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**CITY COUNCIL AGENDA  
CITY HALL AUDITORIUM, 250 NORTH 5<sup>TH</sup> STREET  
WEDNESDAY, SEPTEMBER 19, 2007, 7:00 P.M.**

**Call to Order**

Pledge of Allegiance

**Proclamations and Recognitions**

USEPA Region 8 2007 Clean Water Act Recognition Award

**Certificates of Appointments**

To the Parks and Recreation Advisory Board

**Citizen Comments**

**\*\*\* CONSENT CALENDAR \*\*\*®**

**1. Setting a Hearing to Expand Designated Outdoor Dining Downtown [Attach 1](#)**

Some restaurant owners in the downtown area would like to expand their businesses to include sidewalk dining. This necessitates amending Chapter 32, Article III of the City Code of Ordinances, which regulates commercial use of public rights-of-way in the downtown area.

Proposed Ordinance Amending Chapter 32, Article III City Code of Ordinances, Regulating Commercial Use of Public Right-of-Way in Downtown Area, To Revise Designated Downtown Areas for Sidewalk Dining

**Action: Introduction of Proposed Ordinance and Set a Hearing for October 3, 2007**

\*\*\* Indicates New Item

® Requires Roll Call Vote

Staff presentation: John Shaver, City Attorney

2. **Setting a Hearing on the Rowell Rezone Located at 2593 G Road** [File #RZ-2007-048] [Attach 2](#)

Request to rezone 1.06 acres, located at 2593 G Road, from R-1 (Residential—1 du/ac) to R-2 (Residential—2 du/ac).

Proposed Ordinance Rezoning a Parcel of Land from Residential—One Unit Per Acre (R-1) to Residential—Two Units Per Acre (R-2) Located at 2593 G Road (Rowell Rezone)

*Action: Introduction of Proposed Ordinance and Set a Hearing for October 3, 2007*

Staff presentation: Ronnie Edwards, Associate Planner

3. **Setting a Hearing on the Timberline Steel Annexation Located at 2185 River Road** [File #ANX-2007-242] [Attach 3](#)

Request to annex 2 acres, located at 2185 River Road. The Timberline Steel Annexation consists of one parcel.

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

Resolution No. 132-07—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, Timberline Steel Annexation, Located at 2185 River Road

*®Action: Adopt Resolution No. 132-07*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Timberline Steel Annexation, Approximately 2 Acres, Located at 2185 River Road

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

Staff presentation: Faye Hall, Associate Planner

4. **Setting a Hearing on Crespin Annexation Located at 2930 D ½ Road** [File #ANX-2007-234] [Attach 4](#)

Request to annex 5.37 acres, located at 2930 D ½ Road. The Crespin Annexation consists of two parcels and is located on the north side of D ½ Road in the Pear Park area.

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

Resolution No. 133-07—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, Crespin Annexation, Located at 2930 D ½ Road and a Portion of the D ½ Road Right-of-Way

®Action: *Adopt Resolution No. 133-07*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Crespin Annexation, Approximately 5.37 Acres, Located at 2930 D ½ Road and a Portion of the D ½ Road Right-of-Way

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

Staff presentation: Faye Hall, Associate Planner

5. **Setting a Hearing on the Krabacher Annexation, Located at 2946 B ½ Road** [File #ANX-2007-241] [Attach 5](#)

Request to annex 10 acres, located at 2946 B ½ Road. The Krabacher Annexation consists of one parcel. This property is on the west side of 29 ½ Road directly north of B ½ Road on Orchard Mesa.

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

Resolution No. 134-07—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, Krabacher Annexation, Located at 2946 B ½ Road

®Action: *Adopt Resolution No. 134-07*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Krabacher Annexation, Approximately 10 Acres, Located at 2946 B ½ Road

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

Staff presentation: Faye Hall, Associate Planner

6. **Setting a Hearing on Zoning the Brady South Annexation, Located at 347 and 348 27 ½ Road and 2757 C ½ Road** [File #GPA-2006-051] [Attach 6](#)

SLB Enterprises LLC, owners of the properties located at 347 and 348 27 ½ Road and 2757 C ½ Road are requesting zoning of the properties from County Heavy Industrial (I-2) to Light Industrial (I-1) and Industrial Office (I-O). Planning Commission heard the request at its September 11, 2007 meeting and recommended approval of the Industrial/Office Park (I-O) zoning for all three parcels.

