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

**WEDNESDAY, JUNE 20, 2007, 7:00 P.M.**

**Call to Order**

Pledge of Allegiance  
Invocation – David Eisner, Congregation Ohr Shalom

**Proclamations / Recognitions**

Proclaiming June 21, 2007 as “National Dump the Pump Day” in the City of Grand Junction

**Appointments**

To the Downtown Development Authority and Downtown Grand Junction Business Improvement District Board of Directors

**Citizen Comments**

**\*\*\* CONSENT CALENDAR \*\*\*®**

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

*Action: Approve the Summary of the June 4, 2007 Workshop and the Minutes of the June 6, 2007 Special Meeting and the June 6, 2007 Regular Meeting*

2. **Donation of Two Police Patrol Vehicles** [Attach 2](#)

The City of Grand Junction Purchasing Department is requesting to donate two surplus 2003 Crown Victoria Police Patrol vehicles equipped with light bars and cages to the Town of Center Police Department. These surplus vehicles were used by the Police Uniform Patrol Department. The estimated total value of the two surplus police patrol vehicles is \$8,000.00.

*Action: Authorize the City Purchasing Division to Donate Two 2003 Crown Victoria Police Patrol Vehicles to the Town of Center Police Department, Located in Center, Colorado*

Staff presentation: Jay Valentine, Purchasing Manager

3. **Rescinding Resolution 72-07 for Annexation of Lands for the Newton Annexation, Located at 2320 H Road and Includes Portions of the 23 Road and H Road Rights-of-Way** [File #ANX-2007-101] [Attach 3](#)

Request to remove the Newton Annexation for consideration by the City Council.

Resolution No. 84-07- A Resolution Rescinding Resolution 72-07 Concerning a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Vacating the Second Reading of the Annexation Ordinance and Releasing Land Use Control, Newton Annexation, Located at 2320 H Road and Includes Portions of the 23 Road and H Road Rights-of-Way

*®Action: Adopt Resolution No. 84-07*

Staff presentation: Adam Olsen, Associate Planner

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

Request to zone the 53.69 acre Sutton Annexation, located at 413 South Camp Road, to R-2 (Residential, 2 units per acre). The subject property is located north of the Canyon View Subdivision on the west side of South Camp Road in the Redlands.

Proposed Ordinance Zoning the Sutton Annexation to R-2, (Residential, 2 units per acre) Located at 413 South Camp Road

*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 Mesa Ayr Subdivision Annexation, Located at 3139 D ½ Road** [File #PP-2006-214] [Attach 5](#)

Request to annex 5.03 acres, located at 3139 D ½ Road. The Mesa Ayr Subdivision Annexation consists of one parcel.

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

Resolution No. 85-07 – 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, Mesa Ayr Subdivision Annexation, Located at 3139 D ½ Road

®Action: *Adopt Resolution No. 85-07*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Mesa Ayr Subdivision Annexation, Approximately 5.03 Acres, Located at 3139 D ½ Road

Action: *Introduction of Proposed Ordinance and Set a Hearing for August 1, 2007*

Staff presentation: Ken Kovalchik, Senior Planner

6. **Setting a Hearing Vacating Portions of Texas Avenue, College Place and Alley Rights-of-Way Adjacent to Mesa State College Properties – 1020 Through 1040 Texas Avenue** [File #VR-2007-052] [Attach 6](#)

The petitioner, Mesa State College, is requesting to vacate portions of Texas Avenue, College Place and alley rights-of-way located adjacent to their properties in anticipation of creating a simple subdivision plat to merge six properties into one to develop the area as a parking lot for the campus. The Planning Commission recommended approval of the proposed right-of-way vacations at their May 22, 2007 meeting.

Proposed Ordinance Vacating Portions of Texas Avenue, College Place and Alley Rights-of-Way Adjacent to Mesa State College Properties, Located at 1020 Through 1040 Texas Avenue

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

Staff presentation: Scott D. Peterson, Senior Planner

7. **Setting a Hearing on Rezoning Property Located at 675 23 Road** [File #FP-2007-133] [Attach 7](#)

Request approval to rezone Lot 2 of the Taurus Subdivision from C-2 (General Commercial) to I-1 (Light Industrial)

Proposed Ordinance Rezoning a Portion of Lot 2 of the Taurus Subdivision from C-2 to I-1, Located at 675 23 Road

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

Staff presentation: Ken Kovalchik, Senior Planner

8. **Construction Contract for the 2007 New Sidewalks** [Attach 8](#)

The 2007 New Sidewalk project consists of installation of sidewalk in 5 locations. To be considered for this project, the areas must first have curb and gutter adjacent to the property. These selected areas were petitioned in 2005. The streets that received a majority vote are the ones that will have the new sidewalk installed.

*Action: Authorize the City Manager to Sign a Construction Contract for New Sidewalk Construction to Vista Paving Corporation in the Amount of \$144,816*

Staff presentation: Tim Moore, Public Works and Planning Director

9. **Change Order No. 1 for 2007 Water Line Replacement Project** [Attach 9](#)

The existing water line in Glenwood Avenue from 5<sup>th</sup> Street to 7<sup>th</sup> Street is being replaced because it is cast iron and has a break history. This line was not originally scheduled for replacement this year, but was moved up to the 2007 to be ahead of the scheduled overlaying of Glenwood Avenue from 5<sup>th</sup> to 6<sup>th</sup> Street.

*Action: Authorize the City Manager to Sign Change Order No. 1 to the 2007 Water Line Replacement Project to Sorter Construction, Inc. in the Amount of \$123,135*

Staff presentation: Tim Moore, Public Works and Planning Director

10. **Amend the Fees and Charges to include a Charge for the Watershed Permit Application** [Attach 10](#)

The City Council passed the Watershed Protection Ordinance No. 3961 in August, 2006. Provisions of the Ordinance allow the City to require and issue a watershed activity permit to applicants who want to perform certain activities within the City's watershed. The Ordinance and the implementing regulations further authorize the City to assess a fee to cover the costs incurred by the City for the application process and the enforcement of the requested permit. The fee of \$250.00 will be assessed by the City to each applicant desiring a Watershed Activity Permit.

Resolution No. 86-07 – A Resolution Amending Resolution No. 03-07 to Add a New Fee Item for Watershed Activity Application Fee Use in the City of Grand Junction, Colorado

®Action: *Adopt Resolution No. 86-07*

Staff presentation: John Shaver, City Attorney

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

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

11. **Contract to Purchase Property at 641 Struthers Avenue** [Attach 11](#)

City staff has been in negotiations with the Western Colorado Botanical Gardens for the purchase of the property located at 641 Struthers Avenue. A fair market value has been determined and a purchase contract has been signed by both parties

Resolution No. 87-07 – A Resolution Ratifying the Purchase Contract for the Property Located at 641 Struthers Avenue, Grand Junction, Colorado

®Action: *Adopt Resolution No. 87-07*

Staff presentation: John Shaver, City Attorney

12. **Las Colonias Park Master Plan** [Attach 12](#)

Presentation of the Las Colonias Park Master Plan as prepared by EDAW, Inc. of Fort Collins, Colorado. The Master Plan provides a framework for future development of the park site, helps identify contemplated usage, and promotes and complements surrounding properties in a manner consistent with park uses. The Master Plan was revised because a portion of the site was necessary for Riverside Parkway alignment which significantly impacted the initial Master Plan.

Resolution No. 88-07 – A Resolution Adopting the Las Colonias Master Plan

®Action: *Adopt Resolution No. 88-07*

Staff presentation: Joe Stevens, Parks and Recreation Director

13. **Swan Lane Revocable Permit, Located at the South End of Swan Lane on the Redlands** [File #RVP-2007-131] [Attach 13](#)

Request for a Revocable Permit to allow a 6 foot cedar privacy fence within 72 square feet of newly dedicated right-of-way for Swan Lane.

Resolution No. 89-07 – A Resolution Concerning the Issuance of a Revocable Permit to Redlands Valley Development Inc.

®Action: *Adopt Resolution No. 89-07*

Staff presentation: Senta L. Costello, Associate Planner

14. **Vacation of a 15 Foot Ingress/Egress Easement, Located at 603 Meander Drive** [File #VE-2007-056] [Attach 14](#)

A request to vacate a 15 foot ingress/egress easement, located in the Tomkins Subdivision at 603 Meander Drive.

Resolution No. 90-07 – A Resolution Vacating a 15' Ingress/Egress Easement Located at 603 Meander Drive

®Action: *Adopt Resolution No. 90-07*

Staff presentation: Ronnie Edwards, Associate Planner

15. **Vacation of 5 Feet of an Existing 10 Foot Drainage Easements, Located at 2560 and 2561 Civic Lane** [File #VE-2007-047] [Attach 15](#)

A request to vacate 5 feet of an existing 10 foot drainage easements, located adjacent to the west property line of 2560 and 2561 Civic Lane in the Beehive Estates Subdivision.

Resolution No. 91-07 – A Resolution Vacating 5 Feet of Existing 10 Foot Drainage Easements Located at 2560 and 2561 Civic Lane in the Beehive Estate Subdivision

*®Action: Adopt Resolution No. 91-07*

Staff presentation: Ronnie Edwards, Associate Planner

16. **Public Hearing – Young Court Rezone, Located at 2575 Young Court** [File #RZ-2007-089] [Attach 16](#)

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.

Ordinance No. 4090 – 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

*®Action: Hold a Public Hearing and Consider Final Passage and Publication of Ordinance No. 4090*

Staff presentation: Ronnie Edwards, Associate Planner

17. **Public Hearing – Right-of-Way Vacation, Located at 711 Niblic Drive and 718 Horizon Drive** [File #VR-2007-022] [Attach 17](#)

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.

Ordinance No. 4091 – An Ordinance Vacating Right-of-Way Adjacent to Niblic Drive, Located at 711 Niblic Drive and 718 Horizon Drive

*®Action: Hold a Public Hearing and Consider Final Passage and Publication of Ordinance No. 4091*

Staff presentation: Ronnie Edwards, Associate Planner

18. **Infill/Redevelopment Request – Grand Valley Catholic Outreach** [File #INR-2007-093] [Attach 18](#)

Grand Valley Catholic Outreach represented by Chamberlin Architects is requesting assistance from the Infill and Redevelopment Program for a building project to provide permanent housing for low-income and chronically homeless individuals. The project is located at 217 White Avenue.

*Action: Approve the Request to Reimburse Costs for the Undergrounding of Utilities, a Fire Hydrant and the Portion of the Sanitary Sewer Work in the Alley not to Exceed \$72,058*

Staff presentation: Ivy Williams, Development Services Supervisor

19. **Public Hearing – Niagara Village PD Amendment, Located West of 28 ¼ Road and South of K-Mart** [File # RZ-2007-049] [Attach 19](#)

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.

Ordinance No. 4092 – 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

*®Action: Hold a Public Hearing and Consider Final Passage and Publication of Ordinance No. 4092*

Staff presentation: Adam Olsen, Associate Planner

20. **Public Hearing – Senatore Annexation and Zoning, Located at 2302 E Road** [File #ANX-2007-074] [Attach 20](#)

Request to annex and zone 3.07 acres, located at 2302 E Road, to the R-2 zone district (Residential – two units per acre). The Senatore Annexation consists of one parcel of land and is a two part serial annexation containing portions of 23 Road and E Road Right-of-Way.



**a. Accepting Petition**

Resolution No. 92-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Senatore Annexation, Located at 2302 E Road is Eligible for Annexation

**b. Annexation Ordinances**

Ordinance No. 4093 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Senatore Annexation No. 1, Approximately 0.72 Acres of 23 Road Right-of-Way, Located at 2302 E Road

Ordinance No. 4094 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Senatore Annexation No. 2, Approximately 2.35 Acres, Located at 2302 E Road Including Portions of 23 Road and E Road Rights-of-Way

**c. Zoning Ordinance**

Ordinance No. 4095 – An Ordinance Zoning the Senatore Annexation to R-2, Located at 2302 E Road

*®Action: Adopt Resolution No. 92-07 and Hold a Public Hearing and Consider Final Passage and Publication of Ordinance Nos. 4093, 4094, and 4095*

Staff presentation: Lori V. Bowers, Senior Planner

21. **Public Hearing – Jones Annexation and Zoning, Located at 2858 C ½ Road**  
[File #ANX-2007-087] [Attach 21](#)

Request to annex and zone 3.42 acres, located at 2858 C ½ Road, to R-4 (Residential, 4 units per acre). The Jones Annexation consists of one parcel and is located in the Pear Park area.

**a. Acceptance Petition**

Resolution No. 93-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Jones Annexation, Located at 2858 C ½ Road and a portion of the Florida Street Right-of-Way is Eligible for Annexation

**b. Annexation Ordinance**

Ordinance No. 4096 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Jones Annexation, Approximately 3.42 Acres, Located at 2858 C ½ Road and a portion of the Florida Street Right-of-Way

**c. Zoning Ordinance**

Ordinance No. 4097 – An Ordinance Zoning the Jones Annexation to R-4 (Residential, 4 Units Per Acre), Located at 2858 C ½ Road

*®Action: Adopt Resolution No. 93-07 and Hold a Public Hearing and Consider Final Passage and Publication of Ordinance Nos. 4096 and 4097*

Staff presentation: Faye Hall, Associate Planner

**22. Public Hearing – Sky View Annexation and Zoning, Located at 2881 D Road**

[File #ANX-2007-085]

[Attach 22](#)

Request to annex and zone 13.89 acres, located at 2881 D Road, to R-4 (Residential, 4 units per acre). The Sky View Annexation consists of two parcels and is located in the Pear Park Area, to the east of the Skyler Subdivision and west of 29 Road.

**a. Accepting Petition**

Resolution No. 94-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Sky View Annexation, Located at 2881 D Road and Also Includes a Portion of the D Road and Florida Street Rights-of-Way is Eligible for Annexation

**b. Annexation Ordinance**

Ordinance No. 4098 – An 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

**c. Zoning Ordinance**

Ordinance No. 4099 – An Ordinance Zoning the Sky View Annexation to R-4, (Residential, 4 units per acre) Located at 2881 D Road

*®Action: Adopt Resolution No. 94-07 and Hold a Public Hearing and Consider Final Passage and Publication of Ordinance Nos. 4098 and 4099*

Staff presentation: Faye Hall, Associate Planner

23. **Public Hearing – Street Property Annexation and Zoning, Located at 623 29 ½ Road** [File #ANX-2007-107] [Attach 23](#)

Request to annex and zone 1.49 acres, 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. The Street Property Annexation consists of one parcel and is located directly east of the Forrest Run Subdivision in the Fruitvale area.

**a. Accepting Petition**

Resolution No. 95-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Street Property Annexation, Located at 623 29 ½ Road and a Portion of the 29 ½ Road Right-of-Way is Eligible for Annexation

**b. Annexation Ordinance**

Ordinance No. 4100 – An 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

**c. Zoning Ordinance**

Ordinance No. 4101 – An Ordinance Zoning the Street Property Annexation to R-5 (Residential, 5 Units Per Acre), Located at 623 29 ½ Road

*®Action: Adopt Resolution No. 95-07 and Hold a Public Hearing and Consider Final Passage and Publication of Ordinance Nos. 4100 and 4101*

Staff presentation: Faye Hall, Associate Planner

24. **Public Hearing – Younger Annexation and Zoning, Located at 2172 and 2176 H Road** [File #GPA-2007-054] [Attach 24](#)

Request to annex and 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 designation.

**a. Accepting Petition**

Resolution No. 96-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Younger Annexation, Located at 2172 and 2176 H Road Including a Portion of the H Road Right-of-Way is Eligible for Annexation

**b. Annexation Ordinance**

Ordinance No. 4102 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Younger Annexation, Approximately 44.87 Acres, Located at 2172 and 2176 H Road Including a Portion of the H Road Right-of-Way

**c. Zoning Ordinance**

Ordinance No. 4103 – An Ordinance Zoning the Younger Annexation to I-1 (Light Industrial), Located at 2172 and 2176 H Road

*®Action: Adopt Resolution No. 96-07 and Hold a Public Hearing and Consider Final Passage and Publication of Ordinance Nos. 4102 and 4103*

Staff presentation: David Thornton, Principal Planner

25. **Public Hearing – Vacating a Portion of Public Right-of-Way, Located at 2397 and 2399 Mariposa Drive** [File #VR-2006-284] [Attach 25](#)

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.

Ordinance No. 4104 – An Ordinance Vacating Right-of-Way for Hilltop Court, Located between 2397 and 2399 Mariposa Drive

®Action: *Hold a Public Hearing and Consider Final Passage and Publication of Ordinance No. 4104*

Staff presentation: David Thornton, Principal Planner

26. **Public Hearing – Adoption of the CDBG 2007 Action Plan, Year 2 of the 2006 Five-year Consolidated Plan** [Attach 26](#)

A request to adopt the 2007 CDBG Program Year Action Plan as a part of the City of Grand Junction's 2006 Five-Year Consolidated Plan for the Grand Junction Community Development Block Grant (CDBG) Program.

Resolution No. 97-07 – A Resolution Adopting the 2007 Program Year Action Plan as a Part of the City of Grand Junction's 2006 Five-Year Consolidated Plan for the Grand Junction Community Development Block Grant (CDBG) Program

®Action: *Adopt Resolution No. 97-07*

Staff presentation: Kathy Portner, Neighborhood Services Manager

27. **Purchase of Street Lights for 7<sup>th</sup> Street and Rood Avenue Parking Structure** [Attach 27](#)

Xcel Energy has approved the use of City/DDA selected pedestrian and street lights for 7<sup>th</sup> Street and the Rood Avenue Parking Structure. Xcel has requested that the City purchase the lights since they are not Xcel standard fixtures.

Action: *Authorize the City Manager to Execute a Contract for the Purchase of the Union Metal's Lighting Fixtures for 7<sup>th</sup> Street and the Rood Avenue Parking Structure from Illumination Systems in the Amount of \$307,568*

Staff presentation: Tim Moore, Public Works and Planning Director

28. **Contract to Purchase Property at 524 Pitkin Avenue** [Attach 28](#)

Negotiations by City staff with the owners of 524 Pitkin Avenue, also known as Claire's Auto, have been completed and a purchase contract has been signed by both parties.

Resolution No. 98-07 - A Resolution Ratifying the Purchase Contract for the Property Located at 524 Pitkin Avenue, Grand Junction, Colorado

®Action: *Adopt Resolution No. 98-07*

Staff presentation: John Shaver, City Attorney

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

30. **Other Business**

31. **Adjournment**

**Attach 1**  
Minutes

**GRAND JUNCTION CITY COUNCIL  
WORKSHOP SUMMARY  
June 4, 2007**

The City Council of the City of Grand Junction, Colorado met on Monday, June 4, 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, Linda Romer Todd and Council President Jim Doody.

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

- 1. APPOINTMENTS TO BOARDS & COMMISSIONS:** Juanita Peterson, Deputy City Clerk, gave an update on the status of appointments to various volunteer boards. She advised that due to low response, the Parks and Recreation Advisory Board vacancies will be readvertised. She then requested volunteers for the various interview panels.

**Action summary:** Gregg Palmer, Bruce Hill, and Linda Romer Todd volunteered for Avalon Theatre Advisory Committee interviews. Jim Doody, Bonnie Beckstein, and Teresa Coons volunteered for the Walker Field Public Airport Authority interviews.

- 2. GRAND JUNCTION REGIONAL CENTER:** Christian Mueller, Director of GJRC updated City Council on GJRC activities and offered collaborative community efforts. Mr. Mueller explained the history of the center; how they want to be a part of the community now and in the future, and the programs the facility has along with the staffing. He explained the challenges, primary goals, and the self assessment for 2007 given to Council in their packet. Mr. Mueller explained the types of licenses they have.

Councilmember Palmer asked if, when they integrate homes into the community, if they are having any problems with zoning, etc. Mr. Mueller said it is his belief that if you provide services, you reduce problems. With the group homes they have usually figured out their issues before establishing them as homes.

**Action summary:** No action taken. Council thanked Mr. Mueller for the update.

Council President Doody called a recess at 8:36 p.m. The meeting reconvened at 8:45 p.m.

3. **GRAND VALLEY TRAFFIC MODEL UPDATE:** Public Works and Planning Director Tim Moore presented the 2035 Traffic Model Scenarios for the Grand Valley. Mr. Moore noted that most areas of town are functioning satisfactorily, but in the late afternoon, some areas are more congested. He then displayed the 2035 model which had many more areas indicated in red, meaning congested. Councilmember Palmer inquired as to what assumptions are made in this model to which Mr. Moore replied that it assumes a 2.44% annual growth rate, and it assumes that everything on the City's ten-year capital plan as far as infrastructure is built, as well as Mesa County's six year plan and CDOT plans, plus all internal networks that would come with development. It also assumes the current Growth Plan Policy stays in place.

Councilmember Todd inquired if the model assumes the additional 7,000 homes in Whitewater. Mr. Moore said it does. What the model does not assume is the newly approved development in the northwest area (Mesa County).

Mr. Moore continued that the next step was to look at a number of scenarios where a change in land use would affect the model. One of the scenarios included relocating those 7,000 households from Whitewater around town and relocating 1.5 million square feet of retail space to the east end of the valley. Other scenarios included eliminating 1.5 million square feet of retail or leaving it in the 24 Road area.

Councilmember Palmer asked if these scenarios have been shared with Mesa County as this affects their planning also. Mr. Moore responded yes, staffs have reviewed these and Ken Simms from Mesa County is present. Mr. Simms is responsible for developing the models.

Councilmember Coons inquired if any of the scenarios include the north development recently approved by Mesa County. Mr. Moore said it does not as that was a recent review process and the impact is not clear at this time.

The first scenario, with the shift of households and retail as outlined above, does impact the traffic system to the positive; there are fewer "red" areas, that is, congested areas. The second scenario adds additional retail to the east end of the valley without removing it from the west end and likewise relocates the housing anticipated in Whitewater to the northwest end of town, which also has a positive impact on the system.

Councilmember Palmer pointed out that even with improvements there are still failures in the system. Mr. Moore agreed but expressed that through the Comprehensive Planning process, through the ten-year capital plan process plus with partnering with Mesa County, it is hoped that the impacts can be minimized.



Councilmember Beckstein asked about the discrepancy in the growth rate as discussed at the Grand Valley Transportation Committee meetings. Mr. Moore advised that is why the growth rate used in the model was increased from 1.76% to 2.44%; 2.44% has been a consistent rate as averaged over the last twenty years.

Councilmember Coons inquired if public transportation has been considered for future modeling. Mr. Moore replied that it will be.

Councilmember Hill asked Mr. Moore to identify the higher traffic generator. Mr. Moore said retail, clarifying that in mixed use areas, a combination of retail and residential is taken into consideration. Councilmember Hill was in general agreement but pointed out that land use is many times market-driven so there should be flexibility in any plan. He also asked what street network improvements would improve the situation. Mr. Moore replied that once the Comprehensive Plan is complete and land uses are determined, then capital improvement projects can be applied to the Plan in order to mitigate negative impacts on the transportation network.

Councilmember Todd said people move where they want to live and Whitewater has been the affordable area where people can get the room that they want. She has some concerns about the affected landowners not being involved in the discussions. Mr. Moore replied that can be addressed further in the next agenda item where the process for developing the Comprehensive Plan is slated for discussion. He noted he is not suggesting those changes and relocations take place, just pointing out options.

Councilmember Beckstein questioned the model being largely dependent on retail rather she thought the greatest impact came from commuters to and from work.

Mr. Moore agreed that commuting plays the biggest role in congestion but when looking land use, the use that has the greatest impact is retail.

Mr. Moore then demonstrated how one scenario would impact one roadway, namely Patterson Road.

Councilmember Hill, while agreeing with Mr. Moore's assumptions, cautioned that the plan has to include other options because there is very high growth currently and it is obvious the City does not have the resources to address scenarios where the growth rate exceeds the projections.

Councilmember Palmer agreed noting that with his work on the committee that looked at land use and infrastructure needs, it became obvious that the City needed a Comprehensive Plan so that all of these things could be looked at – such as where to put more retail, where to put more residential density, whether other interstate interchanges are warranted, to name a few. It also emphasizes the need to work with all local governments in the valley.

Council President Doody pointed out that the Riverside Parkway along Las Colonias Park may be underbuilt. Mr. Moore said the two lane was projected as sufficient in the 2020 plan but it will depend on whether traffic patterns change significantly when the 29 Road interchange is built.

Councilmember Coons appreciated the different scenarios but pointed out that many times plans are not necessarily followed, however, building bigger roads cannot be the only answer.

**Action summary:** The City Council appreciated the timing on the presentation. No action was taken.

4. **DISCUSS AWARD OF COMPREHENSIVE PLAN CONTRACT:** Public Works and Planning Director Tim Moore presented the plan for developing the 2030 Comprehensive Plan. He explained the reasons behind this project and the process the City went through advertising for consultants. The recommendation is to award the contract to Winston Associates. Jeff Winston and Melissa Barry with Winston and Associates were present to answer additional questions. Mr. Moore reviewed the key elements that were included and developed for this first Comprehensive Plan. Mr. Moore reviewed the draft goals and objectives of the plan, the trends and projections using the base model along with the plan for extensive public participation.

Councilmember Palmer said he hopes that the Plan will benefit future City Councils and be the framework from which they can follow.

Councilmember Hill asked as a Council, what is the goal; what will it do for this community.

Councilmember Palmer advised that the Future Land Use map and the Transportation Plan was not enough; a more encompassing plan was needed that took into account development happening outside the City limits (Whitewater, Palisade, and Fruita). A better tool, or framework, is needed to plan further into the future.

Councilmember Coons added that it is to create a long term vision for the future that is not just what the elected officials and the staff envision but what the citizens want to see. The City currently has a Strategic Plan and it is updated every two years but that is an implementation plan for the vision.

Councilmember Todd said she sees the development of the Plan as an opportunity to conversation. The last such visioning has created some issues and she hopes that some of the implications that happened as a result of those decisions can be rectified and they can learn from some of those missteps. The public was not given the opportunity to be involved.

Council President Doody pointed out that the possibilities are only limited by the natural boundaries and the opportunity for this process is exciting and challenging.

Councilmember Todd said it is very important for Council to reach out and to get people involved.

Councilmember Palmer agreed, they need to find a way to encourage and invigorate the people to be involved.

Councilmember Hill stated the community has done a good job of looking toward the future but it is time to re-look at the vision and engage the community. He felt some of the things on the list will take care of themselves if they do this comprehensive planning right; things like economic development and infill and redevelopment. Barriers have to be removed from achieving those objectives. He hopes the City can think outside of the box; this is a huge undertaking. Dialog needs to happen with others to determine what the areas are for future growth.

Public Works and Planning Director Moore added that the City intends to have a major outreach effort, putting to use many of the Bleiker (SDIC) tools. Acting City Manager Laurie Kadrich identified the types of tools that Winston Associates will use that will engage the public and allow those participating to see the outcome of their input at the time. Through the technology today and the use of the City's GIS, the process for citizen input will be a very different experience than in the previous planning and visioning efforts.

Jeff Winston of Winston Associates was introduced and then he introduced his team. He reviewed the direction they will go if awarded the contract Wednesday night. Mr. Winston explained the scope of services, the project objectives, the necessary resources, and demonstrated capabilities of his group and others they use during this process. He noted that the public opinion survey will be a very critical tool for the City Council to really know what the general population

envisions. Mr. Winston then described some the tools they will employ with the citizens participating. He pointed out that following the first steps is a big responsibility.

**Action summary:** The City Council was comfortable with what the Staff had outlined relative to the Comprehensive Planning process and the proposed elements of the plan. The contract will be presented to City Council on Wednesday's Agenda.

## **ADJOURN**

The meeting adjourned at 9:57 p.m.

## **GRAND JUNCTION CITY COUNCIL**

### **SPECIAL SESSION MINUTES**

**JUNE 6, 2007**

The City Council of the City of Grand Junction, Colorado met in Special Session on Wednesday, June 6, 2007 at 5:00 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 Manager David Varley.

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 5:05 p.m.

Stephanie Tuin, MMC  
City Clerk

(The City Council recessed the executive session. See the motion returning to executive session at the end of the June 6, 2007 City Council meeting.)

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

**June 6, 2007**

The City Council of the City of Grand Junction convened into regular session on the 6<sup>th</sup> day of June 2007, at 7:06 p.m. in the City Auditorium. 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 Kadrich, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Doody called the meeting to order. He recalled the anniversary of D-Day, 63 years ago today. Councilmember Todd led in the pledge of allegiance. The audience remained standing for the invocation by 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 - The City Council and audience were treated to a rendition of the official song of Grand Junction, “Grand Junction, My Home Town”.

**Citizen Comments**

Mark Williams was present to address City Council on Bike Path Safety. He protested the fines that were given to bike riders at the downtown Arts and Jazz Festival; he didn’t think it was right. He said the signage is not adequate and the ticketing sends the wrong message.

**CONSENT CALENDAR**

Councilmember Coons read the items on the Consent Calendar. Councilmember Hill moved to approve the Consent Calendar. It was seconded by Councilmember Todd and carried by roll call vote to approve the Consent Items #1 through #18.

1. **Minutes of Previous Meetings**

*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]

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*

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

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*

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

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*

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

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*

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]

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*

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

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

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

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

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

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

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

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

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

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*

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

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*

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

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*

14. **Grant Application for Rail Hazard Elimination on River Road, East of the Railroad Boulevard Intersection**

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*

15. **Public Hearing – Jones Annexation, Located at 2858 C ½ Road** [File #ANX-2007-087]

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*

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

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*

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

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.*

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

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*

## **ITEMS NEEDING INDIVIDUAL CONSIDERATION**

### **2030 Comprehensive Plan Phase I and II Contract**

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.

Tim Moore, Public Works and Planning Director, reviewed this item. He explained that due to funding, the project has been separated into different phases. Phases III and IV will be subject to appropriation in 2008. Mr. Moore briefly identified the items that will be included in the Comprehensive Plan, which were detailed at the workshop on Monday. Completion is anticipated in 2009.

Councilmember Coons asked Mr. Moore to review the selection process for the consultants. Mr. Moore said as with all contracts, the RFP was publicly advertised. Proposals were received from all over the country. Through an interview process, with Councilmember Beckstein participating, Winston Associates from Boulder were selected for recommendation.

Councilmember Beckstein lauded the interview team and the process.

Councilmember Palmer moved to authorize the Purchasing Division to enter into a contract with Winston Associates, to complete the 2030 Comprehensive Plan. Councilmember Thomason seconded the motion. Motion carried.

### **Airport Improvement Program Grant at Walker Field Airport for an Airport Wildlife Assessment Study**

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.

Rex Tippetts, Walker Field Airport Operations Director, reviewed this item and explained why the FAA is requiring this wildlife study. Some of the items that they anticipate coming out of the plan to be developed are already being implemented. There is only about 500 feet of fence that will be constructed to keep the wildlife off the runways.

There were no questions.

Councilmember Palmer moved to authorize the Mayor to sign the FAA AIP-33 Grant and the City Manager to sign the Supplemental Co-Sponsorship Agreement for a Wildlife Assessment Study at Walker Field Airport. Councilmember Thomason seconded the motion. Motion carried.

Councilmember Palmer noted that there have been dramatic changes at the airport and much of that is due to the leadership of Mr. Tippetts.

Mr. Tippetts agreed noting that there are \$57 million of improvements planned.

**Public Hearing – Mesa State College Annexation, Located at 2899 D ½ Road** [File #GPA-2007-081]

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

The public hearing was opened at 7:37 p.m.

Ken Kovalchik, Senior Planner, reviewed this item. He said the property will proceed through a Growth Plan Amendment and then the zoning. He described the location, the site, and the existing and surrounding uses. He described the Future Land Use designation and the surrounding zoning.

Tom Logue, representing the applicant, was present and identified others present that could answer questions.

There were no public comments.

The public hearing was closed at 7:39 p.m.

**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

**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

Councilmember Thomason moved to adopt Resolution No. 81-07 and adopt Ordinance No. 4081 and ordered it published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

**Public Hearing – Page Annexation, Located at 2074 Broadway and 2076 Ferree Drive** [File #GPA-2007-061]

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.

The public hearing was opened at 7:40 p.m.

Scott D. Peterson, Senior Planner, reviewed this item. He described the two properties, the location, the surrounding uses and the reason for the request. There are two single family homes existing on the properties. The Future Land Use Map designates the properties as Residential, Medium-Low for one property and Estate for the other. The proposed Growth Plan Amendment has been reviewed by the Planning Commission and it has been recommended for approval. The zoning will come forward after the Growth Plan Amendment has been considered. The request meets the annexation criteria and is recommended for approval.

Mr. Peterson offered to clarify the properties' relation to the Urban Growth Boundary.

Councilmember Hill questioned the appropriateness of that information in an annexation hearing.

Councilmember Palmer advised he had a question at Monday's workshop relative to that.

City Attorney Shaver advised that a finding does need to be made that the properties are urban or urbanizing, so he had counseled Mr. Peterson that clarification on the Urban Growth Boundary could be discussed. The City Council decided to discuss it at a later time, apart from the annexation consideration.

The applicants were present but had nothing to add.

There were no public comments.

The public hearing was closed at 7:45 p.m.

**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

**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

Councilmember Palmer moved to adopt Resolution No. 82-07 and adopt Ordinance Nos. 4082, 4083, 4084, and 4085 and ordered them published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

**Public Hearing – Three Sisters Annexation, Located at 2431 Monument Road** [File #GPA-2007-076]

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

The public hearing was opened at 7:48 p.m.

Scott D. Peterson, Senior Planner, reviewed this item. He described the location, the site and the reason for the annexation request. The property is 125 acres. The Future Land Use Map designates a portion of the property as Residential, Low; the remainder of the property is designated Conservation. The applicant has withdrawn his application for a Growth Plan Amendment. The zoning will come forward later. The site location map showed the location of the property in relation to the Redlands. Both Staff and Planning Commission recommended approval of the annexation, finding the request meets the annexation requirements.

Councilmember Coons asked about the adjacent property designated on the Future Land Use Map as Public. Mr. Peterson stated that it is vacant and owned by the City.

The applicant was present but had nothing to add.

Councilmember Palmer asked about the County's zoning on the property. Mr. Peterson said the County zoning is RSF-4. City Attorney Shaver advised that the City Council has the option of zoning to a zone that implements the Future Land Use Map or the current County zoning.

Councilmember Hill noted that the City Council typically zones in accordance with the Growth Plan. If the County zone is determined to be appropriate, there would still need to be a Growth Plan Amendment.

Councilmember Coons asked about if the zoning would be RSF-4 if the property is not annexed. Mr. Peterson said yes but any subsequent proposed development would require annexation.

There were no public comments.

The public hearing was closed at 7:58 p.m.

**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

**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



Councilmember Hill moved to adopt Resolution No. 83-07 and adopt Ordinance No. 4087 and order it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

### **Public Hearing – Amending 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.

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

John Shaver, City Attorney, reviewed this item. He explained the ordinance will authorize marked law enforcement vehicles, specifically motorcycles, to park on the sidewalks when enforcing traffic laws. There were complaints from citizens about the motorcycle officers parking on the sidewalks when they were doing traffic enforcement.

Councilmember Coons asked if there have been any complaints on the officers causing a hazard. Mr. Shaver replied that has not been the nature of the complaints.

Councilmember Hill expressed his concern that the Code change is so narrowly applied that only officers enforcing traffic will be affected. Mr. Shaver said if there is an emergency and lights are activated, the officers can lawfully utilize the sidewalks if necessary.

There were no public comments.

The public hearing was closed at 8:05 p.m.

Ordinance No. 4088 – An Ordinance Amending Part of Chapter 36 of the City of Grand Junction Code of Ordinances Relating to Parking  
Councilmember Thomason moved to adopt Ordinance No. 4088 and ordered it published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

### **Public Hearing – Repeal Ordinance No. 2575, Concerning Emergency Medical Services**

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.

The public hearing was opened at 8:05 p.m.

John Shaver, City Attorney, reviewed this item. He explained the necessity of the ordinance by reviewing the history of the purpose of this Code provision. The change in delivery of emergency services and the County's adoption of the emergency services resolution, and with the City being the designated provider, precludes the need for the provision. He noted that the system is working well.

Councilmember Todd asked for further clarification. Mr. Shaver advised that the County now has the authority over any provider. Councilmember Todd asked if the need arises where another service provider were to come in and provide service, would the City then have to reinstate the Code provision. Mr. Shaver said no, the County now has that jurisdiction.

Councilmember Palmer reviewed some of the history of the City taking over the service and the discussions that took place during the preceding months.

There were no public comments.

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

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

Councilmember Palmer moved to adopt Ordinance No. 4089 and ordered it published. Councilmember Coons seconded the motion. The motion carried by roll call vote.

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

Milton "Tony" Long, 302 Pitkin, which is the Catholic Day Center address, said he is homeless. In 2003, there was a nice little neighborhood on South Avenue. The families living there, some in cars, have been run off. He was injured when he was looking for a place to camp because he could not live in his automobile. He disagreed with the law being enforced unless needed for the health, safety, and welfare of the citizens. Council President Doody thanked Mr. Long and suggested that he speak with the Deputy City Manager or the City Attorney.

### **Other Business**

There was none.

### **Executive Session**

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 we will not be returning to open session. Councilmember Palmer seconded the motion. Motion carried.

Council President Doody advised that City Council will reconvene in Executive Session in ten minutes. This was a continuation of the earlier session.

**Adjournment**

The meeting adjourned at 8:15 p.m.

Stephanie Tuin, MMC  
City Clerk

**Attach 2**

Donation of Two Police Patrol Vehicles

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA								
<b>Subject</b>		Donation of two Police Patrol Vehicles						
<b>Meeting Date</b>		June 20, 2007						
<b>Date Prepared</b>		May 30, 2007				<b>File #</b>		
<b>Author</b>		Shirley Nilsen			<b>Senior Buyer</b>			
<b>Presenter Name</b>		Jay Valentine			<b>Purchasing Manager</b>			
<b>Report results back to Council</b>		X	No		Yes	<b>When</b>		
<b>Citizen Presentation</b>			Yes	X	No	<b>Name</b>		
	<b>Workshop</b>	X	<b>Formal Agenda</b>			X	<b>Consent</b>	<b>Individual Consideration</b>

**Summary:** The City of Grand Junction Purchasing Department is requesting to donate two surplus 2003 Crown Victoria Police Patrol vehicles equipped with light bars and cages to the Town of Center Police Department (PD). These surplus vehicles were used by the Police Uniform Patrol Department. The estimated total value of the two surplus police patrol vehicles is \$8,000.00.

**Budget:** Typically surplus equipment in the Equipment Replacement Fund will either be auctioned or traded in on a new unit; whichever is deemed most advantageous to the City. Two new Police Patrol vehicles have been budgeted and approved in the 2007 Replacement Fund. The new 2007 Dodge Charger Police Patrol vehicles are currently on order with an estimated delivery date of late August, and will replace the two surplus vehicles. The donation will take place after receipt of the new vehicles.

**Action Requested/Recommendation:** Authorize the City Purchasing Division to donate two 2003 Crown Victoria Police Patrol vehicles to the Town of Center Police Department, located in Center, Colorado.

**Background Information:** The Town of Center PD has an aging fleet of five patrol cars. Some of the officers are driving 1996 models with 155,000 – 250,000 plus miles. The donation will benefit the Town of Center and the future success of their community.

**Attach 3**

Rescinding Resolution 72-07 for Annexation of Lands for the Newton Annexation

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA							
<b>Subject</b>	Newton Annexation and Zoning, located at 2320 H Road						
<b>Meeting Date</b>	June 20, 2007						
<b>Date Prepared</b>	June 14, 2007				File #ANX-2007-101		
<b>Author</b>	Adam Olsen		Associate Planner				
<b>Presenter Name</b>	Adam Olsen		Associate Planner				
<b>Report results back to Council</b>		Yes	X	No	<b>When</b>		
<b>Citizen Presentation</b>		Yes	X	No	<b>Name</b>		
	<b>Workshop</b>	X	<b>Formal Agenda</b>		X	<b>Consent</b>	<b>Individual Consideration</b>

**Summary:** Request to remove the Newton Annexation for consideration by the City Council.

**Budget:** N/A

**Action Requested/Recommendation:** Adopt a Resolution rescinding the petition for the Newton Annexation.

**Background Information:** The Newton Annexation was scheduled to be heard at the June 20<sup>th</sup> City Council Meeting. The Newton's requested in writing, at the 1<sup>st</sup> Reading of the Annexation, to remove their annexation petition. There was a misunderstanding regarding requirements of bringing sewer to the property. Staff agreed to allow the Newton's to remove their annexation request.

**Attachment:** Resolution

**CITY OF GRAND JUNCTION, CO**

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

**A RESOLUTION RESCINDING RESOLUTION 72-07  
CONCERNING A PETITION TO THE CITY COUNCIL  
FOR THE ANNEXATION OF LANDS  
TO THE CITY OF GRAND JUNCTION, COLORADO,  
VACATING THE SECOND READING OF THE ANNEXATION ORDINANCE AND  
AND RELEASING LAND USE CONTROL**

**NEWTON ANNEXATION**

**LOCATED AT 2320 H ROAD AND INCLUDES PORTIONS OF THE 23 ROAD  
AND H ROAD RIGHTS OF WAY**

Recitals:

On the 16<sup>th</sup> day of May, 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.

On the 31<sup>st</sup> day of May, 2007 the Petitioners, Terry and Debbie Newton requested in writing that the annexation not proceed.

The City Council being fully advised in the premises does hereby rescind, revoke and render null and void Resolution 72-07 concerning the annexation of land located at 2320 H Road and including portions of 23 and H Road rights of way.

Furthermore, the City Council does vacate the second reading of Ordinance \_\_\_\_ annexing territory to the City of Grand Junction.

Because of the rescission of the petition and Resolution 72-07 the City shall no longer have or exercise jurisdiction over land use until such time as a petition to annex is again filed or jurisdiction is otherwise conferred by operation of law.

Newton Annexation No. 1

A certain parcel of land lying in the West Half of the Northwest Quarter (W 1/2 NW 1/4) of Section 32 and the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section 31, Township 1 North, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southwest corner of the Northwest corner of the Northwest corner (NW 1/4 NW 1/4) of said Section 32 and assuming the West line of said NW 1/4 NW 1/4 bears S00°04'00"W with all other bearings contained herein being relative thereto; thence N00°04'00"E along said West line a distance of 26.96 feet; thence N89°56'00"W a distance of 33.00 feet to a point on the West line of 23 Road; thence N00°04'00"E along said West line a distance of 552.00 feet; thence S89°56'00"W a distance of 35.00 feet to a point on a line being 2.00 feet East of and parallel with the West line of said NW 1/4 NW 1/4; thence S00°04'00"W along said parallel line a distance of 578.96 feet to a point on the South line of said NW 1/4 NW 1/4; thence S00°03'12"W along a line being 2.00 feet East of and parallel with the West line of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 32 a distance of 265.04 feet to a point on the North line of the GPD Global / Woomeer Annexation, City of Grand Junction, Ordinance No. 3907; thence S89°59'12"W along said North line a distance of 2.00 feet to a point on said West line of the SW 1/4 NW 1/4; thence N00°03'12"E along said West line a distance of 265.04 feet, more or less, to the Point of Beginning.

Said parcel contains 0.46 acres (19,904 square feet), more or less, as described.

#### Newton Annexation No. 2

A certain parcel of land lying in the West Half of the Northwest Quarter (W 1/2 NW 1/4) of Section 32 and the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section 31, Township 1 North, 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 Section 32 and assuming the West line of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) bears S00°04'00"W with all other bearings contained herein being relative thereto; thence S89°56'00"E along the North line of said NW 1/4 NW 1/4 a distance of 4.00 feet; thence S00°04'00"W along a line being 4.00 feet East of and parallel with the West line of said NW 1/4 NW 1/4 a distance of 1321.49 feet to a point on the South line of said NW 1/4 NW 1/4; thence S00°03'12"W along a line being 4.00 feet East of and parallel with the West line of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 32 a distance of 265.04 feet to a point on the North line of the GPD Global / Woomeer Annexation, City of Grand Junction, Ordinance No. 3907; thence S89°59'12"W along said North line a distance of 2.00 feet to a point on a line being 2.00 feet East of and parallel with the West line of said SW 1/4 NW 1/4; thence N00°03'12"E along said parallel line a distance of 265.04 feet to a point on the South line of said NW 1/4 NW 1/4; thence N00°04'00"E along a line being 2.00 feet East of and parallel with said NW 1/4 NW 1/4 a distance of 578.96 feet; thence N89°56'00"W a distance of 35.00 feet to a point on the West line of 23 Road; thence N00°04'00"E along said West line a distance of 712.48 feet to the Northeast corner of that certain parcel of land as described in Book 3988, Page 521, Public Records, Mesa County, Colorado; thence N00°04'00"E a distance of 30.00 feet to a point the North line of the Northeast Quarter

of the Northeast Quarter (NE 1/4 NE 1/4) of Section 31; thence N89°59'07"E along said North line a distance of 33.00 feet, more or less, to the Point of Beginning.

Said parcel contains 0.67 acres (29,161 square feet), more or less, as described.

Newton Annexation No. 3

A certain parcel of land lying in the West Half of the Northwest Quarter (W 1/2 NW 1/4) of Section 32 and the South Half of the Southwest Quarter (S 1/2 SW 1/4) of Section 29, Township 1 North, 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 Section 32 and assuming the West line of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of said Section 32 bears N00°04'00"E with all other bearings contained herein being relative thereto; thence N00°02'00"E along the West line of the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of said Section 29 a distance of 30.00 feet; thence S89°58'00"E along the North line of H Road a distance of 675.19 feet to the Southwest corner of that certain parcel of land as described in Book 2830, Page 991, Public Records, Mesa County, Colorado; thence N00°03'13"E along the West line of said parcel a distance of 630.01 feet to the Northwest corner; thence S89°57'44"E along the North line of said parcel a distance of 644.99 feet to the Northeast corner; thence S00°02'25"W along the East line of said parcel and its continuation a distance of 659.96 feet to the Northeast corner of said NW 1/4 NW 1/4; thence N89°58'00"W along the North line of said NW 1/4 NW 1/4 a distance of 1314.32 feet to a point on a line being 6.00 feet East of and parallel with the West line of said NW 1/4 NW 1/4; thence S00°04'00"W along said parallel line a distance of 1321.49 feet to a point on the South line of said NW 1/4 NW 1/4; thence S00°03'12"W along a line being 6.00 feet East of and parallel with the West line of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 32 a distance of 265.03 feet to a point on the North line of the GPD Global / Woomer Annexation, City of Grand Junction, Ordinance No. 3907; thence S89°59'12"W along said North line a distance of 2.00 feet to a point on a line being 4.00 feet East of and parallel with the West line of said SW 1/4 NW 1/4; thence N00°03'12"E along said parallel line a distance of 265.04 feet to a point on the South line of said NW 1/4 NW 1/4; thence N00°04'00"E along a line being 4.00 feet East of and parallel with said NW 1/4 NW 1/4 a distance of 1321.49 feet to appoint on the North line of said NW 1/4 NW 1/4; thence N89°56'00"W along said North line a distance of 4.00 feet, more or less, to the Point of Beginning.

Said parcel contains 10.31 acres (449,162 square feet), more or less, as described.

Adopted the \_\_\_\_\_ day of \_\_\_\_\_, 2007.



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James J. Doody

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Stephanie Tuin

**Attach 4**

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

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA							
<b>Subject</b>	Zoning the Sutton Annexation - Located at 413 South Camp Road.						
<b>Meeting Date</b>	June 20, 2007						
<b>Date Prepared</b>	June 6, 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 zone the 53.69 acre Sutton Annexation, located at 413 South Camp Road, to R-2 (Residential, 2 units per acre). The subject property 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:** Introduce a proposed ordinance and set a public 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. Zoning 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 – Monument Meadows Subdivision		
	<b>South</b>	Residential – Canyon View Subdivision		
	<b>East</b>	Residential – Trails West Village Subdivision		
	<b>West</b>	Residential and Public Lands		
<b>Existing Zoning:</b>		County RSF-2 (Residential Single Family, 2 units per acre)		
<b>Proposed Zoning:</b>		City R-2 (Residential, 2 units per acre)		
<b>Surrounding Zoning:</b>	<b>North</b>	County RSF-2, Monument Meadows Subdivision		
	<b>South</b>	City PD (Planned Development – 2 units per acre) Canyon View Subdivision		
	<b>East</b>	City R-4 (Residential, 4 units per acre) Trails West Village Subdivision		
	<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:**

Zone of Annexation: The requested zone of annexation to the R-2 (Residential, 2 units per acre) zone district is consistent with the Growth Plan designation of Residential Low ½ - 2 acres per dwelling unit. The existing County zoning is RSF-2 which also implements the Residential Low 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.

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 is compatible with the neighborhood as the Canyon View Subdivision to the south is a Planned Development with a density of 2 units per acre. The Monument Meadows Subdivision to the north, which is still in the County, is zoned RSF-2 (Residential Single Family, 2 units per acre). The Trails West Village Subdivision to the east is zoned R-4 (Residential, 4 units per acre). The proposed zone also conforms with the Growth Plan designation of Residential Low ½ - 2 acres per dwelling unit.

- 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-1 (Residential, 1 unit per acre)
- b. R-E (Residential Estate, 1 unit per 2 acres)

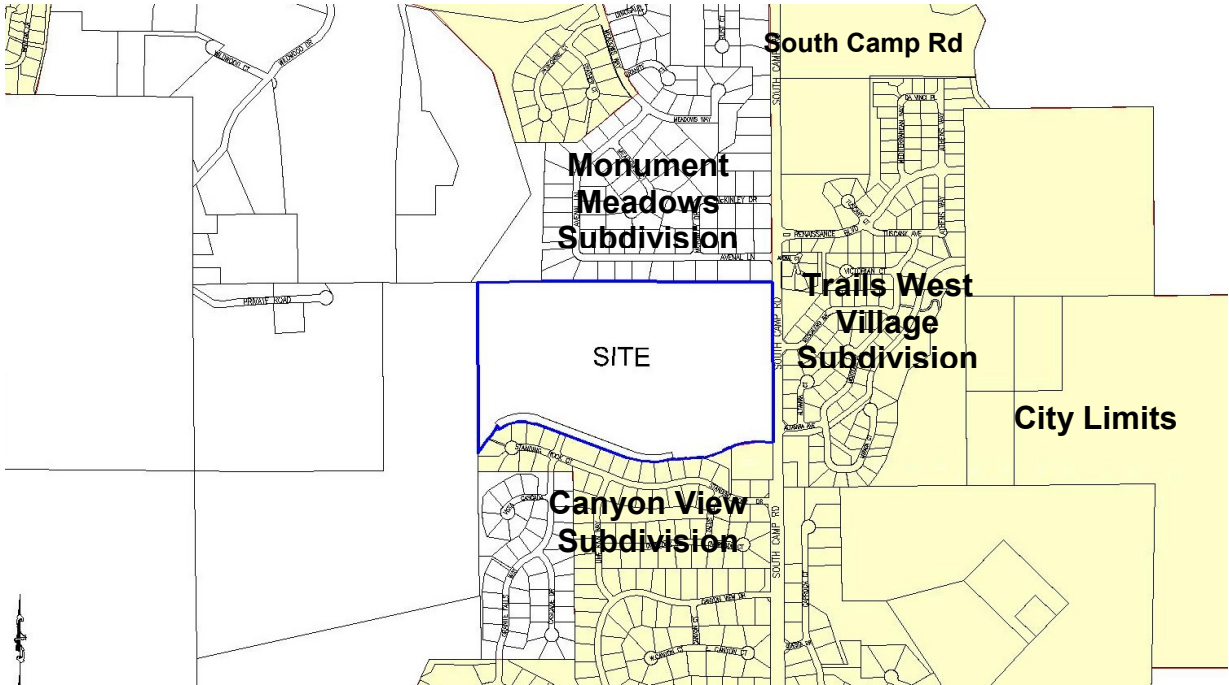
If the City Council chooses to recommend one of the alternative zone designations, specific alternative findings must be made.

**PLANNING COMMISSION RECOMMENDATION:** The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the R-2 (Residential, 2 units per acre) district to be consistent with the Growth Plan, the existing County Zoning and Sections 2.6 and 2.14 of the Zoning and Development Code.



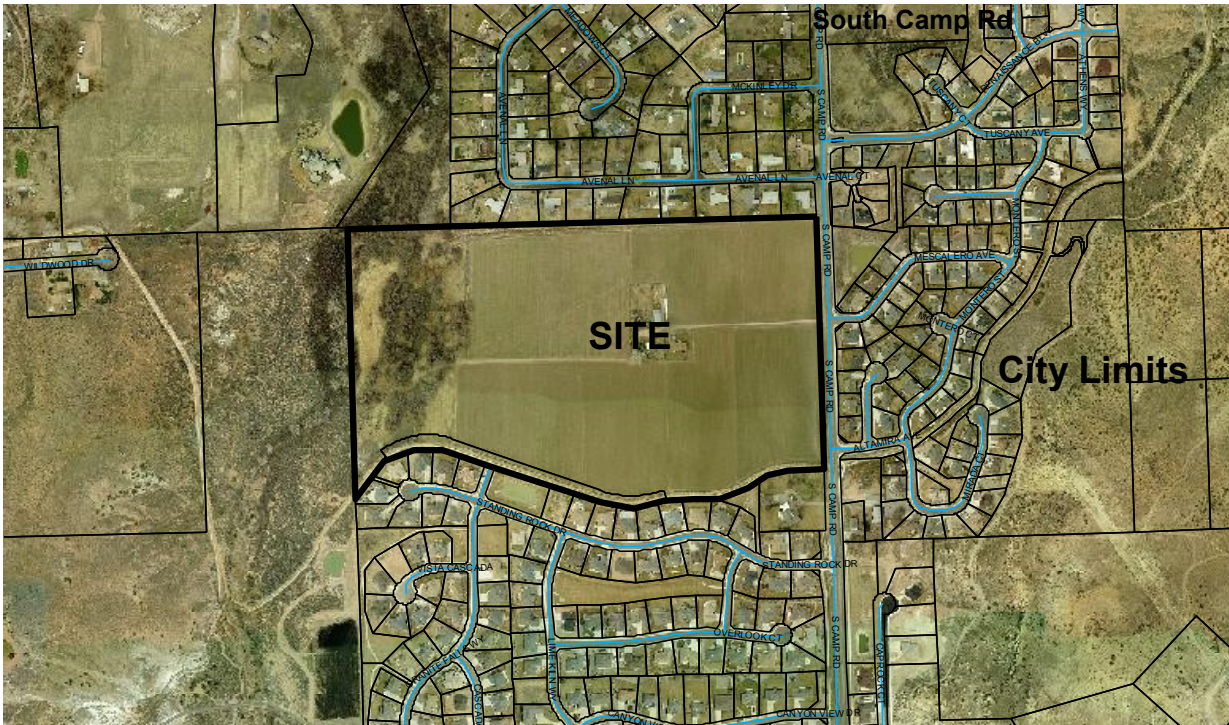
# Site Location Map

Figure 1



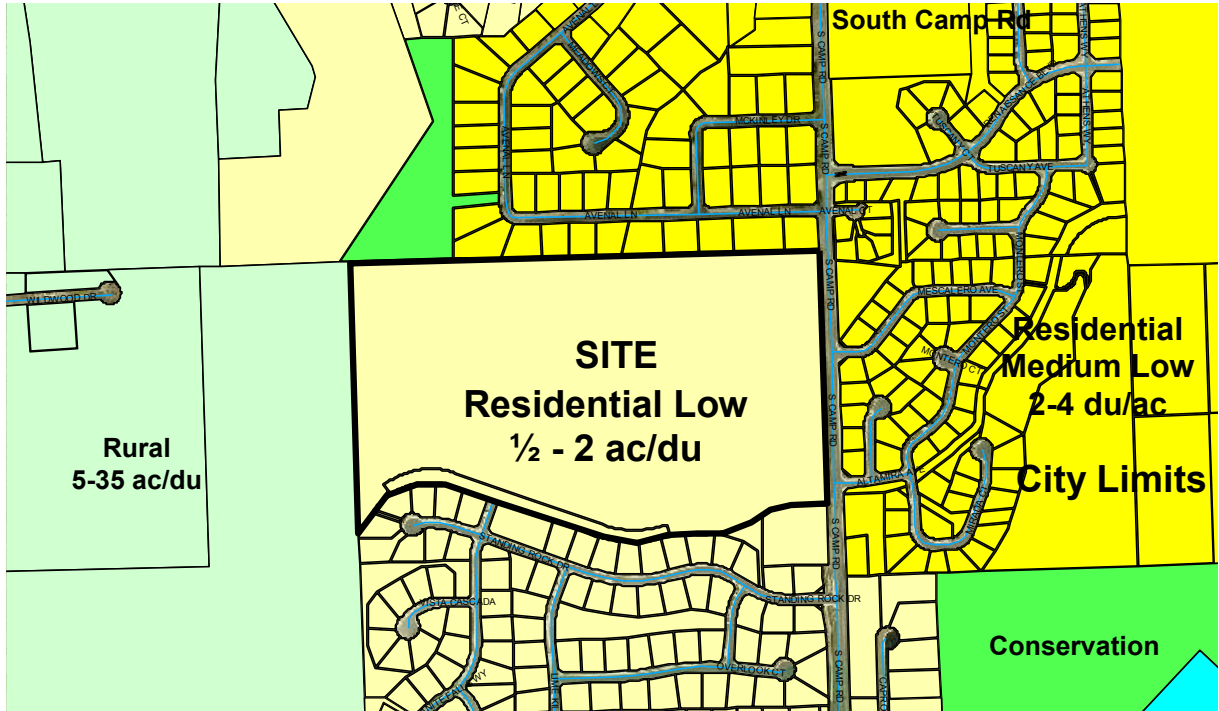
# Aerial Photo Map

Figure 2



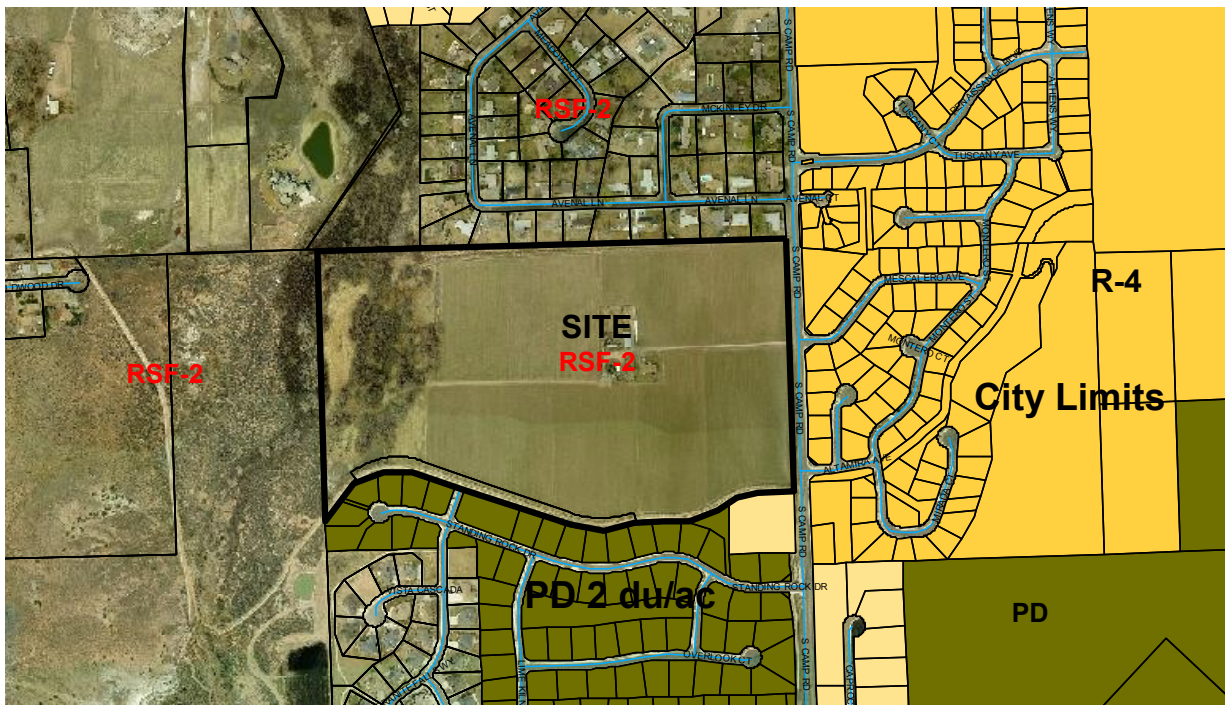
# Future Land Use Map

Figure 3



# Existing City and County Zoning

Figure 4



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE ZONING THE SUTTON ANNEXATION TO  
R-2 (RESIDENTIAL, 2 UNITS PER ACRE)**

**LOCATED AT 413 SOUTH CAMP 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 Sutton Annexation to the R-2 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-2 zone district is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

The following property be zoned R-2 (Residential, 2 units per acre.)

