
150/5340-21	Airport Miscellaneous Lighting Visual Aids
150/5340-23B	Supplemental Wind Cones
150/5340-24 CHG 1	Runway and Taxiway Edge Lighting System
150/5340-27A	Air-to-Ground Radio Control of Airport Lighting Systems
150/5345-3D	Specification for L821 Panels for Remote Control of Airport Lighting
150/5345-5A	Circuit Selector Switch

## SUPPLEMENTAL CO-SPONSORSHIP AGREEMENT

This Supplemental Co-Sponsorship Agreement is entered into and effective this \_\_\_\_\_ day of \_\_\_\_\_, 2007, by and between the Walker Field, Colorado, Public Airport Authority ("Airport Authority"), and the City of Grand Junction (City).

### RECITALS

A. The Airport Authority is a political subdivision of the State of Colorado, organized pursuant to Section 41-3-101 et seq., C.R.S. The Airport Authority is a separate and distinct entity from the City.

B. The Airport Authority is the owner and operator of the Walker Field Airport, located in Grand Junction, Colorado ("Airport").

C. Pursuant to the Title 49, U.S.C., Subtitle VII, Part B, as amended, the Airport Authority has applied for monies from the Federal Aviation Administration ("FAA"), for the construction of certain improvements upon the Airport, pursuant to the terms, plans and specifications set forth in AIP Grant Application No. 3-08-0027-33 ("Project").

D. The FAA is willing to provide approximately \$97,000 toward the estimated costs of the Project, provided the City of Grand Junction and Mesa County execute the Grant Agreement as co-sponsors with the Airport Authority. The FAA is insisting that the City and County execute the Grant Agreement as co-sponsors for two primary reasons. First, the City and County have taxing authority, whereas the Airport Authority does not; accordingly, the FAA is insisting that the City and County execute the Grant Agreement so that public entities with taxing authority are liable for the financial commitments required of the Sponsor under the Grant Agreement, should the Airport Authority not be able to satisfy said financial commitments out of the net revenues generated by the operation of the Airport. In addition, the City and County have jurisdiction over the zoning and land use regulations of the real property surrounding the Airport, whereas the Airport Authority does not enjoy such zoning and land use regulatory authority. By their execution of the Grant Agreement, the City and County would be warranting to the FAA that the proposed improvements are consistent with their respective plans for the development of the area surrounding the Airport, and that they will take appropriate actions, including the adoption of zoning laws, to restrict the use of land surrounding the Airport to activities and purposes compatible with normal Airport operations.

E. The City is willing to execute the Grant Agreement, as a co-sponsor, pursuant to the FAA's request, subject to the terms and conditions of this Supplemental Co-Sponsorship Agreement between the City and Airport Authority.

Therefore, in consideration of the above Recitals and the mutual promises and representations set forth below, the City and Airport Authority hereby agree as follows:

## AGREEMENT

1. By its execution of this Agreement, the City hereby agrees to execute the Grant Agreement, as a co-sponsor, pursuant to the FAA's request.
2. In consideration of the City's execution of the Grant Agreement, as co-sponsor, the Airport Authority hereby agrees to hold the City, its officers, employees, and agents, harmless from, and to indemnify the City, its officers, employees, and agents for:

(a) Any and all claims, lawsuits, damages, or liabilities, including reasonable attorney's fees and court costs, which at any time may be or are stated, asserted, or made against the City, its officers, employees, or agents, by the FAA or any other third party whomsoever, in any way arising out of, or related under the Grant Agreement, or the prosecution of the Project contemplated by the Grant Agreement, regardless of whether said claims are frivolous or groundless, other than claims related to the City's covenant to take appropriate action, including the adoption of zoning laws, to restrict the use of land surrounding the Airport, over which the City has regulatory jurisdiction, to activities and purposes compatible with normal Airport operations, set forth in paragraph 21 of the Assurances incorporated by reference into the Grant Agreement ("Assurances"); and

(b) The failure of the Airport Authority, or any of the Airport Authority's officers, agents, employees, or contractors, to comply in any respect with any of the requirements, obligations or duties imposed on the Sponsor by the Grant Agreement, or reasonably related to or inferred therefrom, other than the Sponsor's zoning and land use obligations under Paragraph 21 of the Assurances, which are the City's responsibility for lands surrounding the Airport over which it has regulatory jurisdiction.

3. By its execution of this Agreement, the Airport Authority hereby agrees to comply with each and every requirement of the Sponsor, set forth in the Grant Agreement, or reasonably required in connection therewith, other than the zoning and land use requirements set forth in paragraph 21 of the Assurances, in recognition of the fact that the Airport Authority does not have the power to effect the zoning and land use regulations required by said paragraph.
4. By its execution of this Agreement and the Grant Agreement, the City agrees to comply with the zoning and land use requirements of paragraph 21 of the Assurances, with respect to all lands surrounding the Airport that are subject to the City's regulatory jurisdiction. The City also hereby warrants and represents that, in accordance with paragraph 6 of the Special Assurances; the Project contemplated by the Grant Agreement is consistent with present plans of the City for the development of the area surrounding the Airport.



5. The parties hereby warrant and represent that, by the City's execution of the Grant Agreement, as a co-sponsor, pursuant to the FAA's request, the City is not a co-owner, agent, partner, joint venturer, or representative of the Airport Authority in the ownership, management or administration of the Airport, and the Airport Authority is, and remains, the sole owner of the Airport, and solely responsible for the operation and management of the Airport.

Done and entered into on the date first set forth above.

WALKER FIELD, COLORADO, PUBLIC AIRPORT AUTHORITY

By \_\_\_\_\_  
Thomas LaCroix, Chairman

CITY OF GRAND JUNCTION

By \_\_\_\_\_  
City Manager

**Attach 22**

Public Hearing – Mesa State College Annexation, Located at 2899 D ½ Road

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA							
<b>Subject</b>		Mesa State College Annexation – Located at 2899 D ½ Road					
<b>Meeting Date</b>		June 6, 2007					
<b>Date Prepared</b>		May 8, 2007			<b>File #</b> GPA-2007-081		
<b>Author</b>		Ken Kovalchik		Senior Planner			
<b>Presenter Name</b>		Ken Kovalchik		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>			<b>Consent</b>	X <b>Individual Consideration</b>

**Summary:** Request to annex 154 acres, located at 2899 D ½ Road. The Mesa State College Annexation consists of one parcel.

**Budget:** N/A

**Action Requested/Recommendation:** Adopt a Resolution accepting the petition for the Mesa State College Annexation and hold a public hearing and consider final passage of the Annexation 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 Map
4. Acceptance Resolution
5. Annexation Ordinance

STAFF REPORT/BACKGROUND INFORMATION			
<b>Location:</b>		2899 D ½ Road	
<b>Applicants:</b>		Mesa State College Real Estate Foundation, owners	
<b>Existing Land Use:</b>		Agriculture/Vacant/CSU Facility/Lineman School	
<b>Proposed Land Use:</b>		Residential/Commercial/Industrial	
<b>Surrounding Land Use:</b>	<b>North</b>	Industrial	
	<b>South</b>	Residential	
	<b>East</b>	Residential	
	<b>West</b>	State Offices/Cemetery	
<b>Existing Zoning:</b>		County - PUD	
<b>Proposed Zoning:</b>		R-12, C-2, and I-1	
<b>Surrounding Zoning:</b>	<b>North</b>	I-1	
	<b>South</b>	R-4 and PD (City); RSF-R and PUD (County)	
	<b>East</b>	RSF-R and PUD (County)	
	<b>West</b>	PUD (County)	
<b>Growth Plan Designation:</b>		Public	
<b>Zoning within density range?</b>		<b>Yes</b>	<b>X</b> <b>No</b>

**Staff Analysis:**

**ANNEXATION:**

This annexation area consists of 154 acres of land and is comprised of one parcel. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

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

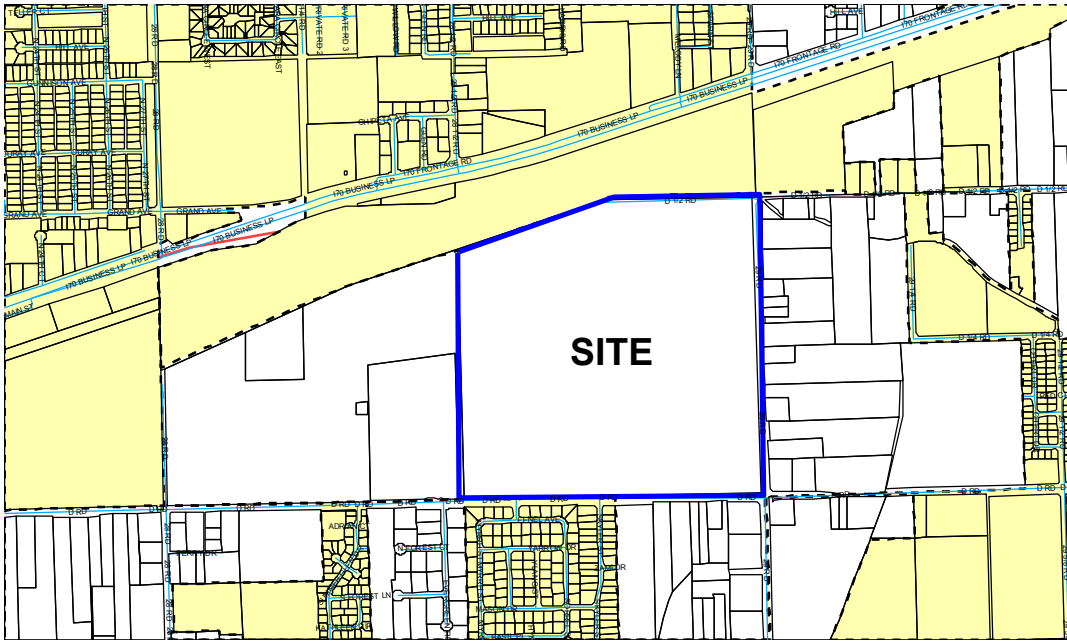
<b><i>ANNEXATION SCHEDULE</i></b>	
May 2, 2007	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
To be scheduled	Planning Commission considers Zone of Annexation
To be scheduled	Introduction Of A Proposed Ordinance on Zoning by City Council
To be scheduled	Zoning by City Council
June 6, 2007	Acceptance of Petition and Public Hearing on Annexation
July 8, 2007	Effective date of Annexation

**MESA STATE COLLEGE ANNEXATION SUMMARY**

<b>File Number:</b>	GPA-2007-081	
<b>Location:</b>	2899 D ½ Road	
<b>Tax ID Number:</b>	2943-184-00-097	
<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>	154	
<b>Developable Acres Remaining:</b>	154	
<b>Right-of-way in Annexation:</b>	29 Road and D Road	
<b>Previous County Zoning:</b>	PUD	
<b>Proposed City Zoning:</b>	R-12, C-2, and I-1	
<b>Current Land Use:</b>	Ag./Vacant/CSU Facility/Lineman School	
<b>Future Land Use:</b>	Public	
<b>Values:</b>	<b>Assessed:</b>	\$232,180
	<b>Actual:</b>	\$800,640
<b>Address Ranges:</b>	2850 – 2898 D Road (even only) & 401 – 449 29 Road (odd only)	
<b>Special Districts:</b>	<b>Water:</b>	Ute Water
	<b>Sewer:</b>	Central Grand Valley
	<b>Fire:</b>	Grand Junction Rural Fire
	<b>Irrigation/ Drainage:</b>	Grand Junction Drainage
	<b>School:</b>	District 51