Proposed Ordinance Zoning the Brady South Annexation to Industrial/Office Park (I-O) Zone District, Located at 347 and 348 27 ½ Road and 2757 C ½ Road

Action: *Introduction of Proposed Ordinance and Set a Hearing for October 3, 2007*

Staff presentation: Kristen Ashbeck, Senior Planner

7. **Setting a Hearing to Create the Galley Lane Sanitary Sewer Improvement District No. SS-49-07** [Attach 7](#)

A majority of the owners of real estate located in the area of Young Street between F ½ Road and Galley Lane have submitted a petition requesting an improvement district be created to provide sanitary sewer service to their respective properties, utilizing the septic sewer elimination program to help reduce assessments levied

against the affected properties. The proposed Resolution is the required first step in the formal process of creating the proposed improvement district.

Resolution No. 135-07—A Resolution Declaring the Intention of the City Council of the City of Grand Junction, Colorado, to Create Within Said City, the Galley Lane Sanitary Sewer Improvement District No. SS-49-07, Authorizing the City Utility Engineer to Prepare Details and Specifications for the Same and Giving Notice of a Hearing

®Action: *Adopt Resolution No. 135-07 and Set a Public Hearing for November 7, 2007*

Staff presentation: Tim Moore, Public Works and Planning Director

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

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

- 8. **Public Hearing—Assessments for Sanitary Sewer Improvement District No. SS-48-06 (East of 23 Road and Between Terry Court and the Colorado River)** [Attach 8](#)

The City has completed the installation of sanitary sewer facilities as requested by a majority of the property owners to be assessed, located in the area east of 23 Road and between Terry Court and the Colorado River.

Ordinance No. 4116—An Ordinance Approving the Assessable Cost of the Improvements made in and for Bluffs Sanitary Sewer Improvement District No. SS-48-06, in the City of Grand Junction, Colorado, Pursuant to Ordinance No. 178, Adopted and Approved the 11th Day of June, 1910, As Amended; Approving the Apportionment of Said Cost to Each Lot or Tract of Land or Other Real Estate in Said District; Assessing the Share of Said Cost Against Each Lot or Tract of Land or Other Real Estate in Said District; Approving the Apportionment of Said Cost and Prescribing the Manner for the Collection and Payment of Said Assessment

®Action: *Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4116*

Staff presentation: Tim Moore, Public Works and Planning Director

9. **Public Hearing—Vacating an Existing Alley Right-of-Way Located Adjacent to Mesa State College Properties—1257 Elm Avenue and 1260 Kennedy Avenue**  
[File #VR-2007-177] [Attach 9](#)

The petitioner, Mesa State College, is requesting to vacate an existing alley right-of-way located west of 13<sup>th</sup> Street between Elm and Kennedy Avenue, adjacent to Mesa State properties for the benefit of current building expansions. The Planning Commission recommended approval of the proposed alley right-of-way vacation at their August 14, 2007 meeting.

Ordinance No. 4117—An Ordinance Vacating an Alley Right-of-Way Adjacent to Mesa State College Properties Located at 1257 Elm Avenue and 1260 Kennedy Avenue

*®Action: Hold a Public Hearing and Consider Final Passage and Publication of Ordinance No. 4117*

Staff presentation: Scott D. Peterson, Senior Planner

10. **Public Hearing—Sunpointe North Subdivision Growth Plan Amendment, Located in the Southwest Corner of 26 Road and G ½ Road** [File #GPA-2007-058] [Attach 10](#)

There is an apparent error on the Future Land Use Map that shows 0.359 acres, surrounded by Lujan Circle, in the Sunpointe North Subdivision, designated as a Park. The entire subdivision is zoned R-2. Had the Park designation been correct, the subject parcel should have been zoned to CSR (Community Services and Recreation) upon annexation.