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.

**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 5**

Setting a Hearing on the Mesa Ayr Subdivision Annexation, Located at 3139 D ½ Road

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA							
<b>Subject</b>		Mesa Ayr Subdivision Annexation - Located at 3139 D ½ Road					
<b>Meeting Date</b>		June 20, 2007					
<b>Date Prepared</b>		June 6, 2007			File #PP-2006-214		
<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>		X	<b>Consent</b>	<b>Individual Consideration</b>

**Summary:** Request to annex 5.03 acres, located at 3139 D ½ Road. The Mesa Ayr Subdivision Annexation consists of one parcel.

**Budget:** N/A

**Action Requested/Recommendation:** Adopt a Resolution referring the petition for the Mesa Ayr Subdivision Annexation and introduce the proposed Ordinance and set a hearing for August 1, 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>		3139 D ½ Road			
<b>Applicants:</b>		3P Development, LLC, - Owner River City Consultants, Inc. - Representative			
<b>Existing Land Use:</b>		Single-family residential			
<b>Proposed Land Use:</b>		Residential			
<b>Surrounding Land Use:</b>	<b>North</b>	Residential			
	<b>South</b>	Residential			
	<b>East</b>	Residential			
	<b>West</b>	Residential			
<b>Existing Zoning:</b>		RSF-R (County)			
<b>Proposed Zoning:</b>		R-5 (City)			
<b>Surrounding Zoning:</b>	<b>North</b>	R-5 and R-8 (City)			
	<b>South</b>	RMF-5 (County)			
	<b>East</b>	PUD and RSF-R (County)			
	<b>West</b>	PUD (County)			
<b>Growth Plan Designation:</b>		Residential Medium			
<b>Zoning within density range?</b>		<b>X</b>	<b>Yes</b>		<b>No</b>

**Staff Analysis:**

**ANNEXATION:**

This annexation area consists of 5.03 acres of land and is comprised of one parcel. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

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

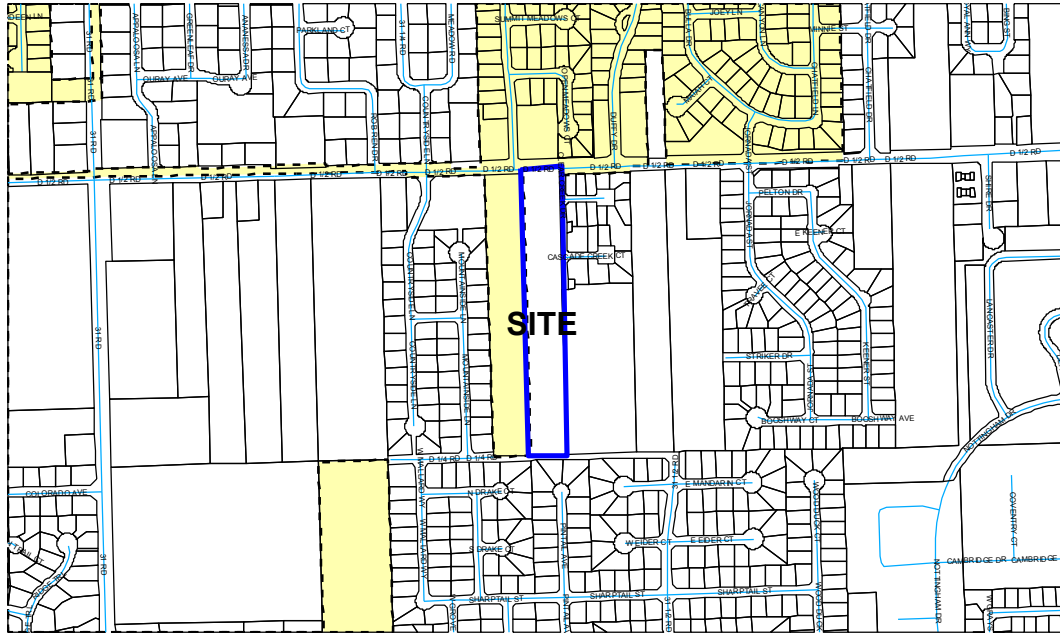
<u><i>ANNEXATION SCHEDULE</i></u>	
June 20, 2007	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
June 26, 2007 or July 10, 2007	Planning Commission considers Zone of Annexation
July 18, 2007	Introduction of a Proposed Ordinance on Zoning by City Council
August 1, 2007	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
September 2, 2007	Effective date of Annexation and Zoning

**MESA AYR SUBDIVISION ANNEXATION SUMMARY**

<b>File Number:</b>		PP-2006-214
<b>Location:</b>		3139 D ½ Road
<b>Tax ID Number:</b>		2943-153-00-062
<b>Parcels:</b>		1
<b>Estimated Population:</b>		0
<b># of Parcels (owner occupied):</b>		0 - 19
<b># of Dwelling Units:</b>		15 - 19
<b>Acres land annexed:</b>		5.03
<b>Developable Acres Remaining:</b>		5.03
<b>Right-of-way in Annexation:</b>		D ½ Road and D ¼ Road
<b>Previous County Zoning:</b>		RSF-R
<b>Proposed City Zoning:</b>		R-5
<b>Current Land Use:</b>		Residential/Agriculture
<b>Future Land Use:</b>		Residential Medium (4-8 du/ac)
<b>Values:</b>	<b>Assessed:</b>	\$19,260
	<b>Actual:</b>	\$241,990
<b>Address Ranges:</b>		3139 D ½ Road
<b>Special Districts:</b>	<b>Water:</b>	Clifton Water
	<b>Sewer:</b>	Central Grand Valley Sanitation District
	<b>Fire:</b>	Clifton Fire
	<b>Irrigation/ Drainage:</b>	Grand Junction
	<b>School:</b>	District 51
	<b>Pest:</b>	Upper Grand Valley Pest & Grand River Mosquito

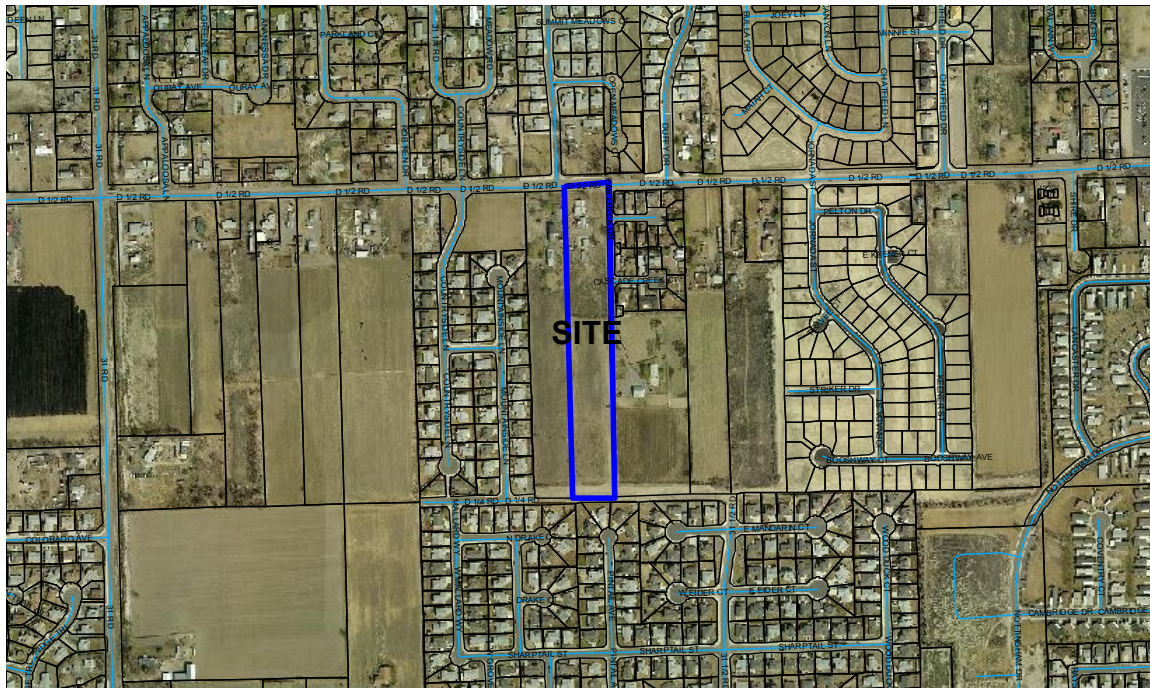
# Site Location Map

Figure 1



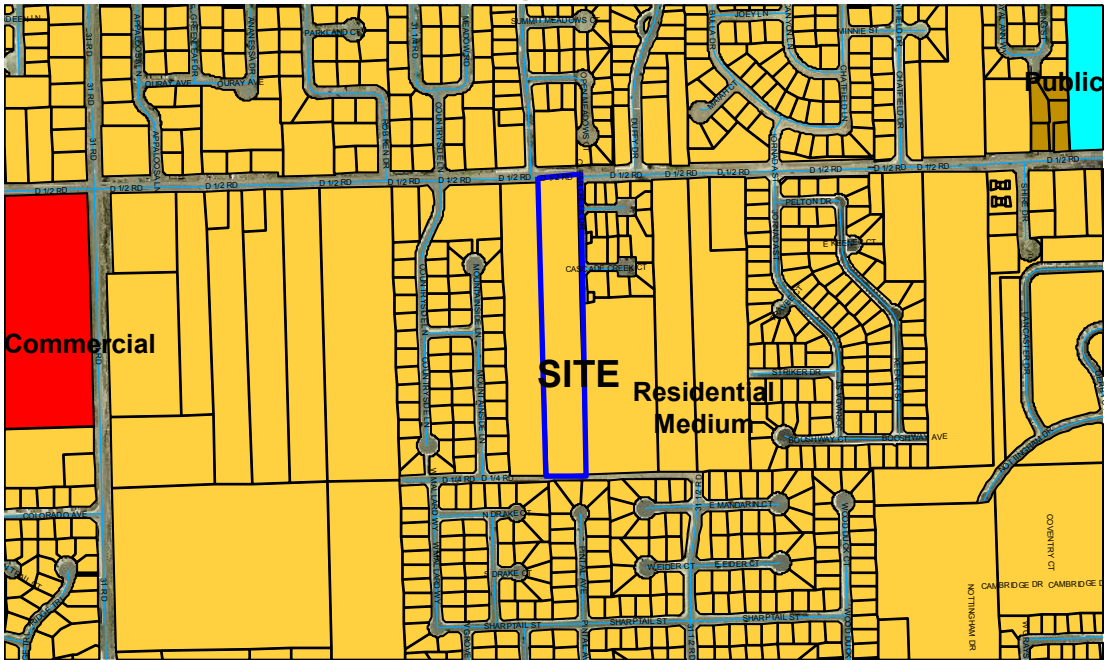
# Aerial Photo Map

Figure 2



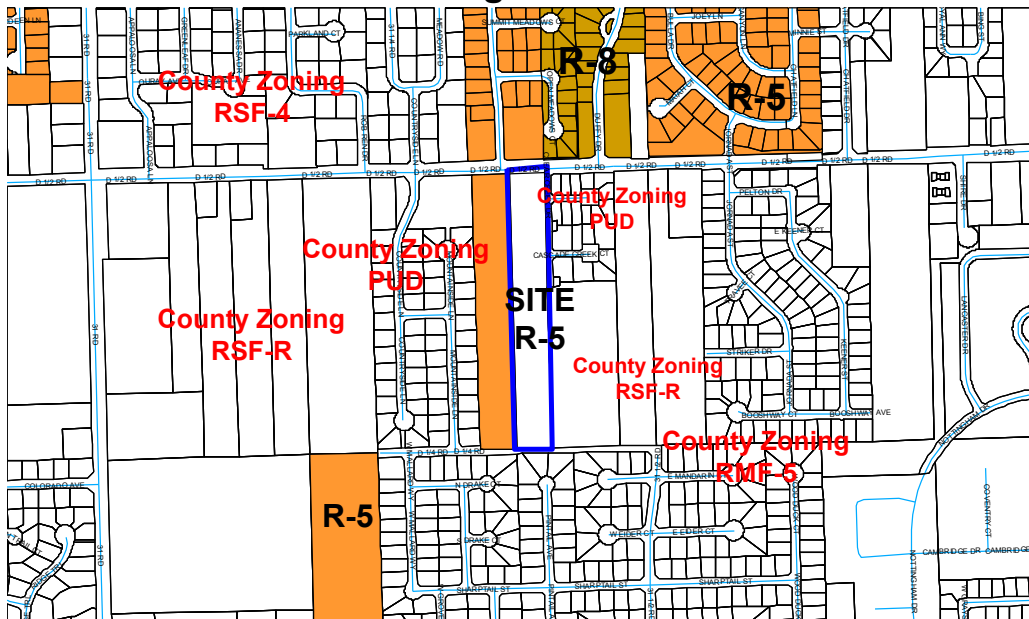
# Future Land Use Map

Figure 3



## Existing City and County Zoning

Figure 4



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

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

**NOTICE IS HEREBY GIVEN** that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 20<sup>th</sup> of June, 2007, the following Resolution was adopted:



**CITY OF GRAND JUNCTION, COLORADO**

**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**

**MESA AYR SUBDIVISION ANNEXATION**

**LOCATED AT 3139 D ½ ROAD**

WHEREAS, on the 20th 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:

**MESA AYR SUBDIVISION ANNEXATION**

A certain parcel of land located in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 15, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Northeast corner of the NE 1/4 SW 1/4 of said Section 15 and assuming the North line of the NE 1/4 SW 1/4 of said Section 15 bears N89°57'40"W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N89°57'40"W along the North line of the NE 1/4 SW 1/4 of said Section 15, a distance of 491.32 feet to the POINT OF BEGINNING; thence from said Point of Beginning, S00°07'50"E along the agreed boundary line per Book 4349, Page 357 – 5 pages (also being the West boundary line of Replat of Brookdale as recorded in Book 13, Pages 262-263 and the Third Replat of Brookdale Subdivision as recorded in Book 13, Page 411) both of the Mesa County, Colorado Public Records, a distance of 1319.94 feet to a point on the South line of the NE 1/4 SW 1/4 of said Section 15; thence N89°56'36"W along said South line, a distance of 167.26 feet to a point on the East line of Carpenter Annexation No. 2, City of Grand Junction Ordinance No. 3922 and Carpenter Annexation No. 1, City of Grand Junction Ordinance No. 3921; thence N00°19'12"W along said Annexation lines a distance of 1319.91 feet to the Northeast corner of said Carpenter Annexation No. 1, said corner also being a point on the North line of the NE 1/4 SW 1/4 of said Section 15; said line also being the Southerly line of

Summit View Meadows Annexation No. 3, City of Grand Junction Ordinance No. 3460; thence S89°57'40"E along said North line a distance of 171.62 feet, more or less to the POINT OF BEGINNING.

Said parcel contains 5.03 acres (218,923 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 1<sup>st</sup> day of August, 2007, in the City Hall auditorium, located at 250 North 5<sup>th</sup> Street, City of Grand Junction, Colorado, at 7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Public Works and Planning Department of the City.

ADOPTED the \_\_\_\_\_ day of \_\_\_\_\_, 2007.

Attest:

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

---

City Clerk

**NOTICE IS FURTHER GIVEN** that a hearing will be held in accordance with the Resolution on the date and at the time and place set forth in the Resolution.

---

City Clerk

<i>DATES PUBLISHED</i>
<b>June 22, 2007</b>
<b>June 29, 2007</b>
<b>July 6, 2007</b>
<b>July 13, 2007</b>

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**MESA AYR SUBDIVISION ANNEXATION**

**APPROXIMATELY 5.03 ACRES**

**LOCATED AT 3139 D ½ ROAD**

**WHEREAS**, on the 20<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 \_\_\_ day of \_\_\_\_\_, 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 AYR SUBDIVISION ANNEXATION**

A certain parcel of land located in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 15, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Northeast corner of the NE 1/4 SW 1/4 of said Section 15 and assuming the North line of the NE 1/4 SW 1/4 of said Section 15 bears N89°57'40"W with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N89°57'40"W along the North line of the NE 1/4 SW 1/4 of said Section 15, a distance of 491.32 feet to the POINT OF BEGINNING; thence from said Point of Beginning, S00°07'50"E along the agreed boundary line per Book 4349, Page

357 – 5 pages (also being the West boundary line of Replat of Brookdale as recorded in Book 13, Pages 262-263 and the Third Replat of Brookdale Subdivision as recorded in Book 13, Page 411) both of the Mesa County, Colorado Public Records, a distance of 1319.94 feet to a point on the South line of the NE 1/4 SW 1/4 of said Section 15; thence N89°56'36"W along said South line, a distance of 167.26 feet to a point on the East line of Carpenter Annexation No. 2, City of Grand Junction Ordinance No. 3922 and Carpenter Annexation No. 1, City of Grand Junction Ordinance No. 3921; thence N00°19'12"W along said Annexation lines a distance of 1319.91 feet to the Northeast corner of said Carpenter Annexation No. 1, said corner also being a point on the North line of the NE 1/4 SW 1/4 of said Section 15; said line also being the Southerly line of Summit View Meadows Annexation No. 3, City of Grand Junction Ordinance No. 3460; thence S89°57'40"E along said North line a distance of 171.62 feet, more or less to the POINT OF BEGINNING.

Said parcel contains 5.03 acres (218,923 square feet), more or less, as described.

**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 Vacating Portions of Texas Ave., College Place and Alley ROW Adjacent to Mesa State College Properties – 1020 through 1040 Texas Avenue

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Setting a Hearing for the Vacation of portions of Texas Avenue, College Place and alley rights-of-way adjacent to Mesa State College properties – Located at 1020 through 1040 Texas Avenue					
<b>Meeting Date</b>	June 20, 2007					
<b>Date Prepared</b>	June 11, 2007				<b>File #VR-2007-052</b>	
<b>Author</b>	Scott D. Peterson			<b>Senior Planner</b>		
<b>Presenter Name</b>	Scott D. Peterson			<b>Senior Planner</b>		
<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 petitioner, Mesa State College, is requesting to vacate portions of Texas Avenue, College Place and alley rights-of-way located adjacent to their properties in anticipation of creating a simple subdivision plat to merge six properties into one to develop the area as a parking lot for the campus. The Planning Commission recommended approval of the proposed right-of-way vacations at their May 22, 2007 meeting.

**Budget:** N/A.

**Action Requested/Recommendation:** First reading of the ordinance and set a hearing for July 18, 2007.

**Background Information:** See attached Background Information.

**Attachments:**

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

<b>BACKGROUND INFORMATION</b>					
<b>Location:</b>		1020 – 1040 Texas Avenue			
<b>Applicants:</b>		Mesa State College			
<b>Existing Land Use:</b>		City street and alley rights-of-way			
<b>Proposed Land Use:</b>		Consolidation of six (6) properties into one (1) with area to be developed as a parking lot for the campus			
<b>Surrounding Land Use:</b>	<b>North</b>	Single-family residential (Mesa State College owned)			
	<b>South</b>	Single-family residential (Mesa State College and privately owned)			
	<b>East</b>	Mesa State College campus			
	<b>West</b>	Single-family residential			
<b>Existing Zoning:</b>		CSR, Community Services and Recreation and R-8, Residential – 8 units/acre			
<b>Proposed Zoning:</b>		N/A			
<b>Surrounding Zoning:</b>	<b>North</b>	CSR, Community Services and Recreation			
	<b>South</b>	CSR, Community Services and Recreation and R-8, Residential – 8 units/acre			
	<b>East</b>	CSR, Community Services and Recreation			
	<b>West</b>	R-8, Residential – 8 units/acre			
<b>Growth Plan Designation:</b>		Residential Medium (4 – 8 DU/Ac.)			
<b>Zoning within density range?</b>		N/A	Yes		No

**Staff Analysis:**

The applicant, Mesa State College, wishes to vacate portions of Texas Avenue, College Place and alley rights-of-way located adjacent to their properties in anticipation of creating a simple subdivision plat to merge six (6) properties into one (1). Mesa State College intends to develop these properties for use as a parking lot for the campus. Upon the approval of the requested rights-of-way vacations by the City, Utility and Access Easements will be retained via City Ordinance and identified on the new subdivision plat for the existing utilities that are located within these rights-of-way (water, sewer, gas and electric) and for the general circulation of traffic.

Presently there are five (5) single-family homes on the six (6) properties that will be removed prior to the recording of the subdivision plat.

**Consistency with the Growth Plan:**

The properties are currently zoned CSR, Community Services and Recreation and R-8, Residential – 8 units/acre with the Growth Plan Future Land Use Map showing this area as Residential Medium (4 – 8 DU/Ac.). Current Mesa State College properties surrounding this area are designated as Public on the Future Land Use Map. As Mesa State College acquires additional properties in this area and in the future, the Future Land Use designation should be changed to Public and the properties should be rezoned to CSR.

There are several goals and policies in the Growth Plan that support the expansion of the Mesa State College campus.

**Policy 8.12:** The City and County will encourage Mesa State College to retain its main campus in the City of Grand Junction at its current location, and will support the growth of the college at its current campus or at facilities located within non-residential portions of the urbanizing area.

**Policy 8.13:** The City will encourage the College to maximize the use of its existing land through increased height allowances, but will support the planned westward growth of the College as identified in the Mesa State College Facilities Master Plan.

**Section 2.11 C. of the Zoning and Development Code:**

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



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

Granting the request to vacate the existing street and alley rights-of-way do not conflict with the Growth Plan, major street plan and other adopted plans and policies of the City of Grand Junction. Utility and Access Easements will be retained to allow for the continuation of general traffic circulation and access to existing utilities.

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

No parcel will be landlocked as a result of these rights-of-way vacations.

- 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 will not be restricted.

- 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 due to the vacation requests.

- 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.

The provision of adequate public facilities and services will not be inhibited to any property as required in Chapter Six of the Zoning and Development Code as the existing street and alley rights-of-way will be retained as Utility and Access Easements to allow for the continue flow of traffic and access to utilities, etc. No adverse comments were received from the utility review agencies during the staff review process.

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

Maintenance requirements to the City will not change as a result of the proposed vacations as new Utility and Access Easements will be retained by the approved City Ordinance and identified on the proposed subdivision plat.

**FINDINGS OF FACT/CONCLUSIONS:**

After reviewing the Mesa State College application, VR-2007-052 for the vacation of portions of Texas Avenue, College Place and alley rights-of-way adjacent to Mesa State College properties, the Planning Commission makes the following findings of fact and conclusions:

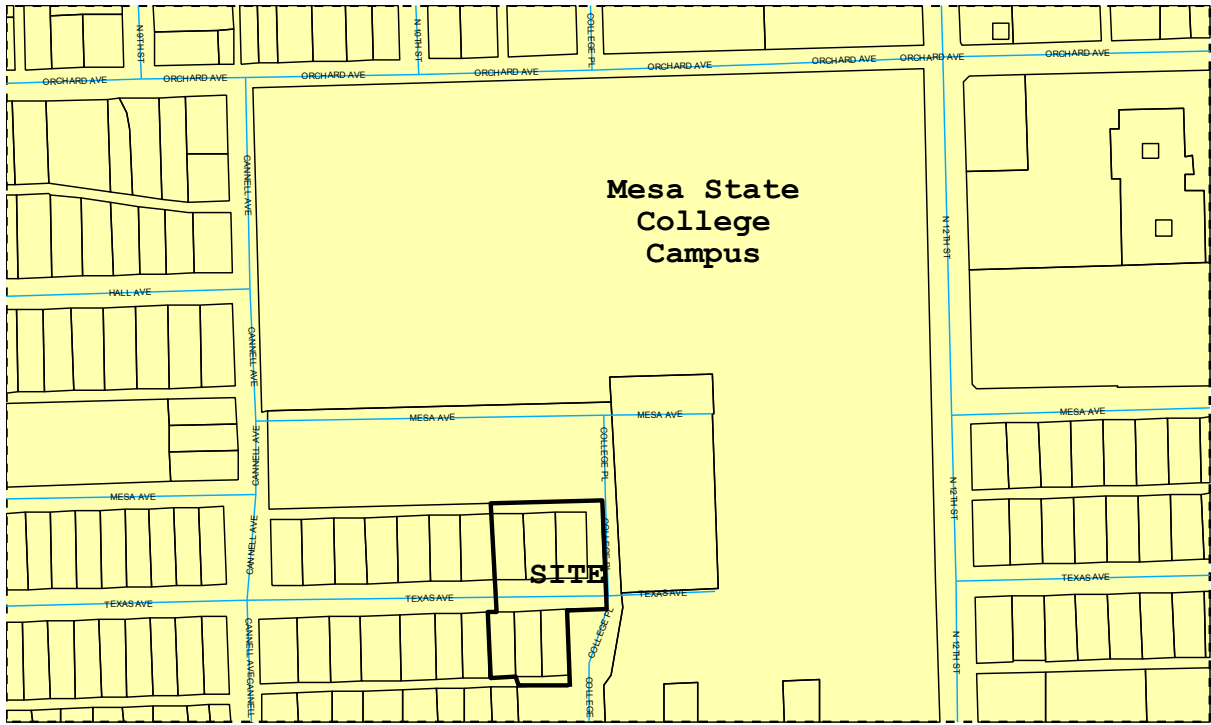
1. The requested rights-of-way vacations are consistent with the Growth Plan.
2. The review criteria in Section 2.11 C. of the Zoning and Development Code have all been met.
3. Approval of the street and alley vacation requests is contingent upon the approval and filing of the subdivision plat and the retention of the Utility and Access Easements.

**Action Requested/Recommendation:**

Recommend first reading of the Ordinance for the vacation of portions of Texas Avenue, College Place and alley rights-of-way adjacent to Mesa State College properties located at 1020 through 1040 Texas Avenue, finding the request consistent with the Growth Plan and Section 2.11 C. of the Zoning and Development Code.

# Site Location Map

Figure 1



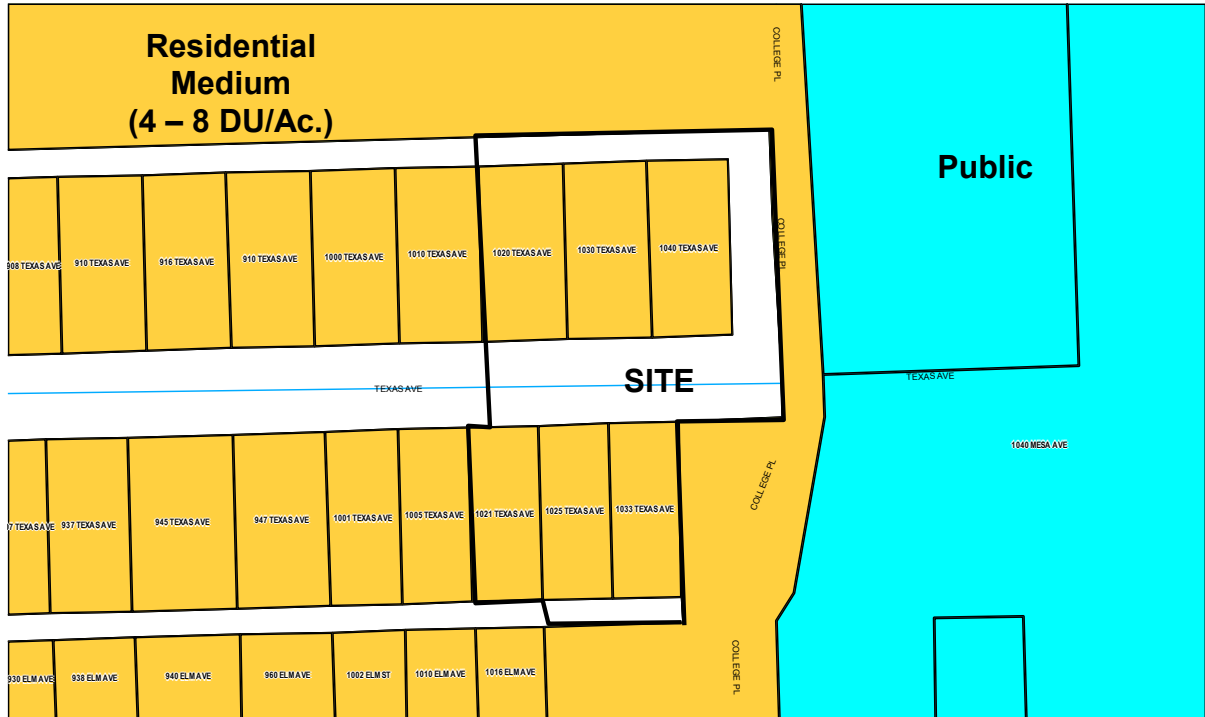
# Aerial Photo Map

Figure 2



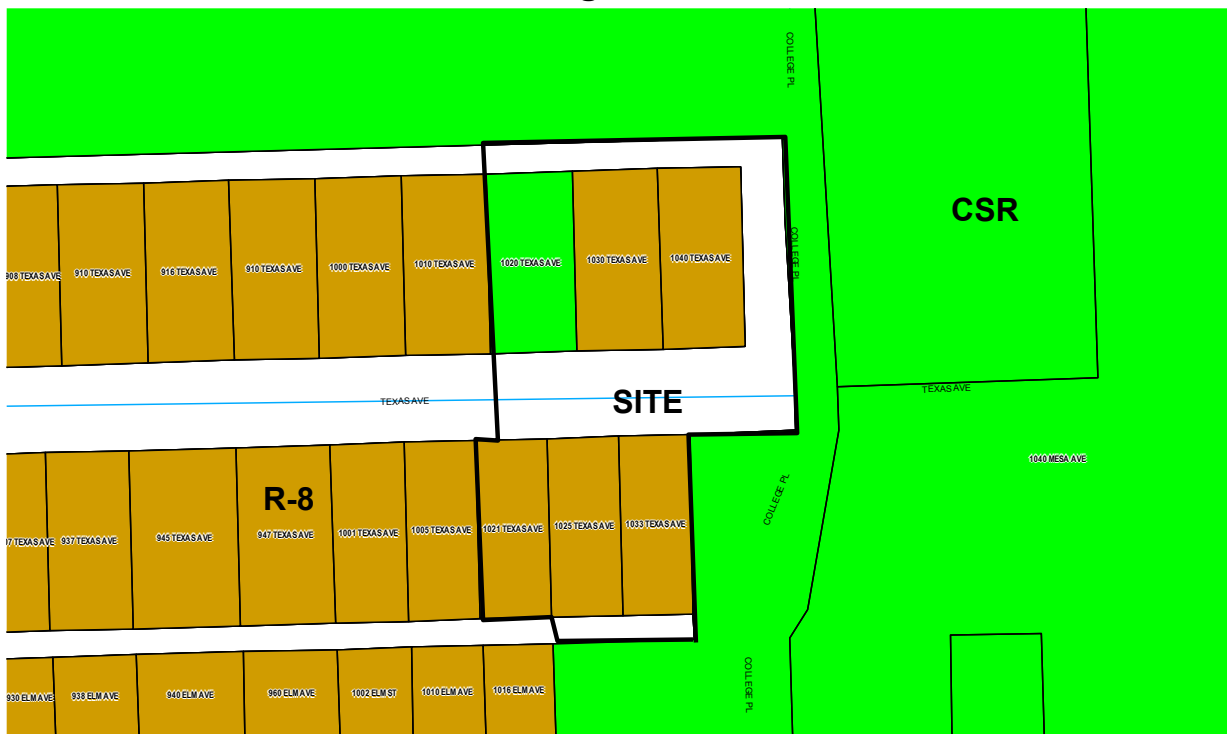
# Future Land Use Map

Figure 3



# Existing City Zoning

Figure 4



**CITY OF GRAND JUNCTION, COLORADO**

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

**AN ORDINANCE VACATING PORTIONS OF TEXAS AVENUE, COLLEGE PLACE  
AND ALLEY RIGHTS-OF-WAY ADJACENT TO MESA STATE COLLEGE  
PROPERTIES**

**LOCATED AT 1020 THROUGH 1040 TEXAS AVENUE**

**RECITALS:**

Mesa State College has requested the vacation of streets and alleys adjacent to their properties to allow expansion of the campus to the west, in accordance with the 1999 Facilities Master Plan. The interim plans for the vacated rights-of-way are to provide additional parking for the campus. All of the vacated rights-of-way must be retained as Utility and Access Easements to allow for the adequate circulation of through traffic and access to utilities. Only sod or asphalt surface treatment will be allowed within Utility and Access Easements. Other surface treatment shall be subject to review and approval by the City of Grand Junction. The vacated rights-of-way will require the consolidation of the adjacent lots through a replat of the properties.

The City Council finds that the request is consistent with the Growth Plan goals and policies that encourage Mesa State College to remain at their existing location and expand to the west. It also meets the criteria of Section 2.11 of the Zoning and Development Code with the conditions of approval which are the filing of the subdivision plat and the dedication of the Utility and Access Easements.

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

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

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

V-1.

A portion of the eighteen-foot alley in South Garfield Park, a subdivision of the City of Grand Junction, Colorado, as recorded by plat on April 18, 1951, in the Office of the

Mesa County Clerk and Recorder at Reception Number 539508, said portion being described by the following:

All that portion thereof lying east of the northerly extension of the easterly line of Lot 33 in said South Garfield Park, and also lying west of the westerly line of College Place as vacated by Ordinance Number 3759, recorded in Book 3929 at Page 816.

V-2.

A portion of the twenty-foot alley in Block 6 of Garfield Park Subdivision, a subdivision of the City of Grand Junction, Colorado, as recorded by plat on July 3, 1946, in the Office of the Mesa County clerk and Recorder at Reception Number 444756, said portion being described by the following:

All that portion thereof lying east of the northerly extension of the westerly line of Lot 13 in said Block 6 in said Garfield Park Subdivision, and also lying west of the northerly extension of the easterly line of Lot 11 in said Block 6.

V-3.

A portion of Texas Avenue lying within Garfield Park Subdivision and South Garfield Park, two subdivisions of the City of Grand Junction, Colorado, said portion being described by the following:

All that portion thereof lying east of the southerly extension of the west line of Lot 13 in Block 6 of Garfield Park Subdivision, as recorded by plat on July 3, 1946 in the Office of the Mesa County Clerk and Recorder at Reception Number 444756, and also lying west of the southerly extension of the easterly line of Lot 11 in said Block 6.

V-4

A portion of College Place between the easterly line of Block 6 of Garfield Park Subdivision and the Westerly line of Elam Subdivision, two subdivisions of the City of Grand Junction, Colorado, said portion being described by the following:

All that portion of College Place lying south of the easterly extension of the northerly line of the twenty foot alley in Block 6 of Garfield Park Subdivision, as recorded by plat on July 3 1946 in the Office of the Mesa County Clerk and Recorder at Reception Number 444756, and also lying north of the southerly line of Texas Avenue.

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

Provided, however, that those certain street and alley rights-of-way vacated herewith shall be retained by the City as Utility and Access Easements for general traffic circulation and access to existing utilities.

This Ordinance shall not be effective until a Subdivision Plat is recorded for the adjoining properties consolidating lots and identifying the required Utility and Access Easements.

Applicants shall pay all recording/documentary fees for the Vacation Ordinance and any subdivision documents and dedication documents.

**INTRODUCED** for first reading on this \_\_\_\_ day of \_\_\_\_\_, 2007

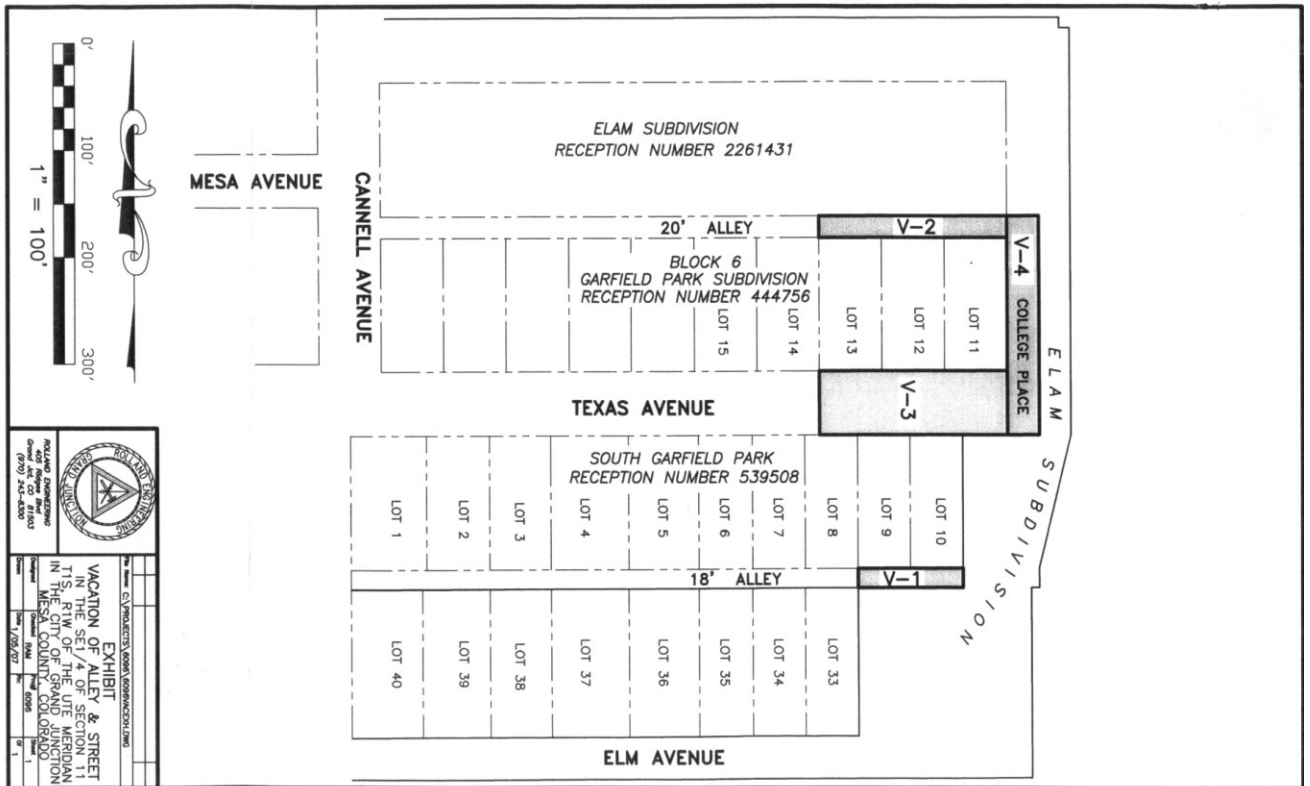
**ADOPTED** on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:

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

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





**Attach 7**

Setting a Hearing on Rezoning Property Located at 675 23 Road

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA							
<b>Subject</b>	Taurus Subdivision Request for Rezone - Located at 675 23 Road.						
<b>Meeting Date</b>	June 20, 2007						
<b>Date Prepared</b>	June 7, 2007				File #FP-2007-133		
<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>		X	<b>Consent</b>	<b>Individual Consideration</b>

**Summary:** Request approval to rezone Lot 2 of the Taurus Subdivision from C-2 (General Commercial) to I-1 (Light Industrial)

**Budget:** N/A

**Action Requested/Recommendation:** Introduce a proposed ordinance and set a public 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. Zoning Ordinance

STAFF REPORT / BACKGROUND INFORMATION				
<b>Location:</b>		675 23 Road		
<b>Applicants:</b>		Representative: Austin Civil Group, Inc. Owner/Developer: CP Grand Junction, LLC		
<b>Existing Land Use:</b>		Vacant		
<b>Proposed Land Use:</b>		Commercial/Industrial		
<b>Surrounding Land Use:</b>	<b>North</b>	Vacant/Industrial		
	<b>South</b>	US HWY 6/50; Industrial; Vacant		
	<b>East</b>	Vacant; Light Industrial		
	<b>West</b>	Commercial		
<b>Existing Zoning:</b>		Light Industrial (I-1) and General Commercial (C-2)		
<b>Proposed Zoning:</b>		Same		
<b>Surrounding Zoning:</b>	<b>North</b>	I-2		
	<b>South</b>	I-2 and CSR		
	<b>East</b>	I-1		
	<b>West</b>	C-2		
<b>Growth Plan Designation:</b>		Commercial Industrial		
<b>Zoning within density range?</b>		<b>X</b>	<b>Yes</b>	<b>No</b>

**Staff Analysis:**

The request is to rezone Lot 2 of the Taurus Subdivision from C-2 (General Commercial) to I-1 (Light Industrial). In March 2007 the Preliminary Subdivision Plan for Grand Mesa Business Center (PP-2006-231) for a 7 lot commercial/industrial subdivision was approved by the Planning Commission. The subdivision design included a lot (Lot 1 Block 2) that encompasses both the I-1 and C-2 zone districts. The southern ¼ of the lot is in the C-2 zone district. Staff finds it would be beneficial to both future developers and City to have the entire parcel zoned I-1. The City does not prohibit a parcel having dual zoning designations, but does discourage it. The lot will be easier to develop with one zone district and the future developer of the site will not have to worry about specific zone district standards, such as uses permitted/prohibited

in the C-2 and I-1 zone districts; landscape buffers between the C-2 and I-1 zone districts; and setbacks.

The final plat is currently under review for administrative approval. Staff recommends approval of the rezone request, subject to the recordation of the approved final plat for the Grand West Business Park.

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 area around this project is commercial and industrial in nature. The properties surrounding this site are primarily zoned C-2 and I-1. Changing the C-2 portion of this lot to I-1 will simplify the site design requirements in the future.

- 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.

c. I-0

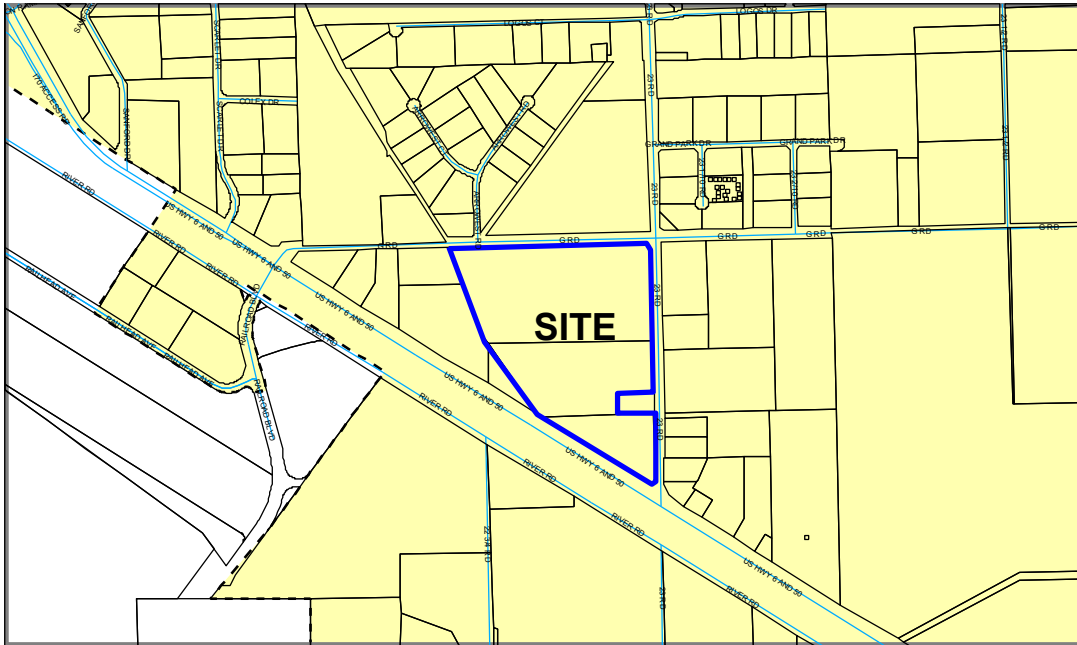
If the City Council chooses to recommend one of the alternative zone designations, specific alternative findings must be made.

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



# Site Location Map

Figure 1



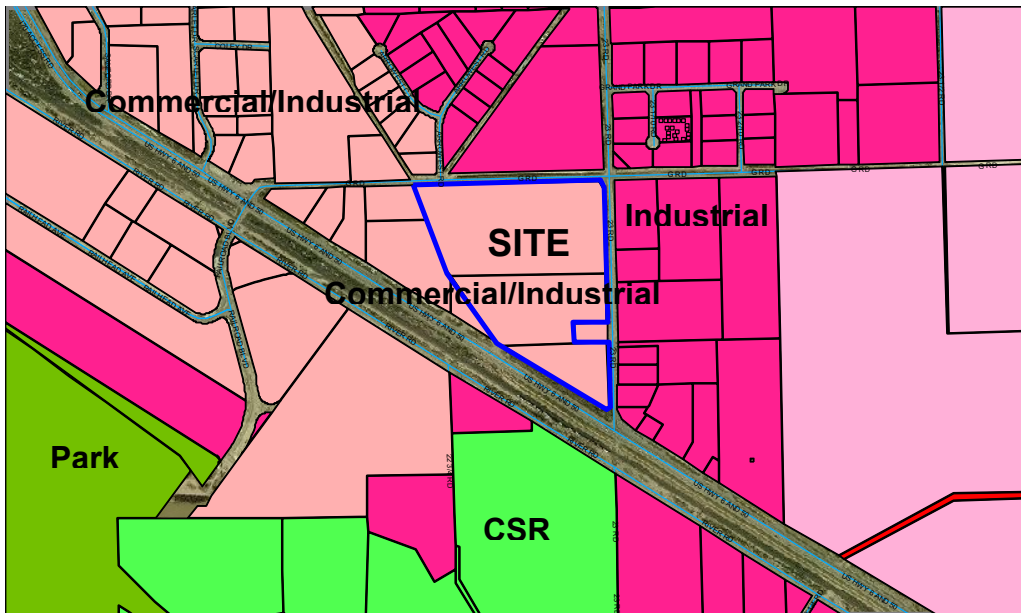
# Aerial Photo Map

Figure 2



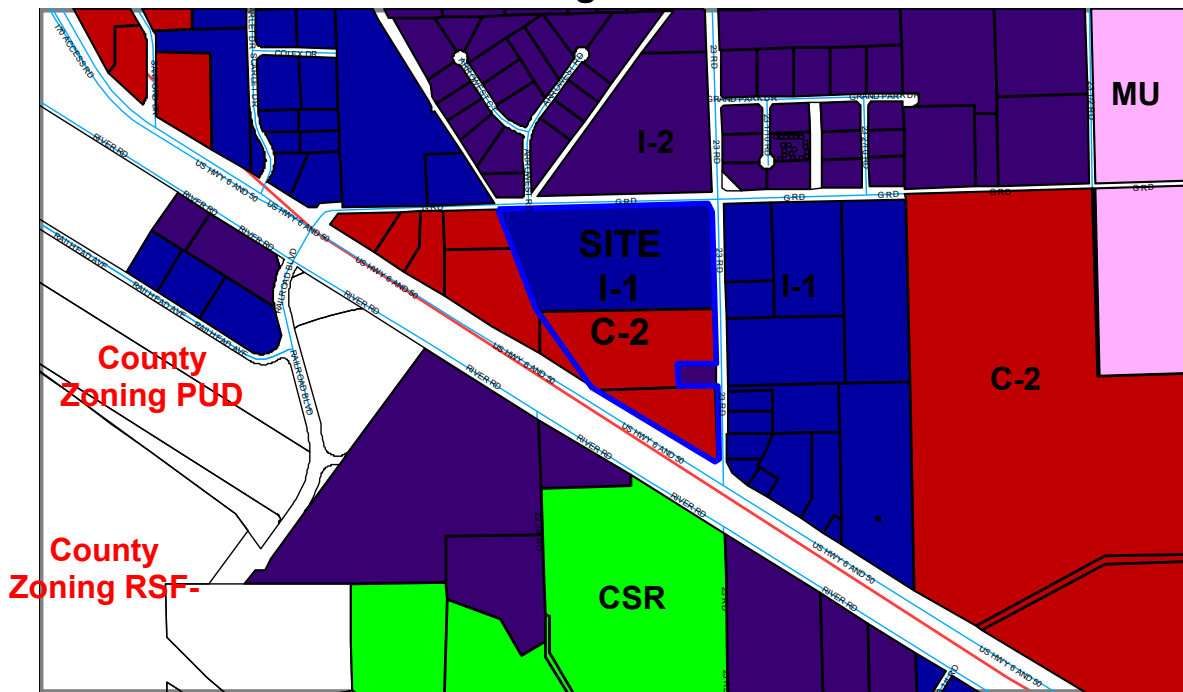
## Future Land Use Map

Figure 3



## Existing City and County Zoning

Figure 4



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



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING A PORTION OF LOT 2 OF THE TAURUS  
SUBDIVISION FROM C-2 TO I-1**

**LOCATED AT 675 23 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 Lot 2 of the Taurus Subdivision to the I-1 zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

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

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

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

Beginning at the Northwest corner of Lot 2, Taurus Subdivision recorded at the Mesa County Clerk and Records office at Book 4211, Page 317, whence the Northeast corner bears S89°42'52"E a distance of 1228.30 feet, with all bearing contained herein relative thereto; thence S89°42'52"E 450.81 feet along the North line of said Lot 2; thence leaving said North line of Lot 2 along a curve to the right and a radius of 50.00 feet and a chord bearing of S01°46'52"E a distance of 51.13 feet; thence S47°26'25"W 352.78 feet to a point on the West line of said Lot 2; thence N33°24'58"W 349.71 feet along said West line of Lot 2 to the Point of Beginning,

CONTAINING 1.66 Acres (72,309 Sq. Ft.), more or less, as described.

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

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

ATTEST:

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President of the Council

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City Clerk

**Attach 8**

Construction contract for the 2007 New Sidewalks

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA							
<b>Subject</b>	2007 New Sidewalk Construction						
<b>Meeting Date</b>	June 20, 2007						
<b>Date Prepared</b>	June 11, 2007	File # - N/A					
<b>Author</b>	Justin J. Vensel	Project Manager					
<b>Presenter Name</b>	Tim Moore	Public Works and Planning Director					
<b>Report results back to Council</b>	X	No		Yes	When		
<b>Citizen Presentation</b>		Yes	X	No	Name		
	<b>Workshop</b>	X	<b>Formal Agenda</b>		X	<b>Consent</b>	<b>Individual Consideration</b>

**Summary:** The 2007 New Sidewalk project consists of installation of sidewalk in 5 locations. To be considered for this project the areas must first have curb and gutter adjacent to the property. These selected areas were petitioned in 2005. The streets that received a majority vote are the ones that will have the new sidewalk installed

**Budget:** Project No.: 2011-F01300

Project costs:

Construction contract (low bid)	\$144,816.00
Design	\$6,900.00
Construction Inspection and Administration (est.)	<u>\$20,000.00</u>
<b>Total Project Costs</b>	<b>\$171,716.00</b>

Bidder	From	Bid Amount
Vista Paving	Grand Junction	\$144,816.00
Reyes Construction	Fruita	\$191,075.40
BPS Construction	Grand Junction	\$199,399.49
G & G Paving	Grand Junction	\$215,569.00
Engineer's Estimate		\$160,314.30

Project funding:

2007 Budget

Allocation for this

Remaining Budget after

<u>Capital Fund</u>	<u>Unencumbered Balance</u>	<u>Contract</u>	<u>Contract</u>
Fund 2011-F01300 Sidewalk Improvements	\$ 138,000.00	\$ 138,000.00	\$ 00.00
Fund 2011-F00900 Curb, Gutter, and Sidewalk Repair	\$ 177,500.00	\$ 6,800.00	\$ 182,083.00
Fund 2011-02000 Accessibility	\$ 22,000.00	\$ 11,383.00	\$ 10,617.00
Fund 2011-F00400 Contract Street Maintenance	<u>\$ 1,225,687.00</u>	<u>\$ 15,533.00</u>	<u>\$ 1,210,154.00</u>
Totals:	\$ 1,553,336.00	\$ 171,716.00	\$ 1,381,620.00

**Action Requested/Recommendation:** Authorize the City Manager to sign a Construction Contract for New Sidewalk Construction to Vista Paving Corporation, in the amount of \$144,816.00.

**Attachments:** none

**Background Information:** A list of candidate streets was compiled, a survey was sent out in early March of 2005 to determine if the property owners were interested in have sidewalks installed. We received a majority response in favor of sidewalks on all the streets surveyed in 2005. The streets selected for the sidewalk installations in 2007 are:

- 2<sup>nd</sup> Street – Belford Ave to North Ave (West Side)
- 3<sup>rd</sup> Street – Belford Ave to North Ave (East Side)
- 17<sup>th</sup> Street – Rood Ave to White Ave ( East Side)
- White Ave – 17<sup>th</sup> Street to 19<sup>th</sup> Street ( South Side)
- 19<sup>th</sup> Street – Rood Ave to White Ave ( West Side)

This contract is scheduled to begin on July 2, 2007 and be completed on September 15, 2007.

**Attach 9**

Change Order No. 1 for 2007 Water Line Replacement Project

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA							
<b>Subject</b>	2007 Water Line Replacement Project – Change Order No. 1						
<b>Meeting Date</b>	June 20, 2007						
<b>Date Prepared</b>	June 8, 2007	File # - N/A					
<b>Author</b>	Kent Harbert	Project Engineer					
<b>Presenter Name</b>	Tim Moore	Public Works and Planning Director					
<b>Report results back to Council</b>	X	No		Yes	When		
<b>Citizen Presentation</b>		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

**Summary:** The existing line in Glenwood Avenue from 5<sup>th</sup> Street to 7<sup>th</sup> Street is being replaced because it is cast iron and has a break history. This line was not originally scheduled for replacement this year, but was moved up to 2007 to be ahead of the scheduled overlaying of Glenwood Avenue from 5<sup>th</sup> Street to 6<sup>th</sup> Street.

**Budget:** Project No.: F04832

Project costs:

Original construction contract	\$304,049
<b>Change Order No. 1</b>	<b>123,135</b>
Design	12,700
Construction Inspection and Administration (est.)	<u>22,000</u>
Total Project Costs	\$461,884

Project funding:

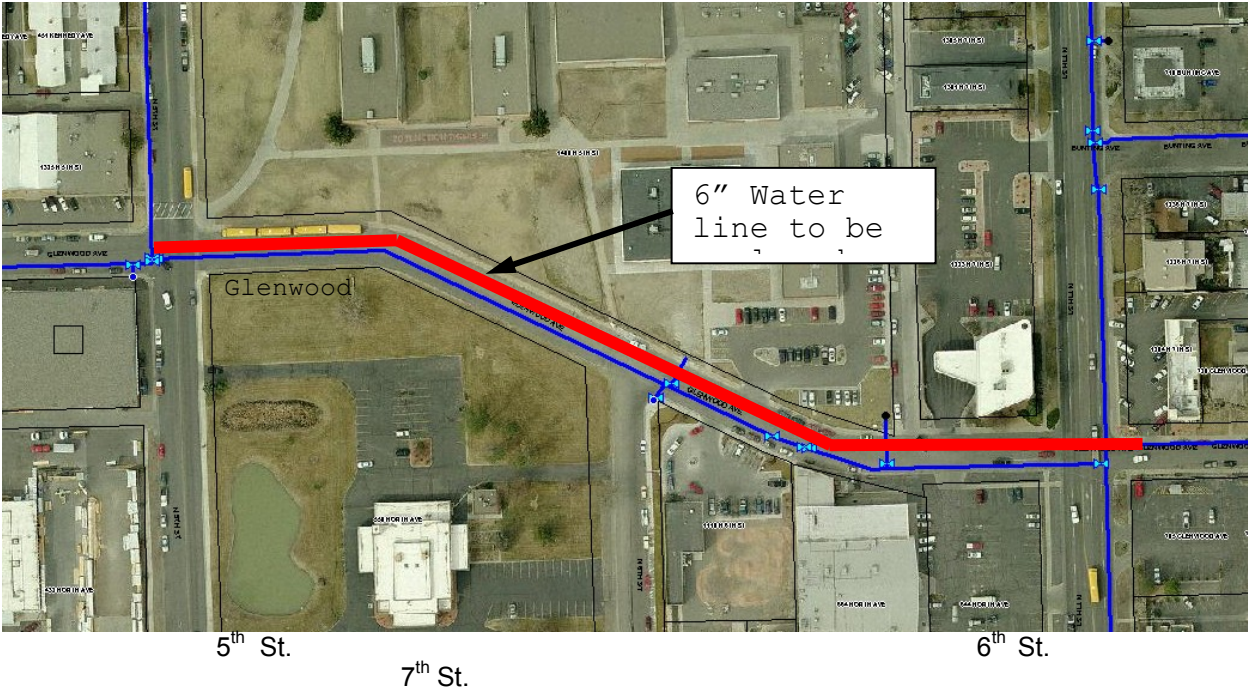
City budgeted funds for 2007 Waterline Replacements (Account 3011 – F04800)	\$640,000
Projects – anticipated costs	
This project including change order	\$461,884
Riverside Parkway	84,000
7 <sup>th</sup> Street Reconstruction	57,066

Emergency work	<u>25,000</u>	<u>627,950</u>
Balance		\$ 12,050

**Action Requested/Recommendation:** Authorize the City Manager to sign Change Order No. 1 to the 2007 Water Line Replacement Project to Sorter Construction, Inc. in the amount of \$123,135.