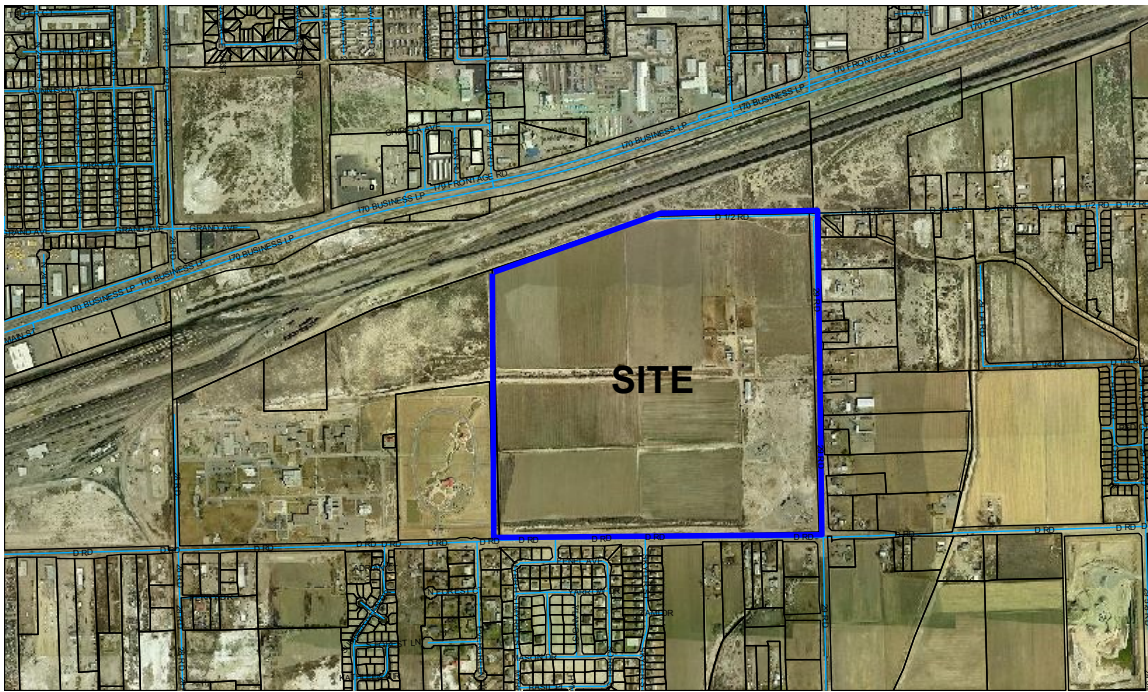
# Site Location Map

Figure 1



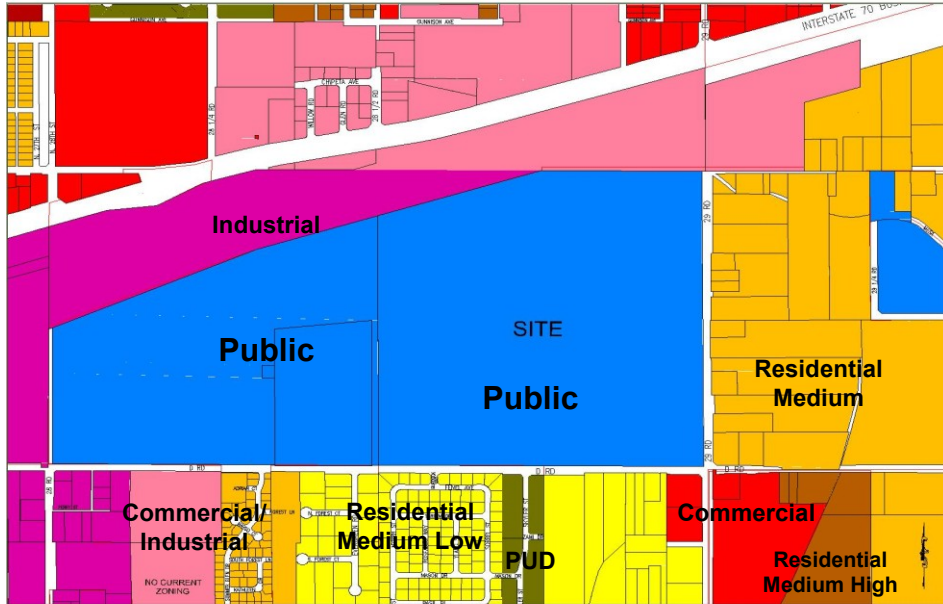
# Aerial Photo Map

Figure 2



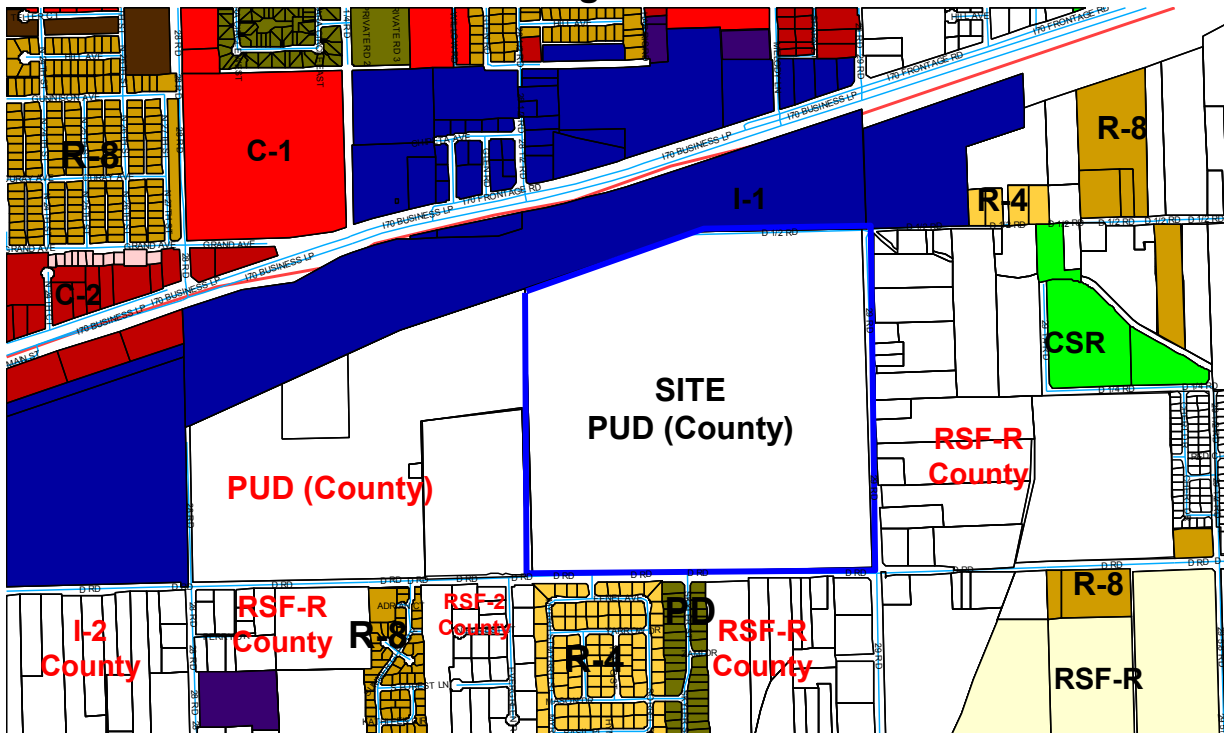
# Future Land Use Map

Figure 3



# Existing City and County Zoning

Figure 4



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

**CITY OF GRAND JUNCTION, COLORADO**

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

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

**MESA STATE COLLEGE ANNEXATION**

**LOCATED AT 2899 D 1/2 ROAD**

**IS ELIGIBLE FOR ANNEXATION**

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

**MESA STATE COLLEGE ANNEXATION**

A certain parcel of land located in the Southeast Quarter of (SE 1/4) of Section 18, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southeast corner of said Section 18 and assuming the South line of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE1/4) of said Section 18 bears N89°40'51"W with all other bearings contained herein being relative thereto; thence N89°40'51"W along said South line a distance of 1319.50 feet to the Southwest corner of said SE 1/4 SE 1/4; thence N00°21'19"W along the West line of said SE 1/4 SE 1/4 a distance of 30.00 feet to a point on the North line of D Road; thence N89°37'59"W along said North line a distance of 1328.65 feet to a point on the West line of the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of said Section 18, said North line also being the North line of the Darren Davidson Annexation, City of Grand Junction, Ordinance No. 3205; thence N00°06'35"W along said West line a distance of 1288.69 feet to the Northwest corner of said SW 1/4 SE 1/4; thence N00°25'09"W along the West line of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of said Section 18 a distance of 903.48 feet to a point on the South line of the Southern Pacific Railroad Annexation, City of Grand Junction, Ordinance No. 3158; thence N73°01'14"E along said South line a distance of 1415.51 feet to a point on the North line of the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of said Section 18; thence N00°15'05"E a distance of 30.00 feet; thence N89°35'13"E along a line being 30.00 feet North of and parallel with the North line of said NE 1/4 SE 1/4 a distance of 1292.57 feet; thence S00°13'55"E along the East line of said NE 1/4



SE 1/4 a distance of 1350.87 feet to the Northeast corner of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of said Section 18; thence S00°13'09"E along the East line of said SE 1/4 SE 1/4, a distance of 1321.23 feet, more or less to the POINT OF BEGINNING.

Said parcel contains 154.05 acres (6,710,387 square feet), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 2<sup>nd</sup> day of May, 2007; and

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

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

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

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

Attest:

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

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

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**MESA STATE COLLEGE ANNEXATION**

**APPROXIMATELY 154 ACRES**

**LOCATED AT 2899 D 1/2 ROAD**

**WHEREAS**, on the 2nd day of May, 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 6th day of June, 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:

**MESA STATE COLLEGE ANNEXATION**

A certain parcel of land located in the Southeast Quarter of (SE 1/4) of Section 18, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southeast corner of said Section 18 and assuming the South line of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE1/4) of said Section 18 bears N89°40'51"W with all other bearings contained herein being relative thereto; thence N89°40'51"W along said South line a distance of 1319.50 feet to the Southwest corner of said SE 1/4 SE 1/4; thence N00°21'19"W along the West line of said SE 1/4 SE 1/4 a distance of 30.00 feet to a point on the North line of D Road; thence N89°37'59"W along said North line a distance of 1328.65 feet to a point on the West line of the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of said Section

18, said North line also being the North line of the Darren Davidson Annexation, City of Grand Junction, Ordinance No. 3205; thence N00°06'35"W along said West line a distance of 1288.69 feet to the Northwest corner of said SW 1/4 SE 1/4; thence N00°25'09"W along the West line of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of said Section 18 a distance of 903.48 feet to a point on the South line of the Southern Pacific Railroad Annexation, City of Grand Junction, Ordinance No. 3158; thence N73°01'14"E along said South line a distance of 1415.51 feet to a point on the North line of the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of said Section 18; thence N00°15'05"E a distance of 30.00 feet; thence N89°35'13"E along a line being 30.00 feet North of and parallel with the North line of said NE 1/4 SE 1/4 a distance of 1292.57 feet; thence S00°13'55"E along the East line of said NE 1/4 SE 1/4 a distance of 1350.87 feet to the Northeast corner of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of said Section 18; thence S00°13'09"E along the East line of said SE 1/4 SE 1/4, a distance of 1321.23 feet, more or less to the POINT OF BEGINNING.