Resolution No. 136-07—A Resolution Amending the Growth Plan of the City of Grand Junction on 0.359 Acres in the Center of Lujan Circle, Shown on the Sunpointe North Subdivision Plat, the Southwest Corner of 26 Road and G ½ Road

*®Action: Hold a Public Hearing and Adopt Resolution No. 136-07*

Staff presentation: Lori V. Bowers, Senior Planner

11. **Non-Scheduled Citizens and Visitors**

12. **Other Business**

13. **Adjournment**

**Attach 1**  
**Setting a Hearing Expanding Outdoor Dining Downtown**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Amend Chapter 32, Article III of City Code of Ordinances to Expand Designated Outdoor Dining Areas in Downtown Grand Junction		
<b>File #</b>			
<b>Meeting Day, Date</b>	Wednesday, September 19, 2007		
<b>Placement on the Agenda</b>	<b>Consent</b>	<b>X</b>	<b>Individual</b>
<b>Date Prepared</b>	September 13, 2007		
<b>Author Name &amp; Title</b>	John Shaver, City Attorney		
<b>Presenter Name &amp; Title</b>	John Shaver, City Attorney		

**Summary:** Some restaurant owners in the downtown area would like to expand their businesses to include sidewalk dining. This necessitates amending Chapter 32, Article III of the City Code of Ordinances, which regulates commercial use of public rights-of-way in the downtown area.

**Budget:** This is budget neutral .

**Action Requested/Recommendation:** Introduce and pass for publication on first reading a proposed ordinance which will allow the expansion of sidewalk dining in the downtown area.

**Attachments:** Proposed Ordinance

**Background Information:** The DDA has been approached by some downtown restaurant owners asking permission to expand their operations to include sidewalk dining. Because of increased growth and development in the downtown area, the definition of the Downtown Shopping Park or Downtown Park needs to be revised to expand the downtown area regulated by the DDA and accommodate new restaurants and businesses wishing to use City rights-of-way for their restaurant operations.



**CITY OF GRAND JUNCTION**

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

**AN ORDINANCE AMENDING CHAPTER 32, ARTICLE III, CITY CODE OF ORDINANCES, REGULATING COMMERCIAL USE OF PUBLIC RIGHT-OF-WAY IN DOWNTOWN AREA, TO REVISE DESIGNATED DOWNTOWN AREAS FOR SIDEWALK DINING**

Recitals.

Since its inception, the City of Grand Junction Downtown Development Authority (“DDA”) has exercised delegated authority from the City Council, pursuant to Ordinance No. 1989, adopted in 1981. The DDA has been responsible for regulating the use of the City’s rights-of-way in the area of Main Street between First and Seventh Streets.

Activities that occur Downtown have enhanced the City. While Ordinance No. 1989 was updated in 2002 by Ordinance No. 3422, there has been new development and growth that will further enhance the downtown area, specifically the use of the City’s rights-of-way for sidewalk restaurant dining. The current ordinance permits this activity but the downtown area designated for sidewalk dining could be expanded to include new or expanding restaurant uses.

For these reasons, the City Council finds that there are no obvious detriments, while there are clear benefits to expanding the authority of the DDA to manage commercial activity in the downtown rights-of-way, specifically defined as the “Downtown Shopping Park” or “Downtown Park”.

It is the Council’s intent to delegate to the DDA Board of Directors and where appropriate the DDA Director, the City Council’s powers and related duties, liabilities and obligations, pursuant to §127 of the City Charter, except as provided herein.

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

1. That the definition of the “Downtown Shopping Park or Downtown Park” in Section 32-62 of Chapter 32, Article III, of the City Code of Ordinances be revised to read as follows:

*Downtown Shopping Park or Downtown Park*” means that portion of the City right-of-way of: 1) Main Street bounded on the west by the east intersection line of Second Street; on the east to and including Eighth Street; 2) Colorado Avenue bounded on the west by the east intersection line of Second Street; on the east to and including Seventh Street; and 3) Seventh Street bounded on the north by the south intersection line of White Avenue and bounded south through and including Colorado Avenue.