**Attachments:** none

**Background Information:** Change Order No. 1 to the 2007 Water Line Replacement contract is for the installation of a 6" pvc water line in Glenwood Avenue from 5<sup>th</sup> Street to 7<sup>th</sup> Street.



**Glenwood Avenue – 6” Water Line Replacement**

**Attach 10**

Amend the Fees and Charges to Include a Charge for the Watershed Permit Application  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	<b>Resolution to Amend Resolution No. 03-07 to add a New Fee for a Watershed Activity Permit</b>					
<b>Meeting Date</b>	<b>June 20, 2007</b>					
<b>Date Prepared</b>	<b>June 14, 2007</b>				<b>File #</b>	
<b>Author</b>	<b>John Shaver</b>			<b>City Attorney</b>		
<b>Presenter Name</b>	<b>John Shaver</b>			<b>City Attorney</b>		
<b>Report results back to Council</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>When</b>	
<b>Citizen Presentation</b>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Name</b>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>	<b>X</b>	<b>Consent</b>	<b>Individual Consideration</b>

**Summary:** The City Council passed the Watershed Protection Ordinance No. 3961 in August, 2006. Provisions of the Ordinance allow the City to require and issue a watershed activity permit to applicants who want to perform certain activities within the City's watershed. The Ordinance and the implementing regulations further authorize the City to assess a fee to cover the costs incurred by the City for the application process and the enforcement of the requested permit. The fee of \$250.00 will be assessed by the City to each applicant desiring a Watershed Activity Permit.

**Budget:** This is a budget neutral resolution.

**Action Requested/Recommendation:** Adopt the Resolution amending Resolution No. 03-07, thereby adding the new fee to the list of fees and charges applicable to the City and allowing City Staff to implement the Watershed Activity Application Fee and permit process.

**Attachment:** Proposed Resolution

**Background Information:** The primary purpose for the creation and adoption of the Watershed Protection Ordinance was to establish the powers, authorities, privileges and immunities of the City of Grand Junction in maintaining and protecting the City's water supply and waterworks from pollution and prevent hazards to the City's water quality. As part of that authority, the City must implement and enforce a permit to any party desiring to perform certain activities within the City's watershed areas. To help offset the costs associated with the permit process, the City desires to implement an application process for a watershed activity permit and charge a fee of \$250.00 per application.

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

**A RESOLUTION AMENDING RESOLUTION NO. 03-07 TO ADD A NEW FEE ITEM FOR WATERSHED ACTIVITY APPLICATION FEE USE IN THE CITY OF GRAND JUNCTION, COLORADO**

Recitals:

1. Resolution No. 03-07 was adopted by City Council on the 3<sup>rd</sup> day of January 2007. By adoption of the Resolution, the 2006 International Code set became part of the City of Grand Junction Code of Ordinances. Each of the adopted codes provided for certain fees and charges to be imposed for inspection, permitting, services and other expenses associated with administration of the codes.
2. The City Council passed the Watershed Protection Ordinance No, 3961 in August, 2006. The Ordinance provides for the authority by the City to require and issue a permit for applicants who wish to perform certain activities within the City's watershed. The Ordinance and the implementing regulations further authorize the City to assess a fee to cover the costs incurred by the City for the application process and the enforcement of the requested permit.
3. In accordance with the City of Grand Junction's Code of Ordinances, fees are set by resolution of the City Council.

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

A new fee item shall be added to the list of charges and fees in Resolution #03-07 for the implementation of a "Watershed Activity Application Fee". The application fee for a Watershed Activity Permit shall be \$250.00. The application fee shall cover the costs incurred by the City for reviewing and processing the application, including the costs of publication, hearing, administration, inspection and enforcement of the Watershed Activity Permit. The Watershed Activity Application Fee shall become part of the fees and charges listed in Resolution 03-07 and applicable in the City of Grand Junction.

Any fees set by prior resolution in conflict with those adopted herein are hereby repealed and all other fees not in conflict or specifically modified herein shall remain in full force and effect.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2007.

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



ATTEST:

---

City Clerk

**Attach 11**

Contract to Purchase Property at 641 Struthers Avenue

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA									
<b>Subject</b>		Contract to Purchase Property at 641 Struthers Avenue							
<b>Meeting Date</b>		June 20, 2007							
<b>Date Prepared</b>		June 5, 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>		<input checked="" type="checkbox"/>	No		Yes	<b>When</b>			
<b>Citizen Presentation</b>			Yes	<input checked="" type="checkbox"/>	No	<b>Name</b>			
	<b>Workshop</b>	<input checked="" type="checkbox"/>	<b>Formal Agenda</b>				<b>Consent</b>	<input checked="" type="checkbox"/>	<b>Individual Consideration</b>

**Summary:** City staff has been in negotiations with the Western Colorado Botanical Gardens for the purchase of the property located at 641 Struthers Avenue. A fair market value has been determined and a purchase contract has been signed by both parties.

**Budget:** This purchase is a City Council authorized expenditure.

**Action Requested/Recommendation:** Adopt Resolution Ratifying the Purchase Contract and Allocate the Funds Necessary to Pay the Purchase Price and all Costs and Expenses Necessary for the City’s Performance Under the Terms of the Contract.

**Attachment:** Proposed Resolution

**Background Information:** The Western Colorado Botanical Gardens approached City staff requesting the City’s consideration of purchasing the Gardens. City staff believes it would be in the City’s best interests to acquire the property for the recreational and cultural benefit of the citizens of Grand Junction.

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

**A RESOLUTION RATIFYING THE PURCHASE CONTRACT FOR THE PROPERTY  
LOCATED AT 641 STRUTHERS AVENUE, GRAND JUNCTION, COLORADO**

**RECITALS:**

On May 29, 2007, the City Manager signed an agreement to purchase the property located at 641 Struthers Avenue, Grand Junction, Colorado, from the Western Colorado Botanical Society, a Colorado nonprofit corporation. The execution of the contract by the City Manager and the City's obligation to proceed under its terms and conditions was expressly conditioned upon and subject to the formal ratification, confirmation and consent of the City Council.

On May 29, 2007, the Board of Directors of the Western Colorado Botanical Society authorized the president of the Board to sign the purchase contract agreeing to the City's offer.

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

The City, by and through the City Council and the signature of its President, does hereby ratify the terms, covenants, conditions, duties and obligations to be performed by the City in accordance with the contract and allocates the funds to pay the Purchase Price and all other costs and expenses necessary to perform under the contract.

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

Attest:

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

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

**Attach 12**

Las Colonias Park Master Plan

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Las Colonias Park Master Plan					
<b>Meeting Date</b>	June 20,2007					
<b>Date Prepared</b>	May 31,2007				<b>File #</b>	
<b>Author</b>	Shawn Cooper		Parks Planner			
<b>Presenter Name</b>	Joe Stevens		Director Parks and Recreation			
<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:** Presentation of the Las Colonias Park Master Plan as prepared by EDAW, Inc. of Fort Collins, Colorado. The master plan provides a framework for future development of the park site, helps identify contemplated usage, and promotes and compliments surrounding properties in a manner consistent with park uses. The master plan was revised because a portion of the site was necessary for Riverside Parkway alignment which significantly impacted the initial master plan.

**Budget:** This master plan was budgeted and funded through the Riverside Parkway capital improvement fund.

**Action Requested/Recommendation:** Request that the City Council adopt the master plan as prepared by EDAW, Inc., of Fort Collins.

**Attachments:** Las Colonias Park Master Plan Information – 8 pgs., Resolution

**Background Information:** Las Colonias Park Site was originally master planned in 1998 through the efforts of RNL Design of Denver, the plan was adopted at that time by the City Council. During the design of the Riverside Parkway, it was determined that the best alignment for the new roadway was across the northern end of the Las Colonias Park Site. Because so much of the previous master plan was reliant on the utilization of this portion of the park property, the construction of the roadway rendered the implementation of the master plan impossible. As a part of the Riverside Parkway project, the City selected EDAW, Inc. of Fort Collins in the spring of 2006 to begin the process of redesigning the master plan for the park site. Through several public open houses and meetings with focus groups, the master plan being presented was the culmination of a couple of alternatives reviewed and commented on by the focus groups and at the public open houses. A budget has not been identified for implementation of the plan. The City Council was presented this Master Plan at their March 19, 2007 by a member of the design firm EDAW, Inc. The City Council had

requested the Parks and Recreation Advisory Board review the plan and offer input to the members of the City Council. The Board unanimously adopted and supported the plan at their April 21, 2007 meeting and recommended the City Council adopt the plan.

## Park Program Elements

- Trail and Trailhead
- River Access
- Group and Family Picnic, Events, and Passive Play Areas
- Services, Amenities, and Lighting
- Riverbank Restoration
- Botanic Garden
- Festival Space
- Dog Park
- Land for Future Civic Structures

## Concept Plan

The EDAW design team presented Alternatives A & B to the advisory groups and to the general public in an open house format. These alternatives were evaluated and discussed to identify the best approaches from each Alternative. Following this comment and discussion, the EDAW design team prepared a final concept plan at the end of the workshop.

Anchoring the eastern edge of the Park, the Concept Plan includes a 75,000 sf civic facility, a generous terrace overlooking the river for weddings or other community events, a water feature/children's play area, a festival green and a 2,000-seat amphitheater, and an 800-space parking lot. A dog park and park maintenance facilities are also included along this side of the Park.

West of the Park boundary between the Botanic Garden and the Park, a privately-owned mixed-use center provides restaurants and appropriate retail uses, such as canoe and bicycle rental, and other river recreational focused businesses. An adventure course or other similar use is proposed on Watson Island, providing a unique place for children to play or a place for group team building exercises. A 100-space parking lot is provided near the existing trailhead, which expands the capacity of the existing parking lot. Near this parking lot, a small community playground, picnic shelters, and common green are located. These areas are clustered near the parking lot, providing easy access for frequently used functions.

At the center of the Park, a series of

boardwalks extends toward the river from the common green, providing a place for park visitors to explore the rich vegetation and wildlife of the river basin. This central area is restored as a natural area that extends to the river edge.

## Phasing

The master plan is well suited for phasing, allowing the Park to grow over time, as funding comes available. The following is a suggested phasing approach:

### Phase I

1. *Mitigate tamarisk along river edge.* This will open up the river edge, providing views and access to the river from the Park.

Approximate Cost: \$30,000

2. *Revegetate with native seed.* Amend park soils as necessary to accept native seed mixes, and install an irrigation system. This revegetation effort will make the Park more usable in the short term.

Approximate Cost: \$1,700,000

2. *Establish western entry into the Park.* This may require the City to acquire the private development parcel south of the 9th and Riverside Parkway intersection. This parcel provides access to the park on the west side.

Approximate Cost: \$235,000

3. *Construct new playground, picnic shelters, and commons area.* This will immediately activate the western edge of the Park, with visitors using these areas on a regular basis.

Approximate Cost: \$950,000

### Phase II

1. *Establish eastern entry into park.* Construct park entry and small parking lot on eastern edge of the Park at Winters Avenue intersection.

Approximate Cost: \$235,000

2. *Construct dog park.* As with the community playground on the west side of the Park, the dog park will be used on a regular basis, and will help to activate the eastern edge of the Park.

Approximate Cost: \$375,000

3. *Construct Park Maintenance Facility.*

Construct a new Park Maintenance Facility to house Park Maintenance equipment and supplies for Las Colonias Park, as well as other River Parks.

Approximate Cost: \$2,600,000

### Phase III

1. *Construct future civic facility, terrace plaza, water feature, and expand parking lot.*

Approximate Cost: \$11,000,000

2. *Construct amphitheater and festival green.*

Approximate Cost: 3,000,000

### Phase IV

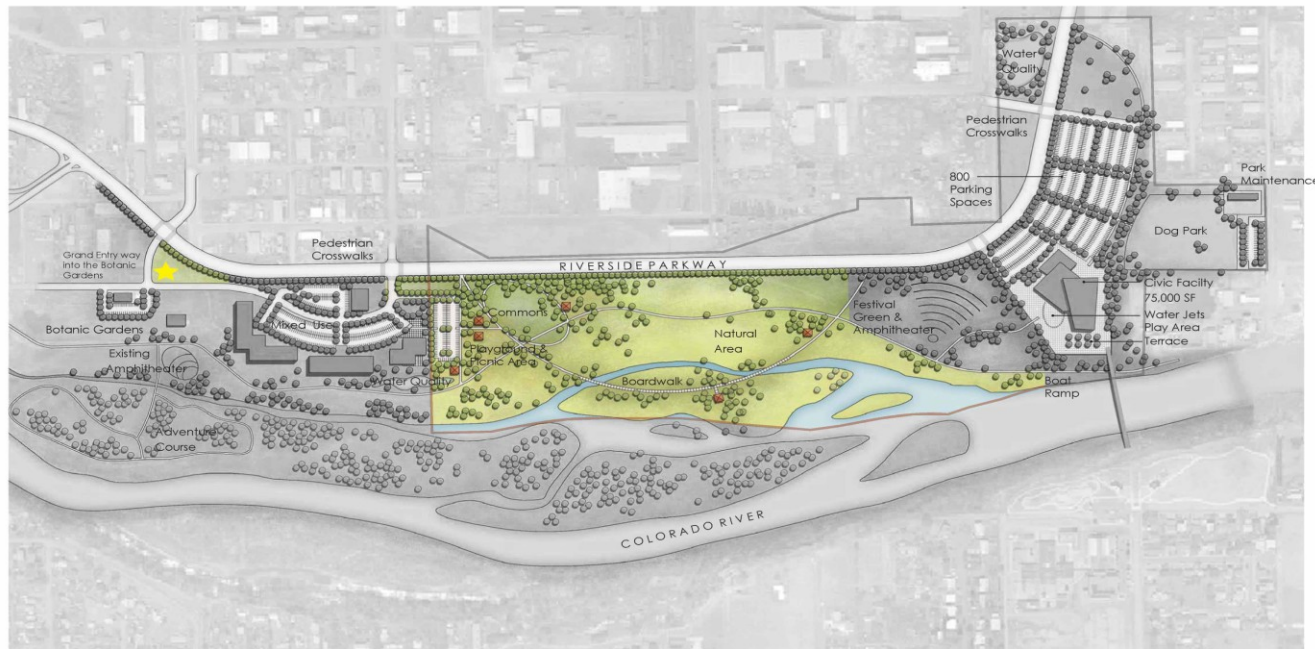
1. *Establish Mixed-Use Center.* As the Park grows in popularity, private mixed-use development including restaurants, retail, and potentially residential will become more attractive to developers. This will be funded with private development dollars.





Aerial Perspective





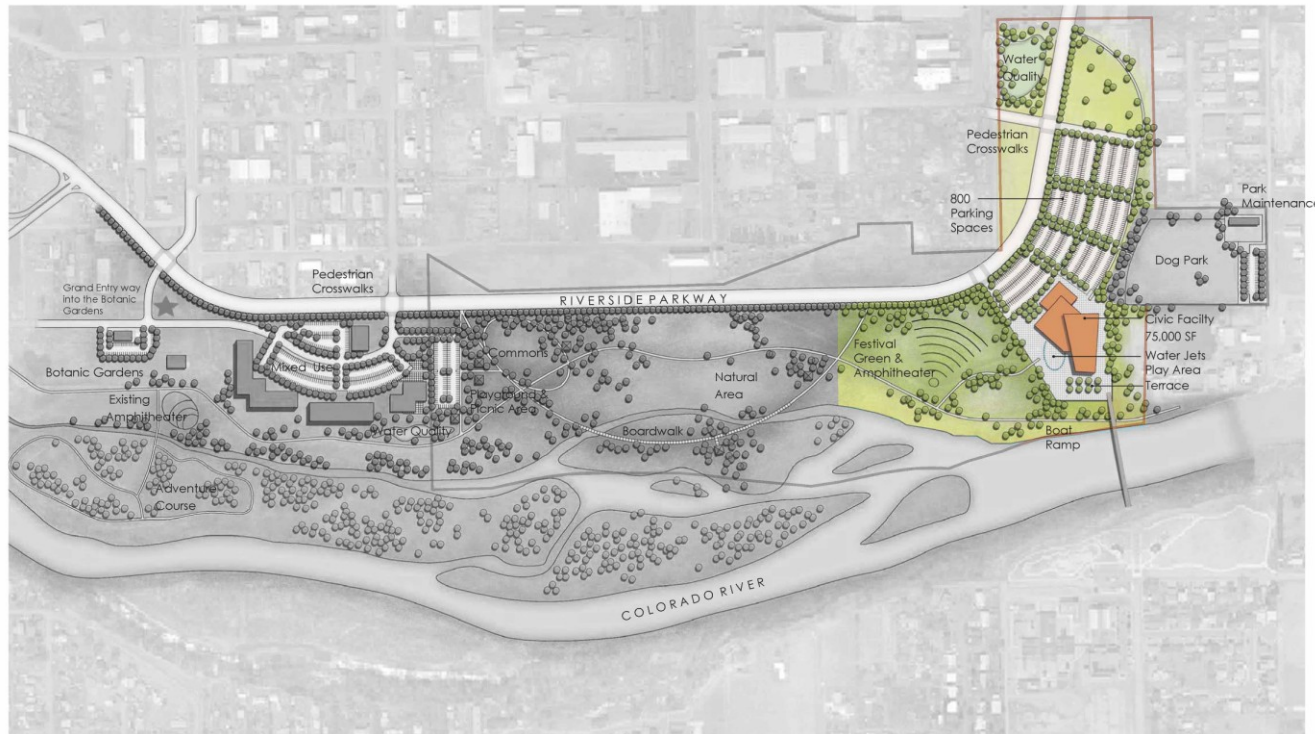
### Phase I

1. Mitigate Tamarisk Along River Edge
2. Re-vegetate with Native Seed Mix
3. Establish Western Entry Into the Park
4. Construct New Playground, Picnic Shelters, and Commons Area
5. Create Gateway into Botanic Gardens



## Phase II

1. Establish Eastern Entry Into Park
2. Construct Dog Park
3. Construct Park Maintenance Facility



### Phase III

1. Construct Future Civic Facility, Terrace Plaza, Water Feature, and Expand Parking Lot
2. Construct Amphitheater and Festival Green



## Phase IV (Private Development)

1. Establish Mixed-Use Center

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

**A RESOLUTION ADOPTING THE LAS COLONIAS MASTER PLAN**

The Las Colonias Master Plan, prepared by EDAW, Inc. of Fort Collins, Colorado, was initially presented to the City Council at their March 19, 2007 meeting.

The City Council requested that the Master Plan be reviewed by the Parks and Recreation Advisory Board and input by the Board be brought back to the City Council.

The Parks and Recreation Advisory Board reviewed the Master Plan and unanimously adopted it at their April 21, 2007 meeting. The Board fully supports the Master Plan and recommends that City Council adopt it.

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

That the Las Colonias Master Plan, prepared by EDAW, Inc. and adopted by the Grand Junction Parks and Recreation Advisory Board, be adopted by the Grand Junction City Council.

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
James J. Doody  
President of the Council

ATTEST:

\_\_\_\_\_  
Stephanie Tuin  
City Clerk

**Attach 13**

Swan Lane Revocable Permit, Located at the South End of Swan Lane on the Redlands

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Revocable Permit – South end of Swan Lane on the Redlands					
<b>Meeting Date</b>	June 20, 2007					
<b>Date Prepared</b>	June 6, 2007			File #RVP-2007-131		
<b>Author</b>	Senta L. Costello		Associate Planner			
<b>Presenter Name</b>	Senta L. Costello		Associate Planner			
<b>Report results back to Council</b>		Yes	X	No	When	
<b>Citizen Presentation</b>		Yes		No	Name	
	Workshop	X	Formal Agenda		Consent	X Individual Consideration

**Summary:** Request for a Revocable Permit to allow a 6 foot cedar privacy fence within 72 square feet of newly dedicated right-of-way for Swan Lane.

**Budget:** N/A

**Action Requested/Recommendation:** Denial of the Resolutions issuing the Revocable Permit.

**Background Information:** See attached Staff report.

**Attachments:**

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

<b>BACKGROUND INFORMATION</b>			
<b>Location:</b>		South end of Swan Lane	
<b>Applicant:</b>		Redlands Valley Dev. Inc. – Robert C. Smith	
<b>Existing Land Use:</b>		Right-of-way for Swan Lane	
<b>Proposed Land Use:</b>		6' cedar privacy fence	
<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>		City R-4 (Residential 4 du/ac)	
<b>Proposed Zoning:</b>		City R-4 (Residential 4 du/ac)	
<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 Medium Low 2-4 du/ac	
<b>Zoning within density range?</b>		<b>X</b>	<b>Yes</b>
			<b>No</b>

**Staff Analysis:**

1. Background

The property was annexed into the City of Grand Junction as the Swan Lane Annexation in June, 2005. The property consisted of 6 parcels of land totaling 2.87 acres. Five parcels on the west side of Swan Lane were part of the Mockingbird Heights Subdivision but subsequent re-plats and property line adjustments have altered the size and shape of that portion of the subdivision. Swan Lane extends southwesterly from Broadway (State Highway 340) for some 600 feet. A dedicated but not yet constructed cul-de-sac was provided at the end of Swan Lane. The original southern portion of the Swan Lane right-of-way has been vacated and new right-of-way dedicated with subdivision plat that was recorded April 2007.

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

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

- a. There will be benefits derived by the community or area by granting the proposed revocable permit.



Applicant's Response: The public benefit of this structure is the security that it provides by inhibiting non-authorized access from outside of the subdivision. It will discourage foot traffic or small motorized vehicles from "short-cutting" from Mudgett Avenue over to Swan Lane across private lands lying adjacent to the subdivision.

Staff's Response: A privacy fence in the right-of-way at this location does not provide any benefits to the community. The fence will lead to the impression of the property owners in the area that the street is a dead end and will not be extended in the future when in fact it is a street stub that is intended for extension at some point in the future to connect Swan Lane with the property to the south and / or Mudgett Avenue. If cross traffic / trespassing becomes an issue for the property owner(s) to the south, they have the ability to put up a privacy fence on their property to inhibit people from crossing their property to get to or from Swan Lane.

- b. There is a community need for the private development use proposed for the City property.

Applicant's Response: Privacy will be afforded to landowners adjacent to the subdivision with an attractive feature.

Staff's Response: There is no community need for the proposed private development and as stated in Criterion "a" above, the fence leads to false impressions as to the future extension of the street.

- c. The City property is suitable for the proposed uses and no other uses or conflicting uses are anticipated for the property.

Applicant's Response: The right-of-way is currently occupied by a sanitary sewer outfall pipeline and has no surface improvements such as a pathway or roadways. It's a logical location for placing this type of fence for the reasons stated above and because the fence runs along the common line between the subdivision and the adjacent landowners to the south. Since there is no thoroughfare allowed across the adjacent landowners, there will be no conflict arising from the erection of this fence.

Staff's Response: The proposed area for the fence is in a street stub that is intended for extension at some point in the future to connect Swan Lane with the property to the south and/or Mudgett Avenue. If cross traffic / trespassing becomes an issue for the property owner(s) to the south, they have the ability to put up a privacy fence on their property to inhibit people from crossing their property to get to or from Swan Lane.

- d. The proposed use shall be compatible with the adjacent land uses.

Applicant's Response: The fence is made of natural materials and appears to be compatible with other fencing in the general vicinity.

Staff's Response: The proposed fence is not compatible with other uses in the area because privacy fences are not typically allowed within the front yard setback, or within public right-of-way.

- e. The proposed use shall not negatively impact access, traffic circulation, neighborhood stability or character, sensitive areas such as floodplains or natural hazard areas.

Applicant's Response: No traffic is anticipated along the right-of-way, but rather is discouraged, since it is abutting the cul-de-sac and has no surface improvements. There area no flood or other hazard impacts as a result of the proposed fence.

Staff's Response: As stated in Criterion "a", the fence will lead to the impression of the property owners in the area that the street is a dead end and will not be extended in the future when in fact it is a street stub that is intended for extension at some point in the future to connect Swan Lane with the property to the south and / or Mudgett Avenue.

- f. The proposed use is in conformance with and in furtherance of the implementation of the goals, objectives and policies of the Growth Plan, other adopted plans and the policies, intents and requirements of this Code and other City policies.

Applicant's Response: No specific response given.

Staff's Response: The request contradicts or inhibits the following goals and policies of the Growth Plan:

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

Policy 5.3: The City and County may accommodate extensions of public facilities to serve development that is adjacent to existing facilities. Development in areas which have adequate public facilities in place or which provide needed connection of facilities between urban development areas will be encouraged. Development that is separate from existing urban services ("leap frog" development) will be discouraged.

Goal 23: To foster a well-balanced transportation system that supports the use of a variety of modes of transportation, including automobile, local transit, pedestrian and bicycle use.

Policy 23.8: The City and County will require vehicular, bike and pedestrian connections between adjacent projects when such connection improve traffic flow and safety.

The request contradicts or inhibits the following requirements of the Zoning and Development Code:

Chapter 6.7.E.1.a: Subdivision shall be designed to continue or create an integrated system of lots, streets, trails, and infrastructure that provided for efficient movement of pedestrians, bicycles, and automobiles to and from adjacent development, while encouraging the use of mass transit.

Chapter 6.7.E.1.b: Subdivision shall allow for through movement of general traffic thus avoiding isolation of residential areas and over-reliance on arterial streets on the edges of the subdivision for traffic movement, except as required by Section 6.7.E.2.

Chapter 6.7.E.2.a: Street layouts shall continue streets in adjoining subdivisions or their anticipated locations when adjoining property is not yet developed.

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

Applicant's Response: No specific response given.

Staff's Response: As stated in the above criteria, the application cannot meet the Revocable Permit criteria of Chapter Two of the Zoning and Development Code.

#### FINDINGS OF FACT/CONCLUSIONS

After reviewing the Swan Lane Revocable Permit application, RVP-2007-131 for the issuance of a revocable permit for a 6' cedar privacy fence, staff makes the following findings of fact and conclusions:

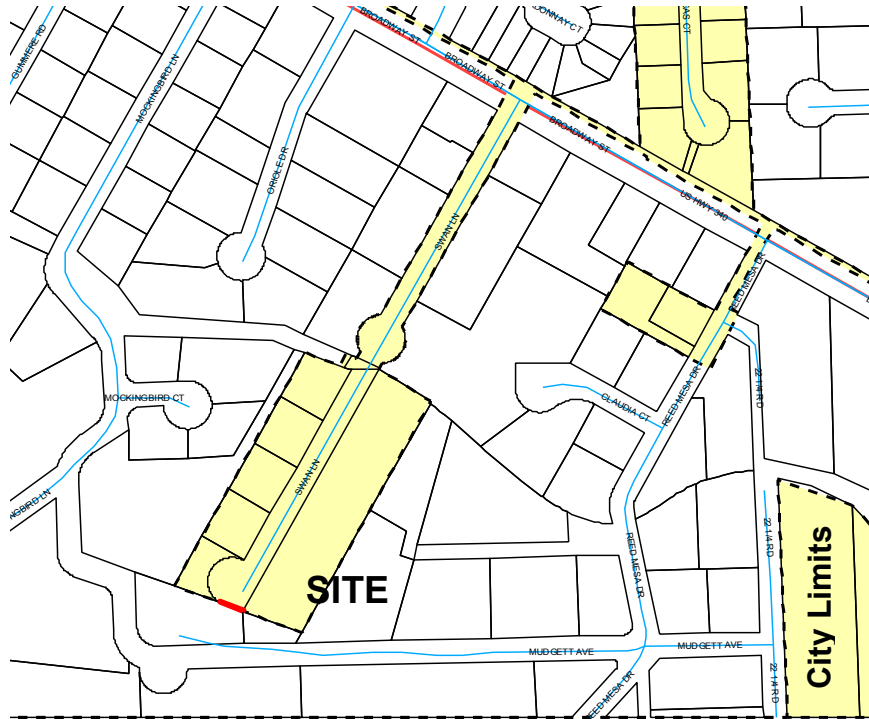
4. Review criteria a-g in Section 2.17.C of the Zoning and Development Code can not be met.

#### STAFF RECOMMENDATION:

Staff recommends that the City Council deny the requested revocable permit for Swan Lane Revocable Permit, RVP-2007-131.

# Site Location Map

Figure 1



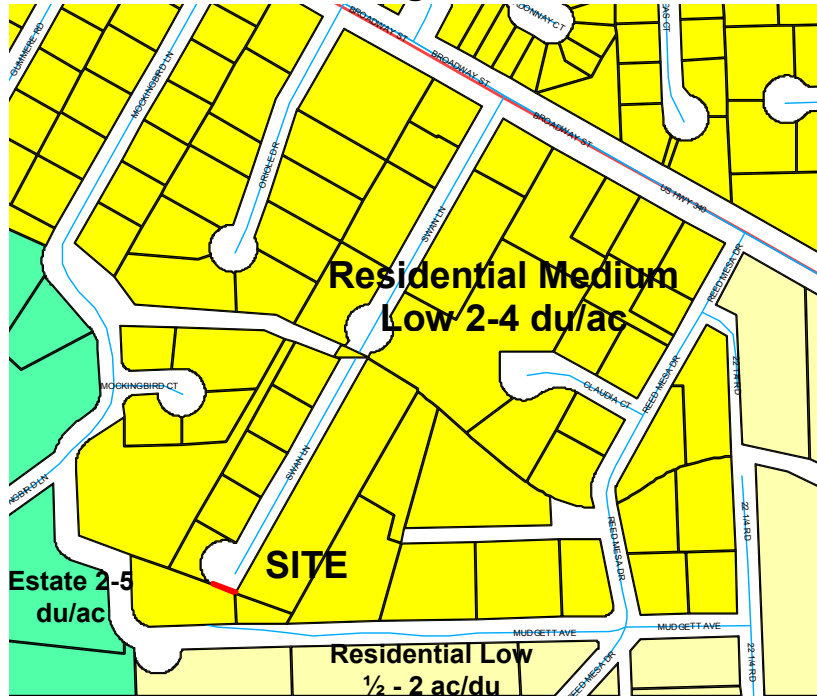
# Aerial Photo Map

Figure 2



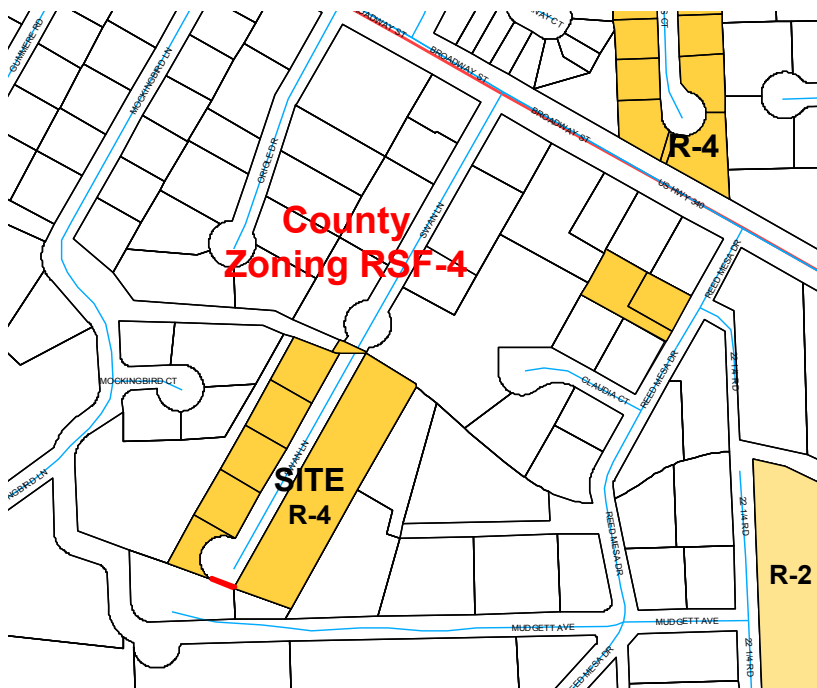
# Future Land Use Map

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 CONCERNING THE ISSUANCE OF A REVOCABLE PERMIT TO REDLANDS VALLEY DEVELOPMENT INC.**

**RECITALS:**

A. Redlands Valley Development Inc., hereinafter referred to as the Petitioner, represent it is the owner of the following described real property in the City of Grand Junction, County of Mesa, State of Colorado, to wit:

Block 1 Lots 1-7 and Block 2 Lots 1-5 of Redlands Valley Subdivision, Grand Junction, CO as recorded in the Mesa County Clerk & Records Office at Reception Number 2374828.

B. The Petitioner has requested that the City Council of the City of Grand Junction issue a Revocable Permit to allow the Petitioner to install, maintain and repair a 6' cedar privacy fence within the following described public right-of-way:

A portion of a public right-of-way situate in the SW1/4 of Section 7, T1S, R1W of the Ute Meridian, City of Grand Junction, Mesa County, Colorado, being more particularly described as follows: Beginning at the southeasterly corner of Lot 7 in Redlands Valley Subdivision, recorded in the Office of the Mesa County Clerk and Recorder at Reception Number 2374828; thence N26°46'21"E, on the westerly line of said right-of-way, for a distance of 2.01 feet; thence S68°18'47"E for a distance of 36.14 feet to the easterly line of said right-of-way; thence, continuing on said easterly line, S26°46'21"W for a distance of 2.01 feet to the southerly line of said subdivision; thence N68°18'47"W for a distance of 36.14 feet to the beginning.

containing 72 square feet, more or less, as described.

C. Relying on the information supplied by the Petitioner and contained in File No. RVP-2007-131 in the office of the City's Public Works and Planning Department, Planning Division, the City Council has determined that such action would not at this time be detrimental to the inhabitants of the City of Grand Junction.

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

1. That the City Manager is hereby authorized and directed to issue the attached Revocable Permit to the above-named Petitioner for the purpose aforescribed and within the limits of the public right-of-way aforescribed, subject to each and every term and condition contained in the attached Revocable Permit.

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

Attest:

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

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

## REVOCABLE PERMIT

### Recitals.

A. Redlands Valley Development Inc. hereinafter referred to as the Petitioner, represent it is the owner of the following described real property in the City of Grand Junction, County of Mesa, State of Colorado, to wit:

Block 1 Lots 1-7 and Block 2 Lots 1-5 of Redlands Valley Subdivision, Grand Junction, CO as recorded in the Mesa County Clerk & Records Office at Reception Number 2374828.

B. The Petitioner has requested that the City Council of the City of Grand Junction issue a Revocable Permit to allow the Petitioner to install, maintain and repair a 6' cedar privacy fence within the following described public right-of-way:

A portion of a public right-of-way situate in the SW1/4 of Section 7, T1S, R1W of the Ute Meridian, City of Grand Junction, Mesa County, Colorado, being more particularly described as follows: Beginning at the southeasterly corner of Lot 7 in Redlands Valley Subdivision, recorded in the Office of the Mesa County Clerk and Recorder at Reception Number 2374828; thence N26°46'21"E, on the westerly line of said right-of-way, for a distance of 2.01 feet; thence S68°18'47"E for a distance of 36.14 feet to the easterly line of said right-of-way; thence, continuing on said easterly line, S26°46'21"W for a distance of 2.01 feet to the southerly line of said subdivision; thence N68°18'47"W for a distance of 36.14 feet to the beginning.

containing 72 square feet, more or less, as described.

C. Relying on the information supplied by the Petitioner and contained in File No. RVP-2007-131 in the office of the City's Public Works and Planning Department, Planning Division, the City Council has determined that such action would not at this time be detrimental to the inhabitants of the City of Grand Junction.

NOW, THEREFORE, IN ACCORDANCE WITH THE ACTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

There is hereby issued to the above-named Petitioner a Revocable Permit for the purpose aforescribed and within the limits of the public right-of-way aforescribed; provided, however, that the issuance of this Revocable Permit shall be conditioned upon the following terms and conditions:

1. The Petitioner's use and occupancy of the public right-of-way as authorized pursuant to this Permit shall be performed with due care or any other higher standard of care as may be required to avoid creating hazardous or dangerous situations and to avoid damaging public improvements and public utilities or any other facilities presently existing or which may in the future exist in said right-of-way.
2. The City hereby reserves and retains a perpetual right to utilize all or any portion of the aforescribed public right-of-way for any purpose whatsoever. The City further reserves and retains the right to revoke this Permit at any time and for any reason.



3. The Petitioner, for itself and for its successors, assigns and for all persons claiming through the Petitioner, agrees that it shall defend all efforts and claims to hold, or attempt to hold, the City of Grand Junction, its officers, employees and agents, liable for damages caused to any property of the Petitioner or any other party, as a result of the Petitioner's occupancy, possession or use of said public right-of-way or as a result of any City activity or use thereof or as a result of the installation, operation, maintenance, repair and replacement of public improvements.

4. The Petitioner agrees that it shall at all times keep the above described public right-of-way in good condition and repair.

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

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

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

Attest:

The City of Grand Junction,  
a Colorado home rule municipality

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

\_\_\_\_\_  
City Manager

Acceptance by the Petitioner:

\_\_\_\_\_  
Redlands Valley Development Inc.

**AGREEMENT**

Redlands Valley Development Inc., for itself and for its successors and assigns, does hereby agree to:

(a) Abide by each and every term and condition contained in the foregoing Revocable Permit;

(b) Indemnify and hold harmless the City of Grand Junction, its officers, employees and agents with respect to all claims and causes of action, as provided for in the approving Resolution and Revocable Permit;

(c) Within thirty (30) days of revocation of said Permit by the City Council, peaceably surrender said public right-of-way to the City of Grand Junction;

(d) At the sole cost and expense of the Petitioner, remove any encroachment so as to make said public right-of-way fully available for use by the City of Grand Junction or the general public.

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

Redlands Valley Development Inc.

By: \_\_\_\_\_  
Robert C. Smith, Managing Member

State of Colorado    )  
                                  )ss.  
County of Mesa        )

The foregoing Agreement was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 2007, by Robert C. Smith, Managing Member of Redlands Valley Development Inc..

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

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

**Attach 14**

Vacation of a 15 Foot Ingress/Egress Easement, Located at 603 Meander Drive

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL AGENDA</i>							
<b>Subject</b>		Easement Vacation – 603 Meander					
<b>Meeting Date</b>		June 20, 2007					
<b>Date Prepared</b>		June 1, 2007			File #VE-2007-056		
<b>Author</b>		Ronnie Edwards		Associate Planner			
<b>Presenter Name</b>		Ronnie Edwards		Associate Planner			
<b>Report results back to Council</b>		X	No		Yes	When	
<b>Citizen Presentation</b>			Yes	X	No	Name	
	<b>Workshop</b>	X	<b>Formal Agenda</b>			<b>Consent</b>	X <b>Individual Consideration</b>

**Summary:** A request to vacate a 15 foot ingress/egress easement, located in the Tomkins Subdivision at 603 Meander Drive.

**Budget:** N/A

**Action Requested/Recommendation:** Consider passage of the Easement Vacation Resolution.

**Background Information:** See attached Background Information.

**Attachments:**

1. Background Information
2. City Council Minutes (portion of) – June 4, 1997 meeting
3. Enlarged plat map
4. Site Location Map/Aerial Photo Map
5. Future Land Use Map/Existing City and County Zoning Map
6. Site Specific Aerial Photos
7. Adjacent property owner objection packet
8. Applicant and representative response packet
9. Associated Neighborhood letters/cards
10. Minutes from the May 22, 2007 Planning Commission meeting (excerpt)
11. Resolution/Exhibit Map

<b>BACKGROUND INFORMATION</b>			
<b>Location:</b>		603 Meander Drive	
<b>Applicants:</b>		Manfred and Angelika Hennig	
<b>Existing Land Use:</b>		Residential	
<b>Proposed Land Use:</b>		Residential	
<b>Surrounding Land Use:</b>	<b>North</b>	Residential	
	<b>South</b>	Redstone Professional Plaza	
	<b>East</b>	Hi-Fashion Fabric Retail Center	
	<b>West</b>	Residential	
<b>Existing Zoning:</b>		R-4	
<b>Proposed Zoning:</b>		R-4	
<b>Surrounding Zoning:</b>	<b>North</b>	R-1	
	<b>South</b>	B-1	
	<b>East</b>	B-1	
	<b>West</b>	R-4	
<b>Growth Plan Designation:</b>		Residential Low (1/2 – 2 ac/du)	
<b>Zoning within density range?</b>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
		<b>Yes</b>	<b>No</b>

**Staff Analysis:**

1. Background:

The subject property was originally platted as Lot 2 of the Tomkins Subdivision in 1995. This subdivision contained three lots, with Lot 3 having frontage on F Road. The original intent of this subdivision was to create a second residential lot, which is the applicants' parcel, and future commercial zoning and development for Lot 3 adjacent to F Road. The proposed plat was approved with seven conditions, of which two affected this particular area. One condition required a 20 foot wide easement from Lot 3 to Meander Drive across Lot 1, to prevent the parcel from being landlocked, and the other condition prohibited access to Lot 3 from F Road, until such time as a rezone and development of the property occurred. Access from F Road would occur with future development.

The 20 foot wide easement across Lot 1 was created to ensure no landlocked parcel would be created with this initial subdivision. The subdivision plat depicts the 20 foot easement adjoining a separate 15 foot

easement that is located on Lot 2 adjacent to Meander Drive. This 15 foot wide easement is the applicants' access and driveway at 603 Meander Drive and the easement the applicants have requested to be vacated. In October of 1997, a request to vacate the 20 foot access easement across Lot 1 between Meander Drive and Lot 3 was approved, as it was no longer necessary. The minutes from the June 4, 1997 City Council minutes states that the 20 foot easement was established as a temporary easement to satisfy access requirements and was never intended to be a permanent access (copy attached). The 15 foot easement located on Lot 2 was dedicated to the City of Grand Junction on the original subdivision plat and serves the property owners of Lot 2, but will have to be retained as a multi-purpose easement as it contains various types of utility service lines. Staff has included an enlarged copy of the subdivision plat to clarify the various lots and easements that are being discussed with this request.

The adjacent property owner at 605 Meander Drive has expressed concern about the vacation request, as it is their desire to keep this access to also serve their lot. Aerial photos have been included in the staff report, which depicts a separate access for 605 Meander. This vacation request does not landlock any parcel, create adverse impacts with adjoining neighborhood or create safety issues of the general community. The plat clearly depicts the 15 foot easement as being entirely on the applicant's property and ending at their property line. Two separate letters have been included in this report written by real estate agents concerning whether this request would devalue the property at 605 Meander Drive. By maintaining their existing access and circular drive, valuation of their property should not diminish and adequate site circulation is still being maintained.

2. Consistency with the Growth Plan:

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

By allowing the described easement to be vacated, the property owners will not be encumbered by unrelated traffic and the area will be retained as a multi-purpose easement for existing utility lines that service the neighborhood. Vacating the easement allows the property owners the option of constructing a privacy fence for security purposes as adjacent property owners have done.

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

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

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

Vacation of the 15 foot easement, located on Lot 2, does not conflict with applicable sections of the Growth Plan, major street plan and other adopted plans and policies of the City.

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

No parcel becomes landlocked with this vacation. All parcels in this neighborhood fronting Meander Drive have individual accesses. The 15 foot easement is the only access to 603 Meander Drive that is located on their property.

- 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.

As previously stated, the easement is the only access point for 603 Meander Drive. Staff does not anticipate any devaluation to the applicant's property or to adjacent property owners in regards to this proposal.

- 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 are no adverse impacts to the general community. The quality of public facilities and services provided is not reduced due to this vacation request as the easement is being retained as a multi-purpose easement due to existing underground service lines.

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

Provision of adequate public facilities and services will not be inhibited to any property as required in Chapter 6 of the Code.

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

Vacation of the 15 foot easement will include retaining the subject area as a multipurpose easement for the existing underground utility lines that service this neighborhood.

#### FINDINGS OF FACT/CONCLUSIONS:

After reviewing this Easement Vacation application, VE-2007-056, for the vacation of a 15 foot ingress/egress easement, staff makes the following findings of fact and conclusions:

5. The requested easement vacation is consistent with the goals and policies of the Growth Plan.
6. The review criteria in Section 2.11.C of the Zoning and Development Code have all been met.
7. The subject area being vacated will be retained as a multi-purpose easement for existing utilities.

#### STAFF RECOMMENDATION:

Staff recommends that the Planning Commission forward a recommendation of approval of the requested easement vacations, VE-2007-056, to the City Council with the findings and conclusions listed above.

#### RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on item VE-2007-056, I move we forward a recommendation of approval to the City Council on the request to vacate a 15 foot ingress/egress easement, with the findings of fact and conclusions listed in the staff report.

Councilmember Sutherland said he could not support the request to vary the entire width of the lot setback because it would lead to additional expansions of the homes into the setback.

Councilmember Theobald said he is uncomfortable with retroactive appeals to waive or modify something, resulting in requests to the City Council to create a legal solution to an oversight. Considering the neighborhood consent given at this meeting, he is inclined to support the change, but would also like to see the City pursue some contractor discipline. This type of oversight should not be ignored.

Councilmember Scott felt this could be setting a precedent and might encourage people to not obtain a building permit and appeal time and again.

Other Councilmembers concurred with Councilmembers Theobald and Scott.

Mayor Terry felt safety, vision and traffic were concerns. Since the fence does not create the above concerns, she would support the appeal.

Upon motion by Councilmember Sutherland, seconded by Councilmember Theobald and carried by roll call vote, the appeal of the Planning Commission's decision was granted, subject to the amended condition that 75% of the setback remain at 25' and 25% of the setback be allowed to not less than 15' for the six properties with lot lines along F 1/2 Road.

PUBLIC HEARING - EASEMENT VACATION AT 605 MEANDER DRIVE -  
ORDINANCE NO. 3004 VACATING A 20 FOOT INGRESS/EGRESS EASEMENT  
LOCATED ON LOT 1, TOMKINS SUBDIVISION, AT 605 MEANDER DRIVE  
[FILE #VE-1997-076]

A request to vacate a 20' ingress/egress easement between Meander Drive and Lot 3, Tomkins Subdivision at 2582 Patterson Road. The easement was originally dedicated to provide access to Lot 3 which fronted but did not have approved access to Patterson Road. With the platting of Redstone Business Park located on Patterson



Road, required access was provided. The Planning Commission has recommended approval of the vacation request.

A hearing was held after proper notice. Mr. Randy Christenson was present representing Kathy Tomkins, owner of the property at 605 Meander Drive. He said the easement was established as a temporary easement to satisfy access requirements so parcel #3 of that subdivision would not be landlocked. It was never intended as a permanent access. Subsequently, parcel #3 of Tomkins Subdivision was taken through the City process and is now known as the Redstone Business Park with an approved access from Patterson Road. Therefore, this easement no longer serves a purpose.

This item was reviewed by Bill Nebeker, Community Development Department. He said Staff finds the easement vacation meets the criteria in the Zoning & Development Code and recommends adoption of the ordinance.

Councilmember Sutherland asked if there is any portion of the easement on Lot 2 that would require vacation at a later date. Mr. Nebeker said the easement is entirely on Lot 1. The 10' water line easement from Patterson Road was recently vacated.

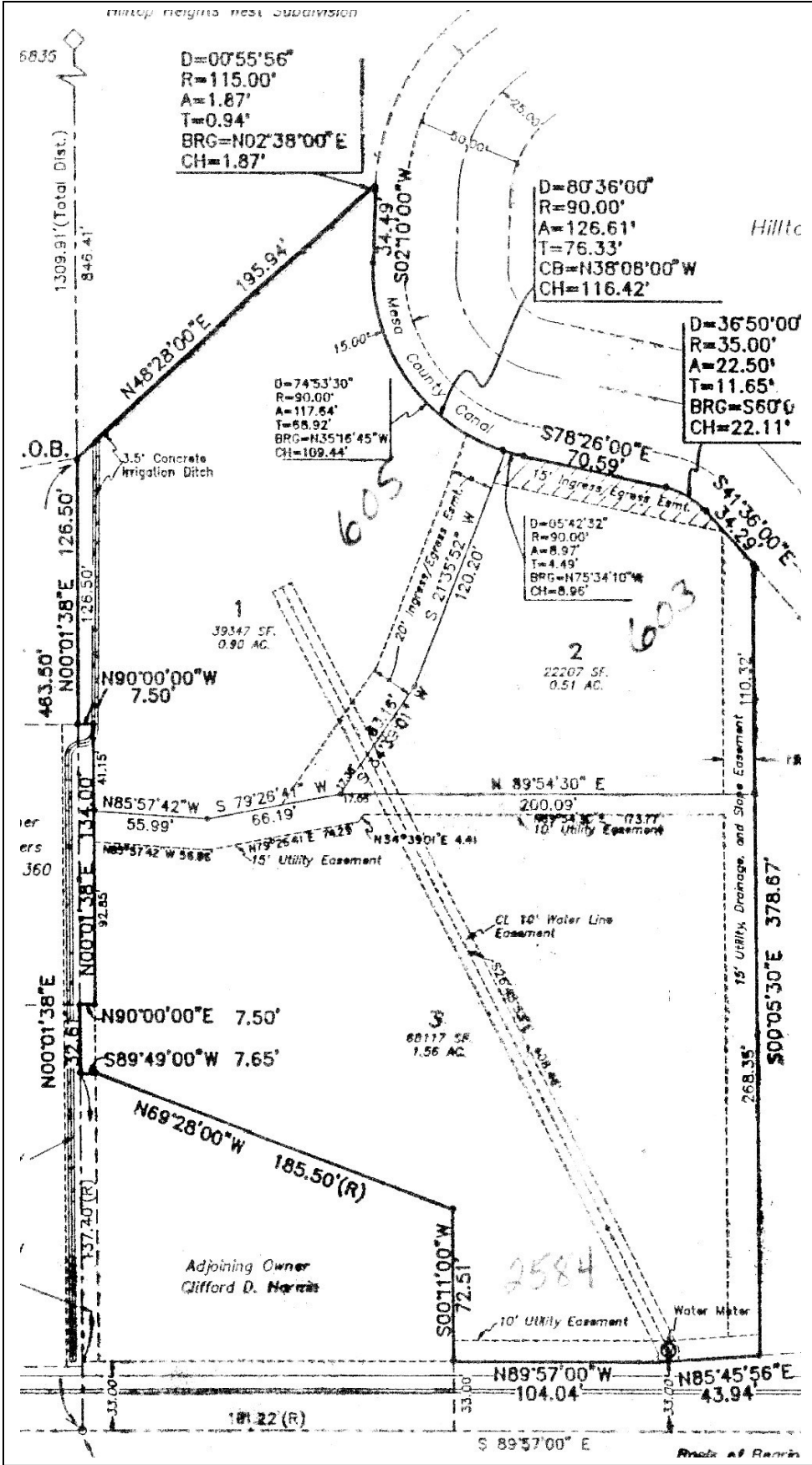
There were no other comments. The hearing was closed.

Upon motion by Councilmember Kinsey, seconded by Councilmember Enos-Martinez and carried by roll call vote, Ordinance No. 3004 was adopted on final reading and ordered published.

PUBLIC HEARING - ZONING THE WESTWOOD RANCH ANNEXATION, LOCATED AT THE NORTHWEST CORNER OF 25 1/2 ROAD AND F 1/2 ROAD, TO RSF-R ORDINANCE NO. 3011 ZONING THE WESTWOOD RANCH ANNEXATION RSF-R [File #ANX-96-267]

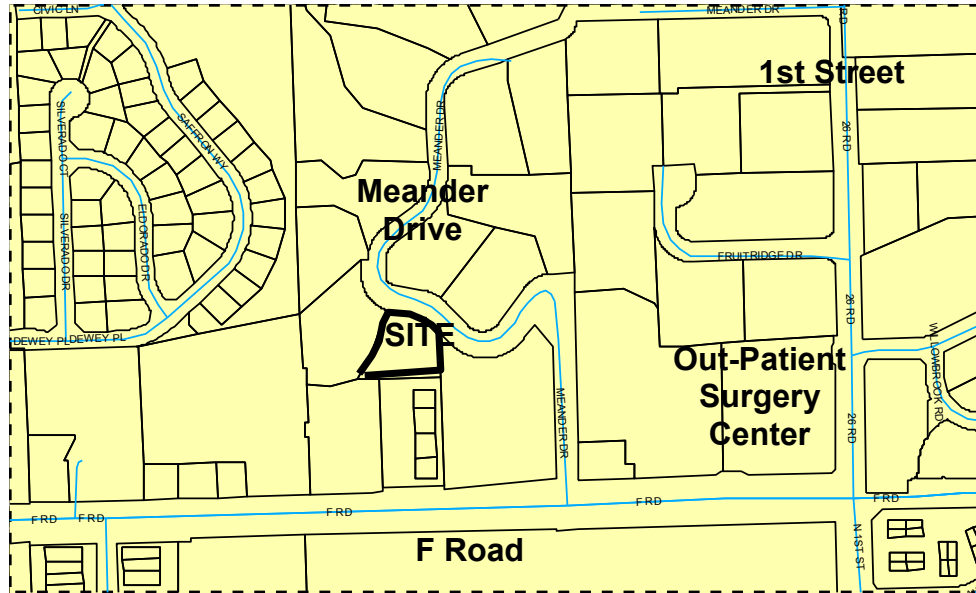
A proposal to zone the recently annexed 22.55 acre Westwood Ranch Annexation located at the northwest corner of F 1/2 Road and 25 1/2 Road to Residential Single-Family with a maximum of 4 units per acre (RSF-4).

TOMKINS SUBDIVISION



# Site Location Map

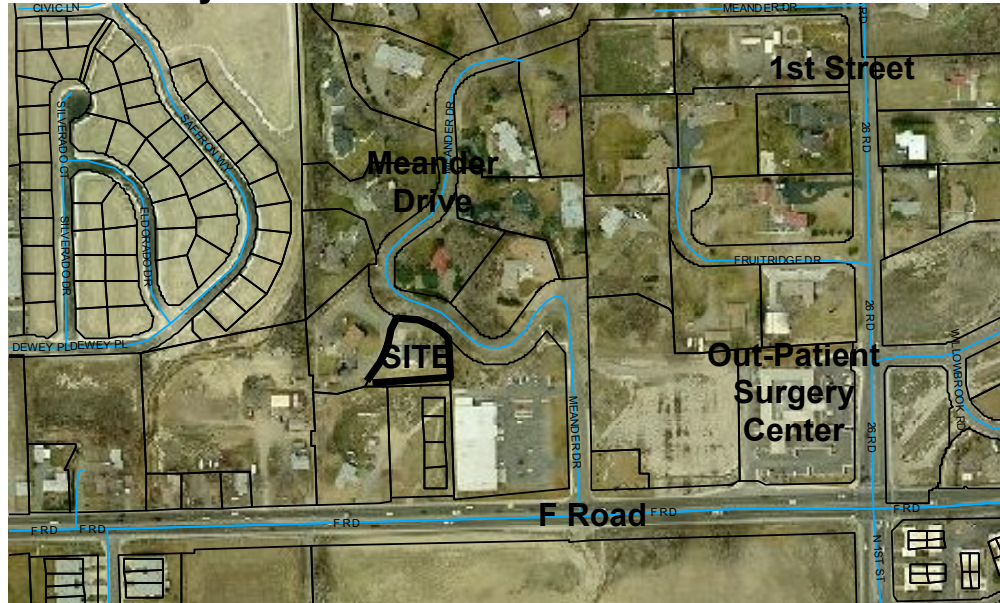
Figure 1



# Aerial Photo Map

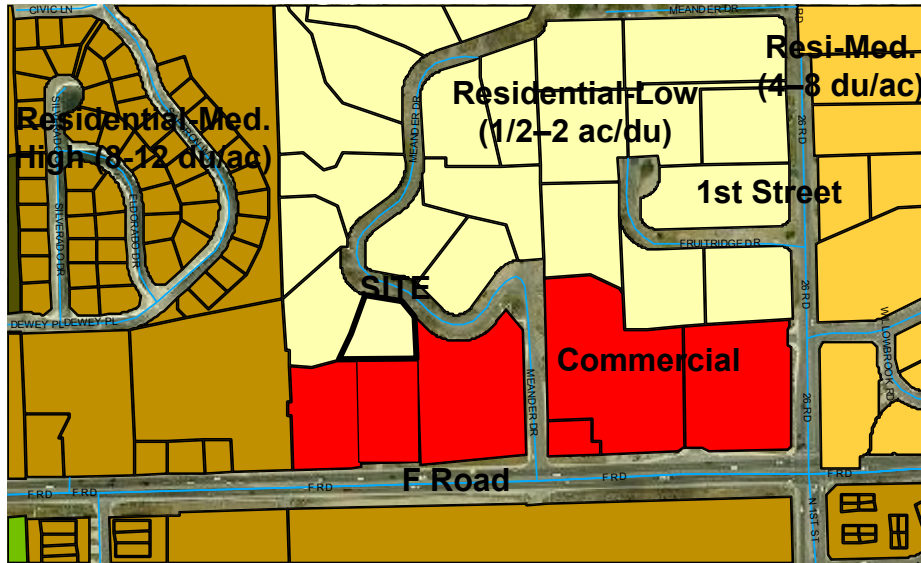
Figure 2

**SITE**      **City Limits**      **Street Name**



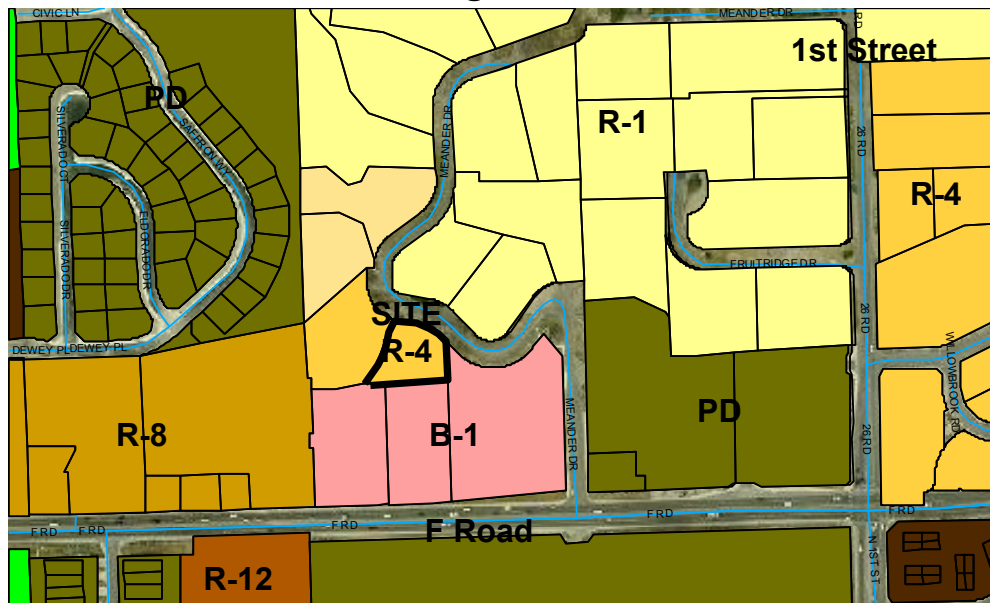
# Future Land Use Map

Figure 3



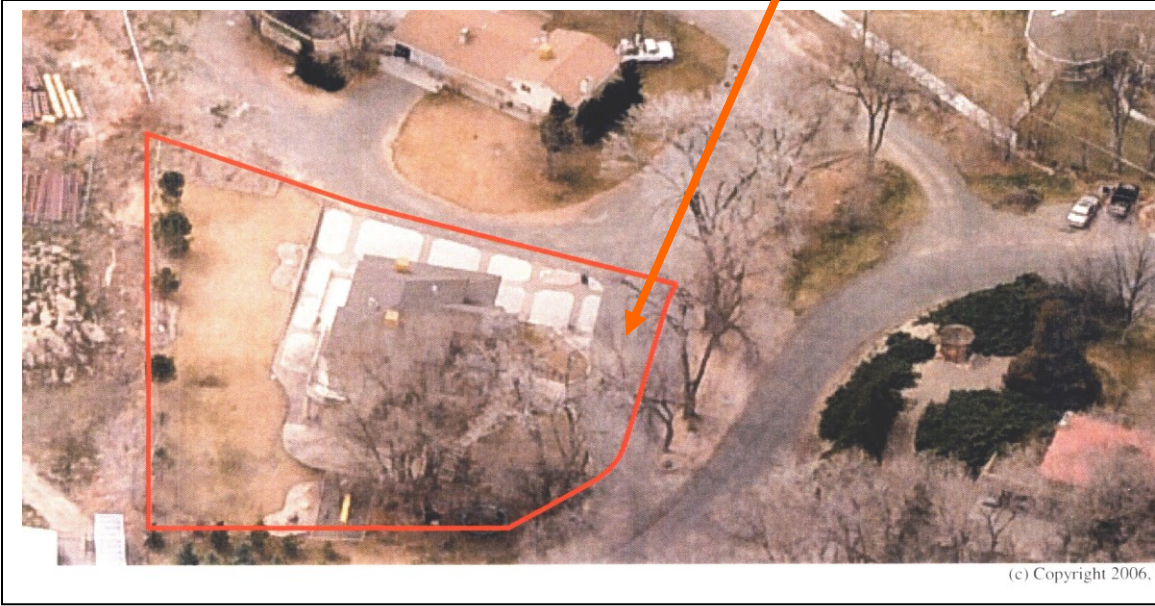
# Existing City and County Zoning

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."