Said parcel contains 154.05 acres (6,710,387 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 2<sup>nd</sup> day of May, 2007 and ordered published.

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

Attest:

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

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

**Attach 23**

Public Hearing – Page Annexation, Located at 2074 Broadway and 2078 Ferree Drive

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Page Annexation - Located at 2074 Broadway and 2076 Ferree Drive					
<b>Meeting Date</b>	June 6, 2007					
<b>Date Prepared</b>	May 23, 2007				File #GPA-2007-061	
<b>Author</b>	Scott D. Peterson		Senior Planner			
<b>Presenter Name</b>	Scott D. Peterson		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>			<b>Consent</b> X <b>Individual Consideration</b>

**Summary:** Request to annex 19.7 acres, located at 2074 Broadway and 2076 Ferree Drive in the Redlands. The Page Annexation consists of 2 parcels and is a 4 part serial annexation.

**Budget:** N/A

**Action Requested/Recommendation:** Adopt a Resolution accepting the petition for the Page Annexation and hold a public hearing and consider final passage of the Annexation 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 County Zoning
4. Acceptance Resolution
5. Annexation Ordinance

STAFF REPORT / BACKGROUND INFORMATION					
<b>Location:</b>		2074 Broadway and 2076 Ferree Drive			
<b>Applicants:</b>		The R. Kenton Page Trust, Owner			
<b>Existing Land Use:</b>		Single-family home on each property			
<b>Proposed Land Use:</b>		Residential subdivision			
<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>		RSF-4, Residential Single-Family – 4 units/acre (County)			
<b>Proposed Zoning:</b>		To be determined. Applicant has filed a Growth Plan Amendment			
<b>Surrounding Zoning:</b>	<b>North</b>	RSF-4, Residential Single-Family – 4 units/acre (County)			
	<b>South</b>	RSF-2, Residential Single-Family – 2 units/acre (County)			
	<b>East</b>	RSF-4, Residential Single-Family – 4 units/acre (County)			
	<b>West</b>	RSF-4, Residential Single-Family – 4 units/acre (County)			
<b>Growth Plan Designation:</b>		Residential Medium Low (2 – 4 DU/Ac.) and Estate (2 – 5 acres/DU)			
<b>Zoning within density range?</b>		N/A	<b>Yes</b>		<b>No</b>

**Staff Analysis:**

**ANNEXATION:**

This annexation area consists of 19.7 acres of land and is comprised of 2 parcels and is a 4 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. A Growth Plan Amendment for a portion of this annexation request is being proposed by the applicant and is currently in the City's development review process. Consideration for zoning of this annexation will occur at a later date following review of the proposed Growth Plan Amendment.

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 Page Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

The following annexation and zoning schedule is being proposed.

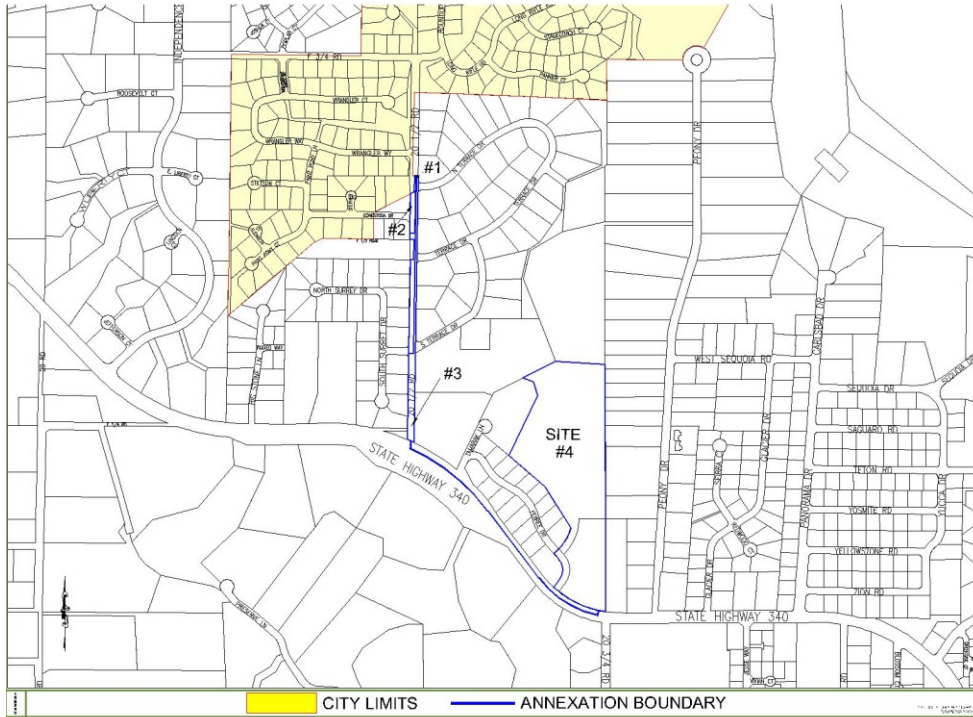
<u><b>ANNEXATION SCHEDULE</b></u>	
<b>April 18, 2007</b>	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
<b>To be scheduled</b>	Planning Commission considers Zone of Annexation – following Growth Plan Amendment request
<b>To be scheduled</b>	Introduction of a Proposed Ordinance on Zoning by City Council – following Growth Plan Amendment request
<b>June 6, 2007</b>	Acceptance of Petition and Public Hearing on Annexation by City Council
<b>July 8, 2007</b>	Effective date of Annexation

**PAGE ANNEXATION SUMMARY**

<b>File Number:</b>	GPA-2007-061	
<b>Location:</b>	2074 Broadway and 2076 Ferree Drive	
<b>Tax ID Number:</b>	2947-154-00-120 and 2947-154-00-127	
<b>Parcels:</b>	2	
<b>Estimated Population:</b>	5	
<b># of Parcels (owner occupied):</b>	0	
<b># of Dwelling Units:</b>	2	
<b>Acres land annexed:</b>	19.7	
<b>Developable Acres Remaining:</b>	17.5	
<b>Right-of-way in Annexation:</b>	2.2	
<b>Previous County Zoning:</b>	RSF-4, Residential Single Family – 4 units/acre	
<b>Proposed City Zoning:</b>	To be determined	
<b>Current Land Use:</b>	Single family home on each property	
<b>Future Land Use:</b>	Residential Medium Low (2 – 4 DU/Ac.) and Estate (2 – 5 acres/DU)	
<b>Values:</b>	<b>Assessed:</b>	\$53,010
	<b>Actual:</b>	\$653,240
<b>Address Ranges:</b>	2074 Broadway and 2076 Ferree Drive	
<b>Special Districts:</b>	<b>Water:</b>	Ute Water
	<b>Sewer:</b>	City of Grand Junction
	<b>Fire:</b>	Grand Junction Rural Fire
	<b>Irrigation/ Drainage:</b>	Redlands Water and Power
	<b>School:</b>	District 51
	<b>Pest:</b>	Grand River Mosquito