2. All other sections of Chapter 32 shall remain as written and in full force and effect.

INTRODUCED on FIRST READING this \_\_\_\_ day of \_\_\_\_\_, 2007.

ADOPTED on SECOND READING this \_\_\_\_ day of \_\_\_\_\_ 2007.

ATTEST:

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

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

**Attach 2**  
**Setting a Hearing on the Rowell Rezone Located at 2593 G Road**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Rowell Rezone - Located at 2593 G Road.		
<b>File #</b>	RZ-2007-048		
<b>Meeting Day, Date</b>	Wednesday, September 19, 2007		
<b>Placement on the Agenda</b>	<b>Consent</b>	<b>X</b>	<b>Individual</b>
<b>Date Prepared</b>	September 5, 2007		
<b>Author Name &amp; Title</b>	Ronnie Edwards, Associate Planner		
<b>Presenter Name &amp; Title</b>	Ronnie Edwards, Associate Planner		

**Summary:** Request to rezone 1.06 acres, located at 2593 G Road, from R-1 (Residential – 1 du/ac) to R-2 (Residential – 2 du/ac).

**Budget:** N/A

**Action Requested/Recommendation:** Introduce a proposed ordinance and set a public hearing for October 3, 2007.

**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

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

BACKGROUND INFORMATION				
Location:		2593 G Road		
Applicants:		Todd Rowell		
Existing Land Use:		Residential Single Family		
Proposed Land Use:		Residential Single Family		
Surrounding Land Use:	North	Residential Single Family/Vacant		
	South	Residential Single Family		
	East	Residential Single Family		
	West	Residential Single Family/Vacant		
Existing Zoning:		R-1 (Residential – 1du/ac)		
Proposed Zoning:		R-2 (Residential – 2du/ac)		
Surrounding Zoning:	North	R-2 (Residential – 2 du/ac)		
	South	R-1 (Residential – 1du/ac)		
	East	R-1 (Residential – 1du/ac)		
	West	R-2 (Residential – 2 du/ac)		
Growth Plan Designation:		Residential Low (1/2-2 ac/du)		
Zoning within density range?		X	Yes	No

**Staff Analysis:**

1. Background:

The subject property was annexed in August of 2000 with the G Road South Enclave. The property was zoned RSF-1 with the annexation as that was equivalent to the existing Mesa County zone district. The Future Growth Plan designation for this property and adjacent parcels is Residential Low (1/2 - 2 ac/du). Zoning to the north and west is R-2 (Residential – 2 du/ac) and to the south and east is R-1 (Residential – 1 du/ac).

Properties in the area have developed residentially, consistent with the Growth Plan and Future Land Use Map. The bulk standards for R-1 and R-2 include the same required setbacks for principal structures. Furthermore, the adjacent property to the west was rezoned in April of 2006 from R-1 to R-2 and is currently being reviewed for a proposed residential subdivision.

2. Rezone Criteria of the Zoning and Development Code:

In order to maintain internal consistency between the Code and the Zoning Maps, map amendments and rezones must demonstrate conformance with all of the following criteria for approval:

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

The existing zone district of R-1 was imposed only because it was equivalent to Mesa County zoning at the time of annexation. The proposed R-2 zoning is consistent with the Growth Plan.

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

Property in the area has been developing at a density consistent with the Growth Plan.

3. *The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances*

The proposed rezone will allow a future two lot simple subdivision that will be compatible with existing and surrounding land uses, and will not create adverse impacts.

4. *The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the requirements of this Code and other City regulations and guidelines*

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

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

The proposed zoning district of R-2 supports the land use classification of Residential Low and is consistent with the goals and policies of the Growth Plan and Future Land Use Map. Any future development will be reviewed for consistency with other adopted plans and City regulations.