Area to be vacated



Area to be vacated



March 18, 2007

Ronnie Edwards  
Grand Junction Community Development Department  
City Hall  
250 North 5<sup>th</sup> Street  
Grand junction, CO 81505

RECEIVED  
MAR 20 2007  
COMMUNITY DEVELOPMENT  
DEPT.

**Re: VE-2007-056-Henning Vacation of Easement – 603 Meander Drive**

Ms. Edwards,

I am writing to formally voice my objection to the vacation of the easement stated in the above request located on the northern border of the 603 Meander property based on the following:

First, this easement is my driveway. We have used this driveway everyday since we moved in to our home 2 years ago. The people we purchased the home from used this driveway daily as well. The original owner, Kathy Tomkins, used this driveway daily before the lots were even subdivided, since 1972. To retain this easement, it is clearly marked on the replat of the TOMKINS SUBDIVISION, located on the northern border of LOT 2 (603 Meander). (Because the file contains multiple copies of the replat, I will let you refer to one of those.) In the dedication it states;

*“All easements include the right of ingress and egress on, along, over, under and through and across by the beneficiones, their successors, or assigns, together with the right to trim or remove interfering trees and brush. Provided, however, that the beneficiones of said easements shall utilize the same in a reasonable and prudent manner. Furthermore, the owners of lots or tracts hereby platted shall not burden nor overburden said easements by erecting or placing any improvements thereon which may prevent reasonable ingress and egress to and from the easement.*

*All ingress/egress easements and rights-of-way to the City of Grand Junction as perpetual easements for ingress and egress use by the general public.”*

As per our conversation during the meeting of March 7th, 2007, you stated that this dedication did not necessarily guarantee my right of use for access to Lot 1 and that what I needed was proof that the easement was intended for use by LOT 1 and not just LOT 2. I refer you to the Grand Junction Planning Commission Minutes dated September 6, 1994 and the project #131-94 Request for recommendation of approval to subdivide 3 acres located at 605 Meander Drive into 3 parcels, consisting of .86 acre, .52 acre & 1.623 acre.  
**Exhibit A**

In the first paragraph of the STAFF PRESENTATION, Mr. Tom Dixon states;

***“...There is an existing residence on the proposed Lot 1 zoned RSF-4. The house gets access to Meander via a driveway easement that passes across proposed Lot 2.”***

As can be seen on the replat of the TOMKINS SUBDIVISION, Lot 1 pertains to 605 Meander Drive and Lot 2 pertains to 603 Meander Drive. This driveway easement was part of the original subdivision and was to be used as the permanent access to the 605 property.

**Violation of Approval Criteria, section 3,** ‘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.**’

I valued and purchased my property in September of 2005 on the premise that this easement was my driveway and would be used as such on a regular basis. This driveway serves the front of my house, the front of my carport, as well as the front of my garage. The access to Meander Drive that the petitioner claims that the 605 address possesses, is located in the back of the property and serves mainly for access to the rear of the property and also to the irrigation ditch. By losing the original driveway, it changes the entire orientation of the house to the property. This would then limit my full use of my property as there would now have to be a dedicated driveway that comes from the back of the house all the way around to the front. Current Landscaping plans call for the removal of the back access and removal of a large portion of the gravel now in place. These are designs that I have already paid for and am ready to implement. Obviously, by losing my driveway, there is going to be a negative impact on the immediate value as well as the future ability to increase the value of this property. This is simply unacceptable and violates the Approval Criteria.

**Violation of Approval Criteria, section 4,** ‘There shall be no adverse impacts on the health, **safety, and/or welfare of the general community,**....’

Any partial use of the back access has shown to be very dangerous. The location of this access is on the opposite side of a blind corner. The corner is obscured by both land elevation and heavy brush growth. Add this to the fact that Meander Drive is only 1 ½ car widths wide in this area. When attempting to make the turn from Meander into the access, you cross in front of oncoming cars on the blind corner. My children, my wife and I have all been very close to being hit by neighbors living up the road. The back access is also located on an incline which has proven to be very slippery in the winter and my wife’s car has had problems in the past getting up this incline when icy. This danger is unacceptable by myself as well as the neighbors affected in the back of the neighborhood. See the enclosed petition signed by these concerned neighbors. **Exhibit B**

**Approval Criteria, section 6**, 'The proposal shall provide benefits to the City such as **reduced maintenance requirements, improved traffic circulation**, etc.

The vacation of this primary use easement will force the use of an added ingress/egress to Meander Drive, which even after the limited use it has seen, there is obvious maintenance issues that will need to be addressed on a regular basis. The road is already deteriorating and I believe it is because of the steepness of the hill. This area was not designed to accept an active access. This is another reason we rarely use this back access. See enclosed picture of the deterioration of the road located at the top of the driveway.

**Exhibit C**

There is a reoccurring reference to a 20' easement in the petitioner's application and that it was directly related to the 15' easement in question. This 20' easement was created after the original subdivision and was only drawn on the plat to satisfy landlock issues until such time as Lot 3 gained access to Patterson Rd. This temporary easement was located on the property line between Lot 1 (605) and Lot 2 (603) and is marked distinctively different on the replat of TOMKINS SUBDIVISION. I again refer you to the Minutes of September 6, 1994, **Exhibit A**. In the 2<sup>nd</sup> paragraph of the PETITIONER'S PRESENTATION, Mr. Christensen states;

*"The 20' access easement from lot 3 connecting with Meander Drive is being drafted to ensure no land locked parcels. It is in no way to be construed as a functional access to that property in the future..."*

Clearly, there is no connection of this 20' easement to the 15' easement that was in place originally. This temporary 20' easement had its own hypothetical access to Meander drive at the Northern most end of the easement and because of the temporary nature, the hill and landscaping, it was never fully developed. It was vacated as soon as Patterson Rd. access for Lot 3 was granted. Again, the original 15' easement is for access to Lot 1 (605).

Also, there is a false statement in the application stating that the 15' easement the petitioners want vacated "dead ends" into private property. As can be seen in **Exhibit D**, this is not a dead end and in fact is continuous with my private drive and serves as the main driveway to my private property.

Because of the short notice of this action, I have not had enough time to consult all the professionals needed to back my objection. I will submit those reports and letters to the file as soon as I receive them.

Thank you,



Todd Mitchell  
605 Meander Drive  
Grand Junction, Colorado 81505 (970)-243-8772



Exp. C





Exh.  
D

Exhibit D<sub>2</sub>





Exh D3 -  
mailbox at top  
of drive

# Exhibit A

8. IN ADDITION: A easement shall be established for the clay pipe that runs through the property.

Commissioner Whitaker seconded the motion. The motion was passed unanimously 5-0.

Mr. Dixon said the next item involves a rezone. He said the rezone is being tabled or withdrawn, and asked Randy Christensen, the petitioner, if that was correct. Mr. Christensen said they are withdrawing their request at this time to allow more time to study the items of concern.

Commissioner Vogel asked to be excused at this time.

4. #131-94 MINOR SUBDIVISION/REZONE FROM RSF-4 TO PC (TOMKINS SUB.)

Request for recommendation of approval to subdivide 3 acres located at 605 Meander Drive into 3 parcels, consisting of .86 acre, .52 acre & 1.623 acre.

PETITIONER: Kathleen D. Tomkins

LOCATION: 605 Meander Drive

REPRESENTATIVE: Randy Christensen

CITY STAFF: Tom Dixon

#### STAFF PRESENTATION

Mr. Dixon gave an overview of the request. He said this is a three lot replat of a parcel along Patterson Road situated between Patterson Road and Meander Drive. The Hi-Fashion Fabric Store is located on Patterson to the East. Meander Drive winds to the North. There is an existing residence on the proposed Lot 1 zoned RSF-4. The house gets access to Meander via a driveway easement that passes across proposed Lot 2.

The petitioner's main objective is the creation of a second buildable lot for a single family residence. That would be on proposed lot 2. Proposed Lot 3 was looked at as a potential rezone parcel to take advantage of the fact that it has frontage on Patterson, and the trend along Patterson is for commercial development to occur. Mr. Dixon said that with this proposal, without the rezone three separate lots would be created under the RSF-4 zone. One will have the residence on it, the other two becoming vacant lots. The purpose of not wanting to go with the rezone at this time on that property, is that the City wants to have some time to look at the frontage access situation along this stretch of Patterson and to the west all the way to 25 1/2 Road.

The City needs time to study this site to determine how to access the site and other sites to the west before rezoning the parcel for commercial use. This may be done either by access along Patterson, a frontage road that would provide access without numerous curb cuts along patterson, or an actual new road alignment.

The City staff needs at least three or four months before anything definitive is decided on where the right-of-way that would be. The Petitioner's representative has been very understanding of that desire, and understands the need for time to study adequately to put forward a good recommendation to the City Council. The petitioner is agreeable to holding to the 3 lot replat at this time.

Mr. Dixon stated lot 3 will require an access easement across lot 2 to hook up with the existing driveway to access Meander Drive. With any kind of rezone approval on lot 3, the access to Meander Drive would be eliminated because it would no longer be a residential lot. Staff is recommending approval of the 3 lot replat with the following seven conditions. Those conditions are as follows:

1. A 20' wide easement from Lot 3 to Meander Drive is required and shall be indicated on the final re-plat.

2. Access onto Patterson Road shall be prohibited for Lot 3 until such time as a rezone of the property is reviewed and approved.
3. Open space fees for two additional lots will be required and are payable at the time of final platting.
4. All easements shown on the plat need to be dedicated to someone for a purpose.
5. Water service provided by the City for fire protection and/or domestic use must be extended on Meander Drive. The developer will be responsible for the cost of extension. Approval of plans shall be done by the City Utility Engineer.
6. A sewer trunk extension fee of \$1,350 will be required for Lots 1 and 2 prior to platting.
7. An easement across Lot 1 is required in order to provide access to Lot 2 for future sewer service.

Commissioner Withers said, "Because we are asking them to delay the rezoning at this time to benefit our study, will the petitioner have to repay all the fees when they come in to rezone on 3 and vacate the right-of-way that goes across on lot 2?" Mr. Dixon said the petitioner will and the reason being the fees were paid for a straight rezone, not the fees for a planned development zone.

#### PETITIONER'S PRESENTATION

Randy Christensen spoke on behalf of the petitioner. He said a specific use is not contemplated for lot 3 at this time, but a B-1 zone type use is what is anticipated.

The 20' access easement from lot 3 connecting with Meander Drive is being drafted to ensure no land locked parcels. It is in no way to be construed as a functional access to that property in the future. At the time the petitioner requests the rezone, the access off of Patterson will be addressed. As long as it can be vacated without a lengthy, expensive process, the petitioner doesn't have a problem with it.

Mr. Christensen asked that the request for the 75' setback on the front of lot 3 be withdrawn because that issue is dealing with the potential of a frontage road that may run from 25 1/2 up to this property. Because of the location of High Fashion Fabrics to the East, it would serve nothing in that direction. He said that can be dealt with after Staff has had time to study the issue and determine whether or not that will actually have a physical impact on this property or not.

Mr. Christensen asked Tom about No. 3 referring to the open space fees. He said that the open space fees were paid at the time that this subdivision was originally platted. Mr. Dixon said that evidence as to how much was paid and for what must be provided, but new buildable lots are created the fee is \$225 per lot. Tom also clarified the 75' setback question that was under the preliminary recommendation. He said this that was eliminated last week with the restriction on the access onto Patterson Road.

Mr. Christensen said his only question would be the clarification of open space fees because, according to the information, fees had been paid at the time of platting and further open space fees would not be required. He said that beyond that he thinks that we see eye to eye, and with a little time we should be able to develop this into a clear and concise plan that will benefit the area in the future.

Mr. Christensen was asked to state that he was withdrawing the application for rezone at this time until the Staff has time to gather the necessary information. Mr. Christensen withdrew the application.

#### PUBLIC COMMENT

There was no comment either for or against the proposal.

**MOTION:** (Commissioner Withers) "Mr. Chairman, on item #131-94, I recommend that we approve the 3-lot re-plat subject to the terms 1-7 noted above.

The motion was seconded by Commissioner Whitaker. A vote was called, and the motion passed unanimously by a vote of 4-0.

Commissioner Volkmann returned.

5. #133-94 REZONE FROM RMF-32 TO PB & FINAL PLAN

Request for a recommendation of approval to rezone seven lots from RMF-32 (Residential Multi-Family, 32 units per acre) to PB (Planned Business), and approval of a Final Plan for a drive-up banking facility and parking lot.

PETITIONER: Grand Valley National Bank

LOCATION: Southeast corner of 7th St. and Teller Avenue

REPRESENTATIVE: Robert Jenkins

CITY STAFF: Michael Drollinger

#### STAFF PRESENTATION

Michael Drollinger gave an overview of the request. The applicant is requesting a rezone and final plan approval to construct a drive-up bank facility to be located at the southeast corner of Seventh Street and Teller Avenue. The site contains Lots 6-12, Block 27. Lots 10 and 11 are bisected by a North-South alley. Surrounding land uses are single and multi-family residential to the East, South and West and business uses to the North and Northwest. The existing Grand Valley National Bank building with drive up is located to the Northwest of the site and has two drive up lanes. The applicant proposes to close the existing drive up facility upon construction of the new drive up facility.

The existing zoning on the parcel is RMF-32 (Residential Multi-family, 32 units per acre). The applicant requests a rezone to PB (Planned Business).

The parcel is presently used as parking for Sutton's Printing. Parking is not a permitted use in the existing zone and is the subject of current Code Enforcement Department action. This development proposal includes a parking lot for 11 vehicles which would serve Sutton's Printing.

The applicant's original proposal was for the construction of the drive up facility with 5 drive-up lanes, and a 900 square foot building for operations and record storage. Also included in the proposal were 19 parking spaces. Site circulation was proposed from two driveways and from the North-side alley along Teller Avenue.

Mr. Drollinger continued; as a result of preliminary Staff review and recommendations, the applicant has modified the proposal. The proposal now calls for the initial construction of three drive-up lanes with two lanes reserved for future expansion. In addition, the East driveway on Teller Avenue was eliminated as per staff's request. The petitioner proposes to widen the alley from 15' to 20' to accommodate the additional traffic.

Exhibit B

**Petition to deny the request for vacation of 15 foot Ingress/Egress Easment -603 Meander Drive.**

Exh. B

This petition is to deny the request that was made by the Henning's, 603 Meander Drive, to vacate a 15 foot Ingress/Egress easement that is located at the northern most edge of the 603 property.

This easement has been in place long before the construction of the house located at 603 Meander Drive. This easement was established to allow safe entry and exit into the 605 property before any plans for the use of 603 Meander property where ever made. This easement is not a surprise and can be seen on any current property map. The new owners where fully aware of the easement at the time of purchase. This easement is used daily for access to the 605 property and is considered my driveway.

If this easement is vacated, it would force my family, myself and our visitors to access my property from a back driveway located on the northwestern most point of my property. This entry is directly located on a "blind" curve of Meander Drive. This is one of the reasons we do not use this back entry. We feel changing the easement will not only put my family in danger, but also all of yours whom live further back on Meander drive and drive past every day. Another reason we do not want the easement changed is, when ever the back drive is used, our headlights shine directly into our neighbors windows whom are located to the west and the north of us. This is very intrusive and we would not appreciate it and do not use the driveway regularly because of this. Finally, if the easement is changed, there are going to have to be significant changes made to the corner in question to allow for safe entry and exit into my property. I feel the trees and bushes are what make this neighborhood unique, desirable and valuable. Destruction of these bushes and trees would be eminent and a tragedy.

Please join us in asking the city to deny the request for the vacation of the said easement by signing below. Thank you very much for your help.

	<u>NAME</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>
	Danell Jones	616 Meander Dr.	Danell Jones
	Hannel S Jones	616 Meander Dr. 9.5ct	Hannel S Jones
	John Johns	620 Meander Dr.	John Johns
Marie Verble	Marie Verble	621 Meander Dr.	Marie Verble
David Verble	Daniel Vahl	621 MEANDER DR.	Daniel Vahl
Chris Clark	Chris Clark	615 Meander Dr.	Chris Clark
Lyle Clukay	Lyle Clukay	609 1/2 Meander	Lyle Clukay
Kristi Clukay	Kristi Clukay	609 1/2 Meander	Kristi Clukay
	Todd Mitchell	605 Meander	Todd Mitchell
	Kari Mitchell	605 Meander	Kari Mitchell





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MAR 26 2007

COMMUNITY DEVELOPMENT DEPT.

March 22, 2007

Re: VE-2007-056-Henning Vacation of Easement-603 Meander Drive

To Whom It May Concern:

I am a licensed Real Estate agent in the State of Colorado. I have been selling real estate in Grand Junction since 1988. I am quite familiar with property values and the affect certain actions can have on those values. The vacation of the above mentioned easement would most certainly devalue the property at 605 Meander owned by Todd and Kari Mitchell for the following reasons:

- A) it removes the access to the front of their house
- B) eliminates the RV or large vehicle access
- C) the ingress and egress from the back of 605 Meander is unsafe

All of these items would definitely be of concern in pricing this home for re-sale. I know Mr. and Mrs. Mitchell well. The home and access were investigated before closing. All the documents and evidence (long time use) show that the above mentioned easement was intended for ingress and egress of both 603 and 605 Meander.

Sincerely,

Beverly J. Bennett  
Broker Associate  
Bray Real Estate

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1015 North 7th Street  
Grand Junction, CO 81501  
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(970) 242-0436-Facsimile  
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1-800-285-0409-Toll Free  
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(970) 240-4164-Facsimile  
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www.braymontrose.com

**Delta Office**

151 West 2nd Street  
Delta, CO 81416  
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(970) 874-2951-Facsimile  
1-800-615-6071-Toll Free  
www.braydelta.com

**Cedaredge Office**

455 S. Grand Mesa Dr. #1  
Cedaredge, CO 81413  
(970) 856-6175-Direct  
(970) 856-6178-Facsimile  
1-800-509-5692-Toll Free  
www.braydelta.com

May 17, 2007

Ronnie Edwards, Associate Planner  
Community Development  
250 North 5<sup>th</sup> Street  
Grand Junction, Colorado 81501

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DEPT.

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MAY 18 2007

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DEPT.

Re: Vacation of 15' easement at 603 Meander Drive

I am a licensed Real Estate Broker in the State of Colorado. I have sold real estate in Grand Junction and Western Colorado beginning in 1977.

I was the designated representative for Kathy Tomkins, the petitioner for the Tomkins Subdivision and Redstone Business Park (Lot 3) from 1994 to 1997. I attended every Planning Department meeting, both informal and public. I also attended every City Council meeting relative to these subdivisions.

I was involved in every step of the subdivision processes. I gave all specific instructions to the surveyors on property boundaries, easement boundaries and widths, both on the ground and on the plat maps.

I would like to clarify that the 15' ingress/egress easement from Meander Drive across Lot 2 to Lot 1 was designated in our original plats as a shared access to Lot 1 and Lot 2.

As we went through the subdivision process we were later required by Planning Staff requirements to include in our plat a temporary 20' easement to Lot 3 across Lot 1, thus the difference in easement widths. This was necessary because the City had inadvertently poured a curb, gutter, and sidewalk across the historically used access into the south end of the property from Patterson Road. Kathy wanted to preserve the access from Patterson Road, but was never consulted prior to the curb, gutter, and sidewalk installation.

What that meant was that we now had to go through a permitting process to obtain a curb cut permit to cut out the appropriate distance of the new sidewalk and pour a new curb cut that met with City requirements to serve our access needs off of Patterson Road again.

The 20' easement was always intended to be a short term temporary easement to meet Lot 3 requirements. This was never used as a functional easement on the ground, but only as an easement to meet plat map requirements until we could get through the permitting process and the necessary time to remove the required distance of sidewalk and install the new curb cut to required City specifications. Once completed we moved

forward with an application to abandon the 20' easement. We submitted an application for abandonment of the 20' easement as planned. The 20' easement was abandoned.

The intent of the 15' easement was always a permanent shared ingress/egress easement to be used for the benefit of Lot 1 and Lot 2. Maintenance and agreed upon improvements were always intended to be a shared responsibility of owners of both Lot 1 and Lot 2. The easement was dedicated as a public easement for public use at the direction of the planning staff. There would never have been a need for the 15' easement in the first place, except to provide a permanent access across Lot 2 to Lot 1. That is why we created the 15' easement in the first place.

Everything I have described above was reviewed by the Planning Staff involved as well City Council and approved for Final Plat and Recording.

Sincerely,

A handwritten signature in cursive script that reads "Randy V. Christensen".

Randy V. Christensen

Representative for the Petitioner of Tomkins Subdivision  
and Redstone Business Park

Angie and Fred Hennig  
603 Meander Drive  
Grand Junction, CO 81505

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COMMUNITY DEVELOPMENT  
DEPT.

March 30, 2007

Ronnie Edwards  
Associate Planner  
Community Development  
City of Grand Junction  
250 North 5<sup>th</sup> Street  
Grand Junction, CO 81501

Re: Vacation of 15' easement at 603 Meander Drive which is our driveway:

Dear Ronnie:

This letter is in response to the letter dated March 18, 2007 from Todd Mitchell to address the inaccuracies in his letter to you.

1. Mr. Mitchell: "First, this is my driveway. "

This is false. This is not his driveway. His driveway enters from Meander Drive at the northwest corner of his property. (See Exhibit "A")

2. Mr. Mitchell: "We have used this driveway everyday since we moved in to our home 2 years ago."

This is false. Three months after moving into their home they applied for and received a fence permit on December 13, 2005. They immediately installed a fence which completely blocked the easement. They used their own driveway, only and continually, for 7 months, until the day we closed on our home. They took the fence down that day. That was on July 3, 2006.

See copy of fence permit enclosed as Exhibit "B". The plan for the fence clearly shows his intentions by a green line completely blocking the easement up to the Grand Valley Canal berm. Exhibit "C".

Also enclosed are pictures of the fence when it was removed from blocking the easement. You can clearly see the fence posts in the easement, one of them now holding Mitchell's "Private Property" sign. Exhibits "D", "E" and "F".

3. Mr. Mitchell: Any partial use of my driveway would be dangerous because of oncoming cars on the blind corner, the land elevation and brush growth.

This is false. There is no blind corner. Please see enclosed pictures taken from their driveway, showing complete and open visibility north and east with absolutely no obstruction of view. Exhibits "G", "H" and "I"

It is interesting to note that they used their own driveway from December of 2005 through July of 2006, with no problems with snow, ice, or visibility, while they had the easement blocked with their fence.

4. Mr. Mitchell: "There is no connection of the 20' easement to the 15' easement."

This is false.

Please see plat map showing that the 20' easement connects to the 15' easement for access to Meander Drive. The 20' easement dead ends into the Grand Valley Canal berm. There is no access from the 20' easement over the canal. The only way to get to Meander Drive from the 20' easement is through the 15' easement. Exhibit "J".

5. Mr. Mitchell: "There is a false statement in the application stating that the 15' easement "dead ends" into private property."

March 30, 2007

Page 3

Again, this is false. The 15' easement DOES dead end into the private property of Todd Mitchell shown by Mr. Mitchell's "Private Property" sign that he posted on one of the fence posts blocking the easement when he took his fence down. Please see pictures of Mr. Mitchell's "Private Property" sign at the end of the easement going West. Exhibit "K"

After taking the fence down, Mr. Mitchell told us that this was a public easement, that he and his family would use it, and that we had to maintain the condition of the easement for their use.

We called the City, and he is right. The City does not and will not maintain this easement. Is it then, up to us, to maintain the driveway to our property, with gravel and leveling so that our neighbor can drive over it, when he has his own driveway?

This is not right. We should have a private driveway to our home just like Mr. Mitchell has a private driveway to his home.

Sincerely yours,

  
Angie Hennig

  
Fred Hennig

cc: City Engineer

enclosures

March 18, 2007

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MAR 20 2007

COMMUNITY DEVELOPMENT  
DEPT.

Inaccuracies

Ronnie Edwards  
Grand Junction Community Development Department  
City Hall  
250 North 5<sup>th</sup> Street  
Grand junction, CO 81505

Re: VE-2007-056-Henning Vacation of Easement – 603 Meander Drive

Ms. Edwards,

I am writing to formally voice my objection to the vacation of the easement stated in the above request located on the northern border of the 603 Meander property based on the following:

- ① First, this easement is my driveway. ② We have used this driveway everyday since we moved in to our home 2 years ago. The people we purchased the home from used this driveway daily as well. The original owner, Kathy Tomkins, used this driveway daily before the lots were even subdivided, since 1972. To retain this easement, it is clearly marked on the replat of the TOMKINS SUBDIVISION, located on the northern border of LOT 2 (603 Meander). (Because the file contains multiple copies of the replat, I will let you refer to one of those.) In the dedication it states;

*"All easements include the right of ingress and egress on, along, over, under and through and across by the beneficiones, their successors, or assigns, together with the right to trim or remove interfering trees and brush. Provided, however, that the beneficiones of said easements shall utilize the same in a reasonable and prudent manner. Furthermore, the owners of lots or tracts hereby platted shall not burden nor overburden said easements by erecting or placing any improvements thereon which may prevent reasonable ingress and egress to and from the easement.*

*All ingress/egress easements and rights-of-way to the City of Grand Junction as perpetual easements for ingress and egress use by the general public."*

As per our conversation during the meeting of March 7th, 2007, you stated that this dedication did not necessarily guarantee my right of use for access to Lot 1 and that what I needed was proof that the easement was intended for use by LOT 1 and not just LOT 2. I refer you to the Grand Junction Planning Commission Minutes dated September 6, 1994 and the project #131-94 Request for recommendation of approval to subdivide 3 acres located at 605 Meander Drive into 3 parcels, consisting of .86 acre, .52 acre & 1.623 acre. Exhibit A

**Approval Criteria, section 6,** 'The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.

The vacation of this primary use easement will force the use of an added ingress/egress to Meander Drive, which even after the limited use it has seen, there is obvious maintenance issues that will need to be addressed on a regular basis. The road is already deteriorating and I believe it is because of the steepness of the hill. This area was not designed to accept an active access. This is another reason we rarely use this back access. See enclosed picture of the deterioration of the road located at the top of the driveway.

**Exhibit C**

There is a reoccurring reference to a 20' easement in the petitioner's application and that it was directly related to the 15' easement in question. This 20' easement was created after the original subdivision and was only drawn on the plat to satisfy landlock issues until such time as Lot 3 gained access to Patterson Rd. This temporary easement was located on the property line between Lot 1 (605) and Lot 2 (603) and is marked distinctively different on the replat of TOMKINS SUBDIVISION. I again refer you to the Minutes of September 6, 1994, **Exhibit A.**

In the 2<sup>nd</sup> paragraph of the PETITIONER'S PRESENTATION, Mr. Christensen states;

*"The 20' access easement from lot 3 connecting with Meander Drive is being drafted to ensure no land locked parcels. It is in no way to be construed as a functional access to that property in the future..."*

Clearly, there is no connection of this 20' easement to the 15' easement that was in place originally. This temporary 20' easement had its own hypothetical access to Meander drive at the Northern most end of the easement and because of the temporary nature, the hill and landscaping, it was never fully developed. It was vacated as soon as Patterson Rd. access for Lot 3 was granted. Again, the original 15' easement is for access to Lot 1 (605).

5 Also, there is a false statement in the application stating that the 15' easement the petitioners want vacated "dead ends" into private property. As can be seen in **Exhibit D,** this is not a dead end and in fact is continuous with my private drive and serves as the main driveway to my private property.

Because of the short notice of this action, I have not had enough time to consult all the professionals needed to back my objection. I will submit those reports and letters to the file as soon as I receive them.

Thank you,



Todd Mitchell  
605 Meander Drive  
Grand Junction, Colorado 81505 (970)-243-8772



5  
Exhibit "A"



605 Meander Driveway

W

W

N

FEE \$10.00

# Exhibit "B"

PERMIT # 14797

## FENCE PERMIT

### GRAND JUNCTION COMMUNITY DEVELOPMENT DEPARTMENT

Property Address: 605 Meander Drive Grand Jct, CO 81505

Property Tax No: 2945-034-33-001

Subdivision: Tomkins Subdivision

Property Owner: Todd N Mitchell

Owner's Telephone: 970-243-8772

Owner's Address: Same as Property

Contractor's Name: Self

Contractor's Telephone: \_\_\_\_\_

Contractor's Address: \_\_\_\_\_

Fence Material & Height: 6' - Cedar Privacy, 4' - Splitrail wood

*copy*

Plot plan must show property lines and property dimensions, all easements, all rights-of-way, all structures, all setbacks from property lines, and fence height(s). NOTE: Property line is likely one foot or more behind the sidewalk.

THIS SECTION TO BE COMPLETED BY COMMUNITY DEVELOPMENT DEPARTMENT STAFF	
ZONE <u>RSF-4</u>	SETBACKS: Front <u>7'</u> from property line (PL) or _____ from center of ROW, whichever is greater.
SPECIAL CONDITIONS _____	Side _____ from PL Rear _____ from PL

Fences exceeding six feet in height require a separate permit from the City/County Building Department. A fence constructed on a corner lot that extends past the rear of the house along the side yard or abuts an alley requires approval from the City Engineer (Section 4.1.J of the Grand Junction Zoning and Development Code).

The owner/applicant must correctly identify all property lines, easements, and rights-of-way and ensure the fence is located within the property's boundaries. Covenants, conditions, restrictions, easements and/or rights-of-way may restrict or prohibit the placement of fence(s). The owner/applicant is responsible for compliance with covenants, conditions, and restrictions which may apply. Fences built in easements may be subject to removal at the property owner's sole and absolute expense. Any modification of design and/or material as approved in this fence permit must be approved, in writing, by the Community Development Department Director.

I hereby acknowledge that I have read this application and the information and plot plan are correct; I agree to comply with any and all codes, ordinances, laws, regulations, or restrictions which apply. I understand that failure to comply shall result in legal action, which may include but not necessarily be limited to removal of the fence(s) at the owner's cost.

Applicant's Signature: Todd N Mitchell Date: Dec 13, 2005

Community Development's Approval: Trinity K Caldwell Date: Dec 13, 2005

City Engineer's Approval (if required): Okay Per Bob Blanchard Date: \_\_\_\_\_

VALID FOR SIX MONTHS FROM DATE OF ISSUANCE (Section 2.2.E.1.d Grand Junction Zoning & Development Code)

(White: Planning) (Yellow: Customer) (Pink: Code Enforcement)



Exhibit "D"



Exhibit "E"







Exhibit "G"



605 Meander Drive  
driveway

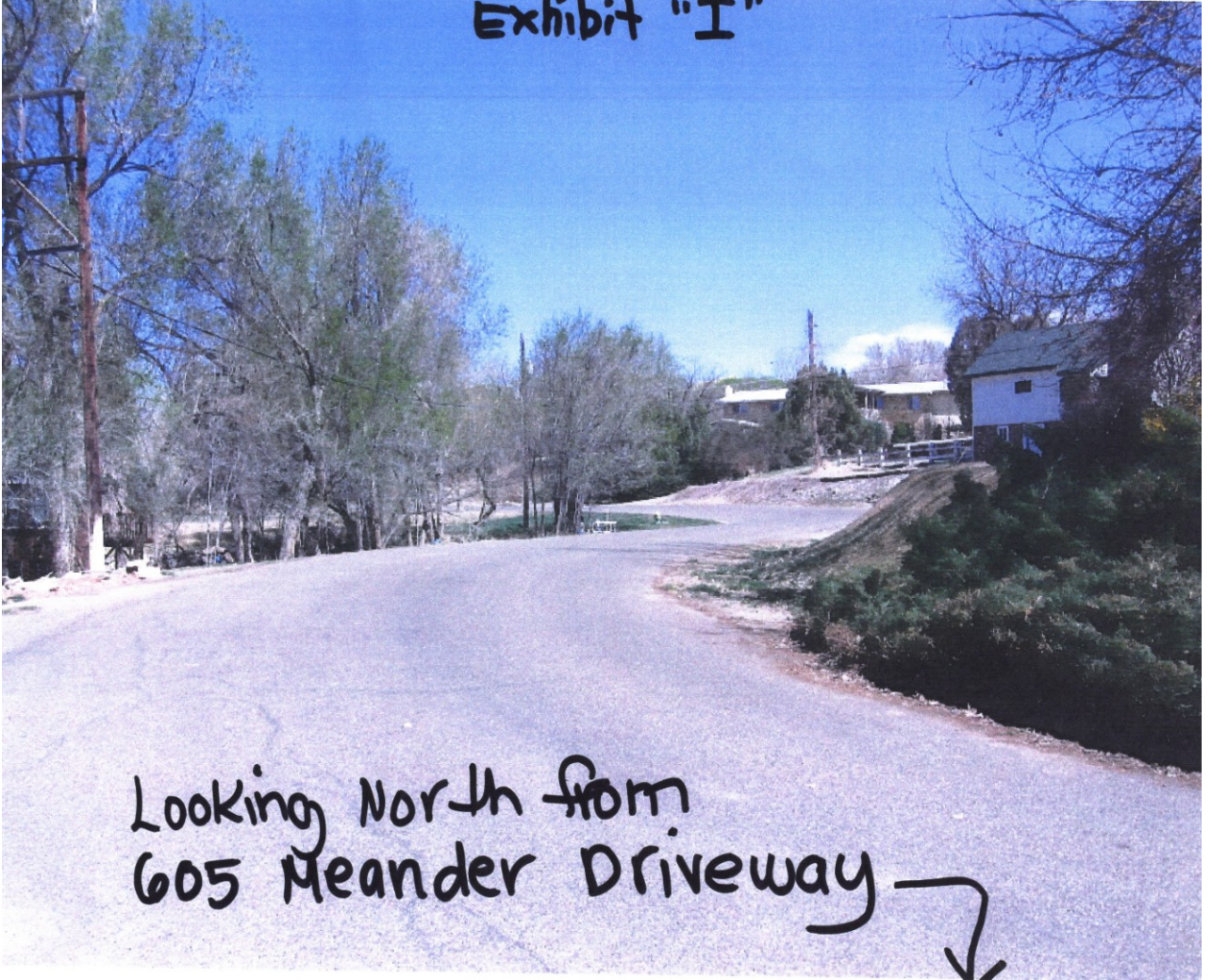
Exhibit "H"

Looking east from  
605 Meander Driveway





Exhibit "I"



Looking North from  
605 Meander Driveway ↘



Exhibit "K"



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APR 02 2007



HOME OWNERS  
REALTY, INC.

COMMUNITY DEVELOPMENT  
2499 HWY 6 & 50  
GRAND JUNCTION, CO 81505  
DEPT  
BUS. (970) 243-0456  
FAX (970) 243-2896  
info@ghomes.com  
www.ghomes.com

March 29, 2007

Ronnie Edwards, Associate Planner  
Community Development  
City of Grand Junction  
250 North 5<sup>th</sup> Street  
Grand Junction, CO 81501

Re: Vacation of 15' easement at 603 Meander Drive

I am a licensed Real Estate Agent in the State of Colorado. I have been selling real estate in Grand Junction since 1995. I am quite familiar with property values and the affect certain actions can have on those values. The information you received from Beverly J. Bennett, a Broker Associate with Bray Real Estate regarding the vacation of the 15' ingress/egress easement at 603 Meander Drive is incorrect.

A. The vacation of the easement at 603 Meander would not remove access to the front of 605 Meander Drive. Their driveway, which is located at the northwest corner of the property, continues in a huge circle from the front of their house to the back of their house. Please see Exhibit "A".

B. The vacation of the easement would not eliminate RV or large vehicle access. 605 Meander is a huge lot and there is plenty of room for RVs and large vehicles to enter and turn around. Please see Exhibit "A".

C. The ingress and egress from the driveway at 605 Meander is completely safe, with excellent visibility both North and East. Please see Exhibit's "B", "C", and "D".

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March 29, 2007

Page 2

There would be no devaluation of the property at 605 Meander Drive because the property has very safe, very visible access in and out of its driveway located at the northwest corner of the property. This driveway has been in continuous use since the house was built in 1972.

The statement that the 15' easement was intended for ingress and egress of both 603 and 605 Meander is incorrect. This 15' easement was only provided as a temporary easement along with the 20' easement for Lot 3.

These easements were approved as temporary easements only, so that Lot 3 would not be landlocked until they received access to Patterson Road. The connecting 20' easement was vacated in 1997. It was only an oversight that the 15' easement was not vacated at the same time.

The property that would be devalued if this vacation is not approved is the property at 603 Meander Drive, because it does not have any other access to the property. This easement is their driveway. Please see Exhibit "E".

Sincerely,

COLDWELL BANKER HOME OWNERS REALTY, INC.

  
Joan Raser, CRS, GRI  
Broker Associate

enclosures



Trust Earned Every Day, Since 1946

March 22, 2007

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MAR 26 2007

COMMUNITY DEVELOPMENT DEPT.

Re: VE-2007-056-Henning Vacation of Easement-603 Meander Drive

To Whom It May Concern:

I am a licensed Real Estate agent in the State of Colorado. I have been selling real estate in Grand Junction since 1988. I am quite familiar with property values and the affect certain actions can have on those values. The vacation of the above mentioned easement would most certainly devalue the property at 605 Meander owned by Todd and Kari Mitchell for the following reasons:

- A) it removes the access to the front of their house
- B) eliminates the RV or large vehicle access
- C) the ingress and egress from the back of 605 Meander is unsafe

All of these items would definitely be of concern in pricing this home for re-sale. I know Mr. and Mrs. Mitchell well. The home and access were investigated before closing. All the documents and evidence (long time use) show that the above mentioned easement was intended for ingress and egress of both 603 and 605 Meander.

Sincerely,

Beverly J. Bennett  
Broker Associate  
Bray Real Estate

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1-800-509-5692-Toll Free  
www.braydelta.com

Exhibit "A"

# 605 Meander Drive



**Mesa County GIS**  
 544 Rood Ave.  
 Grand Junction, CO 81501

**DISCLAIMER :** The Geographic Information System (GIS) and its components are designed as a source of reference for answering inquiries, for planning and for modeling. GIS is not intended or does not replace legal description information in the chain of title and other information contained in official government records such as the County Clerk and Records office or the courts. In addition, the representations of locations in this GIS cannot be substituted for actual legal surveys.

## LEGEND

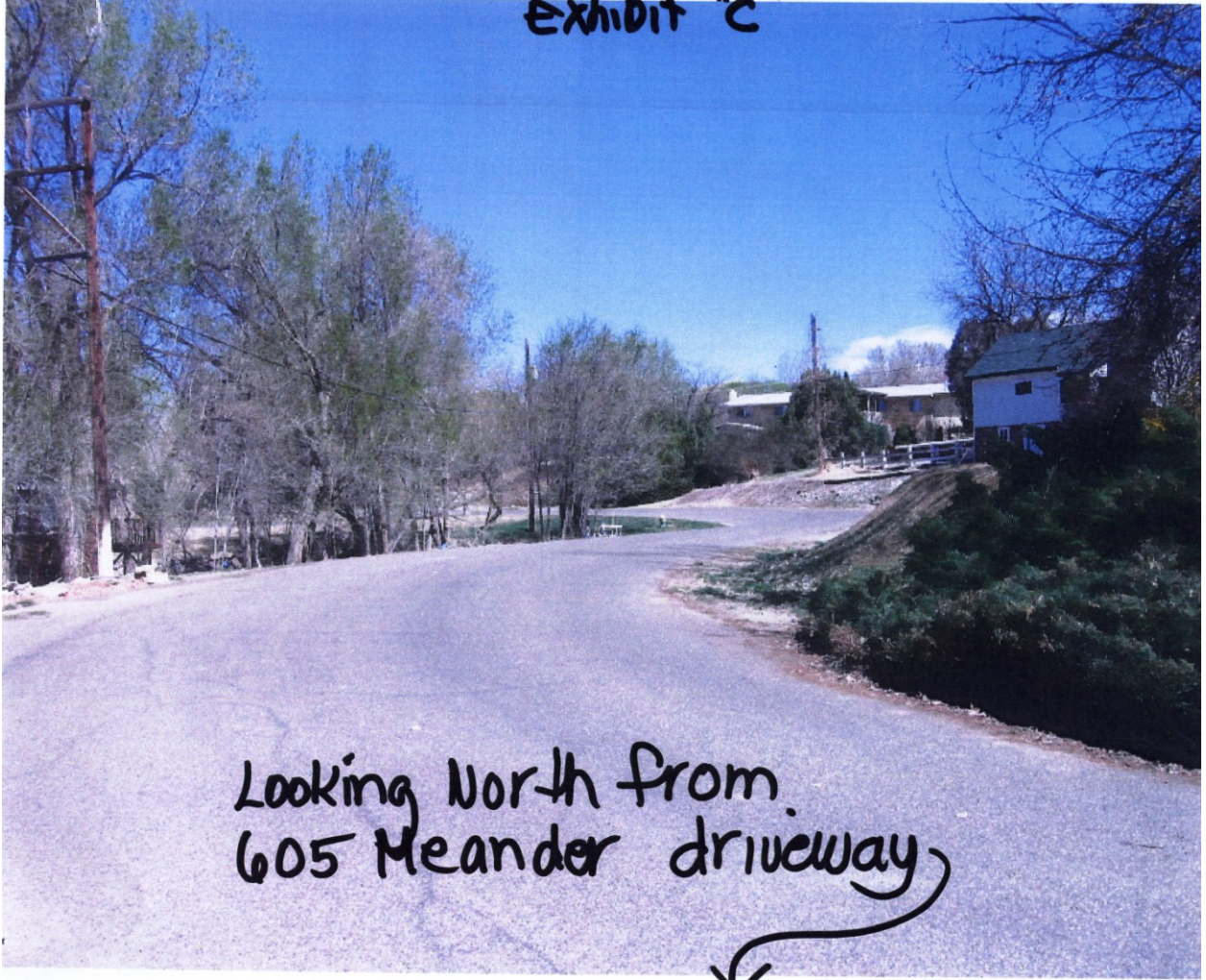
- |                   |   |
|-------------------|---|
| + Hospitals       | Colorado National Monument                  |
| ★ Police Stations | BLM Special Areas                           |
| ▲ Fire Stations   | Black Ridge Canyons                         |
| ↓ Schools         | COLORADO CANYONS NATIONAL CONSERVATION AREA |
| ↗ State Highways  | BLM   |
| ↘ Roads           | National Forest                             |
| ☪ Lakes           |   |
| ~ Canals          |   |



605 Meander Drive  
driveway



EXHIBIT C



Looking North from  
605 Meander driveway



Exhibit "D"

Looking East from  
605 Meander driveway →

Exhibit "E"  
**603 Meander Drive**



15' easement driveway



Mesa County GIS  
 544 Rood Ave.  
 Grand Junction, CO 81501

DISCLAIMER: The Geographic Information System (GIS) and its components are designed as a source of reference for answering inquiries, for planning and for modeling. GIS is not intended or does not replace legal description information in the chain of title and other information contained in official government records such as the County Clerk and Recorders office or the courts. In addition, the representations of locations in this GIS cannot be substituted for actual legal surveys.

**LEGEND**

- + Hospitals
- ★ Police Stations
- ▲ Fire Stations
- 🏫 Schools
- 🛣️ State Highways
- 🛣️ Roads
- 🌊 Lakes
- 🌊 Canals
- 🏠 Colorado National Monument
- 🌿 BLM Special Areas
- 🏞️ Black Ridge Canyons
- 🏞️ COLORADO CANYONS NATIONAL CONSERVATION AREA
- 🏞️ BLM
- 🌲 National Forest

**RECEIVED**  
APR 02 2007  
COMMUNITY DEVELOPMENT  
DEPT.

Kara Lanctot  
12024 Wickford Pl  
Yukon OK 73099

March 28, 2007

To Whom It May Concern:

From approximately June 2002 until we moved July 2006 our neighbors to the west of used their own driveway on the west side of their property. Our neighbor exclusively used his own driveway for about 8 months in 2006 when he put up a backyard fence so he could not use the easement in front of my home.

Kara Lanctot  
12024 Wickford Pl  
Yukon OK 73099

To: Ronnie Edwards, Planning Department

The undersigned support Angie and Fred Hennig of 603 Meander Drive in their request for a vacation of the ingress/egress easement in front of their property, so that they may have a safe, private driveway to their home.

Signed  DVM

Signed REDSTONE VETERINARY HOSPITAL

Address 2582 F ROAD  
G J CO 81505

To: Ronnie Edwards, Planning Department

Strongly

The undersigned support Angie and Fred Hennig of 603 Meander Drive in their request for a vacation of the ingress/egress easement in front of their property, so that they may have a safe, private driveway to their home.

Signed Abbie B Marschner

Signed \_\_\_\_\_ (owner of

Address 607 Meander Dr)

To: Ronnie Edwards, Planning Department

RECEIVED  
APR 03 2007

The undersigned support Angie and Fred Hennig of 603 Meander Drive in their request for a vacation of the ingress/egress easement in front of their property, so that they may have a safe, private driveway to their home.

Signed \_\_\_\_\_

Signed \_\_\_\_\_

Address \_\_\_\_\_

*Steve J. Valore Fox S.F.*  
*607 meander drive*

To: Ronnie Edwards, Planning Department

The undersigned support Angie and Fred Hennig of 603 Meander Drive in their request for a vacation of the ingress/egress easement in front of their property, so that they may have a safe, private driveway to their home.

Signed \_\_\_\_\_

Signed \_\_\_\_\_

Address \_\_\_\_\_

*611 Meander Dr.*  
*GG, Co*

RECEIVED  
APR 03 2007  
COMMUNITY DEVELOPMENT  
DEPT.

To: Ronnie Edwards, Planning Department

The undersigned support Angie and Fred Hennig of 603 Meander Drive in their request for a vacation of the ingress/egress easement in front of their property, so that they may have a safe, private driveway to their home.

Signed Harcourt A Tew

Signed Jablin Tew

Address 609 Meander Dr

To: Ronnie Edwards, Planning Department

The undersigned support Angie and Fred Hennig of 603 Meander Drive in their request for a vacation of the ingress/egress easement in front of their property, so that they may have a safe, private driveway to their home.

Signed AVSU ENTERPRISES

Signed Jeff P. Vogel GENERAL PTN

Address 2586 PATTERSON RD





To: Ronnie Edwards, Planning Department

The undersigned support Angie and Fred Hennig of 603 Meander Drive in their request for a vacation of the ingress/egress easement in front of their property, so that they may have a safe, private driveway to their home.

Signed *Melissa Van Dover*

Signed \_\_\_\_\_

Address *604 Meander Dr*

*Just don't use my driveway to turn around in! Thanks!*

To: Ronnie Edwards, Planning Department

The undersigned support Angie and Fred Hennig of 603 Meander Drive in their request for a vacation of the ingress/egress easement in front of their property, so that they may have a safe, private driveway to their home.

Signed *Gene M. Sanders*

Signed \_\_\_\_\_

Address *2590 Patterson Rd 91505*

cc'd 3/1/07

A proud supporter of Guiding Eyes for the Blind

Ms. Mildred M. Van Dover

604 Meander Drive  
Grand Jct. Co., 81505

Re: VE-2007-056 Henning  
Vacation of Easement 603 Meander  
Planner: Roxine Edwards

As an outside observer the  
603 property & the 605 property  
have the best of both worlds -  
space with two circle driveways  
& 2 accesses to Meander Drive's  
but the 605 new occupant  
has been a trouble maker from  
the start, cordoning off the  
"through driveway" at the previous

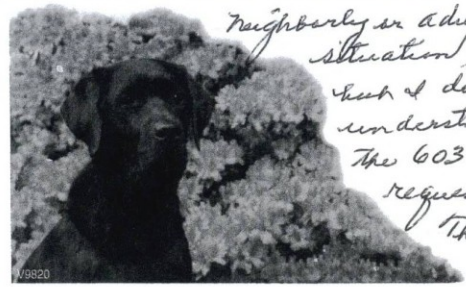


V9820

A proud supporter of Guiding Eyes for the Blind

Ms. Mildred M. Van Dover

owners were listing the 603  
home for sale. Now that the  
new good, quiet, hardworking  
neighbors at 603 have moved  
in, it's suddenly all right for  
him & his family to drive through  
in front of their house but not  
OK for them or anyone to proceed  
the high his part. It was much  
like a frontage road on which the  
Utility trucks could pick up trash  
or the UPS truck could be off the  
main street to deliver - now they  
turn around in my driveway and  
make ruts! It's a less than a



V9820

neighborly or adult  
situation;  
but I do  
understand  
the 603  
request.  
The

A proud supporter of Guiding Eyes for the Blind

Ms. Mildred M. Van Dover

605 people can be very  
intimidating & certainly  
not the nicest people to  
try to get along with - I  
feel like all of Meander Dr.  
neighbors will continue to  
be harassed & upset by  
Mr 605's hot temper & controlling  
ways. Please do what you  
think is right. Thank you!

Mildred Van Dover  
Resident of 604 Meander Drive  
since 1972.



V9820

**Excerpt from  
GRAND JUNCTION PLANNING COMMISSION  
MAY 22, 2007 MINUTES  
7:00 p.m. to 11:03 p.m.**

The regularly scheduled Planning Commission hearing was called to order at 7:00 p.m. by Chairman Paul Dibble. The public hearing was held in the City Hall Auditorium.

In attendance, representing the City Planning Commission, were Dr. Paul A. Dibble (Chairman), Roland Cole (Vice-Chairman), Tom Lowrey, Bill Pitts, Reggie Wall, William Putnam and Ken Sublett (2<sup>nd</sup> alternate). Commissioner Lynn Pavelka-Zarkesh was absent.

In attendance, representing the City Public Works & Planning Department, were Dave Thornton (Principal Planner), Scott Peterson (Senior Planner), Ronnie Edwards (Associate Planner), Ken Kovalchik (Senior Planner) and Rick Dorris (Development Engineer).

Also present was Jamie Beard (Assistant City Attorney).

Lynn Singer was present to record the minutes.

There were approximately 82 interested citizens present during the course of the hearing.

**16. VE-2007-056 VACATION OF EASEMENT – Hennig Vacation of Easement**

Request approval to vacate a 15 foot Ingress/Egress Easement in an R-4 (Residential 4 du/ac) zone district.

<b>PETITIONER:</b>	Manfred Hennig
<b>LOCATION:</b>	603 Meander Drive
<b>STAFF:</b>	Ronnie Edwards, Associate Planner

Chairman Dibble announced that he would be recusing himself from this matter.

**STAFF'S PRESENTATION**

Ronnie Edwards of the Public Works and Planning Department made a PowerPoint presentation with respect to the proposed Hennig vacation of easement. Ms. Edwards stated that the property was platted as Lot 2 of Tompkins Subdivision in 1995. Three lots are contained within the subdivision. The intent of the subdivision was to create a second residential lot (603 Meander Drive) and a future commercial lot on Patterson Road. With plat approval, two conditions affected the area – a 20 foot access easement was required from Lot 3 to Meander Drive across Lot 1 to prevent the lot from being landlocked and the other condition which prohibited access to Lot 3. In October of 1997 a request to vacate the easement across Lot 1 between Meander Drive and Lot 3 was approved as it was never intended to be a permanent access. The 15 foot easement on Lot 2 was dedicated to the City on the plat which easement serves Lot 2. She went on to state that the area is going to be retained as a multi-purpose easement due to utilities in the area. Ms. Edwards stated that the adjacent property owner has expressed concerns about the request as he would like to keep the access to also serve his lot. The vacation request does not landlock any parcel nor does it create an adverse impact to the neighborhood. The request also does not

conflict with any applicable sections of the Growth Plan or plans and policies of the City. She further pointed out that this 15 foot easement is the only legal access that 603 Meander Drive has on their property.

### **QUESTIONS**

Commissioner Putnam stated that one of the photographs of the subject area shows a canal. Ms. Edwards stated that that is an easement for the irrigation company which she believes is underground for drainage or irrigation.

### **PETITIONER'S PRESENTATION**

Joan Raser spoke on behalf of applicant. Ms. Raser confirmed that the 20 foot easement was vacated in 1993 and believes it was an oversight that the 15-foot easement was not vacated at the same time.

### **PUBLIC COMMENT**

#### **For:**

Angelica Hennig, applicant, requested the vacation of this easement as it is their only access to their property. She also stated that although 605 Meander Drive has its own access, they too use this easement for access onto the 605 property.

#### **Against:**

Beverly Bennett with Bray and Company stated that she is the agent that sold the property at 605 Meander Drive. She stated that the Mitchells had requested a continuance of this hearing as they were unable to attend this hearing. According to Ms. Bennett, one of the Mitchells' primary concerns is safety.

Randy Christensen, a real estate broker, said that he is very familiar with the access issues along Meander Drive. "Safety was a very important consideration in our decision to dedicate the 15-foot easement to serve Lots 1 and 2 of this subdivision. It is clearly the safest access to both of those lots." He also said that it is the historically used driveway to 605 Meander Drive. With regard to the 15-foot easement, Mr. Christensen said, "The only reason it was instituted and came to the property line of lot number 1 was to provide a shared access to be utilized to and for the benefit of both of those lots." He further stated that this easement was always meant to be a permanent, shared access. "And I might add that the intent was always for the property owners of Lot 1 and Lot 2 to also share in maintenance and agreed upon improvements."

### **PETITIONER'S REBUTTAL**

Joan Raser asked the Commission to take notice of the fence permit that the owners of 605 Meander Drive applied for in December 2005 which would have provided for a 6-foot fence bordering their entire property up to the Grand Valley Canal easement. Ms. Raser reiterated that the 15-foot easement is the only access that applicants have to their property.

### **QUESTIONS**

Commissioner Pitts asked who the trees belong to which potentially create a safety concern by obstructing vision. Ms. Raser stated that the trees belong to Grand Valley Canal. She further stated that the view from the driveway at 605 Meander Drive is not obstructed at all.

### **STAFF'S REBUTTAL**

Ronnie Edwards further addressed Commissioner Pitts' concern regarding site obstruction. She said that if vegetation is an issue, it would be a code enforcement issue and the owner would be requested to trim the trees.

### **DISCUSSION**

Commissioner Wall stated that he is in favor of vacating the easement.

Commissioner Lowrey agrees with Commissioner Wall.

Commissioner Putnam stated that he agrees that vacation of the easement should be approved.

Commissioner Cole said that it seems to be very logical to recommend as proposed.

**MOTION: (Commissioner Lowrey) "Mr. Chairman, I move that the Planning Commission forward a recommendation of approval of the requested easement vacation regarding VE-2007-056 to the City Council with the findings and conclusions listed in the staff report."**

Commissioner Pitts seconded the motion. A vote was called and the motion passed unanimously by a vote of 6-0.

**CITY OF GRAND JUNCTION, COLORADO**

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

**A RESOLUTION VACATING A 15' INGRESS/EGRESS EASEMENT  
LOCATED AT 603 MEANDER DRIVE**

**RECITALS:**

The applicant proposes to vacate a 15' ingress/egress easement located in Tomkins Subdivision. The easement area will be retained as a multi-purpose easement due to the existing underground utility lines that service this neighborhood.

At its May 22, 2007 hearing the Grand Junction Planning Commission found that the request satisfies the review criteria set forth in Section 2.11.C of the Zoning and Development Code and recommended approval.

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

The City Council finds that the vacation meets the criteria set forth in Section 2.11.C of the Grand Junction Zoning and Development Code and in accordance therewith the following ingress/egress easement as described in Exhibit "A" and shown in Exhibit "B" is hereby vacated, but is retained as a multi-purpose easement:

Exhibit "A"

An Ingress and Egress easement 15 feet in width as platted on the recorded plat of Tomkins Subdivision, a subdivision located in the City of Grand Junction, Mesa County, Colorado, recorded in Plat Book 14 at Page 362 in the Office of the Mesa County Clerk and Recorder, being more particularly described as follows:

Beginning at the NW corner of Lot 2 of Tomkins Subdivision and considering the west line of said Lot 2 to bear S 21°35'52" W as shown on the recorded plat of said subdivision and all other bearings are relative thereto; thence S 21°35'52" W along the lot line common to Lots 1 and 2 of said subdivision a distance of 15.04 feet; thence 11.60 feet along the arc of a non-tangent curve to the left, with a radius of 105.00 feet, and a chord bearing S 75°16'08" E a distance of 11.59 feet, thence S 78°26'00" E a distance of 102.27 feet to the easterly line of said Lot 2; thence along the boundary of said Lot 2 the following courses and distances:

- 1.) N 41°36'00" W a distance of 13.37 feet
- 2.) 22.50 feet along the arc of a tangent curve to the left, with a radius of 35.00 feet, and a chord bearing N 60°01'15" W a distance of 22.11 feet;
- 3.) N 78°26'00" W a distance of 70.59 feet;

4.) 8.97 feet along the arc of a tangent curve to the right, with a radius of 90.00 feet, and a chord bearing N 75°34'40" W a distance of 8.97 feet, to the POB.