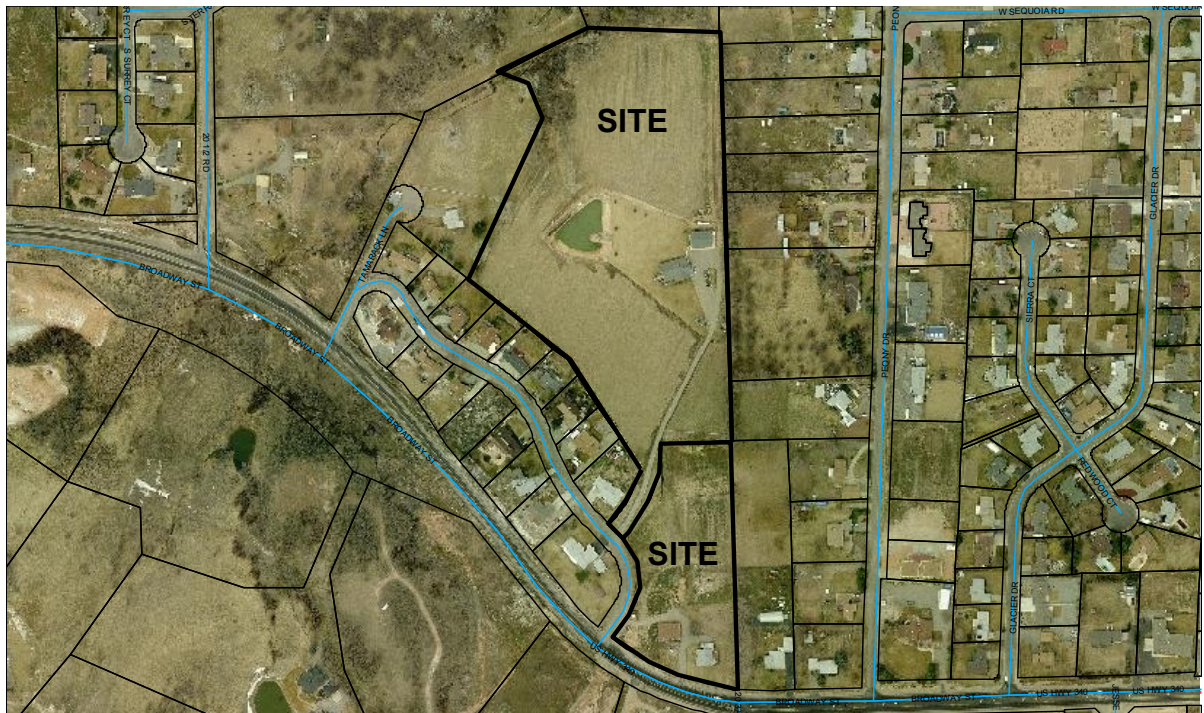
# Site Location Map

Figure 1



# Aerial Photo Map

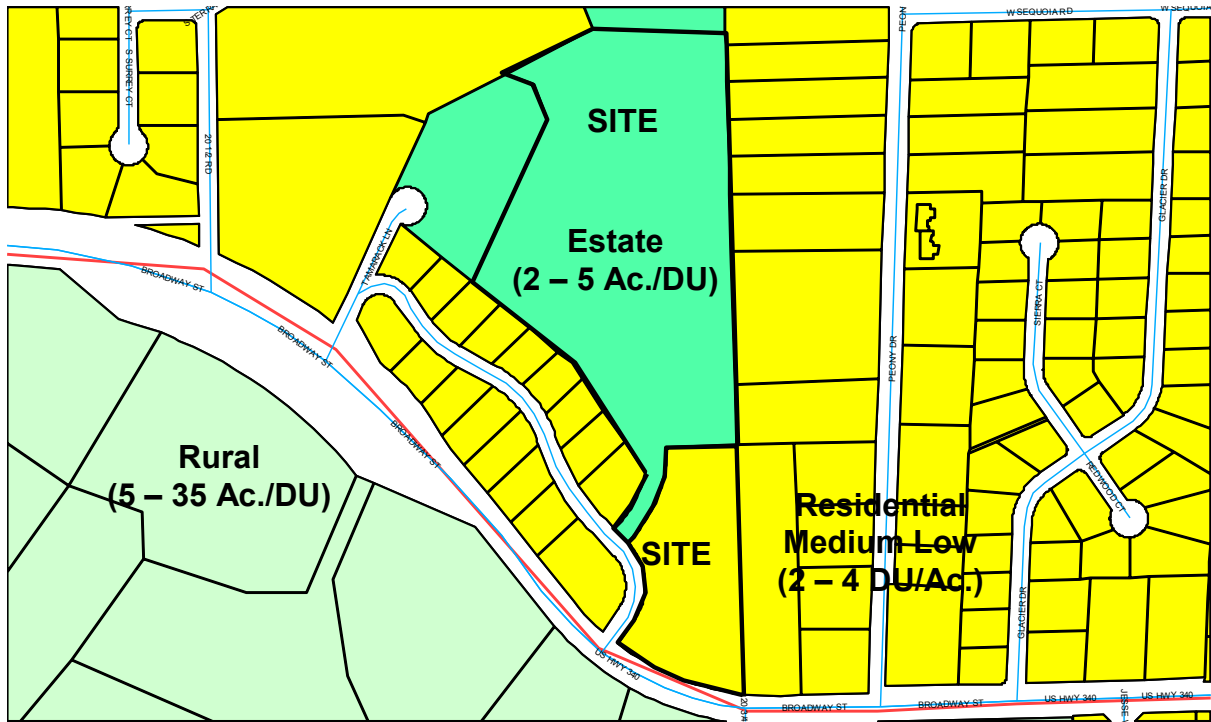
Figure 2





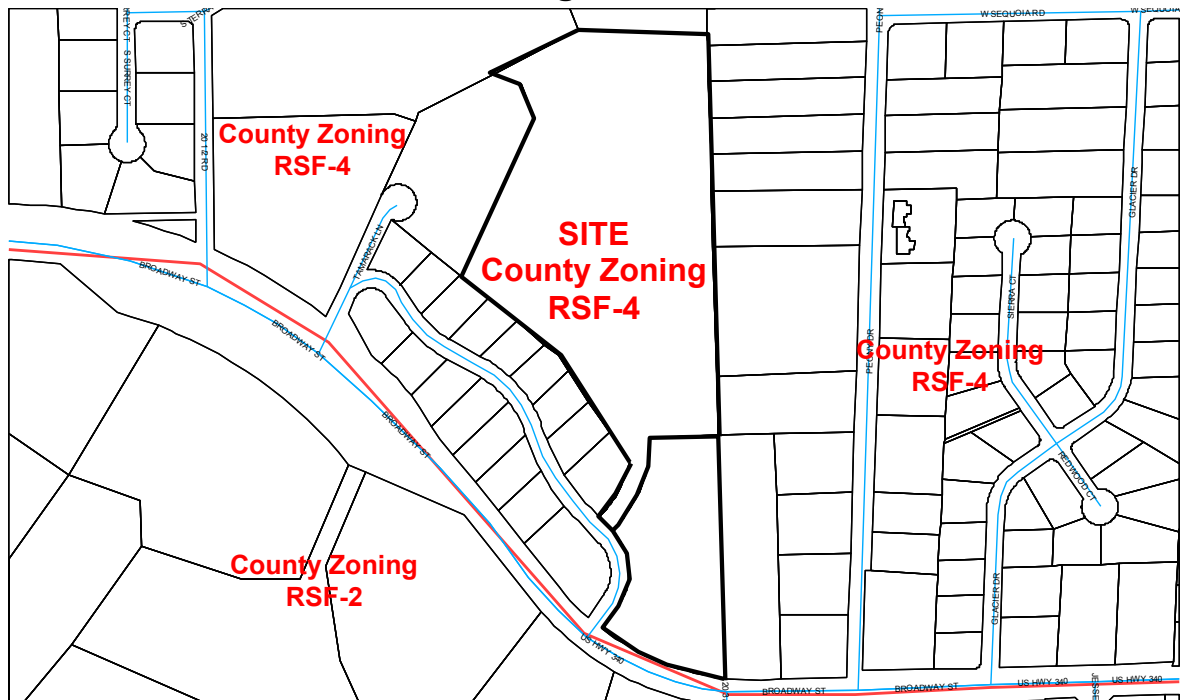
# Future Land Use Map

Figure 3



# Existing 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**

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

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

**PAGE ANNEXATION**

**LOCATED AT 2074 BROADWAY AND 2076 FERREE DRIVE  
INCLUDING PORTIONS OF THE 20 ½ ROAD, BROADWAY AND  
FERREE DRIVE RIGHTS-OF-WAY**

**IS ELIGIBLE FOR ANNEXATION**

WHEREAS, on the 18<sup>th</sup> day of April, 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:

PAGE ANNEXATION NO. 1

A certain parcel of land located in the North Half (N 1/2) of Section 15, Township 11 South, Range 101 West, of the 6<sup>th</sup> Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Northeast corner of Lot 1, Block 2 of The Homestead, as same is recorded in Plat Book 16, Page 369, Public Records of Mesa County, Colorado, and assuming the East line of said Lot 1 to bear N00°58'54"E with all bearings contained herein relative thereto; thence N63°27'16"E along the South of the Zambrano Annexation, City of Grand Junction, Ordinance No. 3427 a distance of 28.19 feet to a point on the East line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 15; thence N00°58'54"E along said East line a distance of 119.99 feet; thence S89°54'35"E a distance of 5.00 feet to a point on a line being 5.00 feet East of and parallel with said East line; thence S00°58'54"W along said parallel line a distance of 415.00 feet; thence N89°01'03"W a distance of 30.00 feet to a point on the East line of said Homestead; thence N00°58'54"E along said East line a distance of 281.91 feet, more or less, to the Point of Beginning.

Said parcel contains 0.21 acres (9,284 square feet), more or less, as described.

PAGE ANNEXATION NO. 2

A certain parcel of land located in Section 15, Township 11 South, Range 101 West, of the 6<sup>th</sup> Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Northeast corner of Lot 1 of Country Squire Subdivision, as same is recorded in Plat Book 13, Page 18, Public Records of Mesa County, Colorado, and assuming the East line of said Country Squire Subdivision to bear N00°58'56"E with all bearings contained herein relative thereto; thence N00°58'56"E along said East line a distance of 677.48 feet to the Northeast corner of Lot 22 of said Country Squire Subdivision; thence S89°08'54"E a distance of 20.00 feet to a point on the East line of the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of said Section 15; thence N00°58'56"E along said East line a distance of 126.99 feet to a point on South line of said NE 1/4 SW 1/4; thence N00°58'54"E along the East line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 15 a distance of 14.16 feet; thence N89°01'03"W a distance of 25.00 to the Southeast corner of Lot 1, Block 1 of The Homestead, as same is recorded in Plat Book 16, Page 369, Public Records of Mesa County, Colorado, thence N00°58'54"E along said East line a distance of 41.90 feet; thence S89°01'03"E a distance of 30.00 feet to a point on a line being 5.00 feet East of and parallel with said SE 1/4 NW 1/4; thence N00°58'54"E a distance of 415.00 feet; thence S89°54'35"E a distance of 5.00 feet to a point on a line being 10.00 feet East of and parallel with said SE 1/4 NW 1/4; thence S00°58'54"W along said parallel line a distance of 471.06 feet to a point on the South line of said SE 1/4 NW 1/4; thence S00°58'56"W along a line being 10.00 feet East of and parallel with said NE 1/4 SW 1/4 a distance of 804.59 feet; thence N89°01'04"W a distance of 30.00 feet, more or less, to the Point of Beginning.

Said parcel contains 0.58 acres (25,267 square feet), more or less, as described.

### PAGE ANNEXATION NO. 3

A certain parcel of land located in Section 15, Township 11 South, Range 101 West, of the 6<sup>th</sup> Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Northeast corner of Lot 1 of Country Squire Subdivision, as same is recorded in Plat Book 13, Page 18, Public Records of Mesa County, Colorado, and assuming the East line of said Country Squire Subdivision to bear N00°58'56"E with all bearings contained herein relative thereto; thence S89°01'04"E a distance of 30.00 feet to a point on a line being 10.00 feet East of and parallel with the West line of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of said Section 15; thence N00°58'56"E along said parallel line a distance of 804.59 feet to a point on the North line of said NW 1/4 SE 1/4; thence N00°58'54"E along a line being 10.00 feet East of and parallel with the West line of the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) of said Section 15 a distance of 471.06 feet; thence S89°54'35"E a distance of 20.00 feet to a point on the East line of 20 1/2 Road; thence S00°58'54"W along said East line a distance of 471.22 feet to a point on the South line of said SW 1/4 NE 1/4; thence S00°58'56"W along said East line of 20 1/2 Road a distance of

1332.35 feet to a point on the North line of the Southwest Quarter of the Southeast Quarter(SW 1/4 SE 1/4); thence S01°00'33"W along said East line of 20 1/2 Road a distance of 104.63 feet to a point on the North line of South Broadway; thence N65°48'46"W a distance of 30.51 feet to a point on a line being 2.00 feet East of and parallel with the West line of said SW 1/4 SE 1/4; thence S01°00'33"W along said parallel line a distance of 52.40 feet; thence Southeasterly along and through the paving of said South Broadway the following (3) three courses: (1) 720.55 feet along the arc of a 1419.00 foot radius curve concave Southwest, having a central angle of 29°05'38" and a chord bearing S51°05'08"E a distance of 712.83 feet (2) S37°06'43"E a distance of 602.18 feet (3) 508.05 feet along the arc of a 718.00 foot radius curve concave Northeast, having a central angle of 40°32'30" and a chord bearing S57°19'49"E a distance of 497.52 feet; thence N11°59'00"E a distance of 37.38 feet to a point on the North line of said South Broadway; thence 2.00 feet along the arc of a 676.30 foot radius curve concave Northeast, having a central angle of 00°10'10" and a chord bearing S77°55'55"E a distance of 2.00 feet; thence S11°59'00"W a distance of 39.39 feet to a point on the South line of said SW 1/4 SE 1/4; thence Northwesterly along and through the paving of said South Broadway the following (3) three courses: (1) 511.48 feet along the arc of a 720.00 foot radius curve concave Northeast, having a central angle of 40°42'08" and a chord bearing N57°24'38"W a distance of 500.79 feet (2) N37°06'43"W a distance of 602.19 feet (3) 720.86 feet along the arc of a 1417.00 foot radius curve concave Southwest, having a central angle of 29°08'51" and a chord bearing N51°06'43"W a distance of 713.11 feet to a point on the West line of said SW 1/4 SE 1/4; thence N01°00'33"E along said West line a distance of 54.57 feet; thence N65°48'46"W a distance of 21.71 feet to a point on the West line of said 22 1/2 Road; thence N01°00'33"E along said West line a distance of 82.85 feet to a point on the North line of said SW 1/4 SE 1/4; thence N00°58'56"W along said West line a distance of 527.96 feet, more or less, to the Point of Beginning.