5. *Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development*

Adequate public facilities are currently available adjacent to the site from the proposed residential subdivision to the west.

6. *There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs*

The Future Land Use designation of Residential Low (1/2 – 2 acres/unit) would allow for a range of densities, as R-E, R-1 and R-2. The R-2 zone district provides a transition between the varying densities in the area.

7. *The community or neighborhood will benefit from the proposed zone*

The proposed rezone would allow for a future residential lot to be developed, resulting in sewer extensions from the west and transitional density within the neighborhood.

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

After reviewing the Rowell Rezone, RZ-2007-048, a request to rezone property from R-1 to R-2, the following findings of fact and conclusions have been determined:

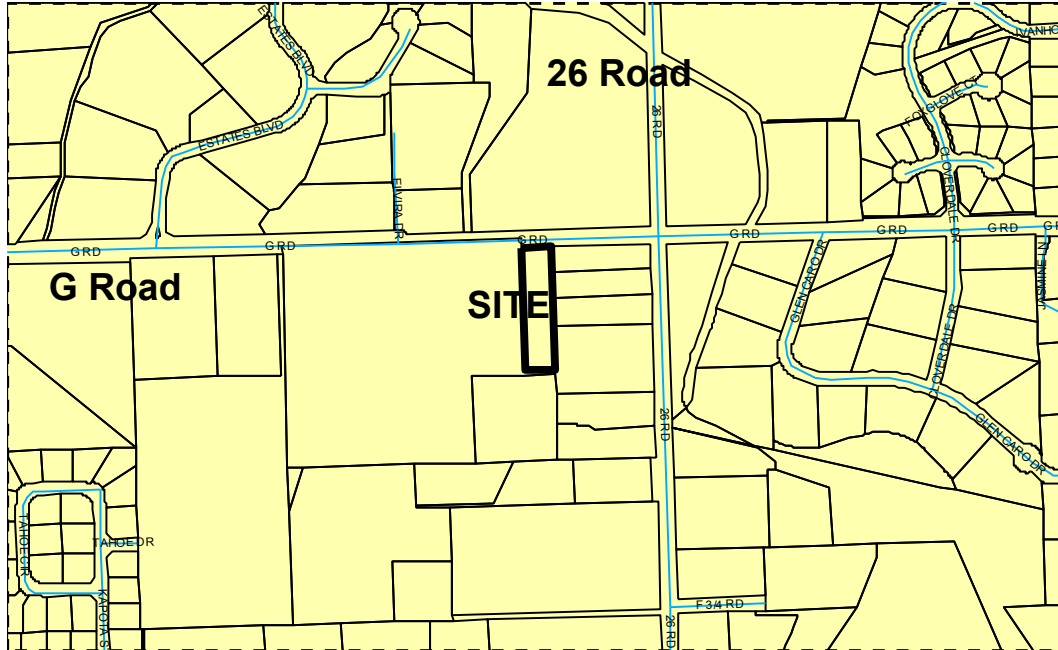
1. The requested rezone is consistent with the goals and policies of the Growth Plan.
2. The review criteria in Section 2.6.A of the Zoning and Development Code have all been met.

#### **PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission recommended approval of the requested rezone to the City Council, finding the zoning from R-1 (Residential - 1 du/ac) zone district to R-2 (Residential - 2 du/ac) zone district, to be consistent with the goals and policies of the Growth Plan and Section 2.6.A of the Zoning and Development Code.