Containing 1524 square feet, more or less.

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

ATTEST:

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

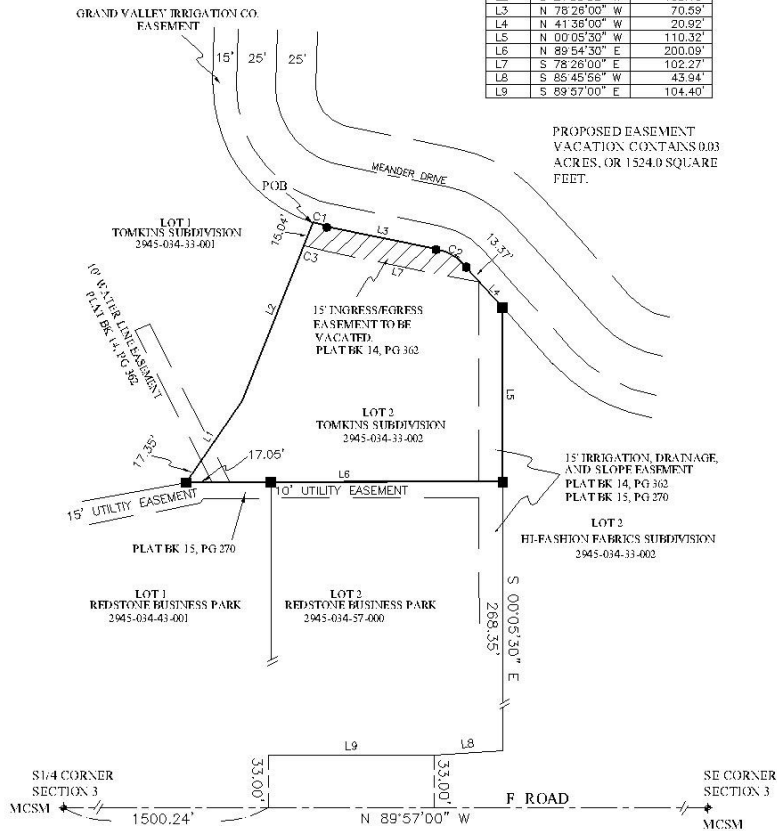
\_\_\_\_\_  
President of City Council



**EXHIBIT 'B' 1 OF 2  
INGRESS/EGRESS EASEMENT VACATION**

LOT 2 OF TOMKINS SUBDIVISION, PLAT BOOK 14, PAGE 362  
S&1/4SE1/4 SECTION 3, T 1 S, R 1 W, UTE P.M., CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO  
603 MEANDER DRIVE, GRAND JUNCTION, CO 81505, MANDRETT, AND ANGELIKA HENNING, OWNERS

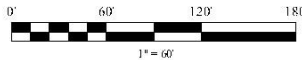
LINE	BEARING	DISTANCE
L1	N 34°38'01" E	63.16'
L2	S 21°35'52" W	105.16'
L3	N 78°26'00" W	70.59'
L4	N 41°36'00" W	20.92'
L5	N 00°05'50" W	110.32'
L6	N 89°54'30" E	200.09'
L7	S 78°26'00" E	102.27'
L8	S 88°45'56" W	43.94'
L9	S 89°57'00" E	104.40'



PROPOSED EASEMENT VACATION CONTAINS 0.03 ACRES, OR 1524.0 SQUARE FEET.

- |  |                                  |
|--|----------------------------------|
| <b>LEGEND</b>                                  | <b>ABBREVIATIONS</b>             |
| ——— PARCEL LINE                                | T TOWNSHIP                       |
| ——— ADJOINING LOT                              | R RANGE                          |
| ——— EASEMENT                                   | N NORTH                          |
| ——— ROAD CENTERLINE                            | S SOUTH                          |
| ● FOUND LOT CORNER - REBAR                     | E EAST                           |
| ■ FOUND LOT CORNER - REBAR AND CAP IN CONCRETE | W WEST                           |
| ○ CALCULATED LOT CORNER                        | MCSM MESA COUNTY SURVEY MONUMENT |
|  | CO COLORADO                      |
|  | SE SOUTHEAST                     |
|  | BK BOOK                          |
|  | PG PAGE                          |

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	90.00'	8.97'	8.96'	N 75°34'40" W	05°42'23"
C2	35.00'	22.50'	22.11'	N 60°01'15" W	36°49'30"
C3	105.00'	11.60'	11.59'	S 75°16'08" E	08°19'45"



**LOT 2 TOMKINS SUBDIVISION  
SKETCH FOR EASEMENT VACATION  
SITUA TED IN THE SE1/4 SE1/4 OF SECTION 3  
T 1 S, R 1 W, UTE MERIDIAN  
CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO**

SURVEYIT, INC.  
2754 COMPASS DRIVE, SUITE 110  
GRAND JUNCTION, CO 81506 970-245-3777

FOR AND ON BEHALF OF SURVEYIT, INC.  
ROBERT J. LEVINE, PLS 39419

DATE:

**Attach 15**

Vacation of 5 Feet of an Existing 10 Foot Drainage Easements, Located at 2560 and 2561 Civic lane

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Easements Vacation – Located at 2560 and 2561 Civic Lane					
<b>Meeting Date</b>	June 20, 2007					
<b>Date Prepared</b>	May 31, 2007				File #VE-2007-047	
<b>Author</b>	Ronnie Edwards		Associate Planner			
<b>Presenter Name</b>	Ronnie Edwards		Associate Planner			
<b>Report results back to Council</b>	X	No		Yes	<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:** A request to vacate 5 feet of an existing 10 foot drainage easements, located adjacent to the west property line of 2560 and 2561 Civic Lane in the Beehive Estates Subdivision.

**Budget:** N/A

**Action Requested/Recommendation:** Hold a public hearing and consider final passage of the Easement Vacation Resolution.

**Background Information:** See attached Background Information.

**Attachments:**

1. Background Information
2. Site Location Map/Aerial Photo Map
3. Future Land Use Map/Existing City and County Zoning Map
4. Enlarged Site/Composite Plan
5. Resolution/Exhibits

<b>BACKGROUND INFORMATION</b>					
<b>Location:</b>		2560 and 2561 Civic Lane			
<b>Applicants:</b>		Village Homes of Colorado			
<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>	Communication Tower Site			
<b>Existing Zoning:</b>		PD (Residential)			
<b>Proposed Zoning:</b>		PD (Residential)			
<b>Surrounding Zoning:</b>	<b>North</b>	PD (Residential)			
	<b>South</b>	PD (Residential)			
	<b>East</b>	PD (Residential)			
	<b>West</b>	CSR			
<b>Growth Plan Designation:</b>		Residential Medium-High (8-12 du/ac)			
<b>Zoning within density range?</b>		X	<b>Yes</b>		<b>No</b>

**Staff Analysis:**

2. Background:

The affected property of this vacation request is Lot 3 and Lot 4 of the Beehive Estates Subdivision, located east of 25 1/2 Road just north of Patterson Road. The subject property was annexed into the City on August 6, 2000 as part of the G Road South Annexation and was zoned RSF-R, as that was its existing Mesa County zoning. In 2003 the property was rezoned to PD (Planned Development) with a default zone of R-8 for the proposed subdivision development, which occurred in 2004 as Beehive Estates.

The applicant is requesting to vacate 5 feet of an existing 10 foot drainage easement located along the west property line of Lot 3 and Lot 4. This would allow a larger building envelope on these two lots while still respecting the need for the drainage easement adjacent to the west property line of the subdivision.

2. Consistency with the Growth Plan:

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

By allowing the 10 foot easements to be reduced to 5 feet, the individual property owners will have a larger building envelope, allowing more construction flexibility in the type of residence being built.

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:

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

Vacation of 5 feet of the existing 10 foot easements, does not conflict with applicable Sections of the Growth Plan, major street plan and other adopted plans and policies of the City.

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

No parcel becomes landlocked with this vacation request. Both parcels will retain their existing individual accesses.

- 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 to any parcel will not be restricted and staff does not anticipate any devaluation to the properties with this proposal.

- 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).

There are no adverse impacts to the general community. The quality of public facilities and services provided is not reduced due to this vacation request as a portion of the easements are being retained.

- 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.

Provision of adequate public facilities and services will not be inhibited to any property as required in Chapter 6 of the Code.

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

Vacation of 5 feet of the existing 10 foot easements will benefit the neighborhood by creating larger building envelopes while retaining a portion of the subject area for drainage purposes.

#### FINDINGS OF FACT/CONCLUSIONS:

After reviewing this Easement Vacation application, VE-2007-047, for the vacation of 5 feet of the existing 10 foot drainage easements, staff makes the following findings of fact and conclusions:

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

#### STAFF RECOMMENDATION:

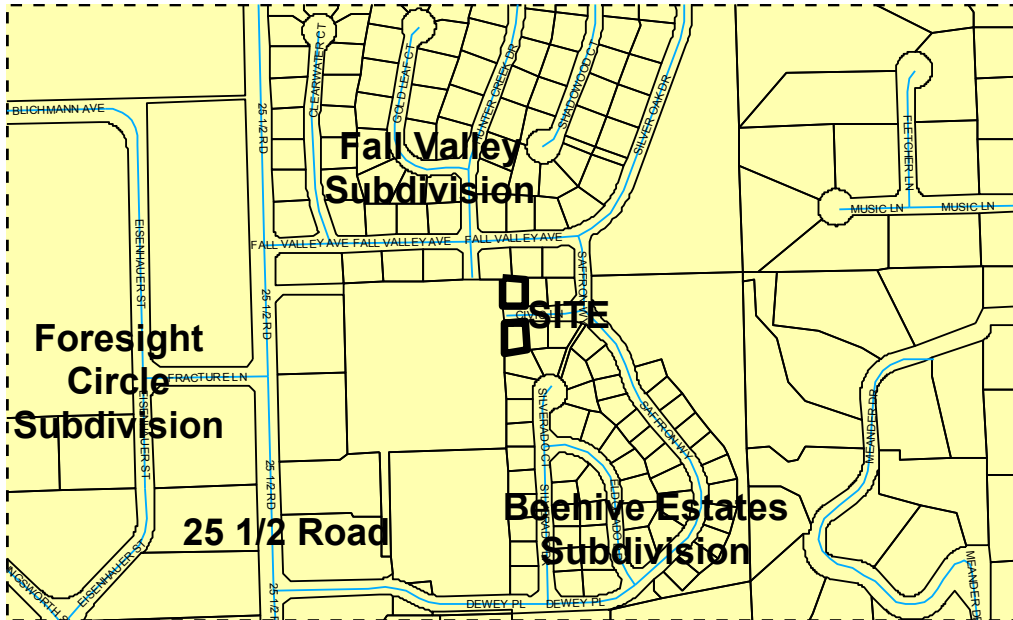
Staff recommends that the Planning Commission forward a recommendation of approval of the requested easement vacations, VE-2007-047, to the City Council with the findings and conclusions listed above.

#### RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on item VE-2007-047, I move we forward a recommendation of approval to the City Council on the request to vacate 5 feet of the existing 10 foot drainage easements, with the findings of fact and conclusions listed in the staff report.

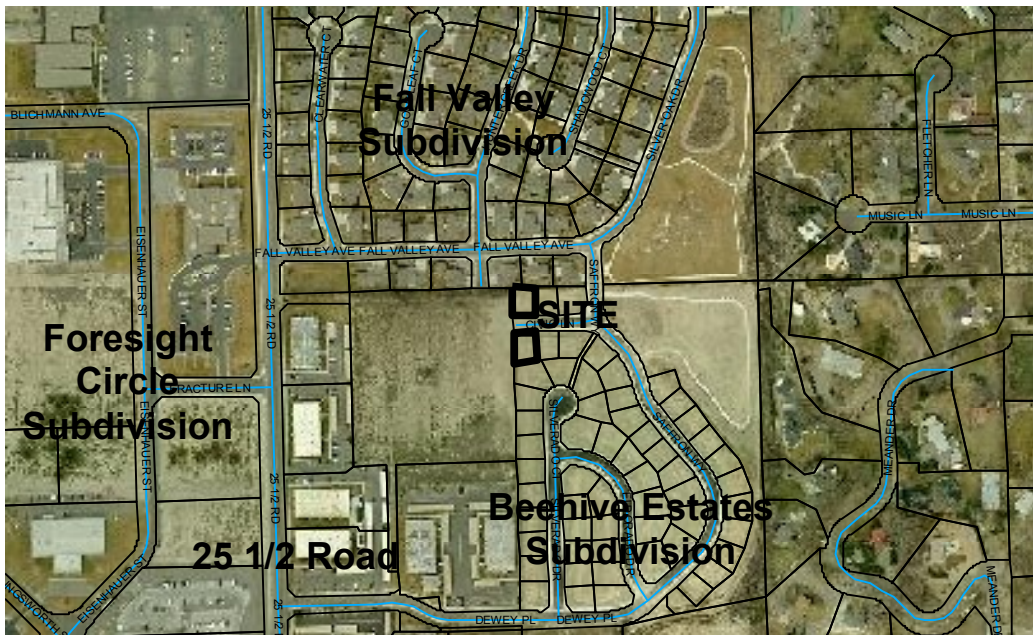
# Site Location Map

Figure 1



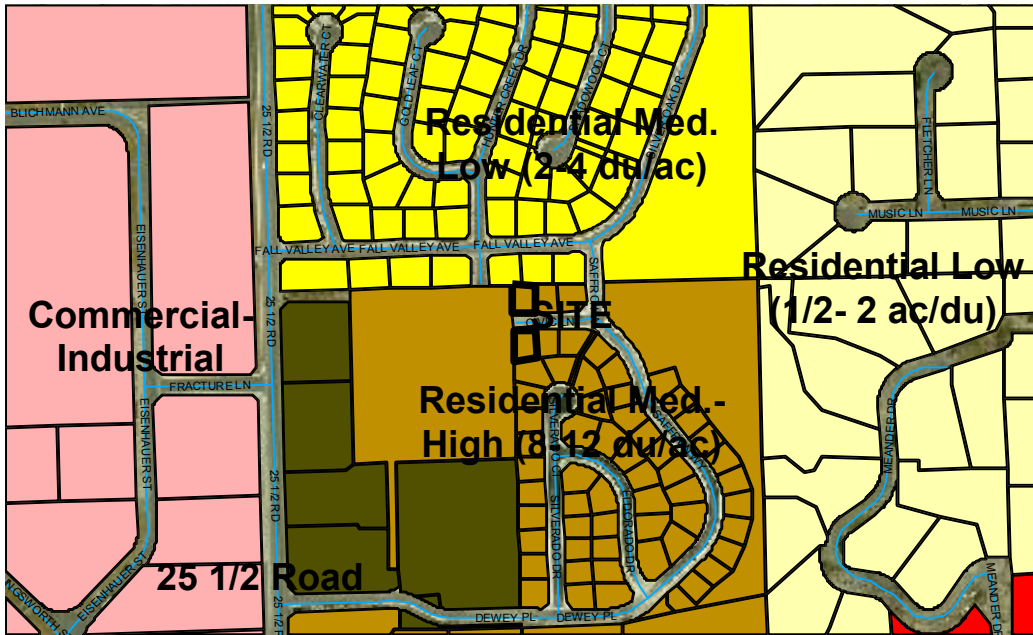
# Aerial Photo Map

Figure 2



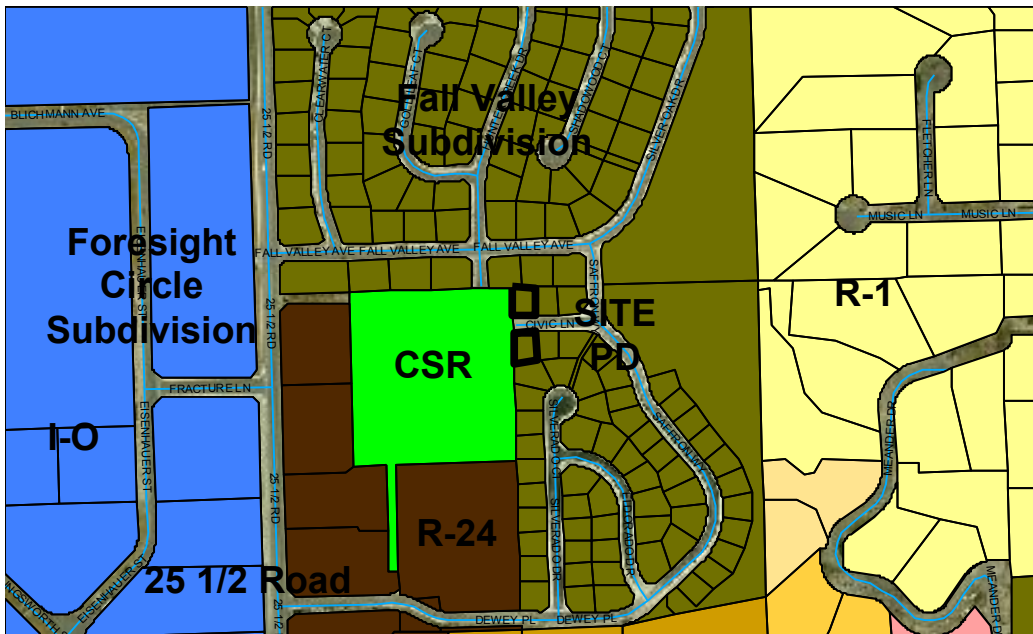
# Future Land Use Map

Figure 3

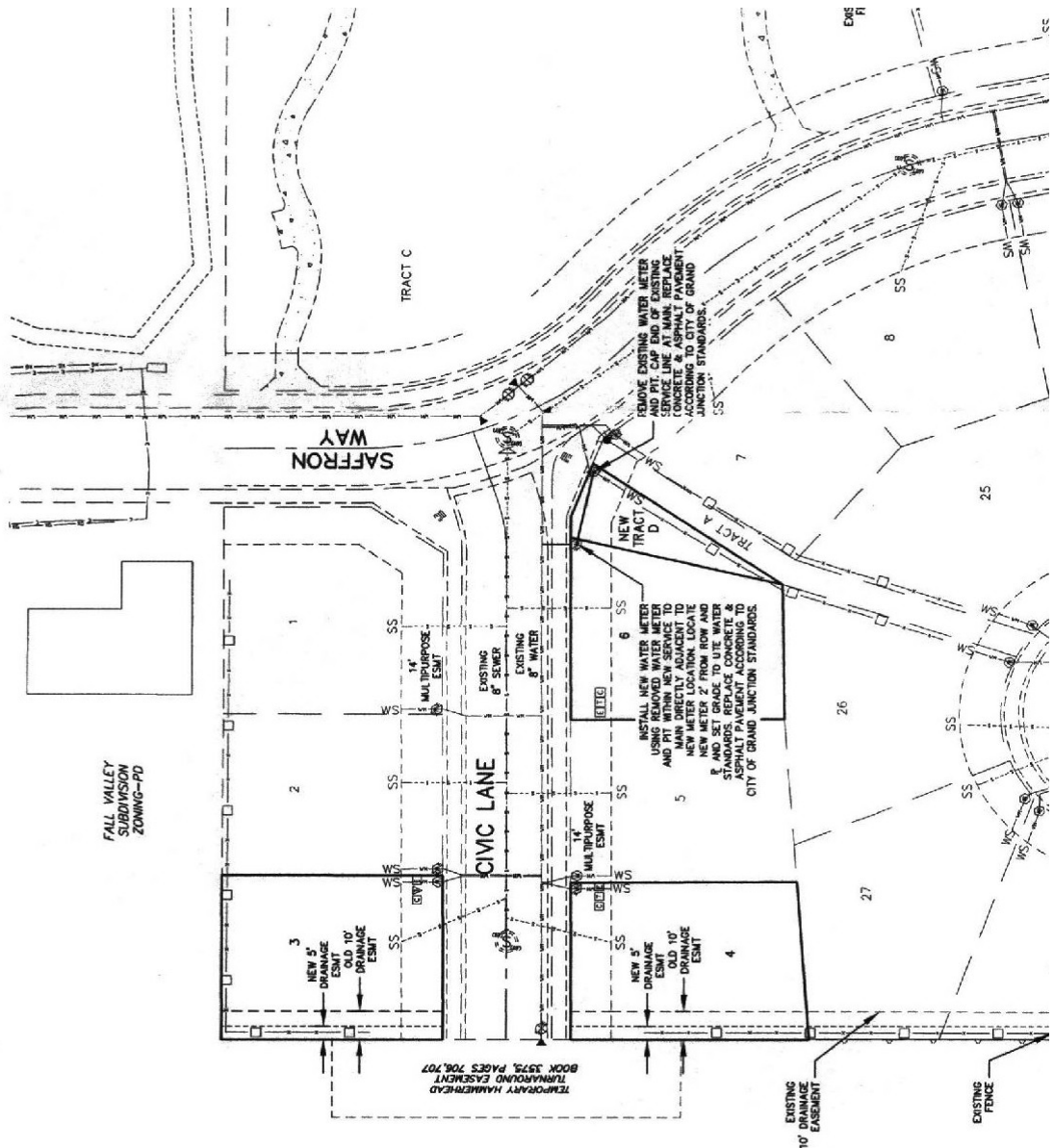


# Existing City and County Zoning

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."



FALL VALLEY  
SUBDIVISION  
ZONING-PD

TRACT C

SAFFRON  
WAY

CIVIC  
LANE

NEW  
TRACT  
D

TRACT  
A

EDGE  
R.

8 SS

25

26

27

3

NEW 4"  
DRAINAGE  
ESMT  
OLD 10"  
DRAINAGE  
ESMT

14"  
MULTIPURPOSE  
ESMT

EXISTING  
6" SEWER

EXISTING  
8" WATER

6 SS

INSTALL NEW WATER METER  
USING REMOVED WATER METER  
AND FIT WITH NEW SERVICE TO  
NEW METER LOCATION. LOCATE  
NEW METER 2' FROM ROW AND  
8" AND SET GRADE TO UTE WATER  
TABLE. CONCRETE AND ASPHALT  
PAVEMENT ACCORDING TO  
CITY OF GRAND JUNCTION STANDARDS.

5

NEW 5"  
DRAINAGE  
ESMT  
OLD 10"  
DRAINAGE  
ESMT

14"  
MULTIPURPOSE  
ESMT

6 SS

REMOVE EXISTING WATER METER  
AND PIT. CAP END OF EXISTING  
SERVICE LINE. REMOVE EXISTING  
SERVICE LINE. ASHRAE 90.1  
COMPLY WITH CITY OF GRAND  
JUNCTION STANDARDS.

TEMPORARY HAMMERHEAD  
BOOK 1572, PAGES 706, 707  
TRAY/ROUND EASEMENT

10' C  
EASEMENT

EXISTING  
FENCE

CUMULUS  
WIRELESS INC.  
2945-034-00-112  
ZONING-CSR



**CITY OF GRAND JUNCTION, COLORADO**

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

**A RESOLUTION VACATING 5 FEET OF EXISTING 10 FOOT DRAINAGE  
EASEMENTS LOCATED AT 2560 AND 2561 CIVIC LANE**

**RECITALS:**

The applicant proposes to vacate 5 feet of existing 10 foot drainage easements located adjacent to the west property line of 2560 and 2561 Civic Lane in the Beehive Estates Subdivision.

At its June 12, 2007 hearing the Grand Junction Planning Commission found that the request satisfies the review criteria set forth in Section 2.11.C of the Zoning and Development Code and recommended approval.

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

The City Council finds that the vacation meets the criteria set forth in Section 2.11.C of the Grand Junction Zoning and Development Code and in accordance therewith the following 5 foot easement area as described in Exhibit "A" and "B" shown in Exhibit "C" and "D" is hereby vacated: (See attachments)

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

ATTEST:

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

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

**EXHIBIT A**  
**SHEET 1 OF 2**

**LEGAL DESCRIPTION**

A PARCEL OF LAND BEING FIVE (5) FEET IN WIDTH LOCATED IN LOT 3, BEEHIVE ESTATES SUBDIVISION PLAT, A SUBDIVISION PLAT RECORDED IN BOOK 3845 AT PAGE 25 AT RECEPTION NO. 2241066 OF THE MESA COUNTY CLERK AND RECORDER, BEING LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE PRINCIPAL MERIDIAN, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHWEST CORNER OF SAID LOT 3 AND CONSIDERING THE NORTH LINE OF SAID LOT 3 TO BEAR SOUTH 89°54'04" EAST WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE SOUTH 89°54'04" EAST, ALONG THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 5.00 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 89°54'04" EAST, ALONG THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 5.00 FEET;

THENCE SOUTH 00°02'40" WEST, PARALLEL TO AND 10.00 FEET EASTERLY OF THE WESTERLY LINE OF SAID LOT 3, A DISTANCE OF 76.32 FEET TO THE SOUTH LINE OF SAID LOT 3;

THENCE SOUTH 89°47'33" WEST, ALONG THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 5.00 FEET;

THENCE NORTH 00°02'40" EAST, PARALLEL TO AND 5.00 FEET EASTERLY OF THE WESTERLY LINE OF SAID LOT 3, A DISTANCE OF 76.35 FEET TO THE **POINT OF BEGINNING**;

CONTAINING A CALCULATED AREA OF 382 SQUARE FEET OR 0.009 ACRES, MORE OR LESS.

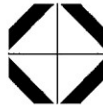
I, WILLIAM F. HESSELBACH, JR., A SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CHECKING.



WILLIAM F. HESSELBACH, JR., P.L.S. 3625369  
FOR AND ON BEHALF OF  
CARROLL & LANGE, INC.

DATE

5/22/07



**Carroll & Lange** INC

Professional Engineers & Land Surveyors  
165 South Union Blvd., Suite 156  
Lakewood, Colorado 80228  
PHONE: (303) 980-0200  
FAX: (303) 980-0917  
WWW.CARROLL-LANGE.COM

**EXHIBIT B**  
**SHEET 1 OF 2**

**LEGAL DESCRIPTION**


A PARCEL OF LAND BEING FIVE (5) FEET IN WIDTH LOCATED IN LOT 4, BEEHIVE ESTATES SUBDIVISION PLAT, A SUBDIVISION PLAT RECORDED IN BOOK 3845 AT PAGE 25 AT RECEPTION NO. 2241066 OF THE MESA COUNTY CLERK AND RECORDER, BEING LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE PRINCIPAL MERIDIAN, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHWEST CORNER OF SAID LOT 4 AND CONSIDERING THE NORTH LINE OF SAID LOT 4 TO BEAR NORTH 89°47'33" EAST WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;  
THENCE NORTH 89°47'33" EAST, ALONG THE NORTH LINE OF SAID LOT 4, A DISTANCE OF 5.00 FEET TO THE **POINT OF BEGINNING**;

THENCE NORTH 89°47'33" EAST, ALONG THE NORTH LINE OF SAID LOT 4, A DISTANCE OF 5.00 FEET;  
THENCE SOUTH 00°02'40" WEST, PARALLEL TO AND 10.00 FEET EASTERLY OF THE WESTERLY LINE OF SAID LOT 4, A DISTANCE OF 80.77 FEET TO THE SOUTH LINE OF SAID LOT 4;  
THENCE SOUTH 85°51'10" WEST, ALONG THE SOUTH LINE OF SAID LOT 4, A DISTANCE OF 5.01 FEET;  
THENCE NORTH 00°02'40" EAST, PARALLEL TO AND 5.00 FEET EASTERLY OF THE WESTERLY LINE OF SAID LOT 4, A DISTANCE OF 81.11 FEET TO THE **POINT OF BEGINNING**;

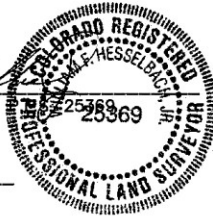
CONTAINING A CALCULATED AREA OF 405 SQUARE FEET OR 0.009 ACRES, MORE OR LESS.

I, WILLIAM F. HESSELBACH, JR., A SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CHECKING.

  
WILLIAM F. HESSELBACH, JR.,  
FOR AND ON BEHALF OF  
CARROLL & LANGE, INC.

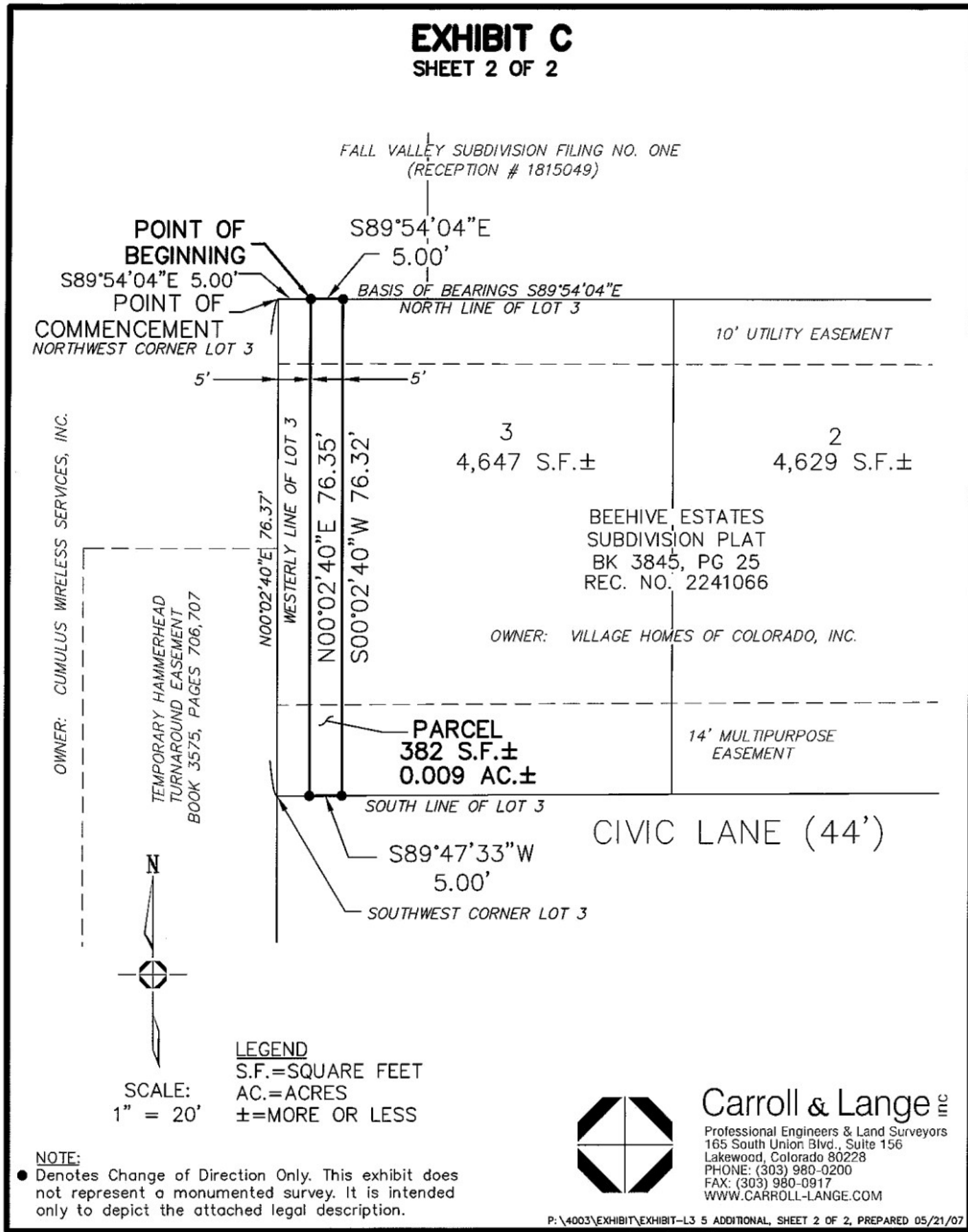
DATE

5/22/07

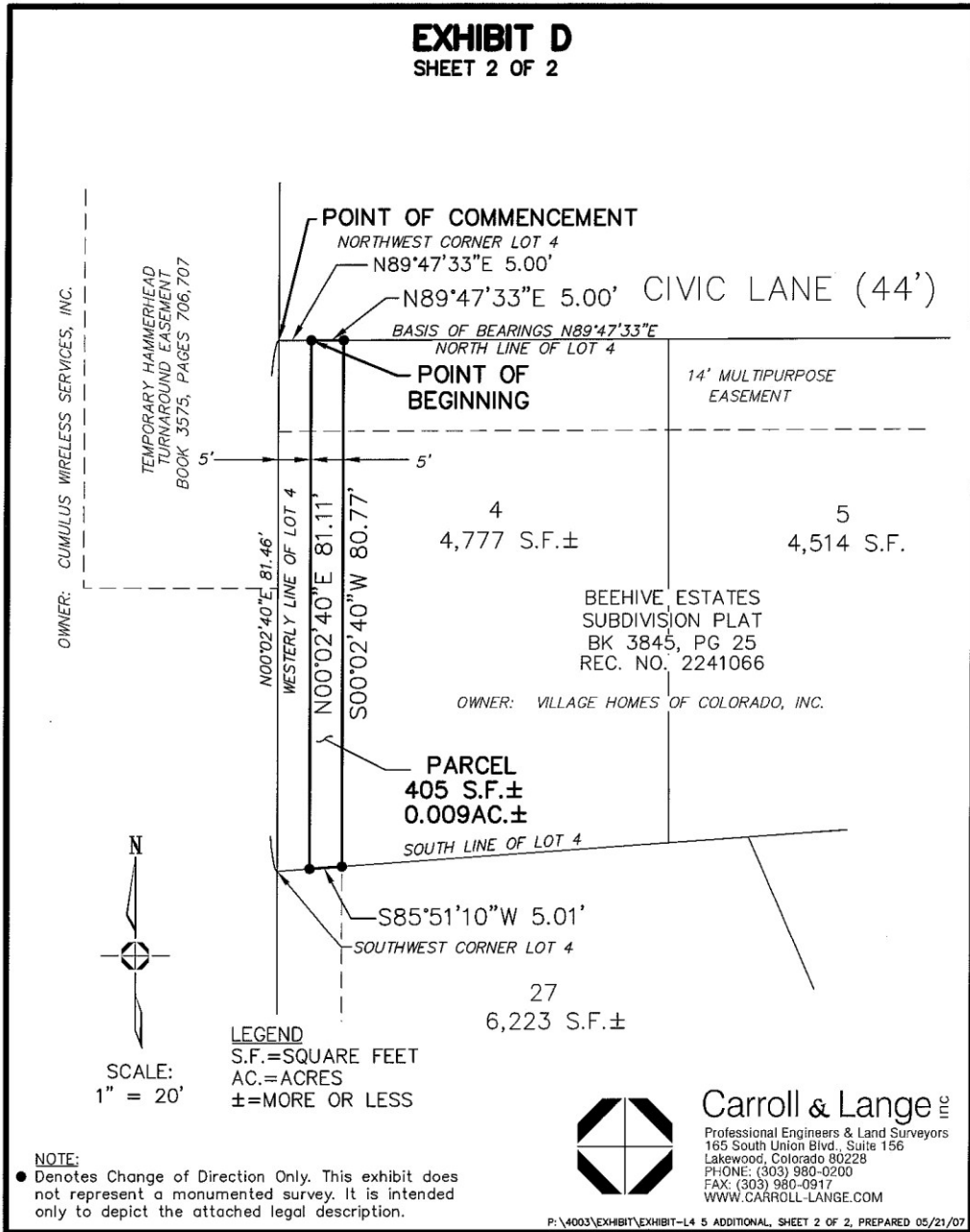


**Carroll & Lange** inc  
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WWW.CARROLL-LANGE.COM

**EXHIBIT C**  
SHEET 2 OF 2



**EXHIBIT D**  
SHEET 2 OF 2



**Attach 16**

Public Hearing – 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 20, 2007						
<b>Date Prepared</b>	May 25, 2007				File #RZ-2007-089		
<b>Author</b>	Ronnie Edwards		Associate Planner				
<b>Presenter Name</b>	Ronnie Edwards		Associate Planner				
<b>Report results back to Council</b>		Yes	X	No	When		
<b>Citizen Presentation</b>		Yes		No	Name		
	Workshop	X	Formal Agenda			Consent	X Individual Consideration

**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:** Hold a public hearing and adopt the Zoning Ordinance on second reading.

**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>		2575 Young Court	
<b>Applicants: &lt;Prop owner, developer, representative&gt;</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>		<b>X</b>	<b>Yes</b>
			<b>No</b>

**Staff Analysis:**

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:

1. 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 rezoning request provides a transition between the various densities.

3. The proposed rezoning 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 rezoning 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.

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;

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.

5. 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 zoning.

The proposed rezoning 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.

- d. R-E, (Residential Estate, 1 du/2 ac)
- e. 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 to the City Council.

FINDINGS OF FACT/CONCLUSIONS:

Staff makes the following findings of fact:

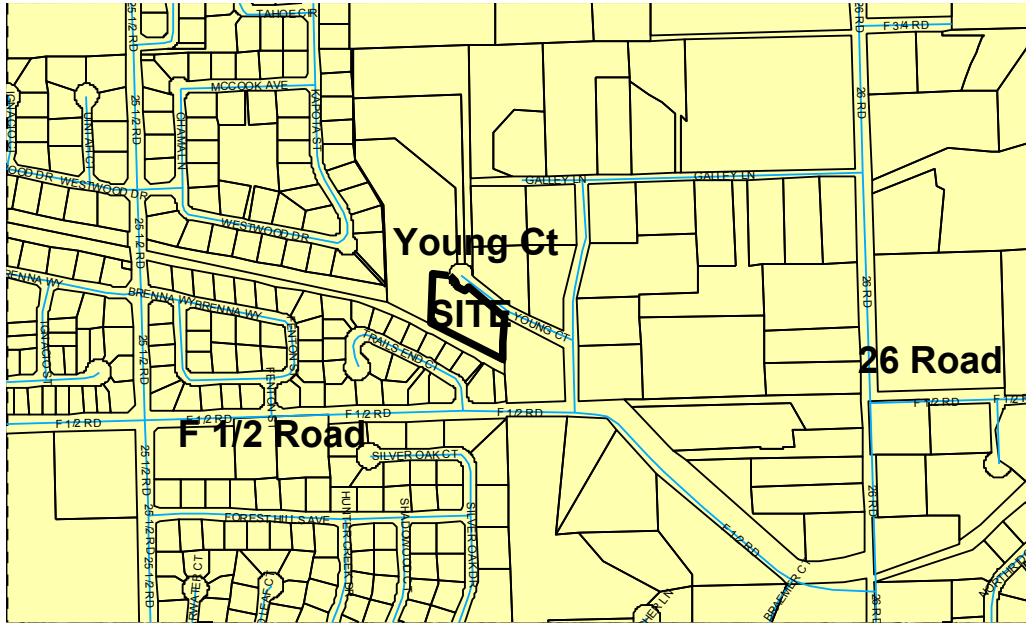
1. The requested rezone is consistent with the goals and policies of the Growth Plan.
2. The review criteria in Section 2.6.A of the Zoning and Development Code have been met.

PLANNING COMMISSION RECOMMENDATION:

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

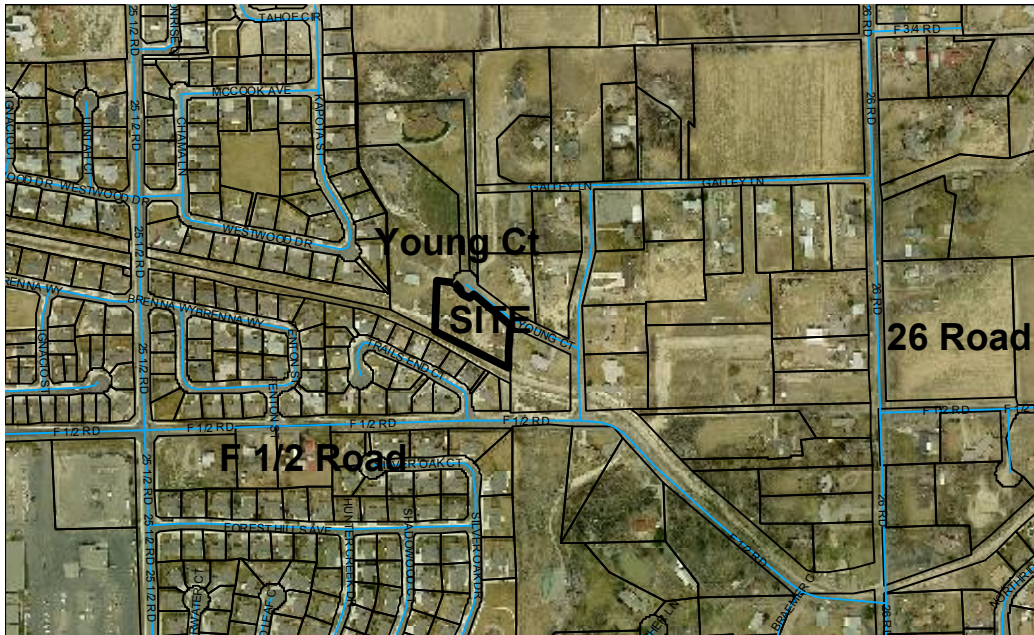
# Site Location Map

Figure 1



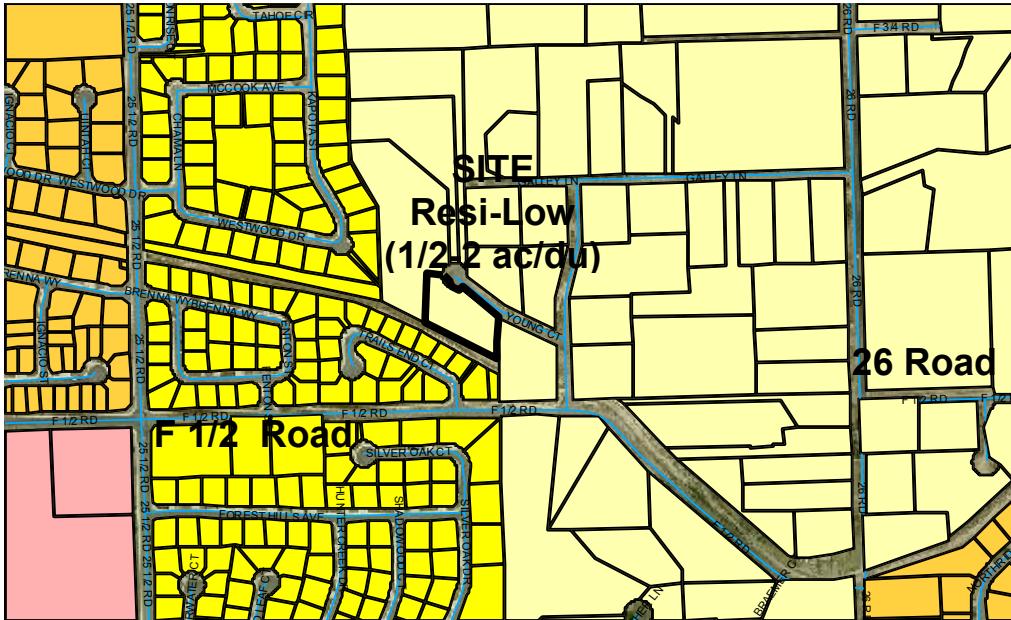
# Aerial Photo Map

Figure 2



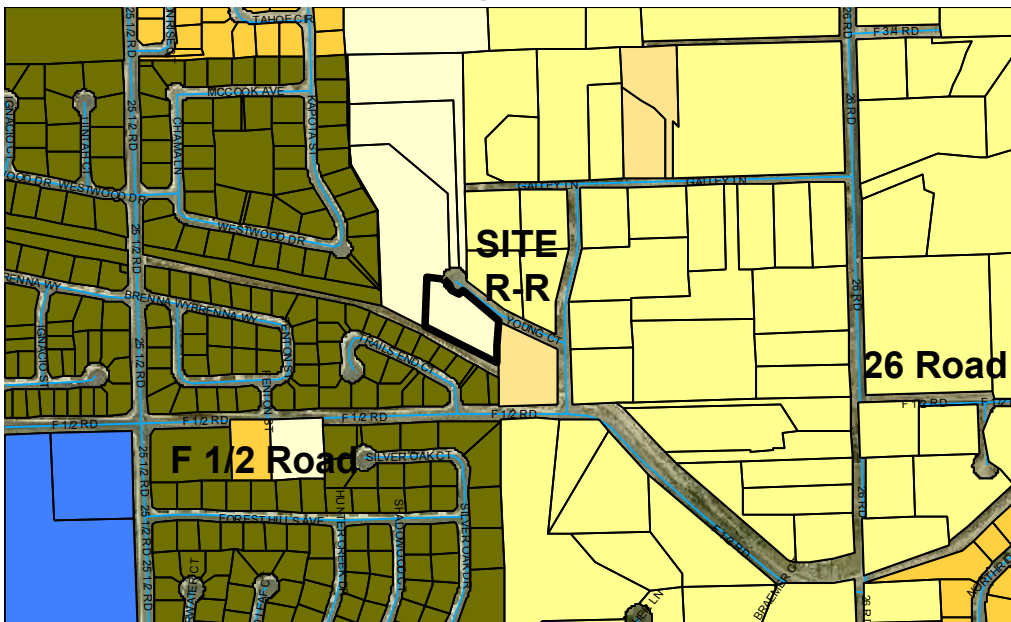
# Future Land Use Map

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 6th day of June, 2007.

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

Attest:

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

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

**Attach 17**

Public Hearing – ROW Vacation, Located at 711 Niblic Drive and 718 Horizon Drive

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL AGENDA</i>						
<b>Subject</b>	Lupinski Right-of-Way Vacation – Located at 711 Niblic Drive and 718 Horizon Drive					
<b>Meeting Date</b>	June 20, 2007					
<b>Date Prepared</b>	May 25, 2007				File #VR-2007-022	
<b>Author</b>	Ronnie Edwards		Associate Planner			
<b>Presenter Name</b>	Ronnie Edwards		Associate Planner			
<b>Report results back to Council</b>	X	No		Yes	<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:** 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:** Hold a public hearing and consider final passage of the Right-of-Way Vacation Ordinance.

**Background Information:** See attached Background Information.

**Attachments:**

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

<b>BACKGROUND INFORMATION</b>					
<b>Location:</b>		711 Niblic Drive and 718 Horizon Drive			
<b>Applicants:</b>		Stanley Lupinski			
<b>Existing Land Use:</b>		Vacant			
<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>	Country Inns Motel			
<b>Existing Zoning:</b>		R-5 and C-1			
<b>Proposed Zoning:</b>		R-5 and C-1			
<b>Surrounding Zoning:</b>	<b>North</b>	R-5			
	<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>		N/A	<b>Yes</b>		<b>No</b>

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

- s. 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.

- t. 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.

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

- 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).

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.

- 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.

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.

- x. 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:

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

**STAFF RECOMMENDATION:**

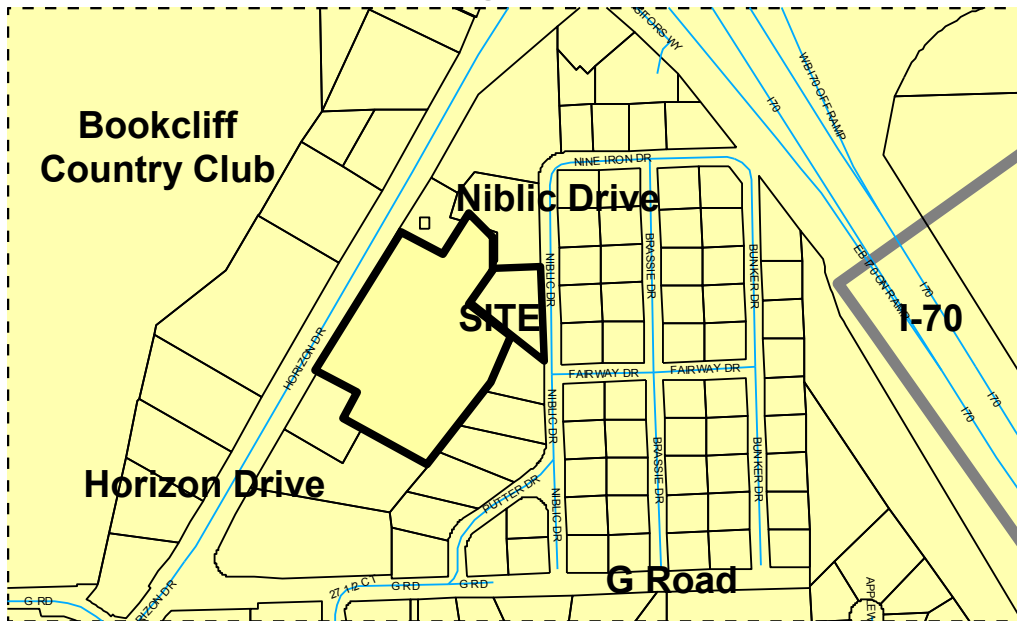
Staff recommends that the Planning Commission forward a recommendation of approval of the requested right-of-way vacation, VR-2007-022, to the City Council with the findings and conclusions listed above, and subject to the reservation of a 14' multi-purpose easement.

**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.

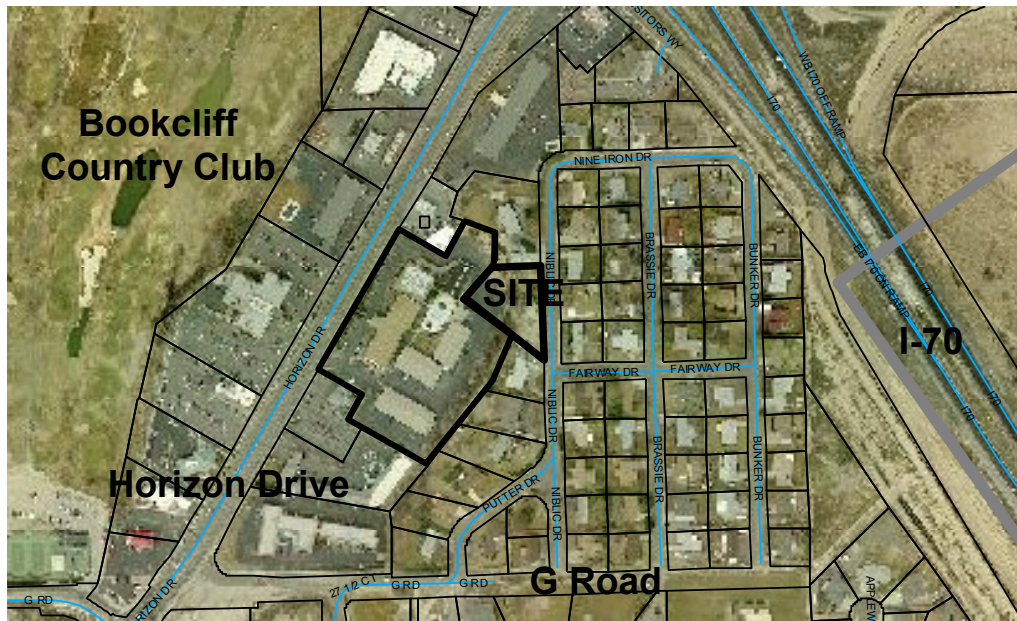
# Site Location Map

Figure 1



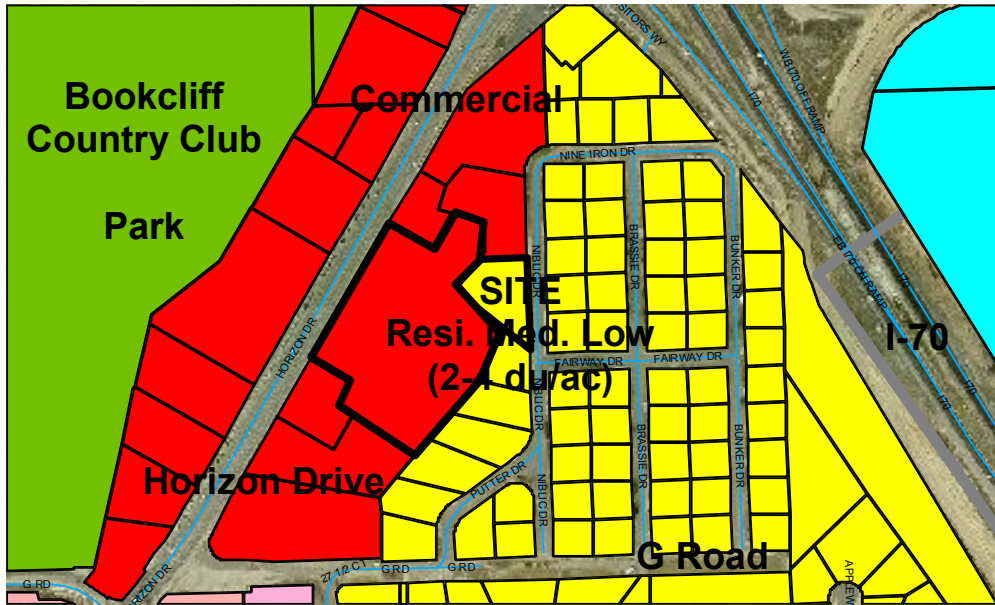
# Aerial Photo Map

Figure 2



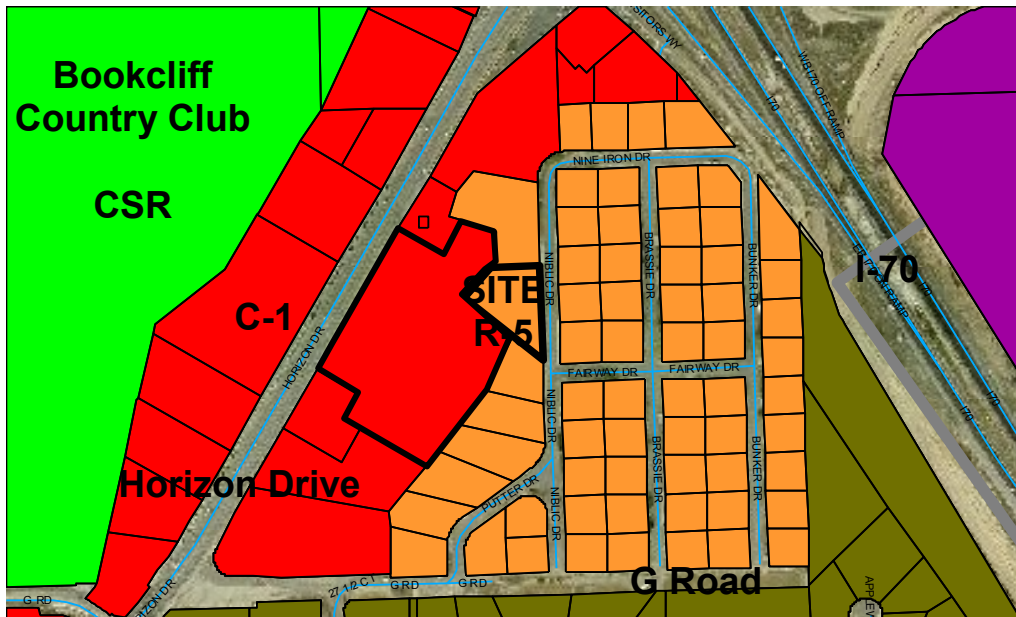
# Future Land Use Map

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, COLORADO**

**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 6<sup>th</sup> day of June, 2007

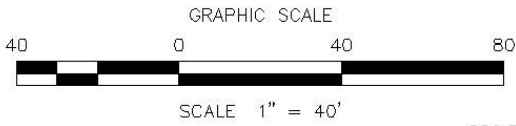
**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:

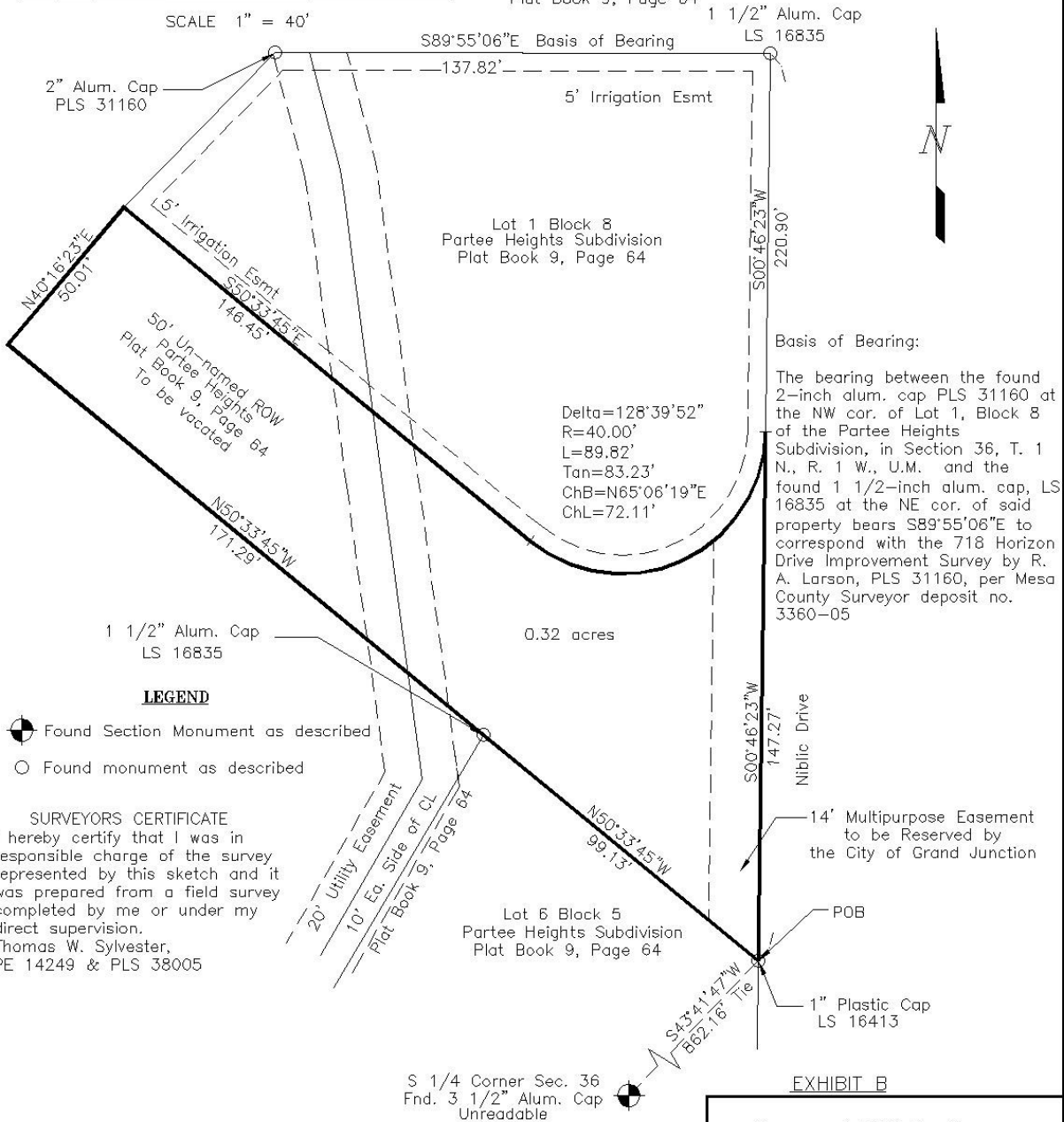
\_\_\_\_\_  
President of City Council

\_\_\_\_\_  
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

**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

**EXHIBIT B**

Un-named ROW Vacation  
Partee Heights

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

**Attach 18**

Infill/Redevelopment Request – Grand Valley Catholic Outreach

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Infill/Redevelopment Request – Grand Valley Catholic Outreach					
<b>Meeting Date</b>	June 20, 2007					
<b>Date Prepared</b>	June 5, 2007				<b>File #</b> INR-2007-093	
<b>Author</b>	Ivy Williams		Development Services Supervisor			
<b>Presenter Name</b>	Ivy Williams		Development Services Supervisor			
<b>Report results back to Council</b>		<b>Yes</b>	x	<b>No</b>	<b>When</b>	
<b>Citizen Presentation</b>	x	<b>Yes</b>		<b>No</b>	<b>Name</b>	John Baskfield Sister Karen Bland, OSB
	<b>Workshop</b>	X	<b>Formal Agenda</b>		<b>Consent</b>	X <b>Individual Consideration</b>

**Summary:** Grand Valley Catholic Outreach represented by Chamberlin Architects is requesting assistance from the Infill and Redevelopment Program for a building project to provide permanent housing for low-income and chronically homeless individuals. The project is located at 217 White Avenue.