Said parcel contains 1.39 acres (60,439 square feet), more or less, as described.

#### PAGE ANNEXATION NO. 4

A certain parcel of land located in Section 15, Township 11 South, Range 101 West, of the 6<sup>th</sup> Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Northeast corner of that certain parcel of land as described in Book 2670, Page 173, Public Records of Mesa County, Colorado, and assuming the East line of said parcel to bear S00°03'46"E with all bearings contained herein relative thereto; thence S00°03'46"E along the East line of said parcel a distance of 1099.91feet to the Northeast corner of that certain parcel of land as described in Book 3751, Page 481, Public Records of Mesa County, Colorado; thence S00°00'08"E along the East line of said parcel a distance of 664.50 feet to a point on the North line of South Broadway; thence along said North line 51.44 feet along the arc of a 676.30 foot radius curve concave Northeast, having a central angle of 04°21'29" and a chord bearing N80°01'35"W a distance of 51.43 feet; thence S11°59'00"W a distance of 37.38 feet;

thence Northwesterly along and through the paving of said South Broadway the following (3) three courses: (1) 508.05 feet along the arc of a 718.00 foot radius curve concave Northeast, having a central angle of 40°32'30" and a chord bearing N57°19'49"W a distance of 497.52 feet; (2) N37°06'43"W a distance of 602.18 feet (3) 720.55 feet along the arc of a 1419.00 foot radius curve concave Southwest, having a central angle of 29°05'38" and a chord bearing N51°05'08"W a distance of 712.83 feet to a point on a line being 2.00 feet East of and parallel with the West line of the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of said Section 15; thence N01°00'33"E along said parallel line a distance of 52.40 feet; thence S65°48'46"E a distance of 2.18 feet; thence S01°00'33"W along a line being 4.00 feet East of parallel with the West line of said SW 1/4 SE 1/4 a distance of 50.23 feet; thence Southeasterly along and through the paving of said South Broadway the following (3) three courses: (1) 720.24 feet along the arc of a 1421.00 foot radius curve concave Southwest, having a central angle of 29°02'26" and a chord bearing S51°03'34"E a distance of 712.55 feet; (2) S37°06'43"E a distance of 602.17 feet (3) 504.62 feet along the arc of a 716.00 foot radius curve concave Northeast, having a central angle of 40°22'50" and a chord bearing S57°14'59"E a distance of 494.24 feet; thence N11°59'00"E a distance of 35.36 feet to a point on the North line of said South Broadway; thence along said North line 312.61 feet along the arc of a 676.30 foot radius curve concave Northeast, having a central angle of 26°28'35" and a chord bearing N64°26'03"W a distance of 309.83 feet to a point on the Northerly line of Ferree Drive; thence N47°11'55"W a distance of 49.89 feet to a point on the Westerly line of Ferree Drive; thence along said Westerly line the following (3) three courses: (1) N36°29'20"E a distance of 69.91 feet (2) 158.32 feet along the arc of a 115.00 foot radius curve concave West, having a central angle of 78°52'49" and a chord bearing N02°57'04"W a distance of 146.11 feet (3) N42°23'28"W a distance of 51.11 feet; thence N47°36'32"E a distance of 50.78 feet to a point on the North line of said Ferree Drive; thence 172.31 feet along the arc of a 289.64 foot radius curve concave Northwest, having a central angle of 34°05'09" and a chord bearing N30°59'48"E a distance of 169.78 feet to a point on the North line of Ellie Heights, as same is recorded in Plat Book 9, Page 52, Public Records, Mesa County, Colorado; thence N32°06'14"W along said North line a distance of 353.57 feet; thence N49°21'35"W along said North line a distance of 338.79 feet to a point on the East line of that certain parcel of land as described in Book 3468, Pages 491-492, Public Records of Mesa County, Colorado; thence N26°52'37"E along said East line a distance of 471.33 feet; thence N16°37'18"W along said East line a distance of 100.27 feet; thence N67°28'16"W along said East line a distance of 93.80 feet; thence N64°08'52"E along the North line of said parcel as described in said Book 2670, Page 173, a distance of 264.72 feet; thence S86°43'03"E along said North line a distance of 352.53 feet, more or less, to the Point of Beginning.

Said parcel contains 17.52 acres (763,330 square feet), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 6<sup>th</sup> day of June, 2007; and

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

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

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

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

Attest:

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

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

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**PAGE ANNEXATION NO. 1**

**APPROXIMATELY 0.21 ACRES**

**LOCATED IN A PORTION OF THE 20½ ROAD RIGHT-OF-WAY**

**WHEREAS**, on the 18<sup>th</sup> day of April, 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 6<sup>th</sup> day of June, 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:

**PAGE ANNEXATION NO. 1**

A certain parcel of land located in the North Half (N 1/2) of Section 15, Township 11 South, Range 101 West, of the 6<sup>th</sup> Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Northeast corner of Lot 1, Block 2 of The Homestead, as same is recorded in Plat Book 16, Page 369, Public Records of Mesa County, Colorado, and assuming the East line of said Lot 1 to bear N00°58'54"E with all bearings contained herein relative thereto; thence N63°27'16"E along the South of the Zambrano Annexation, City of Grand Junction, Ordinance No. 3427 a distance of 28.19 feet to a point on the East line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 15; thence N00°58'54"E along said East line a distance of 119.99 feet; thence S89°54'35"E a distance of 5.00 feet to a point on a line being 5.00 feet

East of and parallel with said East line; thence S00°58'54"W along said parallel line a distance of 415.00 feet; thence N89°01'03"W a distance of 30.00 feet to a point on the East line of said Homestead; thence N00°58'54"E along said East line a distance of 281.91 feet, more or less, to the Point of Beginning.

Said parcel contains 0.21 acres (9,284 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 18<sup>th</sup> day of April, 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**

**PAGE ANNEXATION NO. 2**

**APPROXIMATELY 0.58 ACRES**

**LOCATED IN A PORTION OF THE 20 ½ ROAD RIGHT-OF-WAY**

**WHEREAS**, on the 18<sup>th</sup> day of April, 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 6<sup>th</sup> day of June, 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:

**PAGE ANNEXATION NO. 2**

A certain parcel of land located in Section 15, Township 11 South, Range 101 West, of the 6<sup>th</sup> Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Northeast corner of Lot 1 of Country Squire Subdivision, as same is recorded in Plat Book 13, Page 18, Public Records of Mesa County, Colorado, and assuming the East line of said Country Squire Subdivision to bear N00°58'56"E with all bearings contained herein relative thereto; thence N00°58'56"E along said East line a distance of 677.48 feet to the Northeast corner of Lot 22 of said Country Squire Subdivision; thence S89°08'54"E a distance of 20.00 feet to a point on the East line of the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of said Section 15; thence N00°58'56"E along said East line a distance of 126.99 feet to a point on South

line of said NE 1/4 SW 1/4; thence N00°58'54"E along the East line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 15 a distance of 14.16 feet; thence N89°01'03"W a distance of 25.00 to the Southeast corner of Lot 1, Block 1 of The Homestead, as same is recorded in Plat Book 16, Page 369, Public Records of Mesa County, Colorado, thence N00°58'54"E along said East line a distance of 41.90 feet; thence S89°01'03"E a distance of 30.00 feet to a point on a line being 5.00 feet East of and parallel with said SE 1/4 NW 1/4; thence N00°58'54"E a distance of 415.00 feet; thence S89°54'35"E a distance of 5.00 feet to a point on a line being 10.00 feet East of and parallel with said SE 1/4 NW 1/4; thence S00°58'54"W along said parallel line a distance of 471.06 feet to a point on the South line of said SE 1/4 NW 1/4; thence S00°58'56"W along a line being 10.00 feet East of and parallel with said NE 1/4 SW 1/4 a distance of 804.59 feet; thence N89°01'04"W a distance of 30.00 feet, more or less, to the Point of Beginning.

Said parcel contains 0.58 acres (25,267 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 18<sup>th</sup> day of April, 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**

**PAGE ANNEXATION NO. 3**

**APPROXIMATELY 1.39 ACRES**

**LOCATED IN PORTIONS OF THE 20 ½ ROAD AND BROADWAY RIGHTS-OF-WAY**

**WHEREAS**, on the 18<sup>th</sup> day of April, 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 6<sup>th</sup> day of June, 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:

**PAGE ANNEXATION NO. 3**

A certain parcel of land located in Section 15, Township 11 South, Range 101 West, of the 6<sup>th</sup> Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Northeast corner of Lot 1 of Country Squire Subdivision, as same is recorded in Plat Book 13, Page 18, Public Records of Mesa County, Colorado, and assuming the East line of said Country Squire Subdivision to bear N00°58'56"E with all bearings contained herein relative thereto; thence S89°01'04"E a distance of 30.00 feet to a point on a line being 10.00 feet East of and parallel with the West line of the Northwest Quarter of the Southeast Quarter(NW 1/4 SE 1/4) of said Section 15; thence N00°58'56"E along said parallel line a distance of 804.59 feet to a point on the North

line of said NW 1/4 SE 1/4; thence N00°58'54"E along a line being 10.00 feet East of and parallel with the West line of the Southwest Quarter of the Northeast Quarter(SW 1/4 NE 1/4) of said Section 15 a distance of 471.06 feet; thence S89°54'35"E a distance of 20.00 feet to a point on the East line of 20 1/2 Road; thence S00°58'54"W along said East line a distance of 471.22 feet to a point on the South line of said SW 1/4 NE 1/4; thence S00°58'56"W along said East line of 20 1/2 Road a distance of 1332.35 feet to a point on the North line of the Southwest Quarter of the Southeast Quarter(SW 1/4 SE 1/4); thence S01°00'33"W along said East line of 20 1/2 Road a distance of 104.63 feet to a point on the North line of South Broadway; thence N65°48'46"W a distance of 30.51 feet to a point on a line being 2.00 feet East of and parallel with the West line of said SW 1/4 SE 1/4; thence S01°00'33"W along said parallel line a distance of 52.40 feet; thence Southeasterly along and through the paving of said South Broadway the following (3) three courses: (1) 720.55 feet along the arc of a 1419.00 foot radius curve concave Southwest, having a central angle of 29°05'38" and a chord bearing S51°05'08"E a distance of 712.83 feet (2) S37°06'43"E a distance of 602.18 feet (3) 508.05 feet along the arc of a 718.00 foot radius curve concave Northeast, having a central angle of 40°32'30" and a chord bearing S57°19'49"E a distance of 497.52 feet; thence N11°59'00"E a distance of 37.38 feet to a point on the North line of said South Broadway; thence 2.00 feet along the arc of a 676.30 foot radius curve concave Northeast, having a central angle of 00°10'10" and a chord bearing S77°55'55"E a distance of 2.00 feet; thence S11°59'00"W a distance of 39.39 feet to a point on the South line of said SW 1/4 SE 1/4; thence Northwesterly along and through the paving of said South Broadway the following (3) three courses: (1) 511.48 feet along the arc of a 720.00 foot radius curve concave Northeast, having a central angle of 40°42'08" and a chord bearing N57°24'38"W a distance of 500.79 feet (2) N37°06'43"W a distance of 602.19 feet (3) 720.86 feet along the arc of a 1417.00 foot radius curve concave Southwest, having a central angle of 29°08'51" and a chord bearing N51°06'43"W a distance of 713.11 feet to a point on the West line of said SW 1/4 SE 1/4; thence N01°00'33"E along said West line a distance of 54.57 feet; thence N65°48'46"W a distance of 21.71 feet to a point on the West line of said 22 1/2 Road; thence N01°00'33"E along said West line a distance of 82.85 feet to a point on the North line of said SW 1/4 SE 1/4; thence N00°58'56"W along said West line a distance of 527.96 feet, more or less, to the Point of Beginning.