**Budget:**

The total funds requested for this project are \$249,855.00. The 2007 budget allocation for Infill/Redevelopment program is \$250,000 from the Economic Development Fund. To date, \$10,000 of the 2007 allocation has been awarded.

**Action Requested/Recommendation:**

That the City Council approve the request to reimburse costs for the undergrounding of utilities, a fire hydrant and the portion of the sanitary sewer work in the alley not to exceed \$72,058.

**Attachments:**

Attachment 1 – Infill location map and Aerial photo  
Attachment 2 – Infill and Redevelopment application from Chamberlin Architects  
Attachment 3 – Memorandum revising figures on infill assistance request from Chamberlin Architects

**Background Information:**

This request was reviewed by staff responsible for making a recommendation to the City Council regarding applications to the Infill and Redevelopment program. The location is within the boundaries defined for the infill program (Attachment 1) and the project meets the criteria to qualify for funding from the program.



The original application (Attachment 2) identifies various requests for funding totaling \$382,831.00. The project received approximately \$100,000.00 of Community Development Block Grant funds (CDBG) and the applicant was asked to confirm that any request for Infill funds did not include components of the project that would be covered by CDBG funds or other donated funds. To accomplish this request a memorandum was submitted that identifies items that will certainly not be covered by other grants or specified donated funding (Attachment 3). The amended requested total for funds stated in the memorandum is \$249,855.00.

This application for infill funds is associated with Development Application SPR-2007-068, a site plan review for constructing three buildings on a one-half (.5) acre site that is currently vacant except for one deteriorating single family home. According to the general project report for the submitted site plan, the proposal is to develop seven city lots into 22 housing units with a resident manager and a counselor to provide permanent housing for low income and homeless individuals.

The line items recommended for consideration by the review committee include items that are in public right-of-way and will strengthen public infrastructure. They are: 1) Undergrounding utilities; 2) Fire hydrant; 3) Sanitary sewer and manhole. Engineering staff determined that undergrounding of utilities would not be a requirement for this project nor would a fee be required for future undergrounding. The applicant's request for undergrounding the utilities is above and beyond code requirements. The amount requested for this line item is \$61,200.00. The Fire Department requires a fire hydrant to be within 150 feet of the Fire Department connection to a sprinkler system supporting the fire hydrant shown on the submitted site plan. The stated cost for this line item is \$8,858.00. There is a cost listed for Sanitary Sewer and Manhole to upgrade an existing sewer connection in the alley. The amount listed for this item is \$16,919.00, but some of this amount would be for on site sewer improvements. Engineering staff suggests an amount of \$2,000.00 for the improvements to the sewer that would occur in the alley right-of-way. The total of these three items is \$86,977; the review committee supports \$72,058 of the listed amounts. The remaining line items in the memorandum (Attachment 3) are for construction costs specific to the project site and total \$162,878.00.

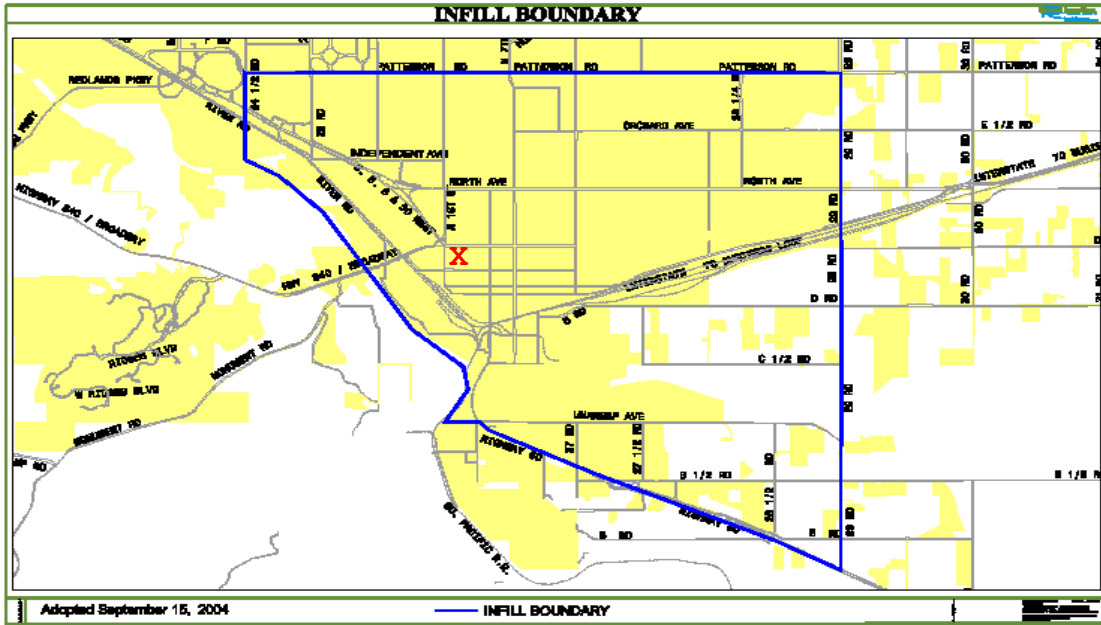
## **CONCLUSION:**

After reviewing the memorandum amending the application for funding from the Infill and Redevelopment Program, the review committee finds that the request does meet the requirements for the program. The project presents improvements to public infrastructure and is intended to provide housing for low income and homeless individuals. The request includes three line items that are in public right-of-way or partially in right-of-way totaling \$86,977, and nine line items that are on the site totaling \$162,878. The total amount requested is \$249,855.00.

## **STAFF RECOMMENDATION:**

Staff recommends consideration of financial support, in part or in whole to this project in the amount of \$72,058. This amount represents line items presented that are in public right-of-way.

### SITE LOCATION MAP

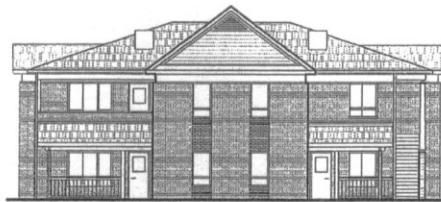


### AERIAL PHOTO



C H A M B E R L I N  
A R C H I T E C T S

**Infill/Redevelopment Attachment**  
GVCO Housing for the Homeless



- 
- 1. Is the site within the City's geographically mapped area for infill or redevelopment?**

Mapped for both infill and redevelopment.

- 2. Does the site meet the definition of infill or redevelopment?**

The project meets the definition of infill.

- 3. Describe how the site is compatible with the surrounding area and meets community values including compatibility with surrounding quality of design and site planning.**

The site is surrounded by City Market to the west, parking and Handy Chapel to the North, Catholic Outreach and St Joseph Catholic Church to the east, and a vacant body shop to the south. While the area is represented by a variety of uses, most nearby frontage on White Avenue is owned and operated by either St Joseph Catholic Church or Grand Valley Catholic Outreach. This project consolidates both the St. Joseph and Catholic Outreach campuses.

The traditional gabled buildings of this project will be built on a large site that is currently vacant except for one deteriorating single family home which will be demolished. The new project will present an architectural scale and density that are consistent with the city's growth plan. The project use is compatible with adjacent residential, church, and Catholic Outreach uses.

- 4. Describe the project's feasibility. This should include the developer's resume of experience, whether the project financing is in place and,**

· A P R O F E S S I O N A L C O R P O R A T I O N ·

**for non-residential projects, what tenant commitments are in place.**

Developer's resume of Experience

The first phase of the project will target the chronically homeless who have mental or physical disabilities. Catholic Outreach has successfully managed a transitional housing program for more than 35 individuals for the past three years, enabling persons who have been homeless to acquire safe and decent housing and eventually move into their own permanent housing. Several have even begun their own businesses. The agency has also provided emergency housing for families with children for more than sixteen years. Besides housing, Catholic Outreach each year assists approximately 400 families avoid evictions and thus retain their homes and not become homeless. Outreach prepares and serves more than 67,000 meals each year for our local citizenry, some of whom are homeless but many of whom supplement their low income with meals through the Soup Kitchen or the Food Pantry. Others (11,000+ each year) utilize the free clothing bank at Outreach to help provide for their families.

Outreach also spearheaded a successful campaign that made possible the renovation of a former City Market building that now houses many of the programs that reach out to low income and homeless individuals and families.

How feasible is the proposed Program?

The goal of this project is to provide permanent housing for low-income and chronically homeless individuals. This project puts substance behind the stated goal, ensuring success through subsequent support for the residents via case management. Currently, without solicitation, there are more than twenty-five individuals who are seriously interested in securing a home through this program and would meet the qualifications.

This program has already secured funding that insures its continuance over the next several years. More than a million dollars has been leveraged from local agencies for services for the residents of this housing project. Several foundations are interested in assisting us in meeting the revenue benchmark for this project. Having the city of Grand Junction as a participant in this project would be an additional incentive for foundation participation.

- 5. Within a distance of 1,000 feet, list any specific infrastructure projects planned and/or funded by the city or any proposed off-site contributions anticipated by the proposed project that address existing deficiencies as defined by the city.**

The new City/DDA Parking Garage is 2 blocks to the southeast. We are unaware of other projects in the area.

**6. What is the level of sharing of City vs private participation for specific enhancement request or code requirements?**

Not yet determined.

**7. Does the project include a mixture of uses? If so, describe the types and percentage.**

Twenty two (22) units of low-income housing; one (1) residential manager unit; one (1) counseling office.

**8. Is the proposed project part of an economic development recruitment?**

No.

**9. Will the proposed project preserve or enhance any historic structure or site? Has the structure been inventoried by the city?**

No.

**10. Does the proposed project include an affordable housing element? If so, provide details including how the project meets different HUD definitions for affordable housing.**

Yes. The project provides housing that is 100% subsidized. It is not known if this type is defined by HUD definitions for affordable housing.

**11. Does the proposed project go beyond current code requirements and provide enhanced architectural and design elements?**

Yes. The project will present an appropriate architectural scale and character to White Avenue, will block views to the garage/scrap-yard, and will enhance and define the streetscape with the facades of new buildings and the addition of new trees and landscaping.

The project provides accessible ground floor dwelling units for disabled persons, and meets or exceeds fire safety requirements with automatic sprinkler systems and a new fire hydrant proposed at the site. It is hoped that the project will be constructed in brick, with elegant landscaping and sitework; that overhead utility lines will be moved underground; and that the existing gravel alley will be reconstructed in concrete.

The contractor and architect are currently soliciting donated time and materials for all parts of this project in an effort to reduce costs and to upgrade to durable

materials which will help decrease maintenance costs and contribute to the simple and dignified setting. Having the city of Grand Junction as a participant in this project would be an additional incentive for participation from others.

**12. The following is a list of potential forms of City involvement. Please indicate the type of incentive you would like to be considered for your request.**

<u>City Involvement</u>	<u>Est. Cost</u>	<u>CityParticipation</u>
a. Expedited Development Review	\$0	

Justification:

While much of the professional work on this project is donated, an expedited process will help keep energy high and save money.

<u>City Involvement</u>	<u>Est. Cost</u>	<u>CityParticipation</u>
b. Assistance with Agency Review	\$0	

Justification:

Ongoing... Thank you to all City Offices who have provided assistance.

<u>City Involvement</u>	<u>Est. Cost</u>	<u>CityParticipation</u>
c. Deferral of Fees		

<u>Tap Fee (sewer/water)</u>	<u>\$37,510</u>	<u>\$</u>
<u>Permitting Fee (building)</u>	<u>\$2,244</u>	<u>\$</u>
<u>Impact Fees</u>	<u>\$76,350</u>	<u>\$</u>

Justification:

Fees represent purely cash expenditures from limited donated cash. While we will likely obtain an abundance of donated services on this project, cash donations are limited. Fees can only be defrayed by the agencies who assess them. We are requesting deferred permitting, tap, and impact fees.

<u>City Involvement</u>	<u>Est. Cost</u>	<u>CityParticipation</u>
d. Density bonuses	n/a	

<u>City Involvement</u>	<u>Est. Cost</u>	<u>CityParticipation</u>
e. Proactive City Improvements	n/a	

<u>City Involvement</u>	<u>Est. Cost</u>	<u>CityParticipation</u>
f. Financial Participation		

<u>Site Demolition/Clear and Grub</u>	<u>\$15,122</u>	<u>\$</u>
<u>Existing Building Demolition</u>	<u>\$9,050</u>	<u>\$</u>
<u>Water Connection (Street)</u>	<u>\$2,700</u>	<u>\$</u>
<u>Sanitary Sewer Connection(Alley)</u>	<u>\$2,800</u>	<u>\$</u>
<u>Provision of Fire Hydrant</u>	<u>\$9,200</u>	<u>\$</u>

Justification:

Please consider assisting the project with funds and services. Examples include site demolition and preparation, existing building demolition, provision of utilities at the street and alley, landscaping, and provision of the proposed fire hydrant.

<u>City Involvement</u>	<u>Est. Cost</u>	<u>City Participation</u>
<b>g. Contributions to enhancements</b>		
<b>Upgrade vinyl siding to Brick</b>	<b>\$120,060</b>	<b>\$</b>
<b>Landscaping</b>	<b>\$45,305</b>	<b>\$</b>

Justification:

Please consider assisting with funding for enhanced architectural treatment (brick) and enhanced landscape. The project proposes upgrading from vinyl siding to brick and landscaping which exceeds city requirements. These are both items that will contribute to the urban character of the neighborhood.

<u>City Involvement</u>	<u>Est. Cost</u>	<u>City Participation</u>
<b>h. off-site city improvements</b>		
<b>Underground Utilities @ Alley</b>	<b>\$38,000</b>	<b>\$</b>
<b>Reconstruct Alley in Concrete</b>	<b>\$24,490</b>	<b>\$</b>

Justification:

Please consider funding the transfer of utilities underground at the alley, and overall alley improvements. While the project could be accessed via the existing alley, the condition of the alley is poor and overhead utilities present a number of problems for new and existing buildings.

<u>City Involvement</u>	<u>Est. Cost</u>	<u>City Participation</u>
<b>i. city assemblage of parcels</b>		
	<b>n/a</b>	



C H A M B E R L I N  
· · · · ·  
A R C H I T E C T S

**To:** Ivy Williams, Grand Junction Infill/Redevelopment  
**From:** John Baskfield  
**Project:** 0621 Grand Valley Catholic Outreach  
**Date:** June 07, 2007  
**Subject:** Request for Infill Grant

Ivy,

Thanks for your advice and patience through changes and budget issues. We believe that many aspects of this project will benefit the city of Grand Junction, and we hope council will support the following items which provide the public benefits of beauty, access/mobility, and discrete & serviceable utilities. We are requesting assistance with the following items.

Undergrounding Utilities	61,200.00
Fire Hydrant	8,858.00
Site Concrete	44,531.00
Existing House Demolition	16,235.00
Site Lighting	20,108.00
Storm Sewer & Manhole	19,067.00
Sanitary Sewer & Manhole	16,919.00
Asphalt Paving	8,515.00
Curb & Gutter	8,980.00
Bike Racks	1,814.00
Site Handrails	6,378.00
Upgrade Façades:	37,250
(Pressed wood siding to	
Cementitious Siding)	
<hr/> Total Requested	<hr/> \$249,855.00

Sister Karen and I will plan to present our case at the City Council Meeting on June 20. Please let me know if you need anything else before then. Thank you for all your help so far.

Sincerely,

John Baskfield, Chamberlin Architects

**Attach 19**

Public Hearing – Niagara Village PD Amendment, Located West of 28 ¼ 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 20, 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>		<b>Consent</b> X <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:** Hold a public hearing and consider final passage of the ordinance.

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

**Attachments:**

1. Staff Report/Background Information
2. Site Location Map / Aerial Photo 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:

2. 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.

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;

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.

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;

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.

8. 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.

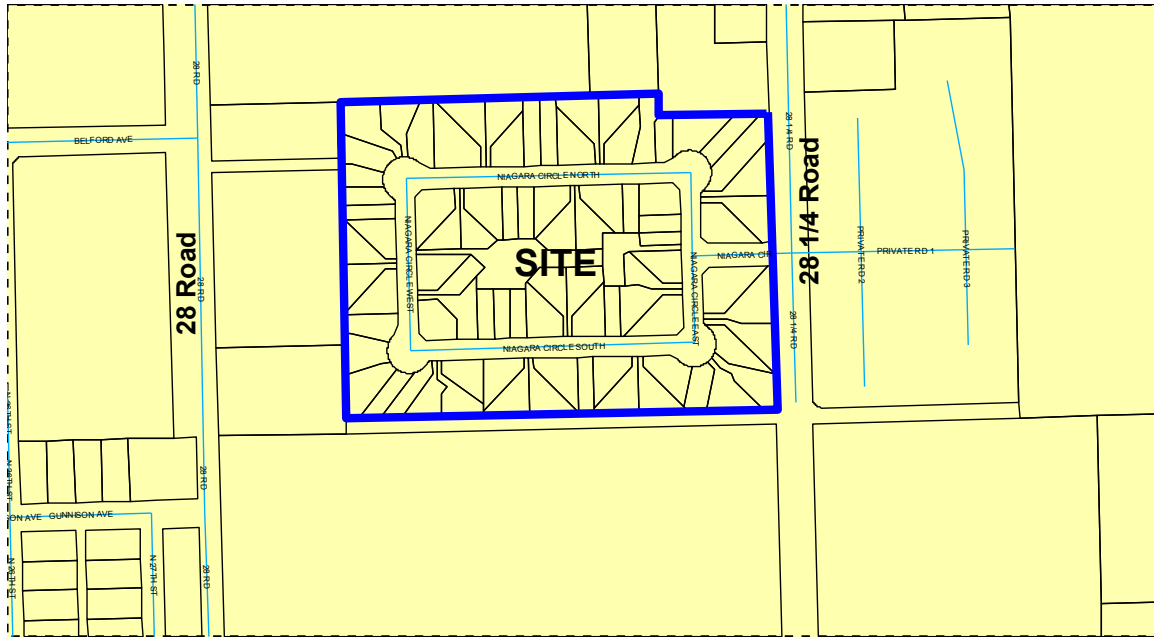
6. The community will benefit from the proposed zone.

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 of the Growth Plan and Section 2.6.A of the Zoning & Development Code.

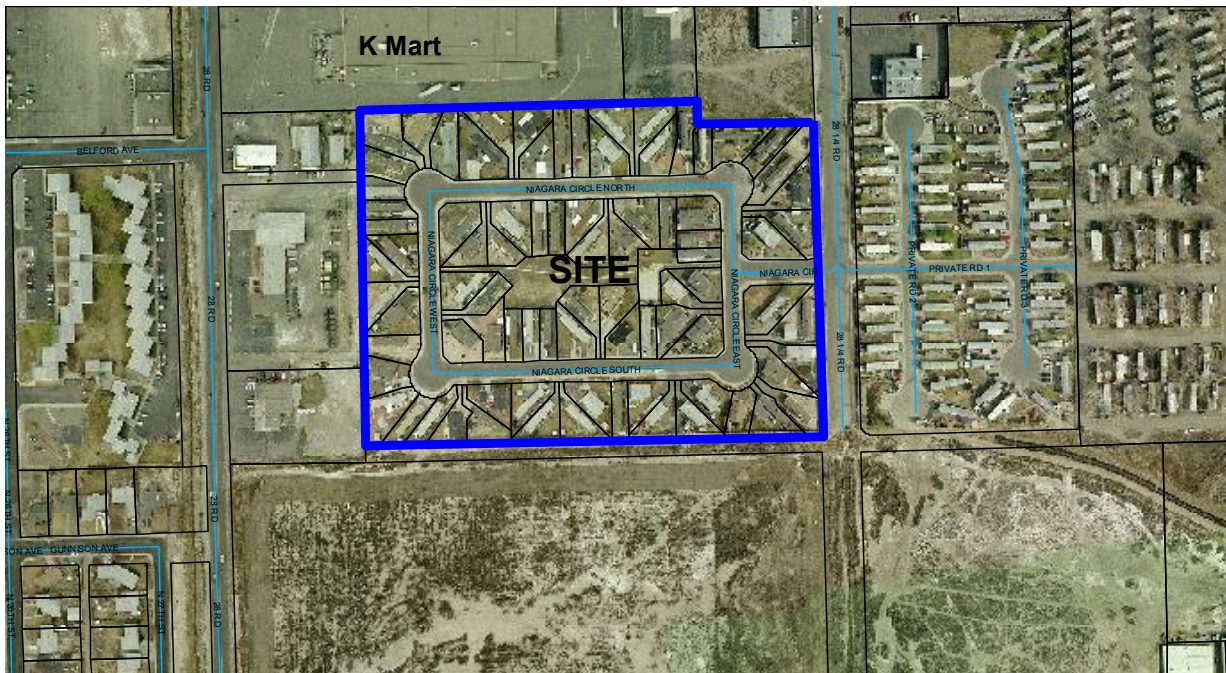
# Site Location Map

Figure 1



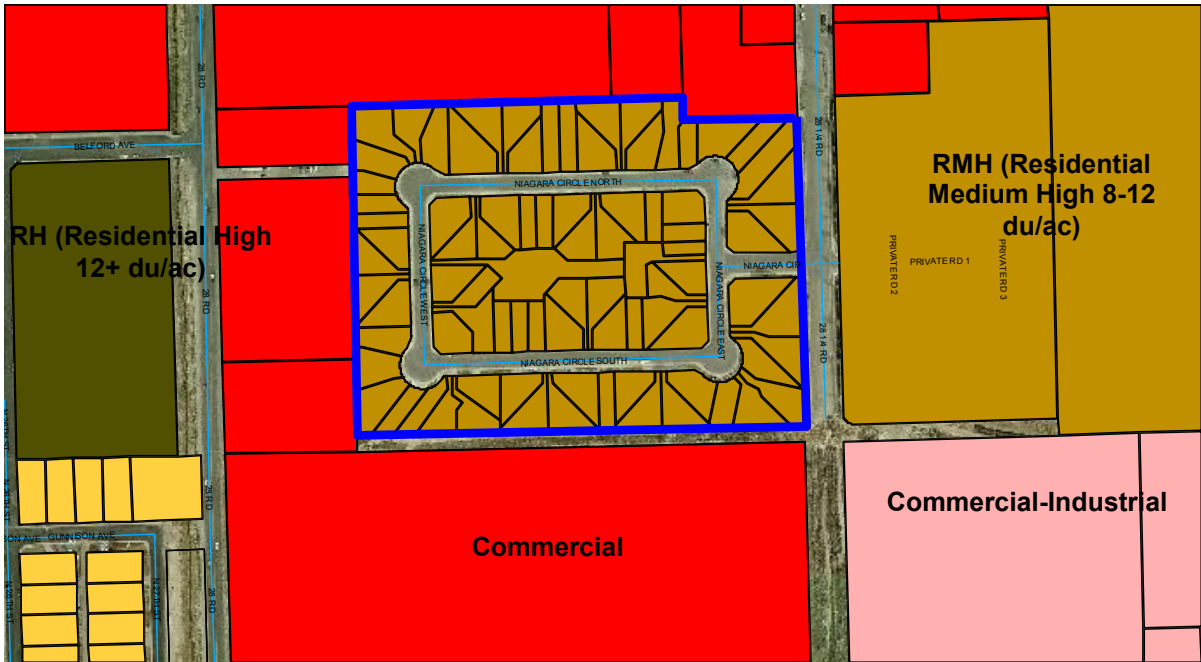
# Aerial Photo Map

Figure 2



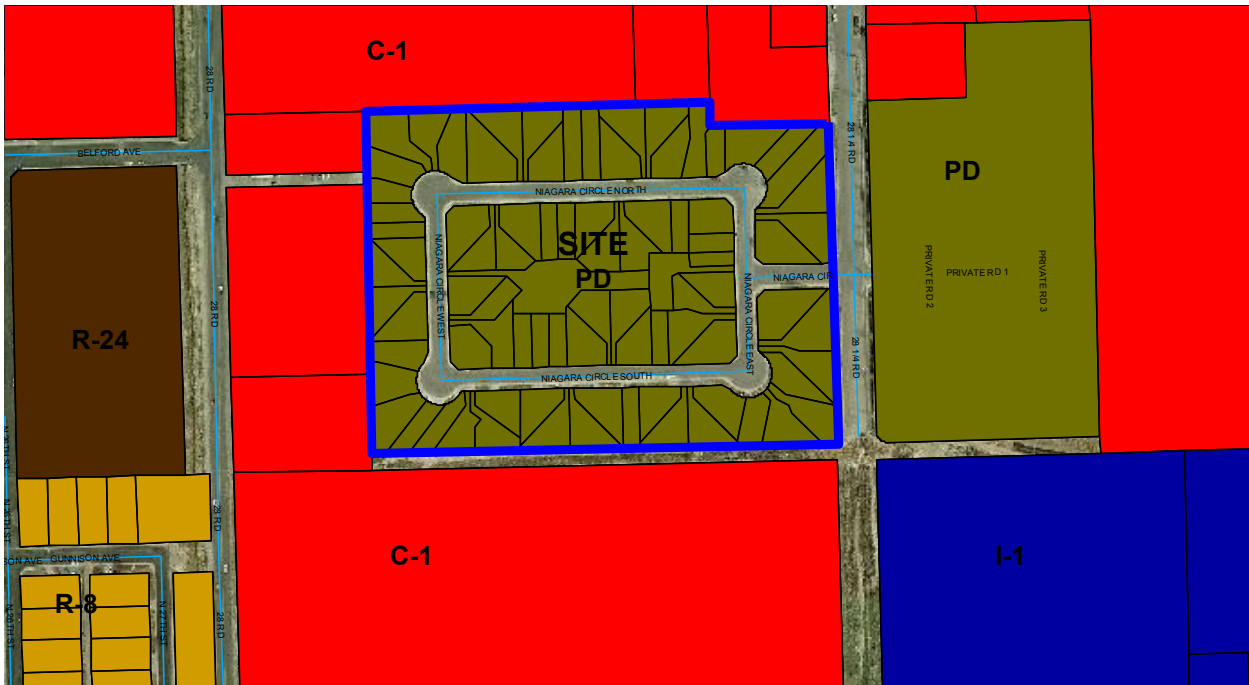
# Future Land Use Map

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, COLORADO**

**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 \_\_\_\_\_, 2007.

**ATTEST:**



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President of Council

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City Clerk

**Attach 20**

Public Hearing – Senatore Annexation and Zoning, Located at 2302 E Road

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA								
<b>Subject</b>	Senatore Annexation and Zoning - Located at 2302 E Road							
<b>Meeting Date</b>	June 20, 2007							
<b>Date Prepared</b>	June 7, 2007				File #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>		Yes	X	No	When			
<b>Citizen Presentation</b>		Yes		No	Name			
	Workshop	X	Formal Agenda			Consent	X	Individual Consideration

**Summary:** Request to annex and zone 3.07 acres, located at 2302 E Road, to the R-2 zone district (Residential – two units per acre). The Senatore Annexation consists of one parcel of land and is a two part serial annexation containing portions of 23 Road and E Road right-of-way.

**Budget:** N/A

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

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

**Attachments:**

1. Staff report/Background information
2. Site Location Map/Aerial Photo
3. Future Land Use Map/Existing City and County Zoning
4. Letter of opposition
5. Minutes from the Planning Commission
6. Acceptance Resolution
7. Annexation Ordinance
8. 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>		X	<b>Yes</b>		<b>No</b>

**Staff Analysis:**

**ANNEXATION:**

This annexation area consists of 3.07 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 Senatore Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;

- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

The following annexation and zoning schedule is being proposed.

<b>ANNEXATION SCHEDULE</b>	
<b>May 16, 2007</b>	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
<b>May 22, 2007</b>	Planning Commission considers Zone of Annexation
<b>June 6, 2007</b>	Introduction of a Proposed Ordinance on Zoning by City Council
<b>June 20, 2007</b>	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
<b>July 22, 2007</b>	Effective date of Annexation and Zoning

SENATORE ANNEXATION SUMMARY		
<b>File Number:</b>		ANX-2007-074
<b>Location:</b>		2302 E Road
<b>Tax ID Number:</b>		2945-083-00-099
<b>Parcels:</b>		one
<b>Estimated Population:</b>		0
<b># of Parcels (owner occupied):</b>		none
<b># of Dwelling Units:</b>		0
<b>Acres land annexed:</b>		3.07
<b>Developable Acres Remaining:</b>		1.419
<b>Right-of-way in Annexation:</b>		71,771 square feet (1.657 acres) 23 Road and E Road
<b>Previous County Zoning:</b>		RSF-4
<b>Proposed City Zoning:</b>		R-4 (Residential - not to exceed four units/acre)
<b>Current Land Use:</b>		Vacant land
<b>Future Land Use:</b>		Residential subdivision
<b>Values:</b>	<b>Assessed:</b>	\$20,300
	<b>Actual:</b>	\$70,000
<b>Address Ranges:</b>		2302 to 2308 E Road and 502 23 Road
<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>	School District 51

**Zone of Annexation:** The requested zone of annexation to the R-2 district is consistent with the Growth Plan designation of Residential Medium Low. 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 R-4 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 Staff and the Planning Commission have recommended, the following zone district that the applicant has requested would also be consistent with the Growth Plan designation for the subject property.

- f. R-4 (Residential, 4 dwelling units per acre).

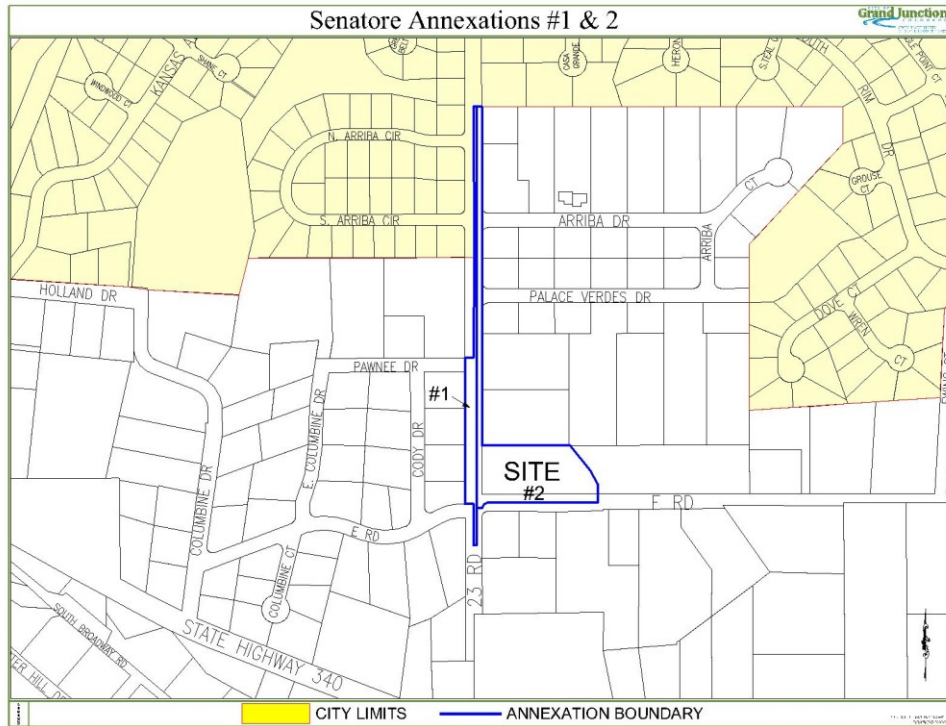
**PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission recommended denial of the applicant's requested zone of annexation to the City Council, finding the zoning to the R-4 district to be inconsistent with the surrounding lot sizes.

The Planning Commission did recommend the zone of annexation to the City Council of R-2, finding it to be consistent with the Growth Plan, the existing County Zoning and Sections 2.6 and 2.14 of the Zoning and Development Code.

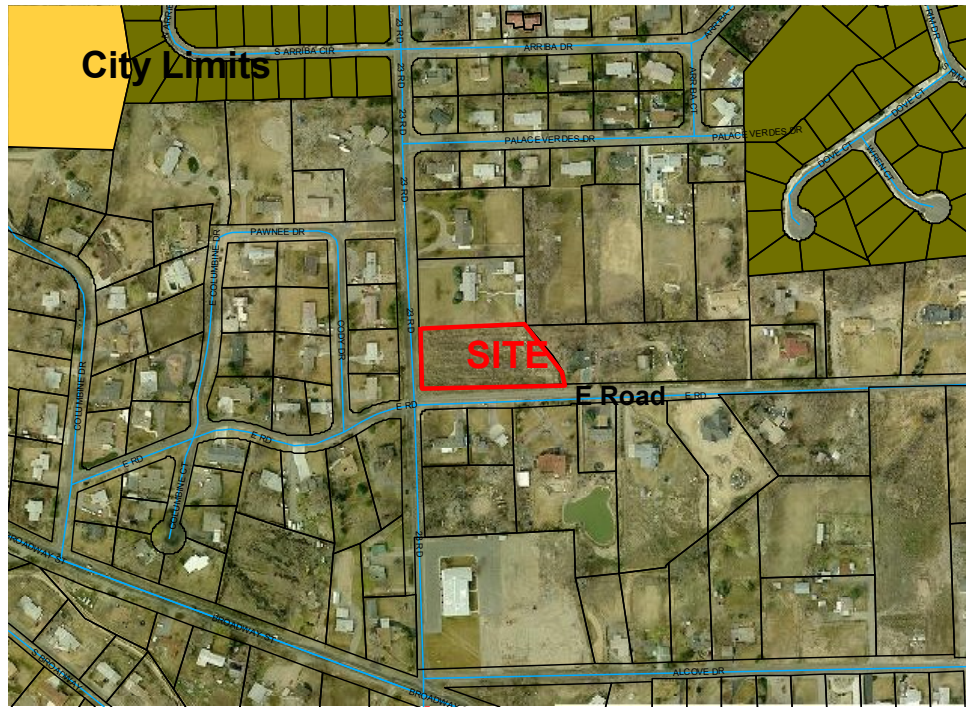
# Site Location Map

Figure 1



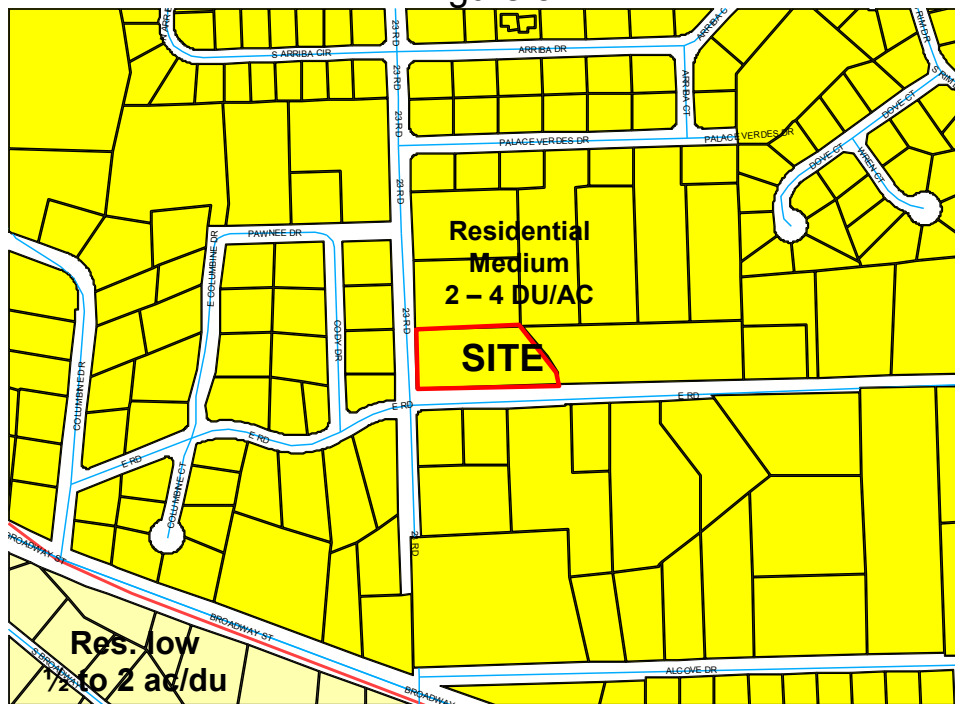
# Aerial Photo Map

Figure 2



## Future Land Use Map

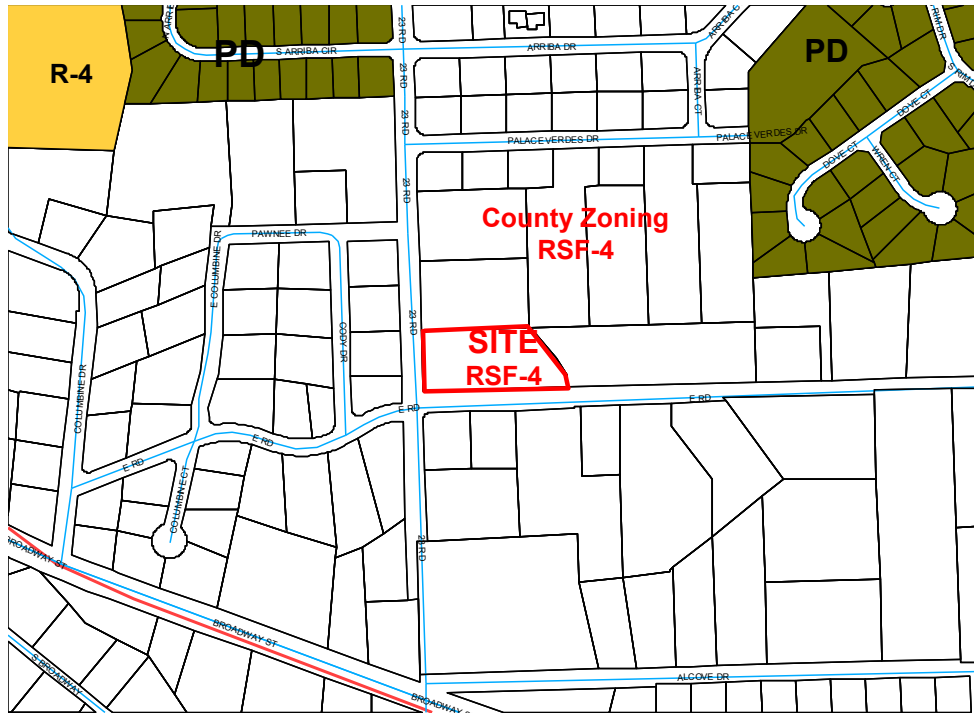
Figure 3



## Existing City and County Zoning



Figure 4



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

Letter of opposition

**JOHN R. LAFFERTY**

2310 E ROAD • GRAND JUNCTION, COLORADO 81503 • (303) 245-8864

May 25, 2007

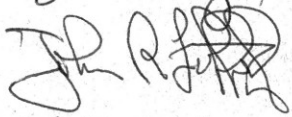
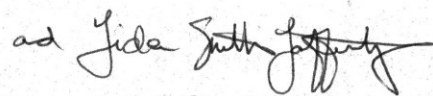
Lori Bowers, Planner  
Planning Commission  
City of Grand Junction  
250 North 5th Street  
Grand Junction, CO 81501

Dear Ms. Bowers and Planning Commission:

We have lived at 2310 E RD for 19 years since 1988. We are adamantly opposed and very concerned about the density proposed for the Senatore Annexation (ANX 2007-074) at 2302 E RD which is adjacent to our property.

The homes in our neighborhood are on an average of 1.5 acres.

We would hope that you and the planning commission will not allow a development of this density to disrupt our neighborhood.

Sincerely,  
 and   
John and Lida Lafferty

(Abbreviated Draft Minutes)

GRAND JUNCTION PLANNING COMMISSION  
MAY 29, 2007 MINUTES  
7:00 p.m. to 10:20 p.m.

The regularly scheduled Planning Commission hearing was called to order at 7:00 p.m. by Chairman Paul Dibble. The public hearing was held in the City Hall Auditorium.

In attendance, representing the City Planning Commission, were Dr. Paul A. Dibble (Chairman), Roland Cole (Vice-Chairman), Tom Lowrey, Bill Pitts, Reggie Wall, William Putnam and Ken Sublett (2<sup>nd</sup> alternate). Commissioner Lynn Pavelka-Zarkesh was absent.

In attendance, representing the City Public Works and Planning Department, were Lisa Cox (Planning Manager), Faye Hall (Associate Planner), Scott Peterson (Senior Planner), Ronnie Edwards (Associate Planner), Lori Bowers (Senior Planner) and Rick Dorris (Development Engineer).

Also present was Jamie Beard (Assistant City Attorney).

Lynn Singer was present to record the minutes.

There were approximately 37 interested citizens present during the course of the hearing.

**7. ANX-2007-074 ZONE OF ANNEXATION – Senatore Annexation**

Request approval to zone 1.419 acres from County RSF-4 (Residential Single Family-4 du/ac) to a City R-4 zone district.

**PETITIONER:** Steven Below  
**LOCATION:** 2302 E Road  
**STAFF:** Lori Bowers, Senior Planner

**STAFF'S PRESENTATION**

Lori Bowers, Senior Planner, made a PowerPoint presentation regarding the Senatore Annexation. Ms. Bowers stated that the zoning of this parcel is part of a two-part annexation, the total area of which is approximately 3.07 acres. The Future Land Use Map shows this area to develop in the Residential Medium Low category which is 2 to 4 dwelling units per acre. Staff recognizes that the zoning designation of R-2 would be suitable for this area as it would be consistent with the Growth Plan and more consistent with the existing lot sizes in the area. Ms. Bowers stated that several adjacent and nearby property owners have stated that they believe the R-4 designation

is too dense for the area. Ms. Bowers further stated that staff believes the R-2 designation would better match the existing lot sizes in the area. She stated that a short section of sanitary sewer main will need to be extended in order to provide service to the proposed subdivision. Domestic water will be provided by existing water lines located at 23 and E Roads. The existing water lines, however, are not large enough to provide for adequate fire flow protection. A water line extension is being proposed for this project from the Buffalo West Estates Subdivision to better serve this area. Overhead utility lines will be underground for the proposed subdivision. She concluded, "Staff can support the applicant's request of R-4 zoning because it is consistent with the Growth Plan and the Persigo Agreement by honoring the existing County zoning. But staff feels that the R-2 zoning designation would better fit the existing neighborhood and is also consistent with the Growth Plan for this area and addresses the concerns of the neighbors who have opposed the R-4 zoning designation."

### **PETITIONER'S PRESENTATION**

Representing the applicant was Paco Larson of Vista Engineering. He pointed out that applicant is proposing 4 lots for an average density of 2.8 units per acre. The smallest lot would be 10,000 square feet with two other lots at 15,000 square feet and a third lot of almost 17,000 square feet. Mr. Larson stated that the R-4 is more appropriate.

### **PUBLIC COMMENT**

#### **For:**

No one spoke in favor of this request.

#### **Against:**

John Lafferty, 2310 E Road, stated that he is very concerned and opposes the R-4 zoning. He also advised the Commission that he had not been notified of this hearing.

Willard Pease, Jr., 2307 E Road, believes that R-2 zoning is more consistent with the neighborhood. "Consistency of the neighborhood is huge."

### **PETITIONER'S REBUTTAL**

Paco Larson added that the proposed lot sizes would be large and the surrounding development fits with the density.

### **DISCUSSION**

Commissioner Lowrey thinks that compatibility is the most important criteria in this matter because the subject property is surrounded by development. He believes R-2 is more compatible than R-4.

Commissioners Wall, Cole and Putnam stated that they agree with Commissioner Lowrey.

**MOTION: (Commissioner Lowrey) "Mr. Chairman, on the Senatore Zone of Annexation, #ANX-2007-074, I move that the Planning Commission forward to the City Council a recommendation of approval of the R-4 (Residential, 4 units per**

**acre) zone district for the Senatore Annexation with the facts and conclusions listed in the staff report.”**

Commissioner Wall seconded the motion. A vote was called and the motion failed by a vote of 0-7.

**MOTION: (Commissioner Lowrey) “Mr. Chairman, on the Senatore Zone of Annexation, #ANX-2007-074, I move that the Planning Commission forward to the City Council a recommendation of approval of the R-2 (Residential, 2 units per acre) zone district for the Senatore Annexation with the facts and conclusions listed in the staff report.”**

Commissioner Wall seconded the motion. A vote was called and the motion passed unanimously by a vote of 6-1 with Commissioner Pitts opposed.

With no objection, the public hearing was adjourned at 10:20 p.m.

**CITY OF GRAND JUNCTION, COLORADO**

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

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

**SENATORE ANNEXATION**

**LOCATED AT 2302 E ROAD**

**IS ELIGIBLE FOR ANNEXATION**

WHEREAS, on the 16<sup>th</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:

**SENATORE ANNEXATION NO. 1  
2945-083-00-099**

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.

Senatore Annexation No. 2  
2945-083-00-099

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.

WHEREAS, a hearing on the petition was duly held after proper notice on the 20<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** this \_\_\_\_ day of \_\_\_\_\_, 2007.

Attest:

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

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



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**SENATORE ANNEXATION NO. 1**

**APPROXIMATELY 0.72 ACRES OF 23 ROAD RIGHT-OF-WAY**

**LOCATED AT 2302 E ROAD**

**WHEREAS**, on the 16<sup>th</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 20<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 properties situate in Mesa County, Colorado, and described to wit:

Senatore Annexation No. 1  
2945-083-00-099

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 8, the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section 17, the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section 18, and the (SE 1/4 SE 1/4) of Section 7, 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 Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of said Section 8 and assuming the West line of said SW 1/4 SW 1/4 bears N00°03'06"E with all other bearings contained herein being relative thereto; thence S89°57'56"E along the North line of said SW 1/4 SW 1/4 a distance of 10.00 feet; thence S00°03'06"W along a line being 10.00 feet East of and parallel with the West line of said SW 1/4 SW 1/4 a distance of 1319.10 feet to a point on the South line of said SW 1/4 SW 1/4; thence S00°03'13"E along 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 a distance of 248.07 feet; thence S89°56'47"W a distance of 10.00 feet to the West line of said NW 1/4 NW 1/4; thence N00°03'13"W along said West line a distance of 150.00 feet; thence S89°56'47"W a distance of 30.00 feet to the Southeast corner of Lot 1 , Block Two of Columbine Subdivision, as same is recorded in Plat Book 8, Page 72, Public Records, Mesa County, Colorado, said corner also being a point on the West line of 23 Road; thence N00°03'13"W along said West line a distance of 98.03 feet to a point on the North line of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section 18; thence N00°03'06"E along said West line a distance of 422.17 feet to the Southeast corner of that certain parcel of land as described in Book, 2785, Page 854, Public Records, Mesa County, Colorado; thence N89°57'58"E a distance of 30.00 feet to a point on the West line of said SW 1/4 SW 1/4; thence N00°03'06"E along said West line a distance of 896.99 feet, more or less, to the Point of Beginning.

Said parcel contains 0.72 acres (31,228 square feet), more or less, as described.

**INTRODUCED** on first reading on the 16<sup>th</sup> day of May, 2007 and ordered published.

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

Attest:

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

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

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**SENATORE ANNEXATION NO. 2**

**APPROXIMATELY 2.35 ACRES  
LOCATED AT 2302 E ROAD INCLUDING PORTIONS OF 23 ROAD AND E ROAD  
RIGHTS-OF-WAY**

**WHEREAS**, on the 16<sup>th</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 20<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:

**SENATORE ANNEXATION No.2**

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.

CONTAINING 2.35 Acres (102,222 Sq. Ft.), more or less, as described

**INTRODUCED** on first reading on the 16<sup>th</sup> day of May, 2007 and ordered published.

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

Attest:

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

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

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE ZONING THE SENATORE ANNEXATION TO  
R-2**

**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-2 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-2 zone district is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

The following property be zoned R-2 (Residential – two units per acre).

**SENATORE ANNEXATION**

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 this 6<sup>th</sup> day of June, 2007 and ordered published.

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

ATTEST:

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

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

**Attach 21**

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

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA								
<b>Subject</b>	Jones Annexation and Zoning - Located at 2858 C ½ Road							
<b>Meeting Date</b>	June 20, 2007							
<b>Date Prepared</b>	June 4, 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 annex and zone 3.42 acres, located at 2858 C ½ Road, to R-4 (Residential, 4 units per acre). The Jones Annexation consists of one parcel and is located in the Pear Park area.

**Budget:** N/A

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

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

**Attachments:**

1. Staff report/Background information
2. Site Location Map / Aerial Photo Map
3. Future Land Use Map / Existing City and County Zoning Map
4. Acceptance Resolution
5. Annexation Ordinance
6. 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 (Residential Single Family, Rural)	
<b>Proposed Zoning:</b>		City R-4 (Residential, 4 units per acre)	
<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:**

1. Annexation:

This annexation area consists of 3.42 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 Jones 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>May 2, 2007</b>	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
<b>May 22, 2007</b>	Planning Commission considers Zone of Annexation
<b>June 6, 2007</b>	Introduction of a Proposed Ordinance on Zoning by City Council
<b>June 20, 2007</b>	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
<b>July 22, 2007</b>	Effective date of Annexation and Zoning

<b>JONES ANNEXATION SUMMARY</b>		
<b>File Number:</b>		ANX-2007-087
<b>Location:</b>		2858 C ½ Road
<b>Tax ID Number:</b>		2943-191-00-238
<b>Parcels:</b>		1
<b>Estimated Population:</b>		2
<b># of Parcels (owner occupied):</b>		0
<b># of Dwelling Units:</b>		1
<b>Acres land annexed:</b>		3.42
<b>Developable Acres Remaining:</b>		3.13
<b>Right-of-way in Annexation:</b>		.29 acres (12,648 sq ft) C ¾ Road (Florida Street)
<b>Previous County Zoning:</b>		RSF-R
<b>Proposed City Zoning:</b>		R-4
<b>Current Land Use:</b>		Residential
<b>Future Land Use:</b>		Residential
<b>Values:</b>	<b>Assessed:</b>	\$11,980
	<b>Actual:</b>	\$150,560
<b>Address Ranges:</b>		2858 C ½ Road
<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 Grand Valley Irrigation
	<b>School:</b>	District 51

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

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.

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

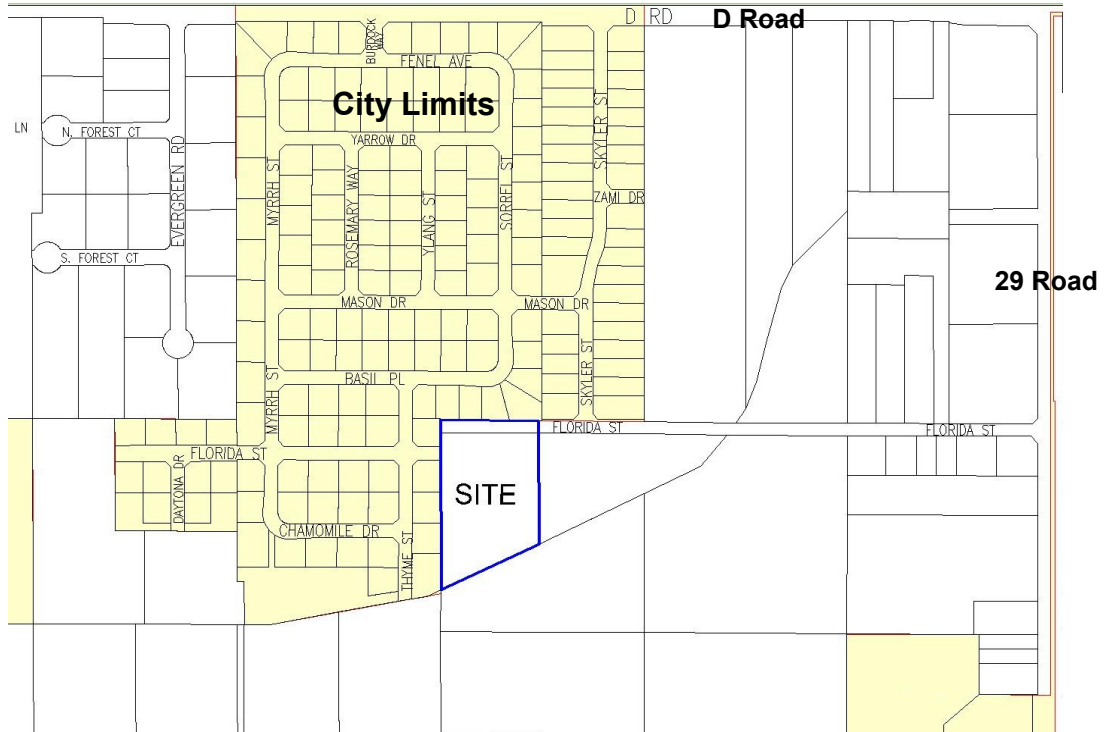
**PLANNING COMMISSION RECOMMENDATION:**

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.