Said parcel contains 1.39 acres (60,439 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 18<sup>th</sup> day of April, 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**

**PAGE ANNEXATION NO. 4**

**APPROXIMATELY 17.52 ACRES**

**LOCATED AT 2074 BROADWAY AND 2076 FERREE DRIVE  
INCLUDING PORTIONS OF THE BROADWAY AND  
FERREE DRIVE RIGHTS-OF-WAY**

**WHEREAS**, on the 18<sup>th</sup> day of April, 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 6<sup>th</sup> day of June, 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:

**PAGE ANNEXATION NO. 4**

A certain parcel of land located in Section 15, Township 11 South, Range 101 West, of the 6<sup>th</sup> Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Northeast corner of that certain parcel of land as described in Book 2670, Page 173, Public Records of Mesa County, Colorado, and assuming the East line of said parcel to bear S00°03'46"E with all bearings contained herein relative thereto; thence S00°03'46"E along the East line of said parcel a distance of 1099.91feet to the

Northeast corner of that certain parcel of land as described in Book 3751, Page 481, Public Records of Mesa County, Colorado; thence S00°00'08"E along the East line of said parcel a distance of 664.50 feet to a point on the North line of South Broadway; thence along said North line 51.44 feet along the arc of a 676.30 foot radius curve concave Northeast, having a central angle of 04°21'29" and a chord bearing N80°01'35"W a distance of 51.43 feet; thence S11°59'00"W a distance of 37.38 feet; thence Northwesterly along and through the paving of said South Broadway the following (3) three courses: (1) 508.05 feet along the arc of a 718.00 foot radius curve concave Northeast, having a central angle of 40°32'30" and a chord bearing N57°19'49"W a distance of 497.52 feet; (2) N37°06'43"W a distance of 602.18 feet (3) 720.55 feet along the arc of a 1419.00 foot radius curve concave Southwest, having a central angle of 29°05'38" and a chord bearing N51°05'08"W a distance of 712.83 feet to a point on a line being 2.00 feet East of and parallel with the West line of the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of said Section 15; thence N01°00'33"E along said parallel line a distance of 52.40 feet; thence S65°48'46"E a distance of 2.18 feet; thence S01°00'33"W along a line being 4.00 feet East of parallel with the West line of said SW 1/4 SE 1/4 a distance of 50.23 feet; thence Southeasterly along and through the paving of said South Broadway the following (3) three courses: (1) 720.24 feet along the arc of a 1421.00 foot radius curve concave Southwest, having a central angle of 29°02'26" and a chord bearing S51°03'34"E a distance of 712.55 feet; (2) S37°06'43"E a distance of 602.17 feet (3) 504.62 feet along the arc of a 716.00 foot radius curve concave Northeast, having a central angle of 40°22'50" and a chord bearing S57°14'59"E a distance of 494.24 feet; thence N11°59'00"E a distance of 35.36 feet to a point on the North line of said South Broadway; thence along said North line 312.61 feet along the arc of a 676.30 foot radius curve concave Northeast, having a central angle of 26°28'35" and a chord bearing N64°26'03"W a distance of 309.83 feet to a point on the Northerly line of Ferree Drive; thence N47°11'55"W a distance of 49.89 feet to a point on the Westerly line of Ferree Drive; thence along said Westerly line the following (3) three courses: (1) N36°29'20"E a distance of 69.91 feet (2) 158.32 feet along the arc of a 115.00 foot radius curve concave West, having a central angle of 78°52'49" and a chord bearing N02°57'04"W a distance of 146.11 feet (3) N42°23'28"W a distance of 51.11 feet; thence N47°36'32"E a distance of 50.78 feet to a point on the North line of said Ferree Drive; thence 172.31 feet along the arc of a 289.64 foot radius curve concave Northwest, having a central angle of 34°05'09" and a chord bearing N30°59'48"E a distance of 169.78 feet to a point on the North line of Ellie Heights, as same is recorded in Plat Book 9, Page 52, Public Records, Mesa County, Colorado; thence N32°06'14"W along said North line a distance of 353.57 feet; thence N49°21'35"W along said North line a distance of 338.79 feet to a point on the East line of that certain parcel of land as described in Book 3468, Pages 491-492, Public Records of Mesa County, Colorado; thence N26°52'37"E along said East line a distance of 471.33 feet; thence N16°37'18"W along said East line a distance of 100.27 feet; thence N67°28'16"W along said East line a distance of 93.80 feet; thence N64°08'52"E along the North line of said parcel as described in said Book 2670, Page 173, a distance of 264.72 feet; thence S86°43'03"E along said North line a distance of 352.53 feet, more or less, to the Point of Beginning.

Said parcel contains 17.52 acres (763,330 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 18<sup>th</sup> day of April, 2007 and ordered published.

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

Attest:

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

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



**Attach 24**

Public Hearing – Three Sisters Annexation, Located at 2431 Monument Road

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Three Sisters Annexation - Located at 2431 Monument Road					
<b>Meeting Date</b>	June 6, 2007					
<b>Date Prepared</b>	May 23, 2007				File #GPA-2007-076	
<b>Author</b>	Scott D. Peterson		Senior Planner			
<b>Presenter Name</b>	Scott D. Peterson		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>			<b>Consent</b> X <b>Individual Consideration</b>

**Summary:** Request to annex 128.92 acres, located at 2431 Monument Road in the Redlands. The Three Sisters Annexation consists of one (1) parcel of land.

**Budget:** N/A

**Action Requested/Recommendation:** Adopt a Resolution accepting the petition for the Three Sisters Annexation and hold a public hearing and consider final passage of the Annexation 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

STAFF REPORT / BACKGROUND INFORMATION					
<b>Location:</b>		2431 Monument Road			
<b>Applicants:</b>		Conquest Developments, LLC, Owner			
<b>Existing Land Use:</b>		Vacant land			
<b>Proposed Land Use:</b>		Residential subdivision			
<b>Surrounding Land Use:</b>	<b>North</b>	Vacant land and single-family residential			
	<b>South</b>	Vacant land			
	<b>East</b>	Vacant land and single-family residential			
	<b>West</b>	Vacant land			
<b>Existing Zoning:</b>		RSF-4, Residential Single-Family – 4 units/acre (County)			
<b>Proposed Zoning:</b>		To be determined. Applicant has filed a Growth Plan Amendment			
<b>Surrounding Zoning:</b>	<b>North</b>	RSF-4, Residential Single-Family – 4 units/acre (County)			
	<b>South</b>	AFT, Agricultural, Forestry, Transitional (County)			
	<b>East</b>	RSF-4, Residential Single-Family – 4 units/acre (County)			
	<b>West</b>	CSR, Community Services and Recreation (City)			
<b>Growth Plan Designation:</b>		Conservation and Residential Low (1/2 – 2 ac./du)			
<b>Zoning within density range?</b>		N/A	<b>Yes</b>		<b>No</b>

**Staff Analysis:**

**ANNEXATION:**

This annexation area consists of 128.92 acres of land and is comprised of one (1) parcel of land. 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. A Growth Plan Amendment for a portion of this annexation request is being proposed by the applicant and is currently in the City’s development review process. Consideration for zoning of this annexation will occur at a later date following review of the proposed Growth Plan Amendment.

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 Three Sisters Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

The following annexation and zoning schedule is being proposed.

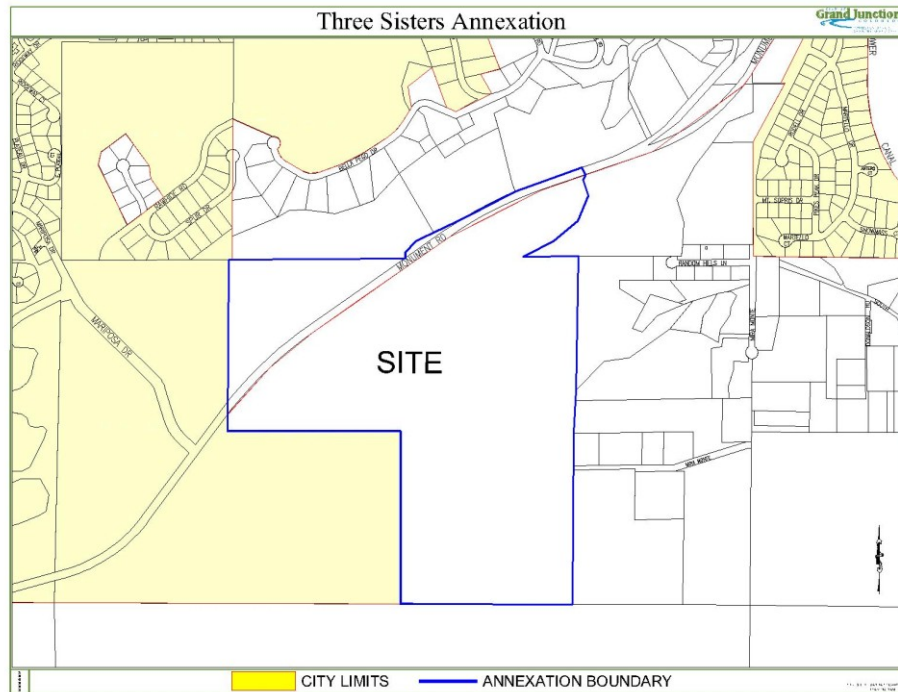
<u><i>ANNEXATION SCHEDULE</i></u>	
<b>May 2, 2007</b>	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
<b>To be scheduled</b>	Planning Commission considers Zone of Annexation – following Growth Plan Amendment request
<b>To be scheduled</b>	Introduction of a Proposed Ordinance on Zoning by City Council – following Growth Plan Amendment request
<b>June 6, 2007</b>	Acceptance of Petition and Public Hearing on Annexation by City Council
<b>July 8, 2007</b>	Effective date of Annexation