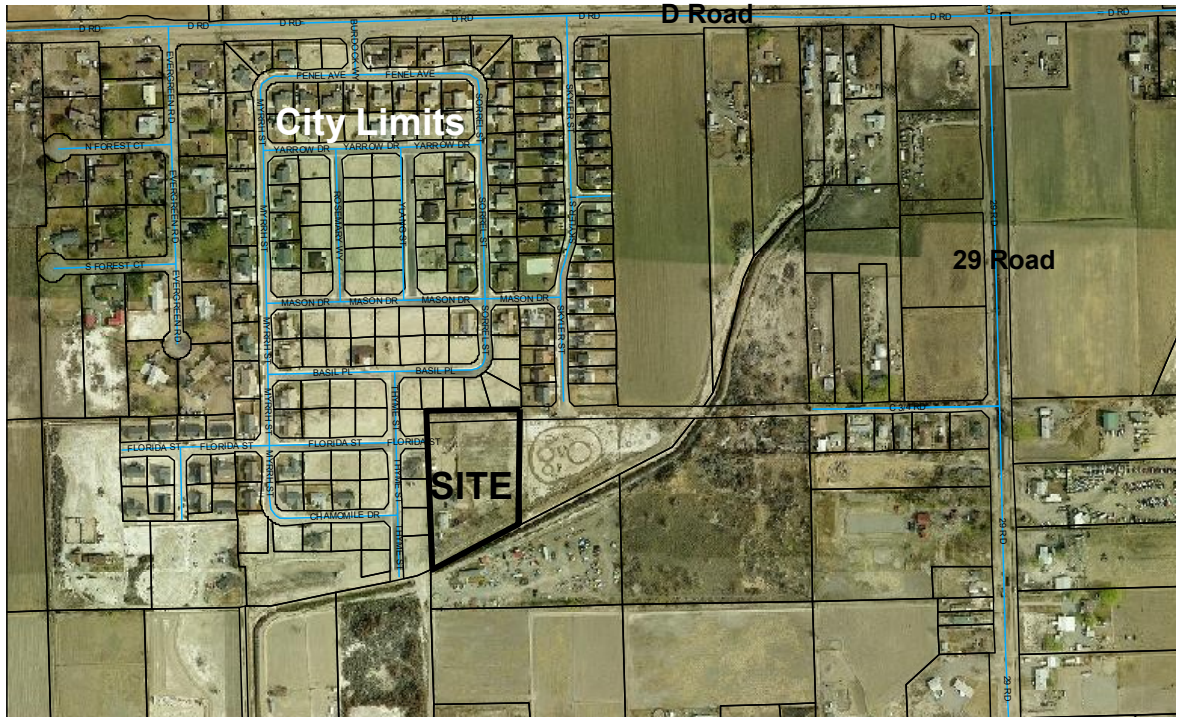
# Site Location Map

Figure 1



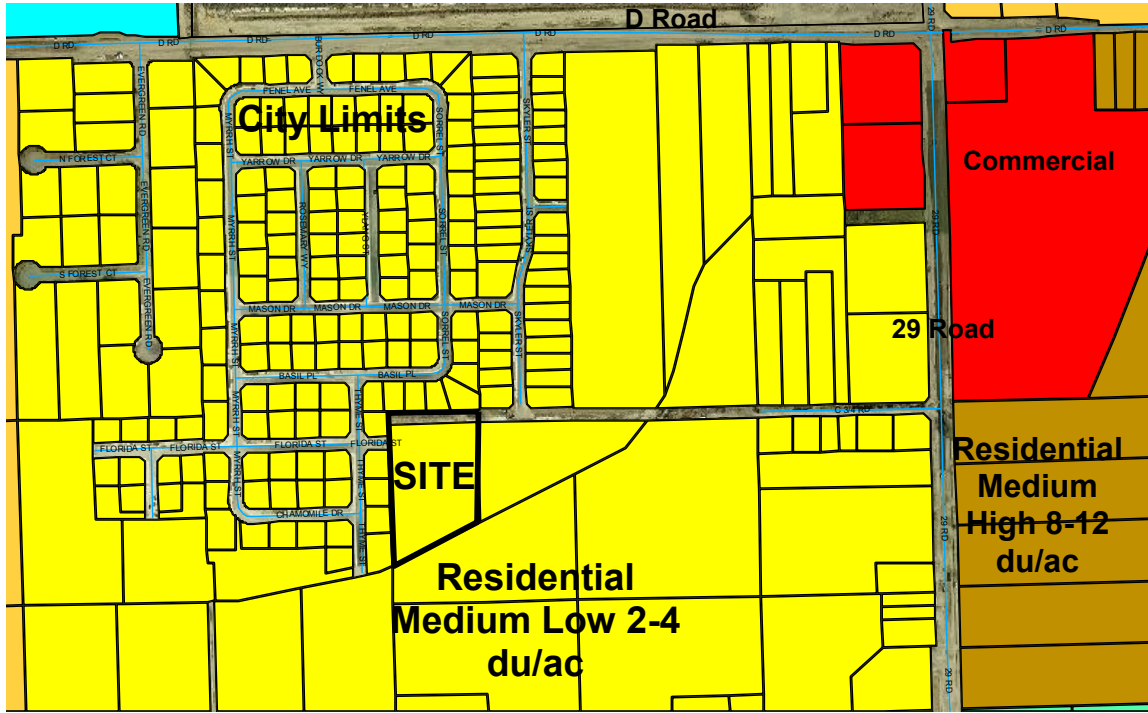
# Aerial Photo Map

Figure 2



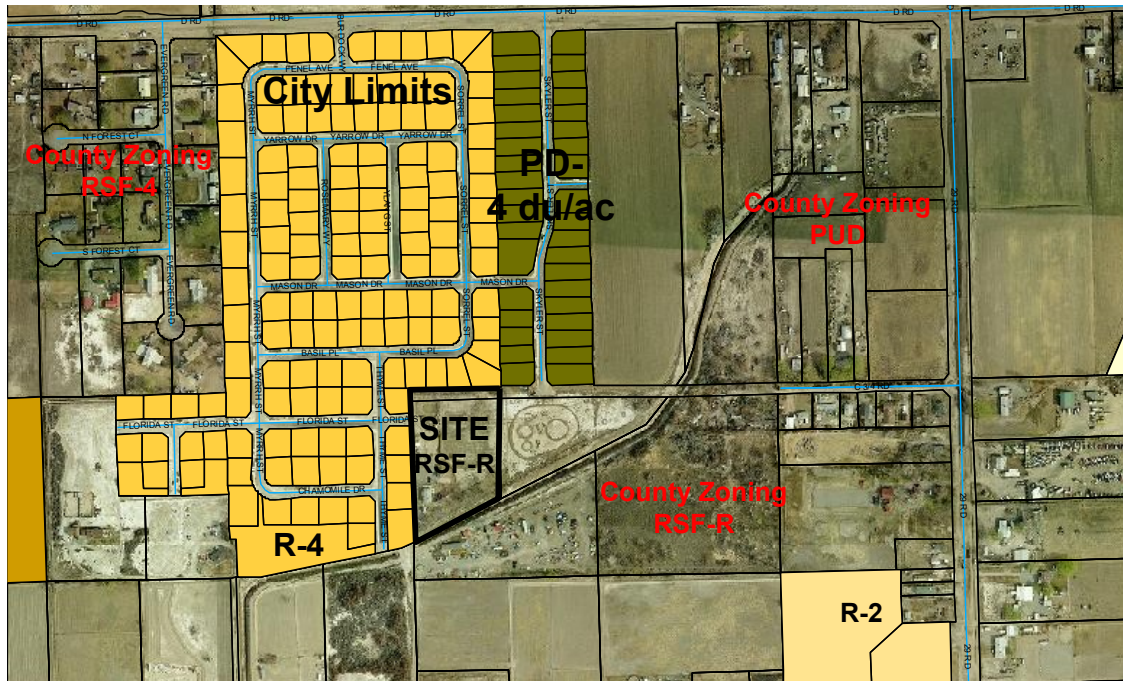
# Future Land Use Map

Figure 3



# Existing City and County Zoning

Figure 4





**CITY OF GRAND JUNCTION, COLORADO**

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

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

**JONES ANNEXATION**

**LOCATED AT 2858 C ½ ROAD AND A PORTION OF THE FLORIDA STREET 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:

**JONES ANNEXATION**

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.

WHEREAS, a hearing on the petition was duly held after proper notice on the 20<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** this \_\_\_\_ day of \_\_\_\_\_, 2007.

Attest:

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

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

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**JONES ANNEXATION**

**APPROXIMATELY 3.42 ACRES**

**LOCATED AT 2858 C ½ ROAD AND A PORTION OF THE FLORIDA STREET 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 20<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:

Jones Annexation

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.

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

Attest:

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

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

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**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.

**NOW, THEREFORE, 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).

**JONES ANNEXATION**

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 this 6<sup>th</sup> day of June, 2007 and ordered published.

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

ATTEST:

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

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

**Attach 22**

Public Hearing – Sky View Annexation and Zoning, Located at 2881 D Road

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA								
<b>Subject</b>	Sky View Annexation and Zoning - Located at 2881 D Road							
<b>Meeting Date</b>	June 20, 2007							
<b>Date Prepared</b>	June 5, 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>			<b>Consent</b>	X	<b>Individual Consideration</b>

**Summary:** Request to annex and zone 13.89 acres, located at 2881 D Road, to R-4 (Residential, 4 units per acre) The Sky View Annexation consists of two parcels and is located in the Pear Park area to the east of the Skyler Subdivision and west of 29 Road.

**Budget:** N/A

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

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

**Attachments:**

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

**ANNEXATION:**

This annexation area consists of 13.89 acres of land and is comprised of two parcels. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

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

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;

- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

The following annexation and zoning schedule is being proposed.

<b><u>ANNEXATION SCHEDULE</u></b>	
<b>May 16, 2007</b>	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
<b>May 29, 2007</b>	Planning Commission considers Zone of Annexation
<b>June 6, 2007</b>	Introduction of a Proposed Ordinance on Zoning by City Council
<b>June 20, 2007</b>	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
<b>July 22, 2007</b>	Effective date of Annexation and Zoning



<b><u>SKY VIEW ANNEXATION SUMMARY</u></b>		
<b>File Number:</b>		ANX-2007-085
<b>Location:</b>		2881 D Road
<b>Tax ID Number:</b>		2943-191-00-158 & 135
<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>		13.89 acres
<b>Developable Acres Remaining:</b>		13.13 acres
<b>Right-of-way in Annexation:</b>		33,105 sq ft (.76 acres)
<b>Previous County Zoning:</b>		RSF-R (Residential Single Family, Rural)
<b>Proposed City Zoning:</b>		R-4 (Residential, 4 units per acre)
<b>Current Land Use:</b>		Residential and Agricultural
<b>Future Land Use:</b>		Residential
<b>Values:</b>	<b>Assessed:</b>	\$12,230
	<b>Actual:</b>	\$140,340
<b>Address Ranges:</b>		2877 to 2881 D Road (odd only)
<b>Special Districts:</b>	<b>Water:</b>	Ute Water
	<b>Sewer:</b>	Central Grand Valley
	<b>Fire:</b>	Grand Junction Rural Fire
	<b>Irrigation/Drainage:</b>	Grand Junction Drainage Grand Valley Irrigation
	<b>School:</b>	District 51

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

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

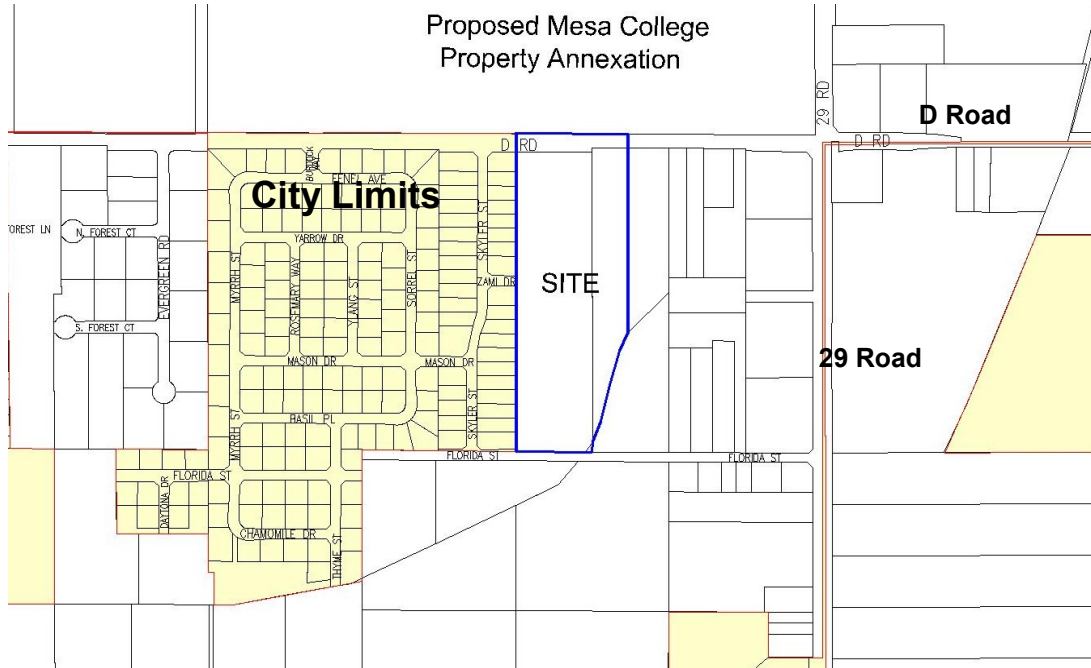
**PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to be 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

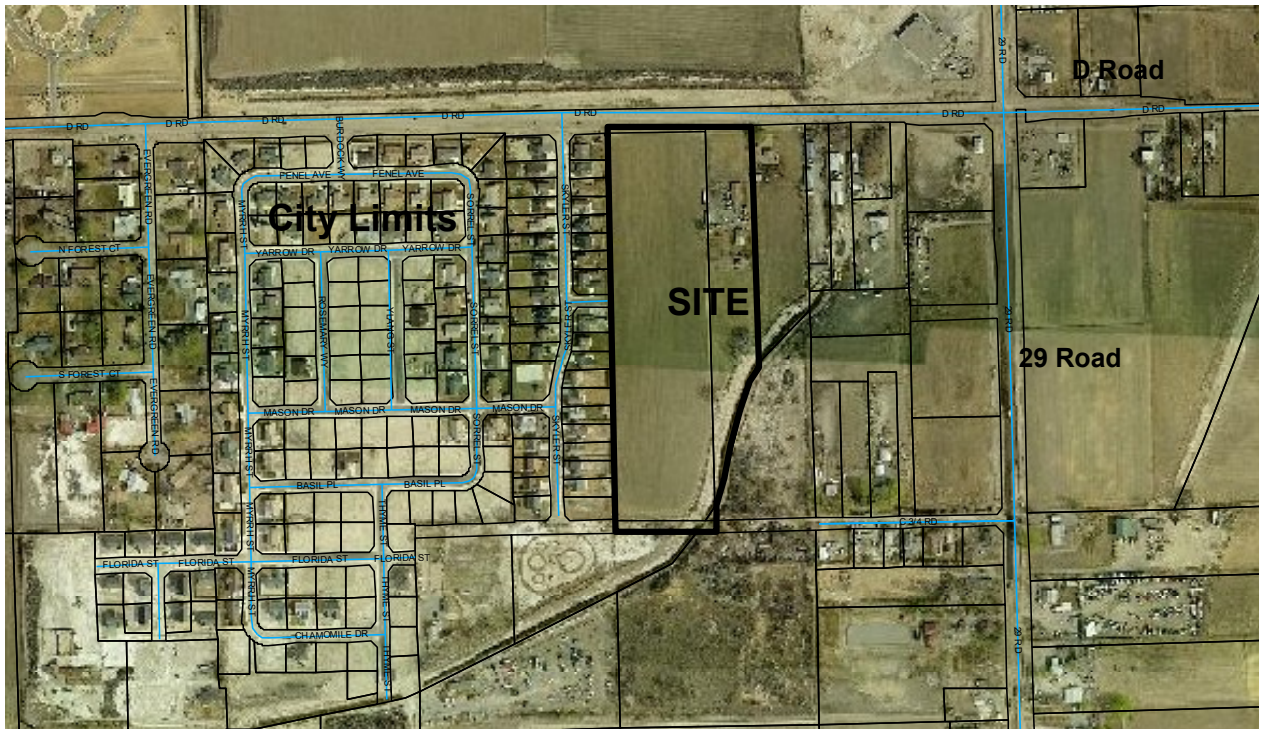
Figure 1

Proposed Mesa College  
Property Annexation



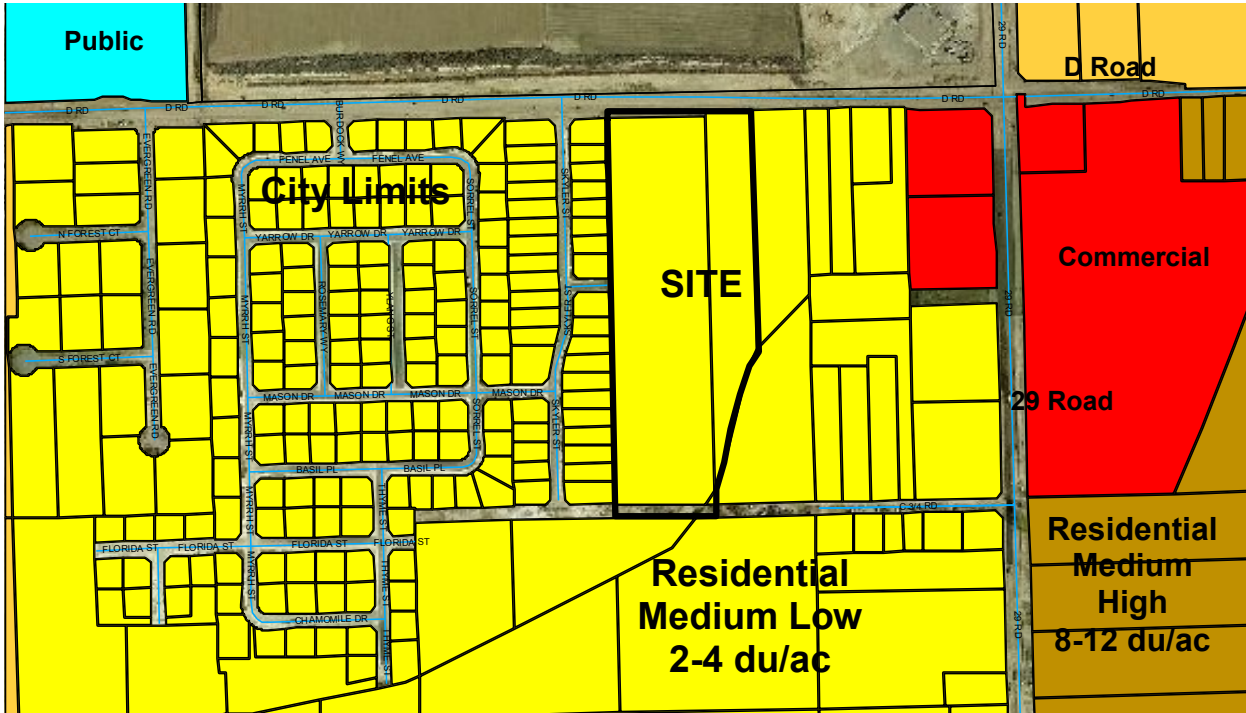
# Aerial Photo Map

Figure 2



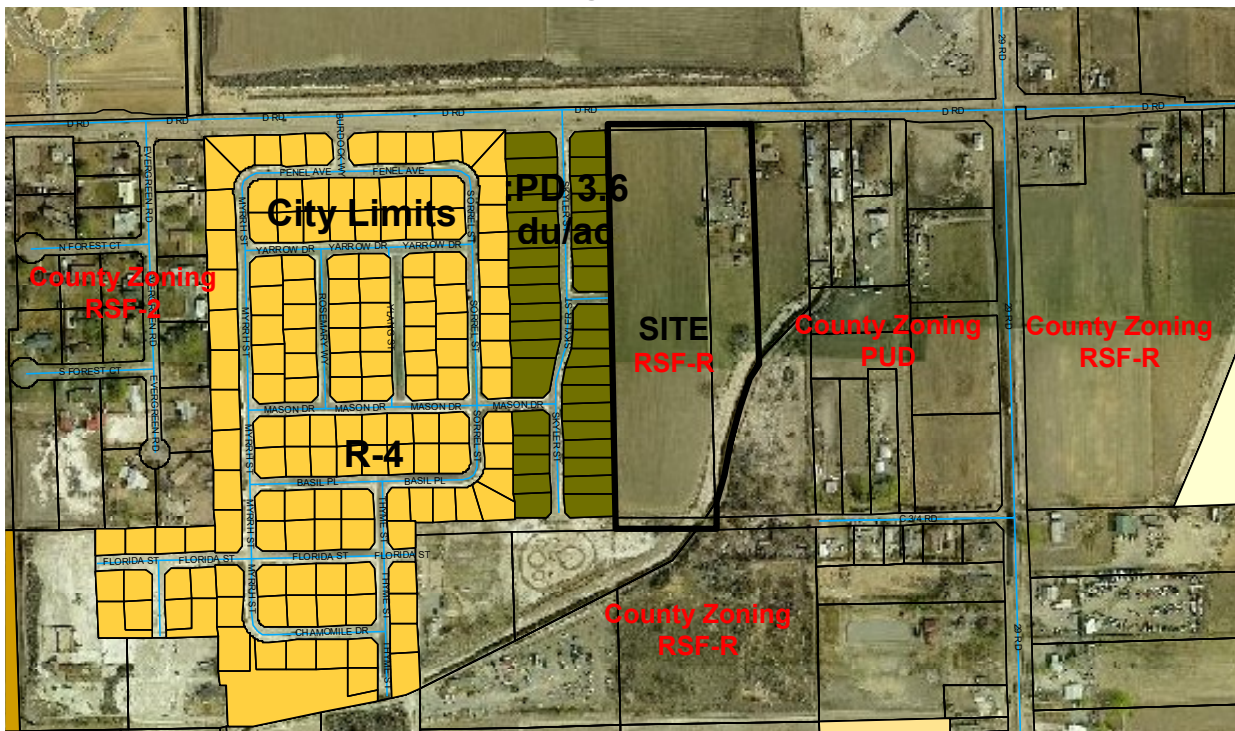
# Future Land Use Map

Figure 3



# Existing City and County Zoning

Figure 4





**CITY OF GRAND JUNCTION, COLORADO**

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

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

**SKY VIEW ANNEXATION**

**LOCATED AT 2881 D ROAD AND ALSO INCLUDES A PORTION OF THE D ROAD  
AND FLORIDA STREET RIGHTS-OF-WAY**

**IS ELIGIBLE FOR ANNEXATION**

WHEREAS, on the 16<sup>th</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:

**SKY VIEW ANNEXATION**

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.

WHEREAS, a hearing on the petition was duly held after proper notice on the 20<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** this \_\_\_\_ day of \_\_\_\_\_, 2007.

Attest:

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

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

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**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.**

**WHEREAS**, on the 16<sup>th</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 20<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:

**Sky View Annexation**

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 on the 16<sup>th</sup> day of May, 2007 and ordered published.

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

Attest:

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

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

**CITY OF GRAND JUNCTION, COLORADO**

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

**AN ORDINANCE ZONING THE 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 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.

**NOW, THEREFORE, 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)

**SKY VIEW ANNEXATION**

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 this 6<sup>th</sup> day of June, 2007 and ordered published.

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

ATTEST:

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

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

**Attach 23**

Public Hearing – Street Property Annexation and Zoning, Located at 623 29 ½ Road

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Street Property Annexation and Zoning - Located at 623 29 ½ Road					
<b>Meeting Date</b>	June 20, 2007					
<b>Date Prepared</b>	June 5, 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>			<b>Consent</b> X <b>Individual Consideration</b>

**Summary:** Request to annex and zone 1.49 acres, 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. The Street Property Annexation consists of one parcel and is located directly east of the Forrest Run Subdivision in the Fruitvale area.

**Budget:** N/A

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

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

**Attachments:**

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

**ANNEXATION:**

This annexation area consists of 1.49 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 Street Property 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>May 16, 2007</b>	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
<b>May 29, 2007</b>	Planning Commission considers Zone of Annexation
<b>June 6, 2007</b>	Introduction Of A Proposed Ordinance on Zoning by City Council
<b>June 20, 2007</b>	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
<b>July 22, 2007</b>	Effective date of Annexation and Zoning

<b><u>STREET PROPERTY ANNEXATION SUMMARY</u></b>		
<b>File Number:</b>	ANX-2007-107	
<b>Location:</b>	623 29 ½ Road	
<b>Tax ID Number:</b>	2943-053-82-002	
<b>Parcels:</b>	1	
<b>Estimated Population:</b>	2	
<b># of Parcels (owner occupied):</b>	1	
<b># of Dwelling Units:</b>	1	
<b>Acres land annexed:</b>	1.49	
<b>Developable Acres Remaining:</b>	1.33	
<b>Right-of-way in Annexation:</b>	6887 sq ft	
<b>Previous County Zoning:</b>	RSF-4 (Residential Single Family, 4 units per acre)	
<b>Proposed City Zoning:</b>	Applicant requesting R-4 (Residential, 4 units per acre) City Staff recommending R-5 (Residential, 5 units per acre)	
<b>Current Land Use:</b>	Residential	
<b>Future Land Use:</b>	Residential	
<b>Values:</b>	<b>Assessed:</b>	\$27, 060
	<b>Actual:</b>	\$340,040
<b>Address Ranges:</b>	623 through 627 29 ½ Road (odd only)	
<b>Special Districts:</b>	<b>Water:</b>	Ute Water
	<b>Sewer:</b>	Central Grand Valley
	<b>Fire:</b>	Grand Junction Rural
	<b>Irrigation/Drainage:</b>	Grand Junction Drainage Palisade Irrigation
	<b>School:</b>	District 51

**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 the R-4 zone district will allow them to do so. City Staff recommends the R-5 (Residential, 5 units per acre) zone district as it would be more compatible with the surrounding subdivisions. 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 and County zoning of RMF-5 that is in place adjacent to this parcel 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.

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.

- i. R-4 (Residential, 4 units per acre)
- j. R-5 (Residential, 5 units per acre)
- k. R-8 (Residential, 8 units per acre)

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



**PLANNING COMMISSION RECOMMENDATION:**

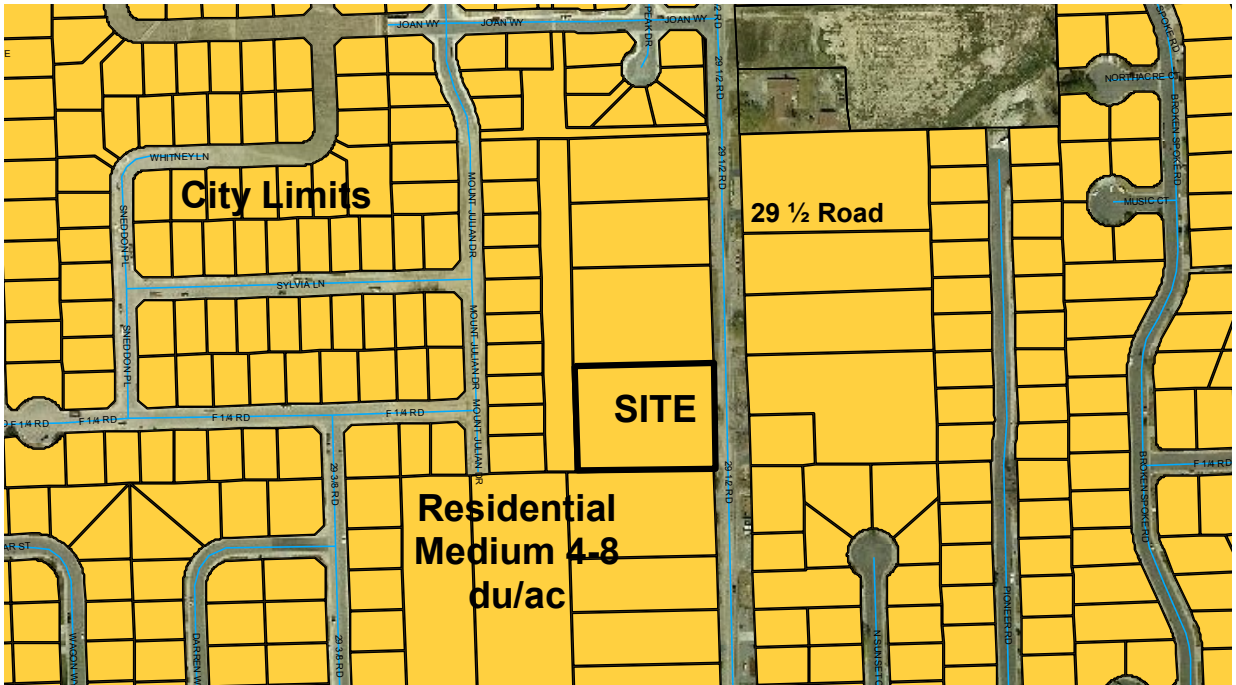
The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the R-5 (Residential, 5 units per acre) district to be consistent with the Growth Plan, the existing County Zoning and Sections 2.6 and 2.14 of the Zoning and Development Code.





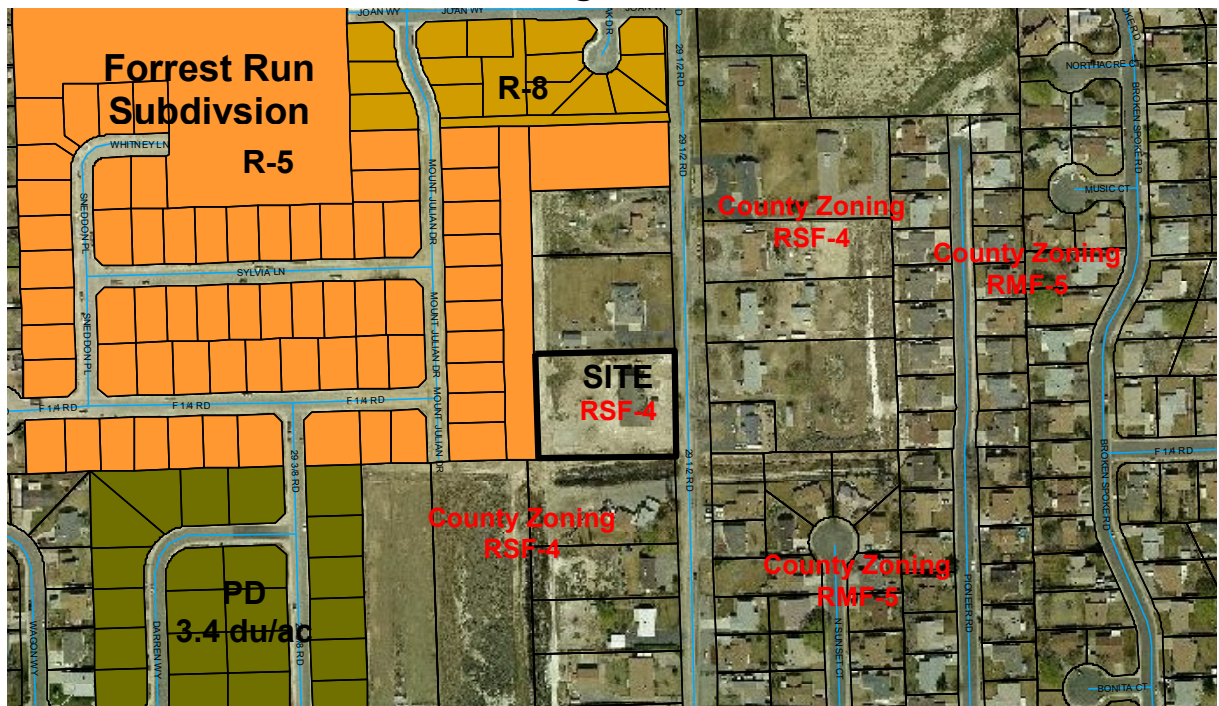
# Future Land Use Map

Figure 3



# Existing City and County Zoning

Figure 4





**CITY OF GRAND JUNCTION, COLORADO**

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

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

**STREET PROPERTY ANNEXATION**

**LOCATED AT 623 29 ½ ROAD AND A PORTION OF THE 29 ½ ROAD RIGHT-OF-WAY**

**IS ELIGIBLE FOR ANNEXATION**

WHEREAS, on the 16<sup>th</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:

**STREET PROPERTY ANNEXATION**

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.

WHEREAS, a hearing on the petition was duly held after proper notice on the 20<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** this \_\_\_\_ day of \_\_\_\_\_, 2007.

Attest:

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

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

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**STREET PROPERTY ANNEXATION**

**APPROXIMATELY 1.49 ACRES**

**LOCATED AT 623 29 ½ ROAD AND A PORTION OF THE 29 ½ ROAD RIGHT-OF-WAY**

**WHEREAS**, on the 16<sup>th</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 20<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:

Street Property Annexation

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.

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

**INTRODUCED** on first reading on the 16<sup>th</sup> day of May, 2007 and ordered published.

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

Attest:

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

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

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE ZONING THE 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 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.

**NOW, THEREFORE, 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).

**STREET PROPERTY ANNEXATION**

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 this 6<sup>th</sup> day of June, 2007 and ordered published.

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

ATTEST:

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

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

**Attach 24**

Public Hearing – Younger Annexation and Zoning, Located at 2172 and 2176 H Road

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA								
<b>Subject</b>	Younger Annexation and Zoning - Located at 2172 and 2176 H Road							
<b>Meeting Date</b>	June 20, 2007							
<b>Date Prepared</b>	June 8, 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 annex and 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 designation.

**Budget:** N/A

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

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

**Attachments:**

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

**ANNEXATION:**

This annexation area consists of 44.87 acres of land and is comprised of 2 parcels. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

It is staff's opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Younger 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>April 18, 2007</b>	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
<b>May 22, 2007</b>	Planning Commission considers Zone of Annexation
<b>June 6, 2007</b>	Introduction of a Proposed Ordinance on Zoning by City Council
<b>June 20, 2007</b>	Acceptance of Petition and Public Hearing on Annexation by City Council
<b>July 22, 2007</b>	Effective date of Annexation

<u>YOUNGER ANNEXATION SUMMARY</u>		
<b>File Number:</b>		GPA-2007-054
<b>Location:</b>		2172 and 2176 H Road
<b>Tax ID Number:</b>		2697-254-00-061/2697-254-00-060
<b>Parcels:</b>		2
<b>Estimated Population:</b>		5
<b># of Parcels (owner occupied):</b>		1
<b># of Dwelling Units:</b>		2
<b>Acres land annexed:</b>		44.87 acres
<b>Developable Acres Remaining:</b>		Approximately 43 acres
<b>Right-of-way in Annexation:</b>		50,588 sq. ft.
<b>Previous County Zoning:</b>		AFT
<b>Proposed City Zoning:</b>		I-1
<b>Current Land Use:</b>		Residential/Agricultural
<b>Future Land Use:</b>		Industrial
<b>Values:</b>	<b>Assessed:</b>	= \$31,900
	<b>Actual:</b>	= \$3334,880
<b>Address Ranges:</b>		2172-2176 H Road (Even only)
<b>Special Districts:</b>	<b>Water:</b>	Ute Water
	<b>Sewer:</b>	City
	<b>Fire:</b>	Grand Junction Rural
	<b>Irrigation/ Drainage:</b>	Grand Junction Drainage District
	<b>School:</b>	Mesa County School District 51
	<b>Pest:</b>	None

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.

- l. C-2 (General Commercial)
- m. I-O (Industrial – Office)
- n. M-U (Mixed Use)

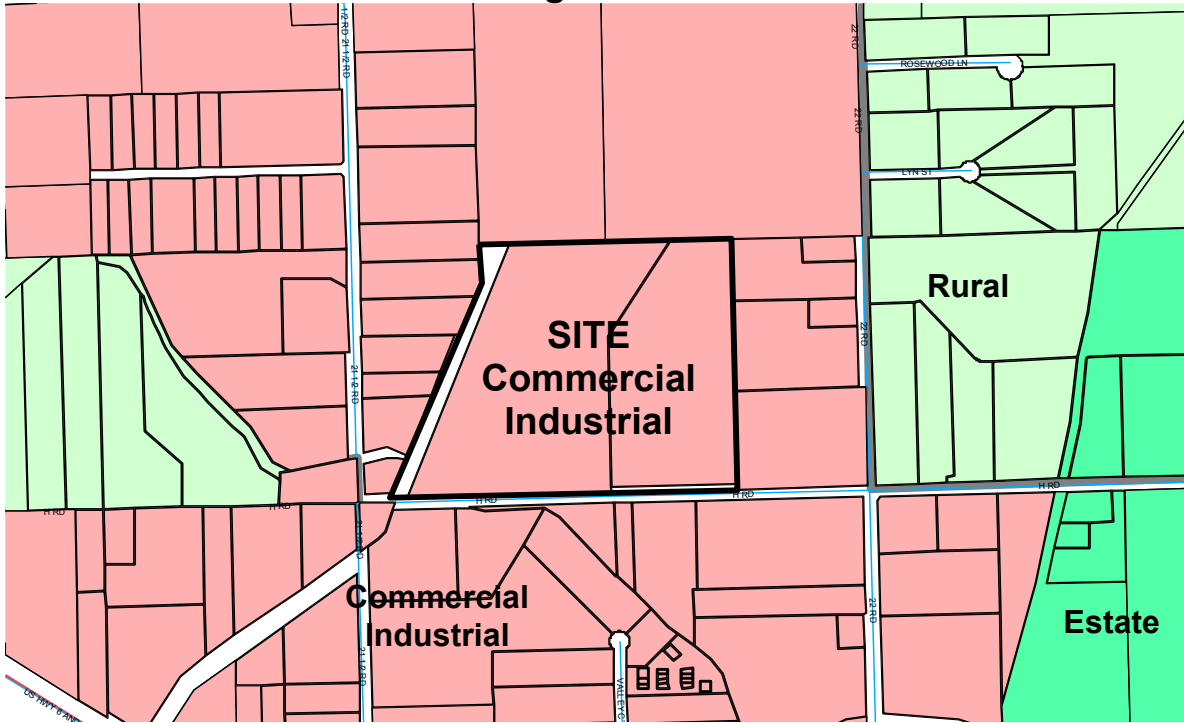
If the City Council chooses to recommend one of the alternative zone designations, specific alternative findings must be made.

**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.



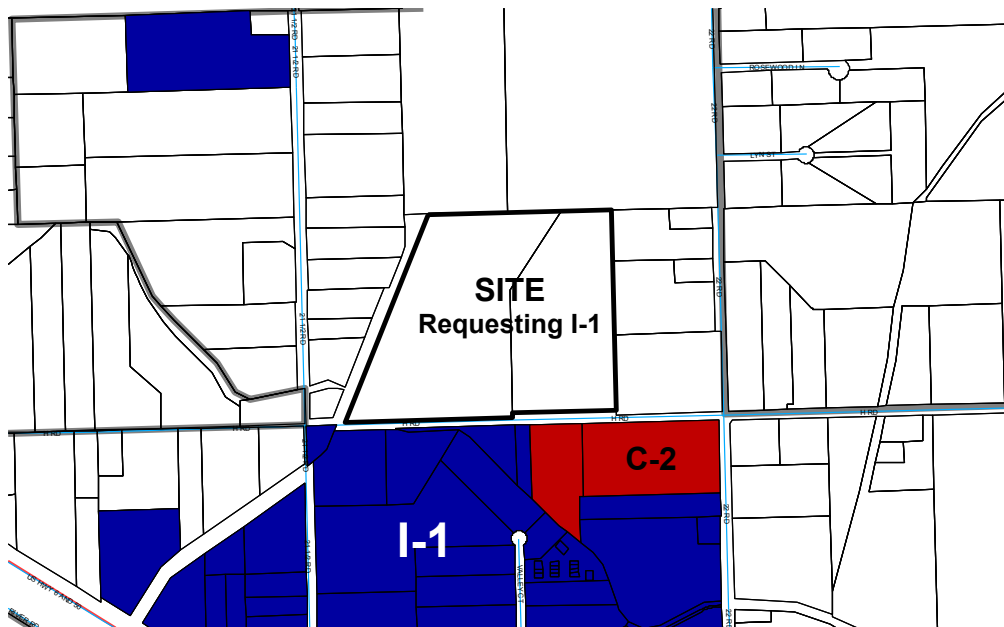
# Future Land Use Map

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**

**YOUNGER ANNEXATION**

**LOCATED AT 2172 AND 2176 H ROAD INCLUDING A PORTION OF THE H ROAD  
RIGHT-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:

**YOUNGER ANNEXATION**

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.

WHEREAS, a hearing on the petition was duly held after proper notice on the 20<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** this \_\_\_\_ day of \_\_\_\_\_, 2007.

Attest:

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

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

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**YOUNGER ANNEXATION**

**APPROXIMATELY 44.87 ACRES**

**LOCATED AT 2172 AND 2176 H ROAD INCLUDING A PORTION OF THE H 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:

**YOUNGER ANNEXATION**

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 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 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.

**NOW, THEREFORE, 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 6<sup>th</sup> day of June, 2007 and ordered published.

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

ATTEST:

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

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

**Attach 25**

Public Hearing – Vacating 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 20, 2007					
Date Prepared	June 7, 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		Consent	X 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 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:** Hold a public hearing and consider final passage of the Right-of-Way Vacation Ordinance.

**Attachments:**

1. Site Location Map/Aerial Photo Map
2. Future Land Use Map/Existing City and County Zoning
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 & Babara 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 (ROW) 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:

### **y. 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.

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

Vacation of these two portions of Right-of-Way will not landlock 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.

**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.**

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).

**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 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.

**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.**

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

**dd. 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:

13. The requested right-of-way vacation is consistent with the Growth Plan.

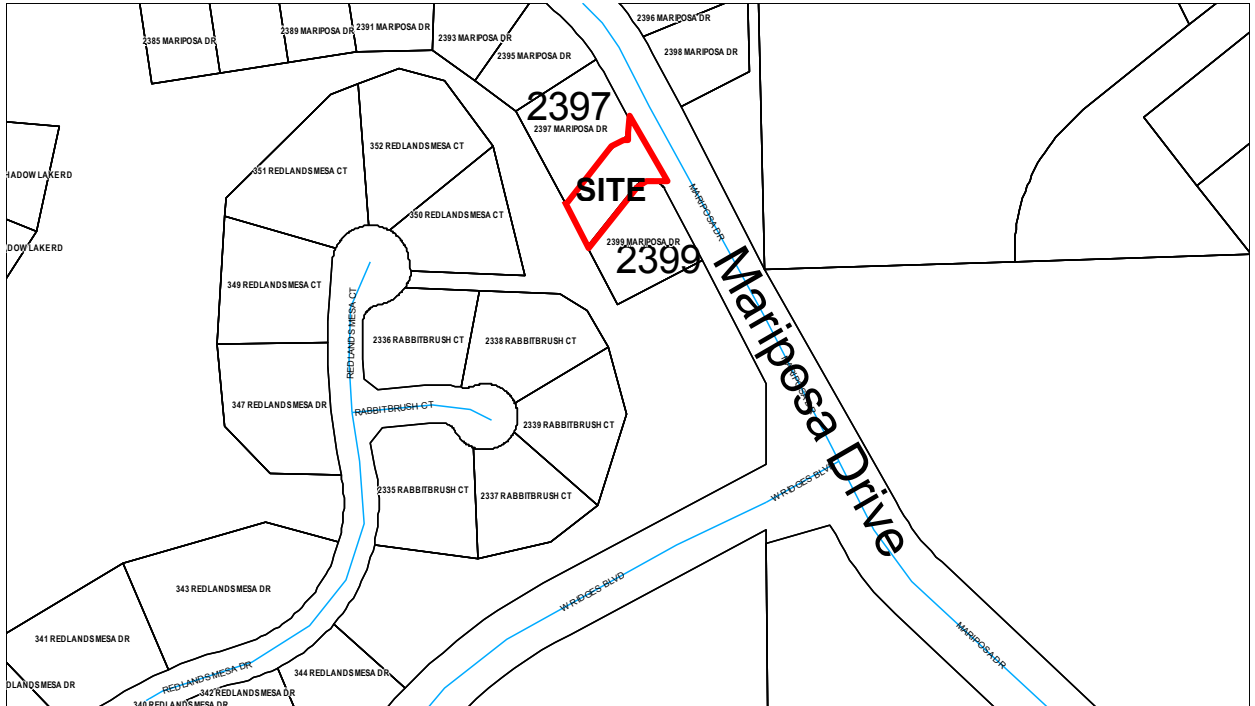
14. The review criteria in Section 2.11.C of the Zoning and Development Code pertaining to the vacation have all been met.

**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.

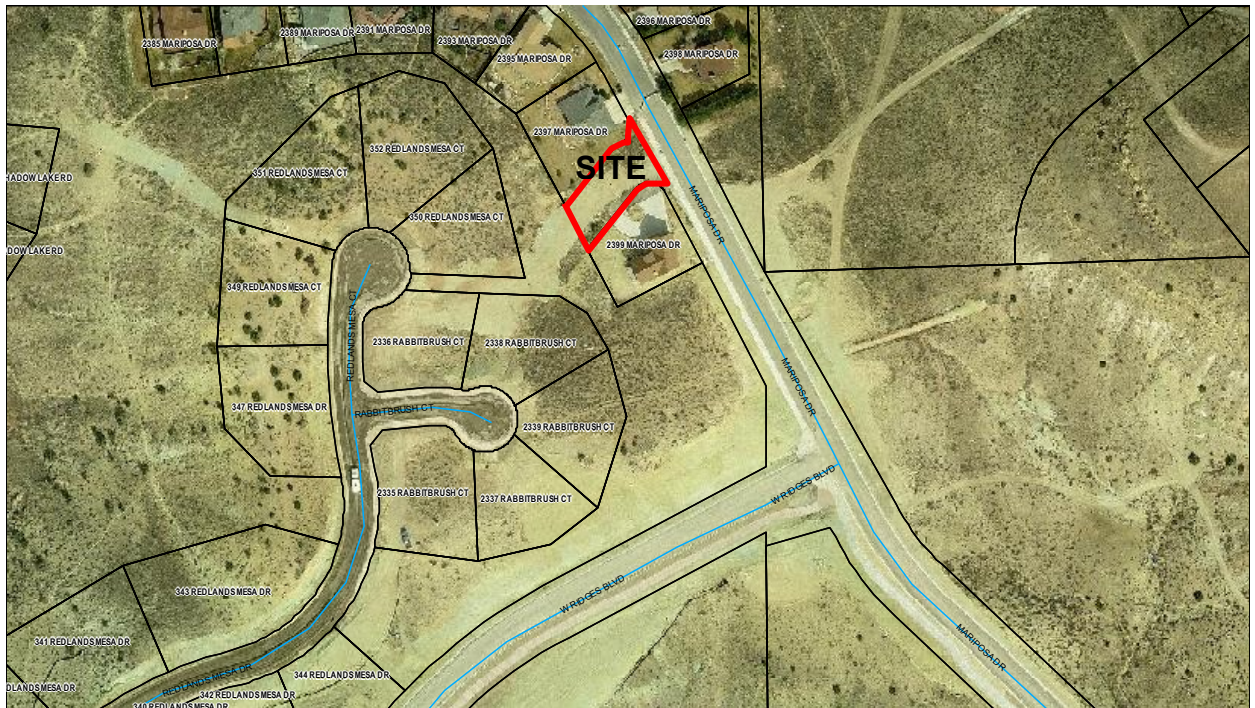
# Site Location Map

Figure 1



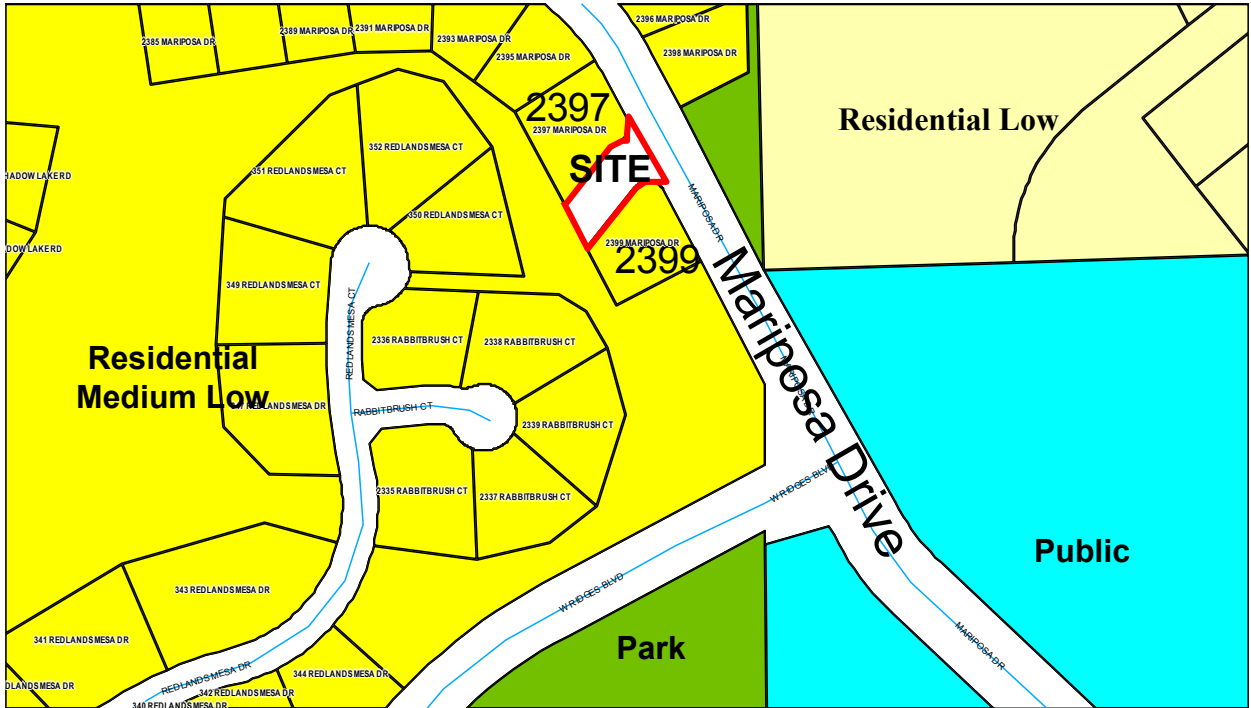
# Aerial Photo Map

Figure 2



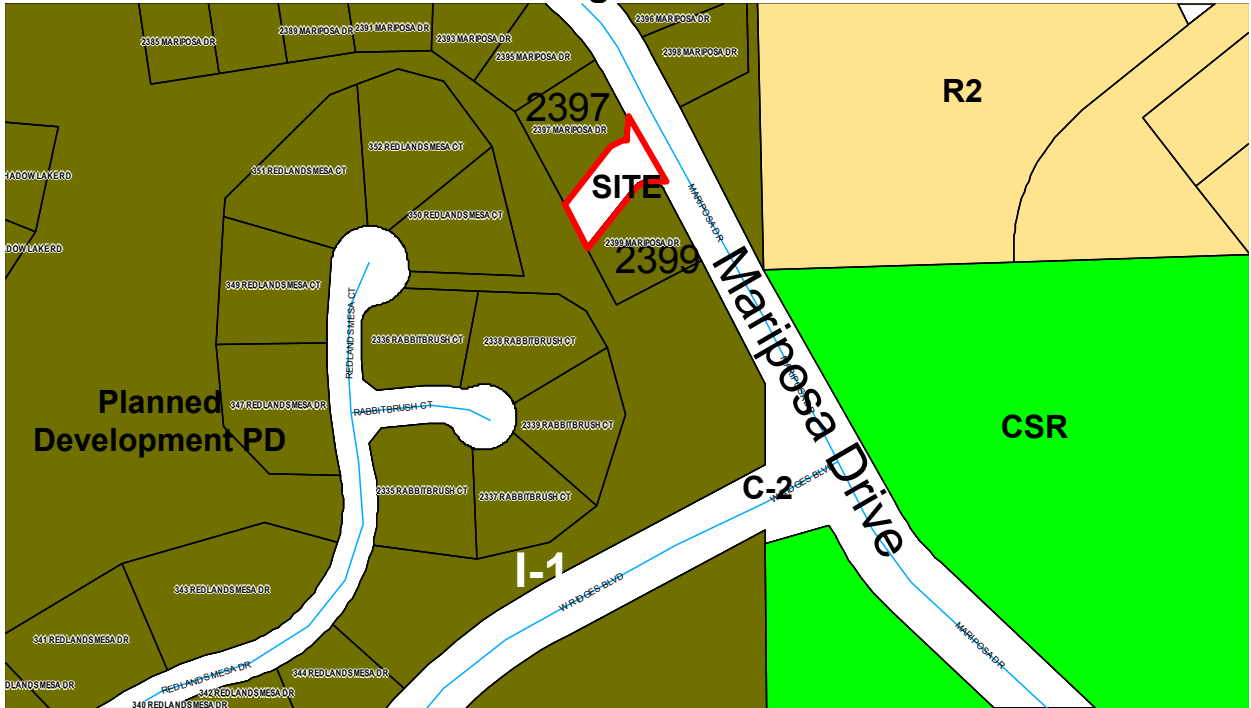
# Future Land Use Map

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."





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, COLORADO**

**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 6<sup>th</sup> day of June, 2007.

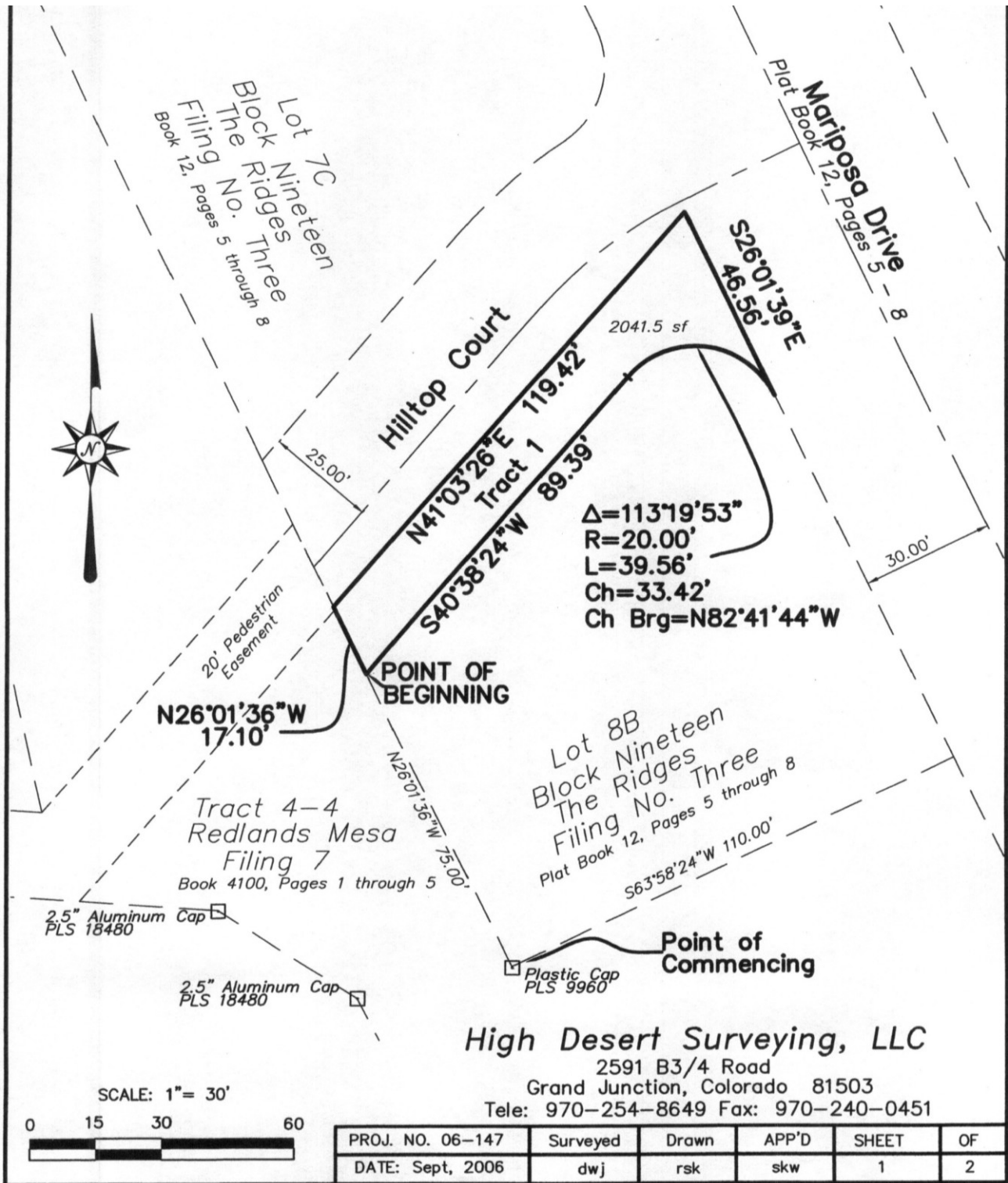
**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:

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

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

# EXHIBIT A



**High Desert Surveying, LLC**

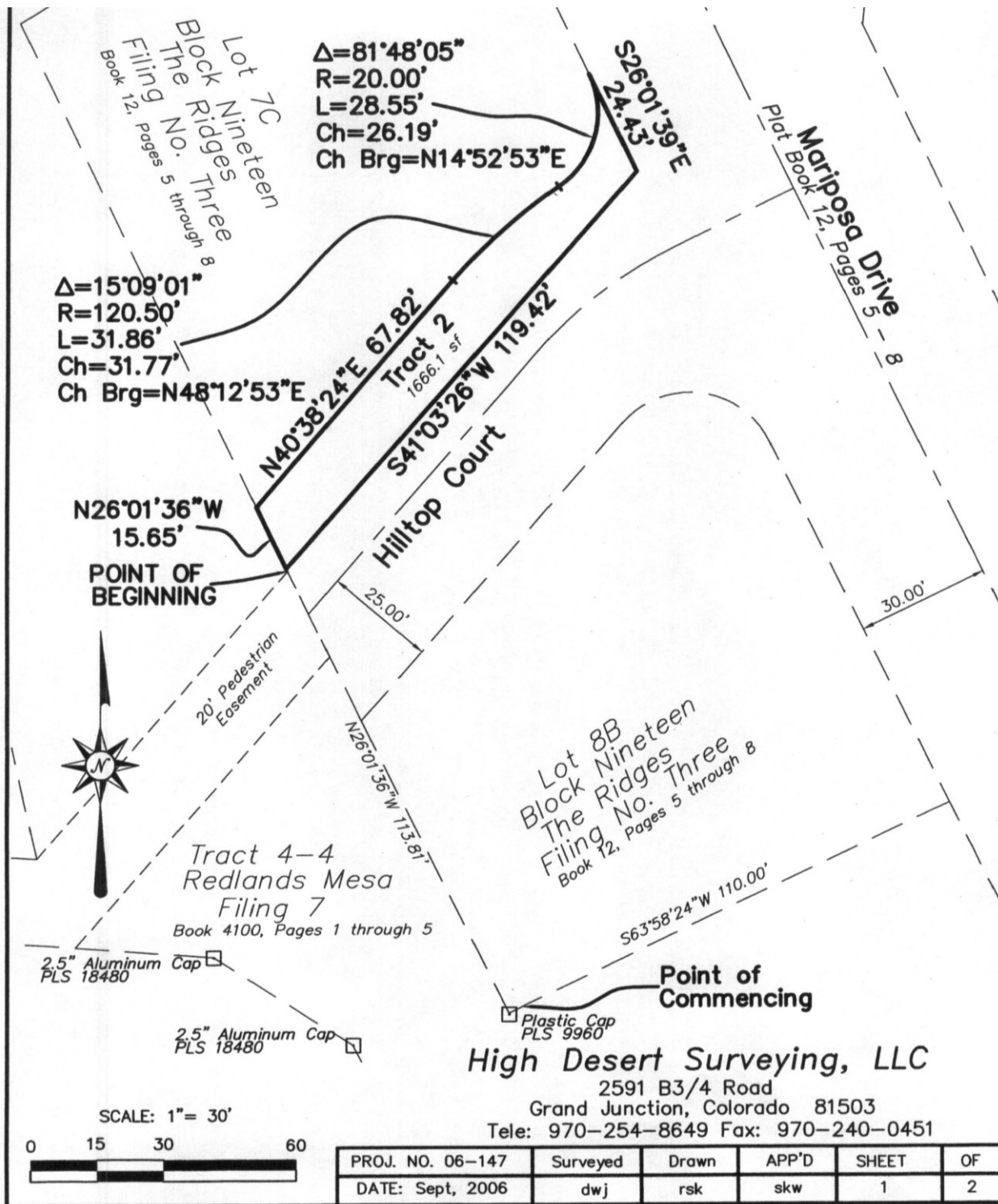
2591 B3/4 Road

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 B



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



# EXHIBIT C

## CONTROL LAYOUT



NE Corner  
SE $\frac{1}{4}$ , SE $\frac{1}{4}$   
Section 20  
T1S, R1W, UM  
MCSM #1210

**Lot 7C**  
**Block Nineteen**  
**The Ridges**  
**Filing No. Three**  
Book 12, Pages 5 through 8

Plat Book 12, Pages 5-8  
**Mariposa Drive**

**Hilltop Court**

N26°01'36"W

25.00'  
25.00'

30.00'  
30.00'

20' Pedestrian Easement

**Lot 8B**  
**Block Nineteen**  
**The Ridges**  
**Filing No. Three**  
Book 12, Pages 5 through 8

East Line of SE $\frac{1}{4}$ , SE $\frac{1}{4}$  Section 20, T1S, R1W, UM  
S00°16'07"W 1317.04'  
S00°13'43"W 1317.61' (Record)

2.5" Aluminum Cap  
PLS 18480

2.5" Aluminum Cap  
PLS 18480

Plastic Cap  
PLS 9960

SE Corner  
SE $\frac{1}{4}$ , SE $\frac{1}{4}$   
Section 20  
T1S, R1W, UM  
3.5" Aluminum Cap  
PLS 18480

S63°58'24"W 110.00'

N26°01'36"W 160.00'

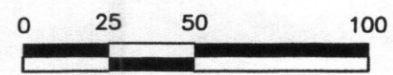
S01°17'35"W  
130.74'

**Tract 4-4**  
**Redlands Mesa**  
**Filing 7**  
Book 4100, Pages 1 through 5

**High Desert Surveying, LLC**

2591 B3/4 Road  
Grand Junction, Colorado 81503  
Tel: 970-254-8649 Fax: 970-240-0451

SCALE: 1" = 50'



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

**Attach 26**

Public Hearing – Adoption of the CDBG 2007 Action Plan, Year 2 of the 2006 Five-year Consolidation Plan

**CITY OF GRAND JUNCTION**

<b>CITY COUNCIL AGENDA</b>						
Subject	2007 CDBG Program Year Action Plan					
Meeting Date	June 20 , 2007					
Date Prepared	June 6, 2007					
Author	Debra Gore		CDBG Program Administrator			
Presenter Name	Kathy Portner		Neighborhood Services Manager			
Report Results Back to Council		Yes	X	No	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda		Consent	X Individual Consideration

**Summary:** A request to adopt the 2007 CDBG Program Year Action Plan as a part of the City of Grand Junction’s 2006 Five-Year Consolidated Plan for the Grand Junction Community Development Block Grant (CDBG) Program.