**THREE SISTERS ANNEXATION SUMMARY**

<b>File Number:</b>		GPA-2007-076
<b>Location:</b>		2431 Monument Road
<b>Tax ID Number:</b>		2945-214-00-071
<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>		128.92
<b>Developable Acres Remaining:</b>		124.98
<b>Right-of-way in Annexation:</b>		3.94
<b>Previous County Zoning:</b>		RSF-4, Residential Single Family – 4 units/acre
<b>Proposed City Zoning:</b>		To be determined
<b>Current Land Use:</b>		Vacant land
<b>Future Land Use:</b>		Conservation and Residential Low (1/2 – 2 ac./du)
<b>Values:</b>	<b>Assessed:</b>	\$123,100
	<b>Actual:</b>	\$424,500
<b>Address Ranges:</b>		2431 Monument Road
<b>Special Districts:</b>	<b>Water:</b>	Ute Water
	<b>Sewer:</b>	City of Grand Junction
	<b>Fire:</b>	Grand Junction Rural Fire
	<b>Irrigation/ Drainage:</b>	Redlands Water and Power
	<b>School:</b>	District 51

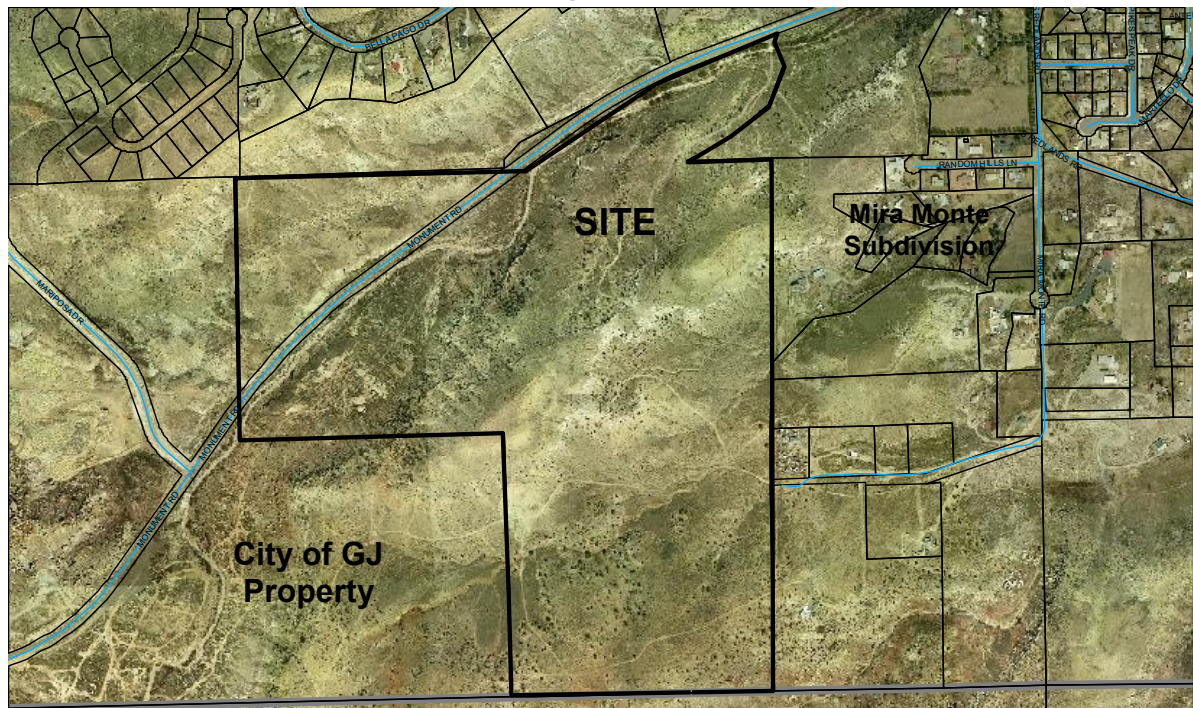
# Site Location Map – Three Sisters Annex

Figure 1



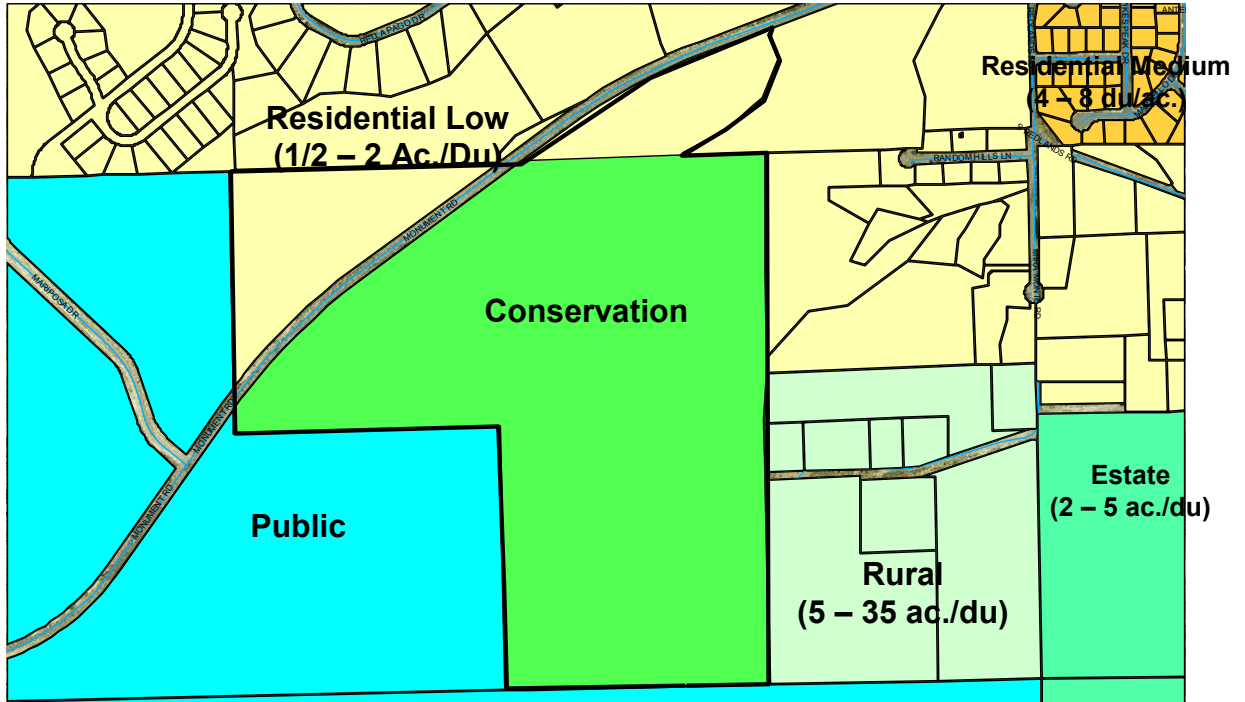
# Aerial Photo Map – Three Sisters Annex

Figure 2



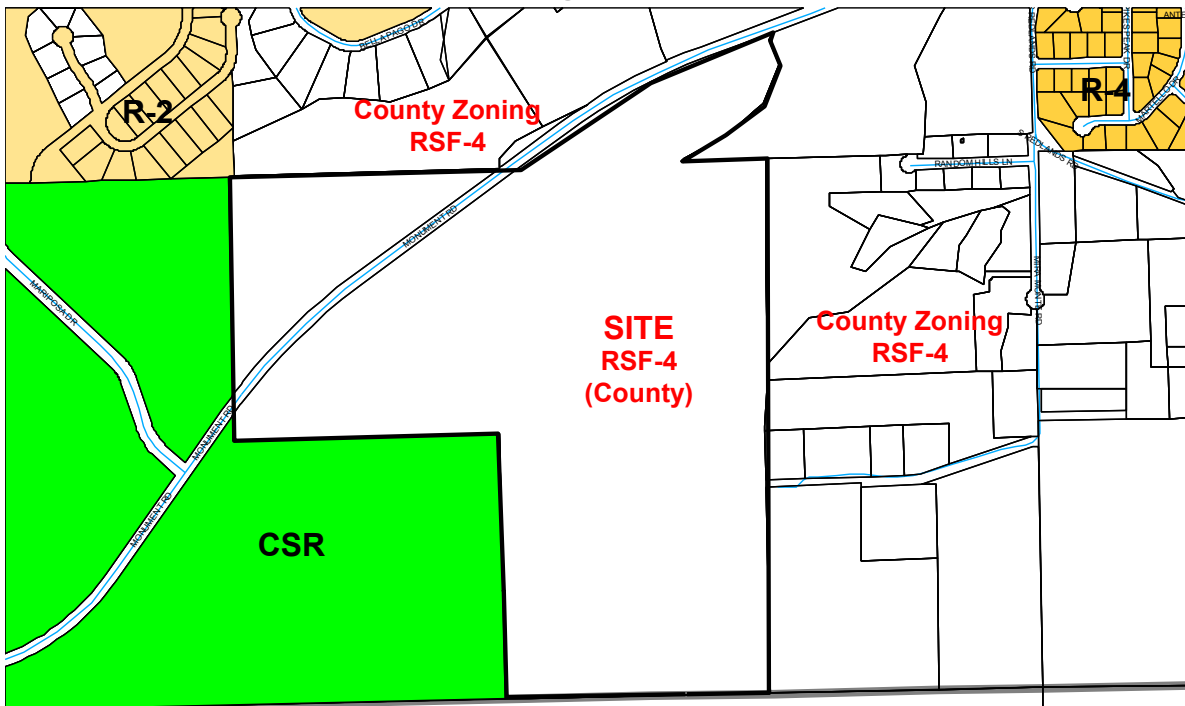
# Future Land Use Map – Three Sisters

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**

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

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

**THREE SISTERS ANNEXATION**

**LOCATED AT 2431 MONUMENT ROAD  
INCLUDING PORTIONS OF THE MONUMENT ROAD RIGHT-OF-WAY  
IS ELIGIBLE FOR ANNEXATION**

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

**PERIMETER BOUNDARY LEGAL DESCRIPTION  
THREE SISTERS ANNEXATION  
2945-214-00-071**

A certain parcel of land lying in the South Half of the Northeast Quarter (S 1/2 NE 1/4) and the West Half of the Southeast Quarter (W 1/2 SE 1/4) and the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 21, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northwest corner of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 21 and assuming the North line of said NW 1/4 SE 1/4 bears S89°13'42"W with all other bearings contained herein being relative thereto; thence N00°21'32"E along the East line of the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) of said Section 21 a distance of 44.94 feet; thence N44°28'32"E a distance of 120.31 feet; thence N64°12'32"E a distance of 722.26 feet; thence N70°57'32"E a distance of 660.76 feet; thence S19°02'28"E a distance of 29.45 feet; thence S26°07'09"W a distance of 42.43 feet; thence S18°52'51"E a distance of 128.01 feet; thence 224.26 feet along the arc of a 156.50 foot radius curve concave Northwest, having a central angle of 82°06'13" and a chord bearing S22°10'12"W a distance of 205.56 feet; thence 56.86 feet along the arc of a 128.00 foot radius curve concave Southeast, having a central angle of 25°27'01" and a chord bearing S50°29'46"W a distance of 56.39 feet; thence 183.03 feet along the arc of a 417.00 foot radius curve concave Northwest, having a central angle of 25°08'52" and a chord bearing S50°20'43"W a distance of 181.56 feet; thence S62°55'09"W a distance of 241.04 feet; thence 18.92 feet along the arc of a 158.00 foot radius curve concave Southeast, having a central angle of 06°51'41" and a chord bearing S59°29'16"W a

distance of 18.91 feet to a point on the North line of said NW 1/4 SE 1/4; thence S89°13'42"W along said North line a distance of 900.16, more or less, to the Point of Beginning.

TOGETHER WITH the West Half of the Southeast Quarter (W 1/2 SE 1/4) and the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of said Section 21

Said parcel contains 128.92 acres (5,615,559 square feet), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 6<sup>th</sup> day of June, 2007; and

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

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

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

ADOPTED the \_\_\_\_\_ day of \_\_\_\_\_, 2007.

Attest:

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

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





**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**THREE SISTERS ANNEXATION**

**APPROXIMATELY 128.92 ACRES**

**LOCATED AT 2431 MONUMENT ROAD  
INCLUDING PORTIONS OF THE MONUMENT ROAD RIGHT-OF-WAY**

**WHEREAS**, on the 2<sup>nd</sup> day of May, 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 6<sup>th</sup> day of June, 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:

**PERIMETER BOUNDARY LEGAL DESCRIPTION  
THREE SISTERS ANNEXATION  
2945-214-00-071**

A certain parcel of land lying in the South Half of the Northeast Quarter (S 1/2 NE 1/4) and the West Half of the Southeast Quarter (W 1/2 SE 1/4) and the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 21, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northwest corner of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 21 and assuming the North line of said NW 1/4 SE 1/4 bears S89°13'42"W with all other bearings contained herein being relative thereto; thence N00°21'32"E along the East line of the Southwest Quarter of the Northeast

Quarter (SW 1/4 NE 1/4) of said Section 21 a distance of 44.94 feet; thence N44°28'32"E a distance of 120.31 feet; thence N64°12'32"E a distance of 722.26 feet; thence N70°57'32"E a distance of 660.76 feet; thence S19°02'28"E a distance of 29.45 feet; thence S26°07'09"W a distance of 42.43 feet; thence S18°52'51"E a distance of 128.01 feet; thence 224.26 feet along the arc of a 156.50 foot radius curve concave Northwest, having a central angle of 82°06'13" and a chord bearing S22°10'12"W a distance of 205.56 feet; thence 56.86 feet along the arc of a 128.00 foot radius curve concave Southeast, having a central angle of 25°27'01" and a chord bearing S50°29'46"W a distance of 56.39 feet; thence 183.03 feet along the arc of a 417.00 foot radius curve concave Northwest, having a central angle of 25°08'52" and a chord bearing S50°20'43"W a distance of 181.56 feet; thence S62°55'09"W a distance of 241.04 feet; thence 18.92 feet along the arc of a 158.00 foot radius curve concave Southeast, having a central angle of 06°51'41" and a chord bearing S59°29'16"W a distance of 18.91 feet to a point on the North line of said NW 1/4 SE 1/4; thence S89°13'42"W along said North line a distance of 900.16, more or less, to the Point of Beginning.

TOGETHER WITH the West Half of the Southeast Quarter (W 1/2 SE 1/4) and the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of said Section 21

Said parcel contains 128.92 acres (5,615,559 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 2<sup>nd</sup> day of May, 2007 and ordered published.

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

Attest:

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

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

**Attach 25**

Public Hearing – Amending the Parking Code

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA								
<b>Subject</b>	Amendment to Parking Code							
<b>Meeting Date</b>	June 6, 2007							
<b>Date Prepared</b>	May 31, 2007				<b>File #</b>			
<b>Author</b>	Shelly Dackonish			<b>Staff Attorney</b>				
<b>Presenter Name</b>	John Shaver			<b>City Attorney</b>				
<b>Report results back to Council</b>		<b>No</b>		<b>Yes</b>	<b>When</b>			
<b>Citizen Presentation</b>		<b>Yes</b>	x	<b>No</b>	<b>Name</b>			
	<b>Workshop</b>	X		<b>Formal Agenda</b>		<b>Consent</b>	X	<b>Individual Consideration</b>

**Summary:** Proposed amendment to parking code allowing peace officers working traffic enforcement to park in areas of the City where parking is not normally allowed.

**Budget:** N/A

**Action Requested/Recommendation:** Hold a public hearing to consider proposed amendments to parking code.

**Attachments:** Ordinance with proposed changes (underlined).

**Background Information:** Parking is prohibited in certain areas in the City, including but not limited to sidewalks, planting strips and medians. There is no on-street parking on arterials and collector streets in the City. For safety of officers and other motorists and to allow officers to observe signal lights and traffic, it is often necessary for peace officers to park in areas where parking is normally restricted when working traffic enforcement. The proposed amendment excludes peace officers working traffic enforcement on arterials and collector streets from certain parking restrictions.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING PART OF CHAPTER 36 OF THE CITY OF GRAND JUNCTION CODE OF ORDINANCES RELATING TO PARKING

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

Chapter 36, Section 17 of the Code of Ordinances, City of Grand Junction, Colorado, is hereby amended to read as follows.

**Sec. 36-17. Stopping, standing or parking prohibited in specified places.**

(a) No person, other than a peace officer conducting traffic enforcement in or on a marked patrol vehicle at or along an arterial or collector street or roadway as defined or described in the Grand Valley Circulation Plan, a duly adopted neighborhood plan or street plan, or Transportation Engineering Design Standards shall stop, stand or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with directions of a police officer or official traffic control device, in any of the following places:

- 1) On a sidewalk;
- 2) Within an intersection;
- 3) On a crosswalk;
- 4) Between a safety zone and the adjacent curb or within thirty feet of points on the curb immediately opposite the ends of a safety zone, unless the traffic authority indicates a different length by signs or markings;
- 5) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
- 6) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
- 7) Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
- 8) On any railroad tracks;
- 9) On any controlled-access highway;
- 10) In the area between roadways of a divided highway, including crossovers;
- 11) At any other place where official signs prohibit stopping;
- 12) Either in whole or in part on a planting strip.

(a) In addition to the restrictions specified in subsection (a) of this section, no person, other than a peace officer conducting traffic enforcement in or on a marked patrol vehicle at or along an arterial or collector street or roadway as defined or described in the Grand Valley Circulation Plan, a duly adopted neighborhood plan or street plan, or

Transportation Engineering Design Standards, shall stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device, in any of the following places:

- 1) Within five feet of a public or private driveway;
- 2) Within fifteen feet of a fire hydrant;
- 3) Within twenty feet of a crosswalk at an intersection;
- 4) Within thirty feet upon the approach to any flashing beacon or signal, stop sign, yield sign, or traffic control signal located at the side of a roadway;
- 5) Within twenty feet of the driveway entrance to any fire station or, on the side of a street opposite the entrance to any fire station, within seventy-five feet of said entrance when properly signposted;
- 6) At any other place where official signs prohibit standing.

(c) In addition to the restrictions specified in subsections (a) and (b) of this section, no person, other than a peace officer conducting traffic enforcement in or on a marked patrol vehicle at or along an arterial or collector street or roadway as defined or described in the Grand Valley Circulation Plan, a duly adopted neighborhood plan or street plan, or Transportation Engineering Design Standards, shall park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device, in any of the following places:

- (1) Within fifty feet of the nearest rail of a railroad crossing;
- (2) At any other place where official signs prohibit parking.

**All other provisions of Chapter 36 shall remain in full force and effect.**

PASSED for first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2007 on  
Second Reading.

---

James Doody  
President of the Council

Attest:

---

Stephanie Tuin  
City Clerk

**Attach 26**

Public Hearing – Repeal Ordinance No. 2575, Concerning Emergency Medical Services

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Repeal of Ordinance No. 2575 Concerning Emergency Medical Services					
<b>Meeting Date</b>	June 6, 2007					
<b>Date Prepared</b>	May 8, 2007				<b>File #</b>	
<b>Author</b>	John Shaver		City Attorney			
<b>Presenter Name</b>	John Shaver		City Attorney			
<b>Report results back to Council</b>	X	No		Yes	<b>When</b>	
<b>Citizen Presentation</b>	X	Yes		No	<b>Name</b>	
	<b>Workshop</b>	X	<b>Formal Agenda</b>		<b>Consent</b>	X <b>Individual Consideration</b>

**Summary:** The County adopted a county-wide ambulance regulatory system. Based on the successful implementation of the County resolution, the City no longer needs its ordinance and by this ordinance the existing ordinance will be repealed. The proposed ordinance repeals Ordinance No. 2575, which is codified as Article IV, Sections 18-86 – 18-101 of the Grand Junction Code of Ordinances, Emergency Medical Services.

**Budget:** N/A

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

**Background Information:** Pursuant to Colorado law (C.R.S. 25-3.5-101 *et. seq.*) it is clear that counties are the appropriate local governmental entity to license ambulances. Because the County has not heretofore comprehensively regulated ambulances and because the law provides that a municipality may adopt standards more stringent than those provided by state law, in 1992 the City adopted an ambulance permitting ordinance. From its inception the purpose of the City permitting process was to assure safe and sanitary operation of ambulances, to compel minimum staffing and to provide for orderly operation of ambulance services. The ordinance adopts and implements the Manual of Ambulance Operations, which establishes City-wide standards. Those standards have the force and effect of law. The Manual was last comprehensively amended in 1997. When the City's ordinance was adopted there were up to 5 competing ambulance companies. The ordinance and the manual served to standardize the performance and practices of those companies.



**Attachments:** Proposed Ordinance

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE REPEALING ORDINANCE NO. 2575 CODIFIED AS CHAPTER 18, SECTION 86 – 101 OF THE CITY OF GRAND JUNCTION CODE OF ORDINANCES CONCERNING EMERGENCY MEDICAL SERVICES**

**RECITALS:**

In May 1992 the City Council passed Ordinance number 2575. The purposes of which were to enact formal policies and regulations for the operation, licensing and regulation of ambulances, to protect the public by assuring the safe and sanitary operation of ambulances and to allow for the operation of an organized local emergency medical services system. The ordinance and regulations adopted there under satisfied the intended purposes.

In December 2004 the Mesa County Board of Commissioners first adopted the County wide emergency medical services (EMS) resolution. The purpose of which were to provide operational stability and control to EMS and ambulance service providers in the designated ambulance service areas. Pursuant to the County resolution the City was authorized to engage in a selection process and designate an ambulance service provider for the Grand Junction Ambulance Service Area (ASA).

In November 2005 the City Council selected the Grand Junction Fire Department as the ambulance service provider for the Grand Junction ASA.

In June 2006 the Mesa County Board of Commissioners approved the City's ambulance service provider. The EMS system has been functioning well under the County resolution for almost a year and therefore the Council has determined that Ordinance 2575 is no longer necessary to protect the interests of the public health, safety and welfare.

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

Chapter 18 of the Code of Ordinances of the City of Grand Junction is amended as follows:

That sections 18-86 through and inclusive of 18-101 shall be repealed.

Introduced this 16<sup>th</sup> day of May, 2007.

Passed and adopted this \_\_\_\_ day of \_\_\_\_\_ 2007.

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President of the Council

ATTEST:

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Stephanie Tuin  
City Clerk