**Budget:** 2007 CDBG budget - \$412,043

**Action Requested:**

A Resolution Adopting the 2007 Program Year Action Plan

**Recommendation:**

At the May 16, 2007 hearing, the City Council recommended funding as follows:

Program Administration	\$ 24,575
Reading Services of the Rockies	\$ 4,500
Center for Enriched Communication	\$ 7,181
Gray Gourmet	\$ 20,500
Foster Grandparent Program	\$ 10,000
Senior Companion Program	\$ 10,000
The Tree House	\$101,610
Head Start	\$110,000
Hilltop	\$ 24,547
Hale Avenue	\$ 99,130
<b>TOTAL:</b>	<b>\$412,043</b>

**Background Information:** This is a public hearing to receive input regarding the 2007 Program Year Action Plan. The 2007 Action Plan describes ten projects that will be funded by 2007 CDBG Program Year funds. The 2007 CDBG Program Year begins September 1, 2007. The City of Grand Junction is expecting to receive \$347,877 in new funding from the Department of Housing and Urban Development for the 2007 program year, and an additional \$64,166 is available from previous years.

### **1) City of Grand Junction CDBG Program Administration**

HUD allows the City to spend up to 20% of its total CDBG funds for Administration. For 2007, the City can spend up to \$69,575. The City has funds remaining from the 2006 Program Year allocation that are available for the administration of the 2007 program year, reducing the amount needed from the 2007 allocation.

**Recommended Funding \$24,575**

### **2) Radio Reading Services of the Rockies**

Funds would support audio information services that provide access to ink print materials not otherwise available to Grand Junction's blind, visually impaired, and print handicapped citizens. The number of people served is directly related to the amount of funding received. RRSR has 24 listeners in Grand Junction and would like to add 12 more.

Funds would be used for embossing/distribution of Braille materials, news program underwriting, radios or speaker/headset telephones, and audio information services, onsite installation and instruction, and community outreach.

RRSR receives funding from many private foundations and trusts, schools, corporations, and government jurisdictions. CDBG provided \$4,500 in 2004 for operating expenses for this Program.

**Recommended Funding \$4,500**

### **3) Center for Enriched Communication - Counseling and Education Center**

This program provides counseling services for low income citizens. Funds are requested to help pay for 230 counseling sessions. Fees are based on family size and income. The number of people served is directly related to the amount of funding received. In 2007, CEC anticipates providing counseling to over 450 clients. \$98,322 has been secured from other funding sources including United Way, St. Mary's Foundation, Kiwanis, and the Bacon Foundation.

**Recommended Funding \$ 7,181**

**4) St Mary's Hospital Foundation – Gray Gourmet Senior Nutrition Program**

This program delivers meals to homebound elderly residents. Funding is requested for food, personnel, travel, and other operating expenses to serve 50 seniors. The staff hopes to serve 101,525 meals in 2007, depending on funding. Funding is received through several in-kind and financial sources including the Area Agency on Aging and the State of Colorado. CDBG funds provided \$5,050 in 2003 and \$10,000 in 2004 for operating expenses for this Program.

**Recommended Funding \$ 20,500**

**5) St Mary's Hospital Foundation – Foster Grandparent Program**

This program places low income senior volunteers in school, day care, Head Start, preschool, and safe house facilities to help children with special needs. Funding would reimburse 33 volunteers for gas and mileage for 33,000 hours of service. There are currently 60 volunteers. \$296,000 in funding has been secured from other sources including United Way and the Daniels Fund. CDBG funds provided \$5,000 in 2004 and \$7,000 in 2005 for gas and mileage reimbursement for this Program.

**Recommended Funding \$ 10,000**

**6) St Mary's Hospital Foundation – Senior Companion Program**

This program trains senior volunteers to provide weekly transportation services for elderly or disabled city residents who can no longer drive. Funding would reimburse volunteers for gas and mileage. The Program is expanding and setting up services in 3 new locations in 2007. 148 city residents will be served in 2007. \$174,300 in funding has been secured from other sources including The Corporation for National and Community Service, the Area Agency on Aging, and United Way, and the Daniels Fund. CDBG funds provided \$8,000 in 2004 for gas and mileage reimbursement for this Program.

**Recommended Funding \$ 10,000**

**7) The Tree House Center for Youth**

The Tree House Center for Youth is seeking funding for the acquisition of the Tree House Youth Shelter building, located at 827 Rood Avenue. The Shelter is one of two licensed homeless youth shelters in Colorado and the only one between Denver and Salt Lake City. It is a 24 hour/7 day a week facility providing basic needs of safe emergency housing, meals, and personal care facilities and products as well as comprehensive wrap-around services such as Case Management, Mental Health Counseling, Health Services, Life Skills Training, Drug Abuse Education and Prevention, and Education/Tutoring opportunities for Youth ages 15-18. Acquisition of the building will eliminate the \$3,000 per month currently being paid for rent.

**Recommended Funding \$101,610**

### **8) Rocky Mountain Western Slope Head Start**

Head Start is a comprehensive program providing health, nutrition, early care and education to low-income and disabled children ages 3-5 years. Funding is requested to remove an old building on an existing site in the Riverside neighborhood, located at 134 West Avenue, and replace it with a parking lot and a new classroom for 34 preschool children who are on the waiting list for services. CDBG funds provided \$104,000 in 2000 for construction of the Riverside Classroom and Family Center on the same site.

**Recommended Funding \$110,000**

### **9) Hilltop Community Resources Child & Family Center**

The Center is comprised of three programs; B4 Babies and Beyond providing women with prenatal health care access; Family First providing parenting skills for families with increased risk for involvement in Child Protective Services; and Kiddin' Around Learning Center, located next to the Mesa County Workforce Center at 2893 North Avenue. The Learning Center is the only childcare site in Mesa County that accepts special needs children. Funding is requested for improvements to the 3 entrances as well as landscaping. CDBG funds provided \$50,000 in 2004 for new windows and window coverings for the Resource Center building, located at 1129 Colorado Avenue.

**Recommended Funding \$24,547**

### **10) City of Grand Junction Hale Avenue Sidewalk Improvements**

Installation of 1,110 feet of curb, gutter and sidewalk in the Riverside neighborhood on the north side of Hale Avenue from Park Avenue to Lawrence Avenue. Hale Avenue provides the access to this neighborhood from Riverside Parkway. This project is not in the current CIP.

**Recommended Funding \$99,130**

#### **Attachments:**

1. Resolution and 2007 Program Year Action Plan

**CITY OF GRAND JUNCTION**

**RESOLUTION NO.**

**A RESOLUTION ADOPTING THE 2007 PROGRAM YEAR ACTION PLAN AS A PART  
OF THE CITY OF GRAND JUNCTION'S 2006 FIVE-YEAR CONSOLIDATED PLAN  
FOR THE GRAND JUNCTION COMMUNITY DEVELOPMENT BLOCK GRANT  
(CDBG) PROGRAM**

**Recitals:**

The City of Grand Junction was designated as an Entitlement Community by the U.S. Department of Housing and Urban Development in 1996 when Mesa County's population reached 100,000. This designation entitles Grand Junction to an annual grant of funds under the Community Development Block Grant CDBG Program.

To be eligible for funding, the City of Grand Junction must submit an annual Program Year Action Plan to be adopted as part of the City's Five-Year Consolidated Plan which serves as a federally required planning document that guides community development efforts in Grand Junction.

The primary objective of the City's Consolidated Plan and CDBG Program is the development of viable urban communities by providing decent housing and a suitable living environment and expanding economic opportunities, for persons of low and moderate income. The planning process in developing the 2007 Program Year Action Plan included an emphasis on Citizen Participation and interagency involvement.

The 2006 Five-Year Consolidated Plan developed a set of local priority needs and objectives through a coordinated effort with non-profit and government agencies in the community serving the low income and special needs populations. The Plan established the priority needs, goals and strategies the Grand Junction community will undertake between 2006 and 2010, the life of the Plan. The 2007 Program Year Action Plan is consistent with the Consolidated Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO that the CDBG 2007 Program Year Action Plan, as a part of the 2006 Five-Year Consolidated Plan (attached as Exhibit A), is hereby adopted.

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

ATTEST:

---

City Clerk

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President of Council



# 2nd Program Year Action Plan

(Exhibit A)

The CPMP Second Annual Action Plan includes the [SF 424](#) and Narrative Responses to Action Plan questions that CDBG, HOME, HOPWA, and ESG grantees must respond to each year in order to be compliant with the Consolidated Planning Regulations.

## Narrative Responses

### GENERAL

#### **Executive Summary**

#### **PROGRAM YEAR 2 (2007)**

##### **Introduction**

In 1996 the US Department of Housing and Urban Development (HUD) established Grand Junction as an Entitlement Community to receive Community Development Block Grant (CDBG) Funds. Every five years the City prepares and adopts a new Five-Year Consolidated Plan to establish priorities and needs relevant to the CDBG program. In 2006 a new Consolidated Plan was adopted by City Council. The City Council also prepares and adopts a new Action Plan every year, which becomes a part of the Consolidated Plan.

Applications for CDBG funding are made available to all interested parties in March with an April deadline for each Program Year. Projects that are selected for funding become a part of the respective Program Year Action Plan. Several projects have been approved for CDBG funding by the City Council and are included in the new 2007 Program Year Action Plan. The 2007 Program Year will begin on September 1, 2007.

##### **Community Profile**



Grand Junction, the largest city in Western Colorado, is located 250 miles west of Denver. It is the seat of Mesa County, home of Mesa State College, and the economic and service center for more than 300,000 people living in Western Colorado and Eastern Utah. The Colorado State Demography Office estimates Grand Junction and Mesa County 2006 populations to be 52,000 and 133,000.

While the area's economy has demonstrated strong growth, housing market appreciation continues to exceed wage increases. This trend is expected to continue for the foreseeable future, making the increased need for affordable housing one of many issues facing local government in Grand Junction.

### **Citizen Participation**

The City adopted a Citizen Participation Plan in 1996 to facilitate citizen involvement in the Five-Year Consolidated Plan (Plan) and annual Program Year Action Plan process.

The Neighborhood Services Division of the City of Grand Junction, as lead agency for the development of the Program Year Action Plan, has invited human service agencies and citizen involvement in Plan creation. The findings and needs identified by those who serve and work with low to moderate income populations are the basis of the Plan's development. The City meets the requirements of the Citizens Participation Plan by publishing public notices and holding public meetings. The City solicited applications for the 2007 Program Year and received 15. The total amount of funding requested was \$1,014,412.

### **Institutional Structure**

Grand Junction will carry out its Consolidated Plan through a mixture of public, private, and nonprofit organizations that specialize in serving the needs identified in this plan and other needs of the low and moderate income residents of Grand Junction. A highly effective network of nonprofit organizations delivers a wide array of services to Grand Junction citizens. The City depends upon these organizations to meet the needs of the low and moderate income population.

### **Housing Needs**

Population growth in Grand Junction continues to rapidly exceed availability of affordable housing units. Long waiting lists exist for the limited number of units. A Housing Market Analysis of the Grand Junction Metro Area published by the Colorado Housing and Finance Authority on January 12, 2007 states that the average home price has increased to over \$190,000, and the rental unit vacancy rate is 3%. The Grand Junction Housing Authority currently has 35 low income families with vouchers who cannot find affordable rentals, and 1,058 families on the waiting list to obtain vouchers. According to the Mesa County Assessors Office, the cost of a single family home within the county has increased 27% from 2005 to 2007, to an estimated average sales price of \$222,810.

### **Homeless Needs**

Homelessness is rapidly increasing in the Grand Junction community due to a combination of low wages, rising housing costs, and lack of affordable health insurance.

Prior to 2000, local data collection about the homeless was anecdotal and informal due to the absence of a coordinated community effort to build local demographic statistics. Point-in-time surveys were conducted by the Grand Valley Coalition for the Homeless on August 28 - 29, 2006 and January 28 - 29, 2007 as part of a statewide effort to determine the number of homeless. These counts indicate that the number is approximately 450 – 500. When the definition of homelessness is expanded to cover those considered homeless under the McKinney-Vento Act (families living in weekly motels, doubled up with friends or relatives, or moving from place to place) this number expands to approximately 1500.

A Continuum of Care Plan was completed in the summer of 2001 by a coalition of community homeless service providers. The Plan identified emergency shelter, transitional housing, case management, and housing placement for individuals and families as the highest priority needs to prevent/reverse homelessness. While several programs addressing these needs are currently in place, the need for additional emergency and transitional housing is still significant.

### **Special Needs Housing**

Grand Junction is the largest community available to serve the needs of residents living on the Western Slope of Colorado and in Eastern Utah. Medical and other special needs services are provided here that are not available in smaller communities. As a result, Grand Junction's special needs population (approximately 27%) is higher than that of surrounding communities. The ability of persons with chronic mental illness, physical and developmental disabilities, and HIV/AIDS to compete in the housing market is limited in many cases by lack of income and the need for special housing accommodations.

### **Antipoverty Strategy**

The City has developed an Anti-Poverty Strategy to reduce the number of people earning low to moderate income wages. This Strategy, described in the 2001 and 2006 Five-Year Consolidated Plans, includes community activities to:

- Collect data regarding poverty levels and local demographics to better identify poverty issues and monitor current needs
- Focus on a continuum of prevention and intervention strategies/activities by age group to prevent/deter persons from living in poverty
- Encourage efforts to raise earned income levels
- Maintain a strong diversified economic base
- Increase the employability of recipients of public benefits
- Attract higher paying employers to Grand Junction
- Increase access to employment through expansion of the public transportation system and the availability of quality affordable childcare
- Foster increased household stability through educational programs, drug and alcohol rehabilitation programs, and services to persons with special needs
- Reduce the possibility of catastrophic expense by increasing the availability of affordable healthcare and effective public transportation
- Create affordable housing developments near employment centers
- Form an anti-poverty coalition

### **Consolidated Plan**

The 2006 Five-Year Consolidated Plan integrates economic, physical, environmental, community and human development activities in Grand Junction in a comprehensive and coordinated manner so local agencies, groups, and citizens can work together to improve quality of life issues. Consolidated Plan Objectives as mandated by HUD and specific community needs have been identified along with actions that define how the community will respond over the life of the Plan.

The first Objective, to create a Suitable Living Environment, addresses the following needs: 1) Non-housing community development infrastructure, 2) Neighborhood Programs and 3) Services for Special Needs populations and other human service needs.

The second Objective, to provide Decent Affordable Housing, addresses the following needs: 1) Increased inventory of affordable housing units, 2) Elimination of lead-based paint hazards and 3) Prevention of homelessness

The third Objective, to Create Economic Opportunities, addresses the following needs: 1) Availability of affordable reliable childcare and 2) Economic development

All Consolidated Plan Objectives will be monitored and reported to the US Department of Housing and Urban Development (HUD) by outcome and performance based measurements defined as one of the following:

1) Availability/Accessibility 2) Affordability 3) Sustainability.

## **2007 PROGRAM YEAR ACTION PLAN**

The purpose of the Program Year Action Plan is to identify one-year strategies for each of the objectives set in the 2006 Five-Year Consolidated Plan. Although the competition for CDBG funds continues to increase and CDBG funding continues to decrease, the City will continue to make an effort to balance disbursement of these funds between the various needs of the community over the course of the Five-Year Consolidated Plan.

The Grand Junction City Council is committed to continuing the use of CDBG funds for the following 5 priorities, established by the Council in 2001:

### **1) Need for Non-Housing Community Development Infrastructure**

The City of Grand Junction provides basic citizen services such as public works and utilities, police and fire protection, parks and recreation, general planning, code enforcement and local economic development. The City has defined numerous non-housing community development needs, including improvements to streets, public facilities and infrastructure, and maintenance and development of city parks. Recognizing that the cost of meeting these objectives exceeds the amount of CDBG funds allocated, several of these needs are budgeted in the City's Capital Improvement Plan.

CDBG funds will be expended to improve infrastructure in low to moderate income residential areas within the City. Streets, curb, gutter and sidewalk maintenance and installation, drainage, water and flood protection system enhancements, and improvements in accessibility for the

disabled are among the appropriate uses of these funds. It is in the provision of these services that the City feels it can most effectively meet the needs of its citizens.

## **2) Need for Affordable Housing**

The gap between availability of affordable housing and low wages continues to increase in our area. The Grand Junction Housing Authority was formed to provide safe, well-maintained, affordable housing in Grand Junction. To achieve the objectives within this priority, the City has and will continue to support specific programs proposed by the Housing Authority and other appropriate housing development agencies.

## **3) Needs of the Homeless**

The City realizes that homelessness presents an increasing challenge in Grand Junction. The City works with and supports appropriate agencies efforts to minimize the occurrence of homelessness, provide essential services to people living on the streets, and support the efforts of the homeless to resolve their issues and promote a successful transition to independent living.

## **4) Special Needs Populations and Other Human Service Needs**

There are numerous private organizations, government agencies, and private nonprofit organizations in Grand Junction which address the special needs population.

Services available include treatment for alcohol/drug addiction, mental illness assessment and treatment, health care for the uninsured and case management support for persons suffering from HIV/AIDS. Additional services include food provision, day care, help for the elderly, programs meeting the needs of public housing residents, the youth and the disabled. This service delivery network has very effectively and efficiently delivered essential services to this segment of the population.

The most efficient method of continuing to meet these needs is for existing organizations to continue to provide these services while collaborating with others to fill gaps in the service continuum.

## **5) City of Grand Junction Neighborhood Program**

CDBG funds are utilized in low and moderate income (LMI) qualified neighborhoods. The neighborhood program will use CDBG funding for eligible activities identified by residents of these neighborhoods.

## **RECOMMENDED FUNDING**

The Plan strategies and priorities are implemented through a variety of resources including the annual allocation of CDBG funds. For each Program Year a new Action Plan is completed and adopted as part of the Five-Year Consolidated Plan. On May 16, 2007 the Grand Junction City Council approved \$412,043 in funding for the 2007 CDBG Program Year for the following 10 projects. These projects will become part of the 2007 Action Plan:

**1) City of Grand Junction CDBG Administration** - \$24,575 for administration, planning and implementation

**2) Radio Reading Services of the Rockies** - \$4,500 for audio information services for Grand Junction's blind, visually impaired, and print handicapped citizens  
(Objective: Suitable Living Environment; Outcome: Availability/Accessibility; Indicator: Number of persons assisted)

**3) Counseling and Education Center** - \$7,181 for counseling services for low income citizens  
(Objective: Suitable Living Environment; Outcome: Availability/Accessibility; Indicator: Number of persons assisted)

**4) Gray Gourmet** - \$20,500 to deliver meals to homebound elderly residents  
(Objective: Suitable Living Environment; Outcome: Availability/Accessibility; Indicator: Number of persons assisted)

**5) Foster Grandparents** - \$10,000 to place low income senior volunteers in school, day care, Head Start, preschool, and safe house facilities to help children with special needs  
(Objective: Suitable Living Environment; Outcome: Availability/Accessibility; Indicator: Number of persons assisted)

**6) Senior Companion** - \$10,000 for senior volunteers to provide weekly transportation services for elderly or disabled city residents who can no longer drive  
(Objective: Suitable Living Environment; Outcome: Availability/Accessibility; Indicator: Number of persons assisted)

**7) The Tree House Center for Youth** - \$101,610 for acquisition of the Tree House Youth Shelter building  
(Objective: Suitable Living Environment; Outcome: Availability/Accessibility; Indicator: Number of persons assisted)

**8) Western Slope Head Start** - \$110,000 to remove an old building at the Riverside School site and replace it with a parking lot; construction of a new classroom for 34 preschool children who are on the waiting list for services  
(Objective: Suitable Living Environment; Outcome: Availability/Accessibility; Indicator: number of persons assisted)

**9) Hilltop Child and Family Center** - \$24,547 for improvements to entrances and landscaping  
(Objective: Suitable Living Environment; Outcome: Availability/Accessibility; Indicator: Number of persons assisted)

**10) Hale Avenue Sidewalk Improvements** - \$99,130 for installation of curb, gutter and sidewalk in the Riverside neighborhood on the north side of Hale Avenue from Park Avenue to Lawrence Avenue  
(Objective: Suitable Living Environment; Outcome: Sustainability; Indicator: Number of persons assisted)

## General Questions

1. Describe the geographic areas of the jurisdiction (including areas of low income families and/or racial/minority concentration) in which assistance will be directed during the next year. Where appropriate, the jurisdiction should estimate the percentage of funds the jurisdiction plans to dedicate to target areas.

Grand Junction, the largest city on the Western Slope of Colorado, is centrally located between Denver and Salt Lake City and serves as the Mesa County Seat. It is the economic and service center for more than 300,000 people living in Western Colorado and Eastern Utah. The Colorado State Demography Office estimated the 2006 Grand Junction and Mesa County populations to be approximately 52,000 and 133,000.

While the area's economy has demonstrated strong growth, housing market appreciation far exceeds wage increases. This gap is expected to continue to increase in the foreseeable future, increasing the need for affordable housing.

CDBG funding will be directed to serve areas of low and moderate income concentration, such as the Orchard Mesa, Riverside, El Poso, Downtown, and Central Grand Junction neighborhoods and agencies that serve those areas. (Please refer to the CDBG Low to Moderate Income Map).

2. Describe the basis for allocating investments geographically within the jurisdiction (or within the EMSA for HOPWA) (91.215(a) (1)) during the next year and the rationale for assigning the priorities.

Funding will be allocated geographically according to HUD regulations and will continue to meet national objective requirements to serve low and moderate income persons.

3. Describe actions that will take place during the next year to address obstacles to meeting underserved needs.

Obstacles to meeting underserved needs are addressed in the following sections. Limited funding and the increasing demand for services by a growing population are the City's major obstacles. The City provides letters of support and Consolidated Plan consistency for local agencies who serve low to moderate income persons.

4. Identify the federal, state, and local resources expected to be made available to address the needs identified in the plan. Federal resources should include Section 8 funds made available to the jurisdiction, Low-Income Housing Tax Credits, and competitive McKinney-Vento Homeless Assistance Act funds expected to be available to address priority needs and specific objectives identified in the strategic plan.

The City will receive \$347,877 from HUD for the 2007 Program Year. The City will not receive any other federal funding that will help address the needs identified in the Plan.

## **Managing the Process**

1. Identify the lead agency, entity, and agencies responsible for administering programs covered by the consolidated plan.

The City of Grand Junction is the lead entity with Neighborhood Services being responsible for administering the CDBG Program.

2. Identify the significant aspects of the process by which the plan was developed, and the agencies, groups, organizations, and others who participated in the process.

The City held 8 formal consultations with representatives of various organizations, including many of those listed below, who met in committee and special focus groups to formulate the 2006 Five-Year Consolidated Plan. The Plan committee played a major role in identifying the needs of the low and moderate income persons in the Grand Junction area. Drafts of the planning document and portions of the plan were sent out electronically and in paper to committee members and others for review and feedback.

Many organizations participated in the development of this Consolidated Plan including:

- Grand Junction Housing Authority
- Housing Resources of Western Colorado
- Grand Valley Catholic Outreach
- Mesa County Partners
- The Treehouse Center for Youth
- The Center for Independence
- School District 51
- WestCap
- St. Mary's Hospital
- The Grand Junction Economic Partnership
- The Business Incubator
- Colorado West Mental Health
- Hilltop Community Resources

3. Describe actions that will take place during the next year to enhance coordination between public and private housing, health, and social service agencies.

The City holds a public meeting each year in March inviting local human service agencies to meet and discuss needs within the community and to participate in the CDBG process.

## **Citizen Participation**

1. Provide a summary of the citizen participation process.

A public meeting was held in March 2007 to discuss the CDBG program, receive input from the public, and provide applications for the 2007 Program Year. Invitations were mailed to over 85 citizens and human service providers. An advertisement was placed in the Grand Junction Daily Sentinel inviting citizens to attend and participate. On May 16, 2007 a public hearing before City Council was conducted to discuss funding and projects for 2007.

2. Provide a summary of citizen comments or views on the plan.

On June 20, 2007 City Council will conduct a public hearing to seek public comment and consider adoption of the 2007 Action Plan. A 30-day public review period will be held from June

8th to July 9th, 2007. These opportunities for public input comply with the City's Citizen Participation Plan.

3. Provide a summary of efforts made to broaden public participation in the development of the consolidated plan, including outreach to minorities and non-English speaking persons, as well as persons with disabilities.

A 30-day public review period will be held from June 8th to July 9th, 2007 to allow time for citizen input.

4. Provide a written explanation of comments not accepted and the reasons why these comments were not accepted.

### **Institutional Structure**

1. Describe actions that will take place during the next year to develop institutional structure.

The Neighborhood Services Division will administer the CDBG program by following the City's Citizen Participation Plan and by following federal regulations that govern the program. In this role, the City will disburse CDBG funds, oversee their effective use and compliance with federal regulations, and submit required reports to HUD including the annual Consolidated Action Plan Evaluation Report (CAPER).

### **Monitoring**

1. Describe actions that will take place during the next year to monitor housing and community development projects and ensure long-term compliance with program requirements and comprehensive planning requirements.

The City of Grand Junction will use adequate and timely techniques to ensure the funded projects are compliant with CDBG requirements. This includes continued monitoring of subrecipients for program objectives and outcomes and compliance with federal regulations. Labor standards will be adhered to when applicable. The City uses telephone, email, mail, and site visits to ensure program compliance. Performance measures will be calculated and entered into HUD's IDIS system.

### **Lead-based Paint**

1. Describe the actions that will take place during the next year to evaluate and reduce the number of housing units containing lead-based paint hazards in order to increase the inventory of lead-safe housing available to extremely low-income, low-income, and moderate-income families, and how the plan for the reduction of lead-based hazards is related to the extent of lead poisoning and hazards.

Housing Resources of Western Colorado and The Grand Junction Housing Authority will continue to meet the requirements of the Federal Rule and provide information to residents concerning potential hazards of lead-based paint.



The City of Grand Junction will investigate, identify, coordinate and/or support additional efforts to address this potential health hazard. This includes complying with the Federal Rule as it applies to the expenditure of CDBG funds.

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## HOUSING

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### Specific Housing Objectives

1. Describe the priorities and specific objectives the jurisdiction hopes to achieve during the next year.

No housing projects are planned for the 2007 Program Year using CDBG funds.

2. Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by this Action Plan.

The Grand Junction Housing Authority, Housing Resources of Western Colorado, Habitat for Humanity, and other nonprofit organizations will continue to work to meet the increasing demand for affordable housing.

### Needs of Public Housing

1. Describe the manner in which the plan of the jurisdiction will help address the needs of public housing and activities it will undertake during the next year to encourage public housing residents to become more involved in management and participate in homeownership.

The City of Grand Junction has no public housing and will not be spending any CDBG money on public housing in 2007. There are 30 units of public housing in Grand Junction owned by The Grand Junction Housing Authority.

2. If the public housing agency is designated as "troubled" by HUD or otherwise is performing poorly, the jurisdiction shall describe the manner in which it will provide financial or other assistance in improving its operations to remove such designation during the next year.

### Barriers to Affordable Housing

1. Describe the actions that will take place during the next year to remove barriers to affordable housing.

In April of 2006 the City completed An Analysis of Impediments to Fair Housing Choice study to address this issue. The City minimized the amount of 2006 funding allocated to CDBG program administration and dedicated all remaining funding to affordable housing projects. \$100,000 was allocated to Grand Valley Catholic Outreach for construction of 23 units of permanent supportive housing and \$178,630 was allocated to the Grand Junction Housing Authority to acquire property for a future affordable housing project.

In addition, The Tree House, Counseling and Education Center, Gray Gourmet, and Senior

Companion all received funding for the 2007 program year. These nonprofit agencies provide services that contribute to the prevention of homelessness.

### **HOME/ American Dream Down payment Initiative (ADDI)**

Not Applicable to the City of Grand Junction

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## **HOMELESS**

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### **Specific Homeless Prevention Elements**

1. Sources of Funds—identify the private and public resources that the jurisdiction expects to receive during the next year to address homeless needs and to prevent homelessness. These include the McKinney-Vento Homeless Assistance Act programs, other special federal, state and local and private funds targeted to homeless individuals and families with children, especially the chronically homeless, the HUD formula programs, and any publicly-owned land or property. Please describe, briefly, the jurisdiction's plan for the investment and use of funds directed toward homelessness.

For the 2007 Program Year, there will be 5 new projects referenced above that provide services contributing to the ability of individuals and families to provide for themselves and avoid homelessness. Those projects are The Counseling and Education Center, Hilltop Community Resources, The Tree House, Senior Companion, and Gray Gourmet.

2. Homelessness—in a narrative, describe how the action plan will address the specific objectives of the Strategic Plan and, ultimately, the priority needs identified. Please also identify potential obstacles to completing these action steps.
3. Chronic homelessness—the jurisdiction must describe the specific planned action steps it will take over the next year aimed at eliminating chronic homelessness by 2012. Again, please identify barriers to achieving this.

2. & 3. The City is supportive of the services in the community that address homeless issues. The Grand Valley Coalition for the Homeless is responsible for the Balance of State CoC (Continuum of Care) for the Grand Junction community. Included in the Coalition plans are the construction of a permanent supportive housing project for Catholic Outreach and acquisition of a new 20-bed family emergency shelter for Homeward Bound of the Grand Valley. As these projects are completed, the data will be reported through the HMIS (Homeless Management Information System) by agencies as mandated by HUD. \$100,000 in CDBG funding was allocated to the Catholic Outreach project in the 2006 Program Year and progress will be reported to HUD as required.

4. Homelessness Prevention—the jurisdiction must describe its planned action steps over the next year to address the individual and families with children at imminent risk of becoming homeless.

As referenced above, for the 2007 Program Year Action Plan, there are 5 projects being funded that offer services to help individuals and families provide for themselves and avoid

homelessness. Those projects are The Counseling and Education Center, Hilltop Community Resources, The Tree House, Senior Companion, and Gray Gourmet. The City will continue to support all agencies that provide services for the homeless and continue to provide those agencies with letters of support and Consolidated Plan consistency as they compete for and request other funding including federal and state government grants.

5. Discharge Coordination Policy—Explain planned activities to implement a cohesive, community-wide Discharge Coordination Policy, and how, in the coming year, the community will move toward such a policy.

Local agencies in the community have their own discharge coordination policies. For example, Homeward Bound has policies in place to accommodate most people who are released from publicly funded institutions. The Grand Junction Community Homeless Shelter (GJCHS) is available so that no one needs to be discharged to the streets. This includes persons discharged from correctional facilities, foster care, and mental health and health care facilities. For the vast majority of persons in these situations, the GJCHS is a viable alternative to sleeping on the streets. For those discharged from health care facilities with need for follow-up care or recuperation, there is a policy allowing limited daytime shelter at the Homeless Shelter during periods of recovery. Other alternatives to homelessness in Mesa County include the Freedom House for formerly incarcerated persons and the Rescue Mission. Recent trends indicate that these alternatives may soon be insufficient to meet increasing needs.

### **Emergency Shelter Grants (ESG)**

(States only) Describe the process for awarding grants to State recipients, and a description of how the allocation will be made available to units of local government.

Not Applicable to the City of Grand Junction

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## **COMMUNITY DEVELOPMENT**

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### **Community Development**

1. Identify the jurisdiction's priority non-housing community development needs eligible for assistance by CDBG eligibility category specified in the Community Development Needs Table (formerly Table 2B), public facilities, public improvements, public services and economic development.

The City of Grand Junction provides a variety of services and programs to its citizens, many of which are eligible for CDBG funding.

2. Identify specific long-term and short-term community development objectives (including economic development activities that create jobs), developed in accordance with the statutory goals described in section 24 CFR 91.1 and the primary objective of the CDBG program to provide decent housing and a suitable living environment and expand economic opportunities, principally for low and moderate income persons.

\*Note: Each specific objective developed to address a priority need, must be identified by number and contain proposed accomplishments, the time period (i.e., one, two, three, or more years), and annual Program Year numeric goals the jurisdiction hopes to achieve in quantitative terms, or in other measurable terms as identified and defined by the jurisdiction.

The City continues to fund a variety of community development activities. If funded through CDBG, activities are required to meet one of the following program objectives:

(1) Provide decent housing (2) Create a suitable living environment and/or (3) Create economic opportunities for low and moderate income persons.

### **Antipoverty Strategy**

1. Describe the actions that will take place during the next year to reduce the number of poverty level families.

Actions described in the 2006 Five-Year Consolidated Plan will be continued during the 2007 Program Year in an effort to reduce the number of families living at poverty level.

The Anti-Poverty Strategy detailed in the 2006 Five-Year Consolidated Plan is an effort to reduce the number of people earning low to moderate income wages and therefore at risk of becoming homeless. This Strategy includes the following recommendations:

- Collect data regarding poverty levels and local demographics to better identify poverty issues and monitor current needs
- Focus on a continuum of prevention and intervention strategies/activities by age group to prevent/deter persons from living in poverty
- Encourage efforts to raise earned income levels
- Maintain a strong diversified economic base
- Increase the employability of recipients of public benefits
- Attract higher paying employers to Grand Junction
- Increase access to employment through expansion of the public transportation system and the availability of quality affordable childcare
- Foster increased household stability through educational programs, drug and alcohol rehabilitation programs, and services to persons with special needs
- Reduce the possibility of catastrophic expense by increasing the availability of affordable healthcare and effective public transportation
- Create affordable housing developments near employment centers
- Form an anti-poverty coalition

Actions taken to address the above recommendations include the following:

Point-in-Time Homeless Surveys were conducted in 2006 and 2007; The Grand Valley Housing Partnership and Homeless Coalitions meet on a regular basis to discuss and implement anti-poverty strategies; The Hilltop Child and Family Center provides day care for children with special needs; The Grand Junction Housing Authority is working on plans to construct a day care center for low income families on Orchard Mesa at the Linden Pointe affordable housing project site.

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## **NON-HOMELESS SPECIAL NEEDS HOUSING**

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### **Non-homeless Special Needs (91.220 (c) and (e))**

1. Describe the priorities and specific objectives the jurisdiction hopes to achieve for the period

covered by the Action Plan.

2. Describe how federal, state, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by this Action Plan.

The City of Grand Junction is supportive of human service agencies that provide housing for this population. The City provides letters of support and Consolidated Plan consistency when needed.

### **Housing Opportunities for People with AIDS**

No CDBG funds are being allocated for HOPWA in the 2007 Program Year. WestCAP will continue to be the local agency receiving HOPWA funding through DenverCAP and will continue to serve this population with existing programs. All HOPWA goals and programs are reported through DenverCAP.

### **Specific HOPWA Objectives**

Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by the Action Plan.

The City of Grand Junction does not receive HOPWA funding.

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### **Other Narrative**

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(Include any Action Plan information that was not covered by a narrative in any other section.)

Summary of CDBG activities for Program Years 2001-2006:

#### 2001 Program Year

- The Energy Office - acquisition of Garden Village Apts. (91 units for permanent affordable rental housing) \$200,000
- Catholic Outreach - client services for transitional housing program \$10,000
- Marillac Dental Clinic - expansion and relocation \$200,000
- Mesa County Partners - construction of Activity Center parking lot and landscaping \$15,000
- Mesa Developmental Services - installation of group home barrier-free lift system and Arjo Tub \$40,000

*2001 TOTAL \$465,000*

#### 2002 Program Year

- Grand Valley Catholic Outreach - purchase of equipment and materials for Soup Kitchen \$50,000
- Western Region Alternative to Placement – program costs \$10,000
- Homeward Bound of the Grand Valley - bunk beds for Community Homeless Shelter \$10,000
- Western Slope Center For Children - interior remodel/renovation \$101,280

- Grand Junction Housing Authority - affordable housing development/design/market analysis and engineering costs \$41,720
- City of Grand Junction - Bass Street drainage improvements \$231,000
- City of Grand Junction - CDBG program administration \$50,000

*2002 TOTAL \$494,000*

2003 Program Year

- City of Grand Junction - Neighborhood Program \$19,000
- Center For Independence - purchase of 14-passenger wheel chair accessible van \$20,000
- Western Region Alternative to Placement - housing support, security deposits, rental assistance and other client services \$7,500
- The Tree House Teen Bistro - rehabilitation and Americorp volunteer program \$20,000
- Gray Gourmet Program - program costs \$5,050
- Foster Grand Parents Program - program costs \$5,000
- Senior Companion Program - program costs \$5,000
- Grand Junction Housing Authority - Linden Point affordable housing infrastructure \$335,450

*2003 TOTAL \$417,000*

2004 Program Year

- City of Grand Junction - CDBG and Neighborhood Program Administration \$20,000
- City of Grand Junction - CDBG Five-Year Analysis of Impediments to Fair Housing \$15,000
- Gray Gourmet Meals on Wheels Program – program costs \$10,000
- Foster Grand Parents Program - program costs \$7,000
- Senior Companion Program - program costs \$8,000
- Radio Reading Services of the Rockies - program costs \$4,500
- Mesa County Health Department - purchase of clinical equipment for children with special needs \$5,000
- City of Grand Junction - Neighborhood Program \$120,000
- Hilltop Community Resources - replacement of Resource Center windows and installation of energy efficient window coverings \$50,000
- Housing Resources of Western Colorado - acquisition of emergency transitional housing (8-plex for homeless veterans) \$50,000
- Hope Haven - roof replacement \$7,500
- City of Grand Junction - construction of new sidewalks and other street improvements in Riverside Neighborhood \$50,000
- City of Grand Junction - construction of new sidewalks and other street improvements on Grand Avenue \$60,000

*2004 TOTAL \$407,000*

2005 Program Year

- City of Grand Junction - CDBG and Neighborhood Program administration \$25,000
- The Salvation Army Adult Rehab Program - program costs \$25,000

- Mesa County Partners - purchase of 12-passenger van \$15,000
- Grand Junction Housing Authority - property acquisition \$120,000
- Housing Resources of Western Colorado - installation of handicap lift at 8-plex for homeless veterans \$30,000
- City of Grand Junction - Ouray Avenue drain enlargement \$172,644

*2005 TOTAL \$387,644*

2006 Program Year

- City of Grand Junction - CDBG program administration \$69,656
- Grand Junction Housing Authority - property acquisition \$178,630
- Grand Valley Catholic Outreach - construction of affordable housing \$100,000

*2006 TOTAL = \$348,286*

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 16th 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 Kadrich, 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.

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 26th 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.

#### 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

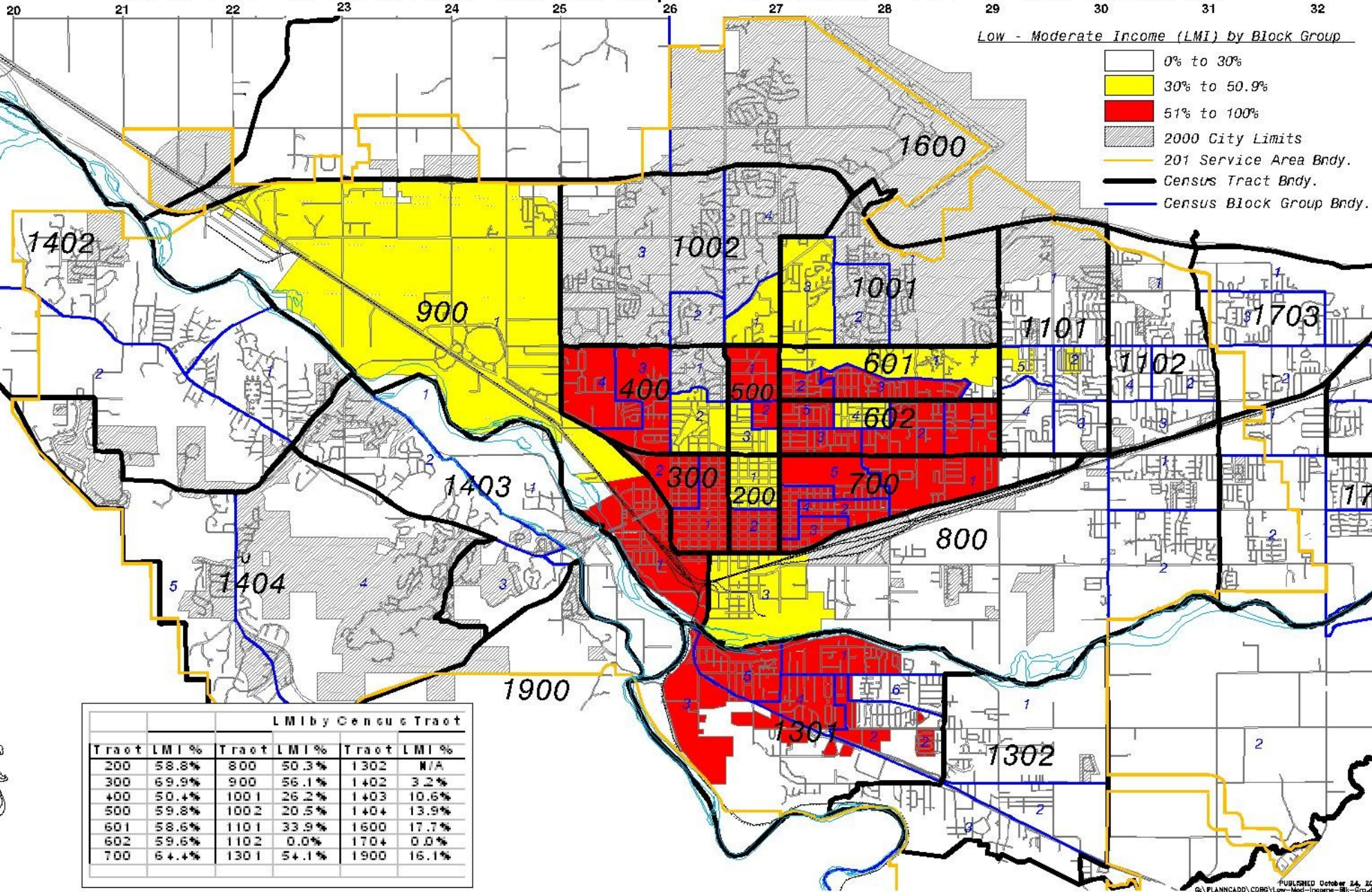
The meeting adjourned at 10:14 p.m.

Stephanie Tuin, MMC

City Clerk



# CDBG Low to Moderate Income Map - Estimates for Grand Junction



- Low - Moderate Income (LMI) by Block Group**
- 0% to 30%
  - 30% to 50.9%
  - 51% to 100%
  - 2000 City Limits
  - 201 Service Area Bndy.
  - Census Tract Bndy.
  - Census Block Group Bndy.

LMI by Census Tract					
Tract	LMI %	Tract	LMI %	Tract	LMI %
200	58.8%	800	50.3%	1302	N/A
300	69.9%	900	56.1%	1402	3.2%
400	50.4%	1001	26.2%	1403	10.6%
500	59.8%	1002	20.5%	1404	13.9%
601	58.6%	1101	33.9%	1600	17.7%
602	59.6%	1102	0.0%	1704	0.0%
700	64.4%	1301	54.1%	1900	16.1%

**Attach 27**

Purchase of Street Lights for 7<sup>th</sup> Street and Rood Avenue Parking Structure

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Purchase of Street Lights for 7 <sup>th</sup> Street and Rood Avenue Parking Structure					
<b>Meeting Date</b>	June 20, 2007					
<b>Date Prepared</b>	June 14, 2007			File # - N/A		
<b>Author</b>	Mike Curtis			Project Engineer		
<b>Presenter Name</b>	Tim Moore			Public Works and Planning Manager		
<b>Report results back to Council</b>	X	No		Yes	When	
<b>Citizen Presentation</b>		Yes	X	No	Name	
	<b>Workshop</b>	X	<b>Formal Agenda</b>		<b>Consent</b>	X <b>Individual Consideration</b>

**Summary:** Xcel Energy has approved the use of City/DDA selected pedestrian and street lights for 7<sup>th</sup> Street and the Rood Avenue Parking Structure. Xcel has requested that the City purchase the lights since they are not Xcel standard fixtures.

**Number of Lights by Location and Fixture Costs**

Location	Street Grand to Ute	Parking Structure	Total Fixtures	Cost Each	Total Cost
<b>Light Type</b>					
Pedestrian level	59	5	64	\$3,000	<b>\$192,000</b>
Overhead Street	19	0	19	\$4,607	<b>\$87,533</b>
Double Overhead Street	5	0	5	\$5,607	<b>\$28,035</b>
<b>Total Cost</b>					<b>\$307,568</b>

**Budget:** Accounts: 2011-F59600, 308-F63300

<b>Light Fixture &amp; Installation Costs by Location</b>	<b>7<sup>th</sup> Street South of Grand</b>	<b>Parking Structure</b>	<b>Total</b>
Ped./Street Lighting Materials	\$292,568	\$15,000	
Installation (estimated)	\$192,560	\$11,600	
<b>Total Lighting Costs</b>	<b>\$485,128</b>	<b>\$26,600</b>	<b>\$511,728</b>
<b>Funding Source by Project Account No.</b>			
2011-F59600 7 <sup>th</sup> St	\$335,500		
2011-F59600 7 <sup>th</sup> St - Additional Federal Enhancement Funds Requested	\$65,674		
308-F63300 Parking Structure		\$26,600	
Allocation of Extra 2007 ¾ cent sales tax revenues*	\$83,954	\$0	\$83,954
<b>Total Funding</b>	<b>\$485,128</b>	<b>\$26,600</b>	<b>\$511,728</b>

\*¾ cent CIP Sales Tax revenues are up 5.5% over budgeted amount of 8% which has generated sufficient funds to cover this expenditure. \$83,954 will need to be allocated in the 2007 CIP budget revisions this Fall to fund this amount on 7<sup>th</sup> St.

The budget for purchase of the 7<sup>th</sup> Street lights south of Grand and along Main Street from 7<sup>th</sup> to 8<sup>th</sup> Street is partially funded by a Federal Enhancement Grant of \$255,500 (80/20 Fed/City). CDOT has indicated that an additional \$65,674 of Federal funds may be available for purchase of these lights. These additional funds will require a 20% match by the City which will be \$16,419.

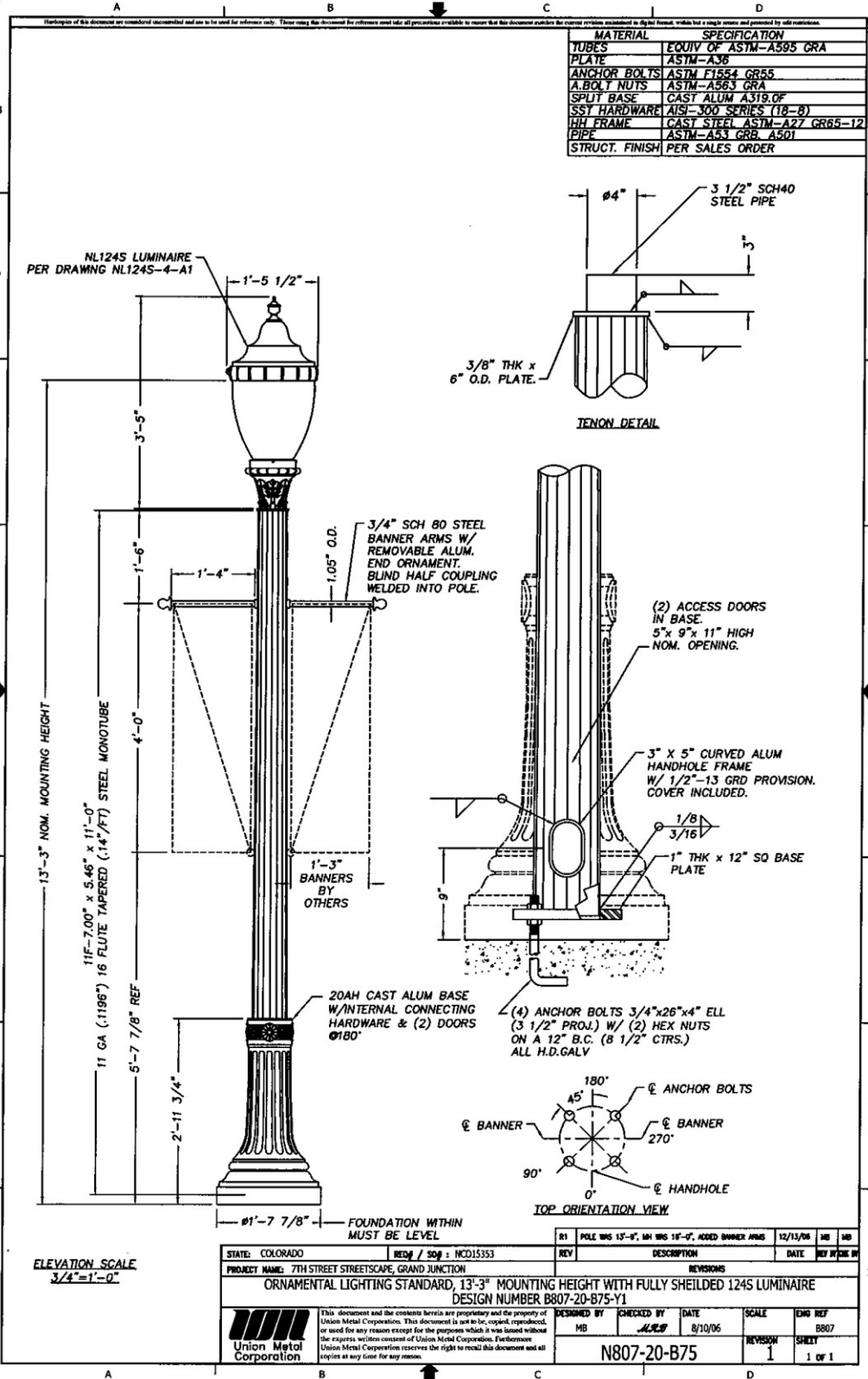
**Action Requested/Recommendation:** Authorize the City Manager to execute a contract for the purchase of the Union Metal's lighting fixtures for 7<sup>th</sup> Street and the Rood Avenue Parking Structure from Illumination Systems in the amount of \$307,568.

**Attachments:** Details for Union Metal's pedestrian light and overhead light.

**Background Information:**

The City, DDA, and Ciavonne, Roberts, & Associates selected the light fixtures to be used on 7<sup>th</sup> Street after a lengthy review process. These lights will become a City/DDA downtown standard and will be used on 7<sup>th</sup> Street, Colorado Avenue, Rood Avenue (Parking Structure), and future downtown locations. Xcel has agreed to install and maintain the lights selected for these projects. The City will be responsible for ordering the lights and maintaining an inventory of spare poles and fixtures. Xcel is working on a Memorandum of Agreement addressing the installation and maintenance of the lights and the City's responsibilities.

Illumination Systems estimates that the lights will be available 14 to 16 weeks from the order date which would be in the September to October time frame. Temporary lights are being installed on the 7<sup>th</sup> Street project until the new lights become available.



MATERIAL	SPECIFICATION
TUBES	EQUIV OF ASTM-A395 GRA
PLATE	ASTM-A36
ANCHOR BOLTS	ASTM F1554 GR55
A.BOLT NUTS	ASTM-A563 GRA
SPLIT BASE	CAST ALUM A319 OF
SST HARDWARE	AISI-300 SERIES (18-8)
HL FRAME	CAST STEEL ASTM-A27 GR85-12
PIPE	ASTM-A43 GRP. A520
STRUCT. FINISH	PER SALES ORDER

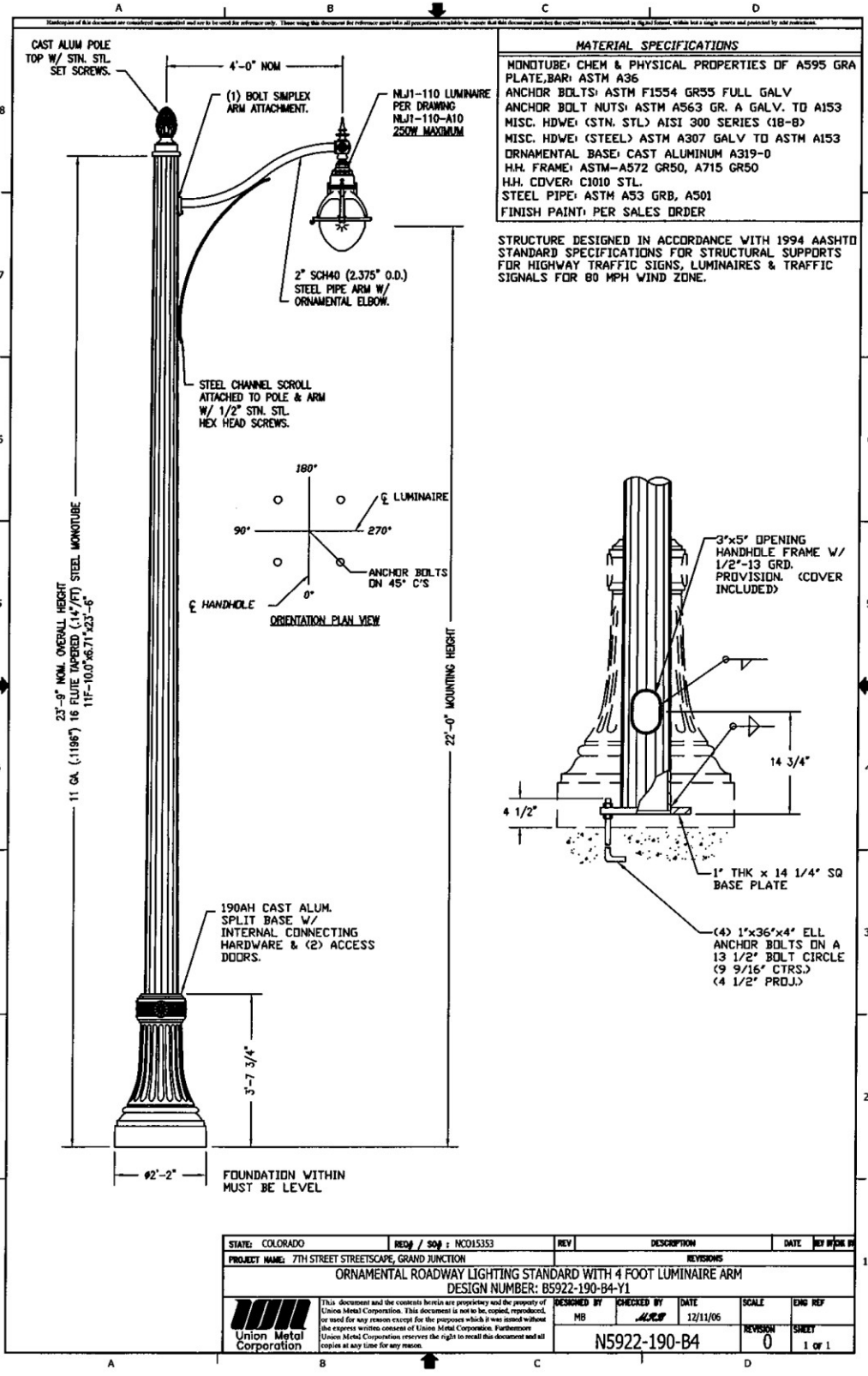
ELEVATION SCALE  
3/4"=1'-0"

STATE: COLORADO	REQ# / SUP# : NCO15353
PROJECT NAME: 7TH STREET STREETScape GRAND JUNCTION	REVISIONS
ORNAMENTAL LIGHTING STANDARD, 13'-3" MOUNTING HEIGHT WITH FULLY SHIELDED 124S LUMINAIRE DESIGN NUMBER B807-20-B75-Y1	



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R1	POLE HIG 13'-3", LH HIG 11'-0", ADDED BANNER ARMS	12/15/06	MB	MB
REV	DESCRIPTION	DATE	REV	BY/CHK BY
DESIGNED BY	CHECKED BY	DATE	SCALE	END REF
MB	MB	8/10/06		B807
N807-20-B75		REVISION	SHEET	
		1	1 OF 1	



**Attach 28**

Contract to Purchase Property at 524 Pitkin Avenue

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Contract to Purchase Property at 524 Pitkin Avenue					
<b>Meeting Date</b>	June 20, 2007					
<b>Date Prepared</b>	June 14, 2007				<b>File #</b>	
<b>Author</b>	John Shaver		City Attorney			
<b>Presenter Name</b>	John Shaver Laurie Kadrich		City Attorney Acting City Manager			
<b>Report results back to Council</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>When</b>	
<b>Citizen Presentation</b>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Name</b>	
	<b>Workshop</b>	<input checked="" type="checkbox"/>	<b>Formal Agenda</b>		<input type="checkbox"/>	<b>Consent</b>
						<input checked="" type="checkbox"/> <b>Individual Consideration</b>

**Summary:** Negotiations by City staff with the owners of 524 Pitkin Avenue, also known as Claire’s Auto, have been completed and a purchase contract has been signed by both parties.

**Budget:** This purchase is a City Council authorized expenditure.

**Action Requested/Recommendation:** Adopt Resolution Ratifying the Purchase Contract and Allocate the Funds Necessary to Pay the Purchase Price and all Costs and Expenses Necessary for the City’s Performance Under the Terms of the Contract.

**Attachment:** Proposed Resolution

**Background Information:** City staff believes it would be in the City’s best interests to acquire the property for municipal purposes.

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

**A RESOLUTION RATIFYING THE PURCHASE CONTRACT FOR THE PROPERTY  
LOCATED AT 524 PITKIN AVENUE, GRAND JUNCTION, COLORADO**

**RECITALS:**

On May 20, 2007, the City Manager signed an agreement to purchase the property located at 524 Pitkin Avenue, Grand Junction, Colorado, from Claire's Auto, Inc. The execution of the contract by the City Manager and the City's obligation to proceed under its terms and conditions was expressly conditioned upon and subject to the formal ratification, confirmation and consent of the City Council.

On May 18, 2007, the owners of the property signed the purchase contract, agreeing to the City's offer.

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

The City, by and through the City Council and the signature of its President, does hereby ratify the terms, covenants, conditions, duties and obligations to be performed by the City in accordance with the contract and allocates funds to pay the Purchase Price and all other costs and expenses necessary to perform under the contract.

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

Attest:

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

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