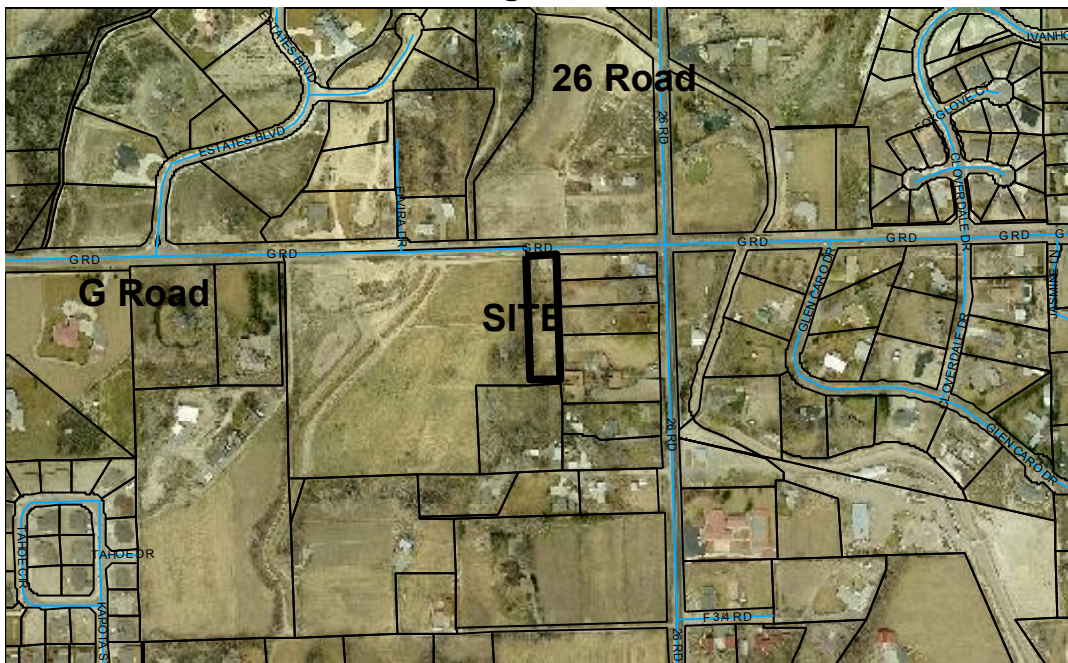
# Site Location Map

Figure 1



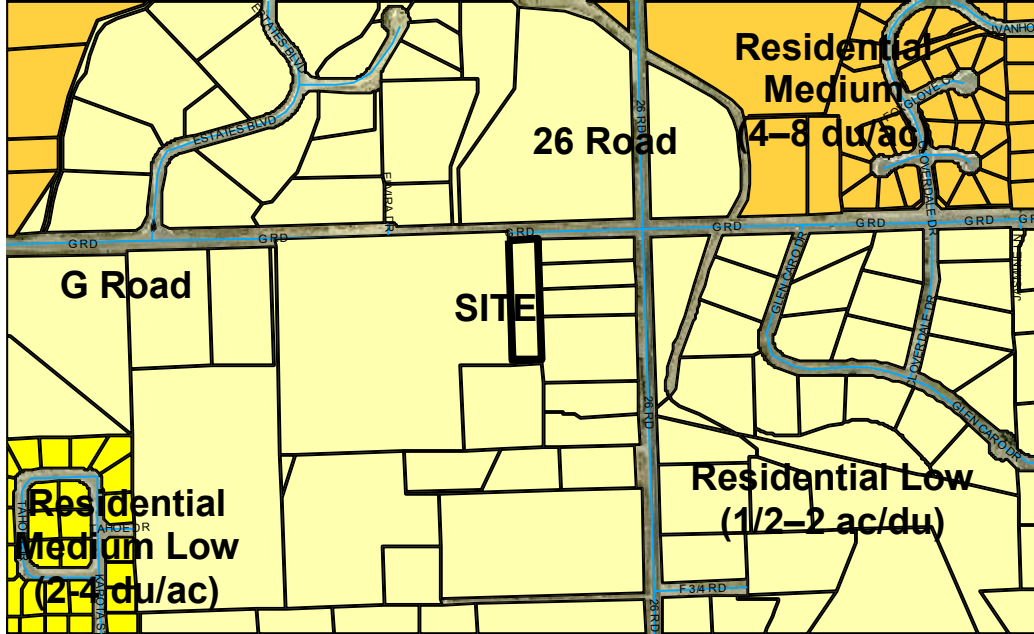
# Aerial Photo Map

Figure 2



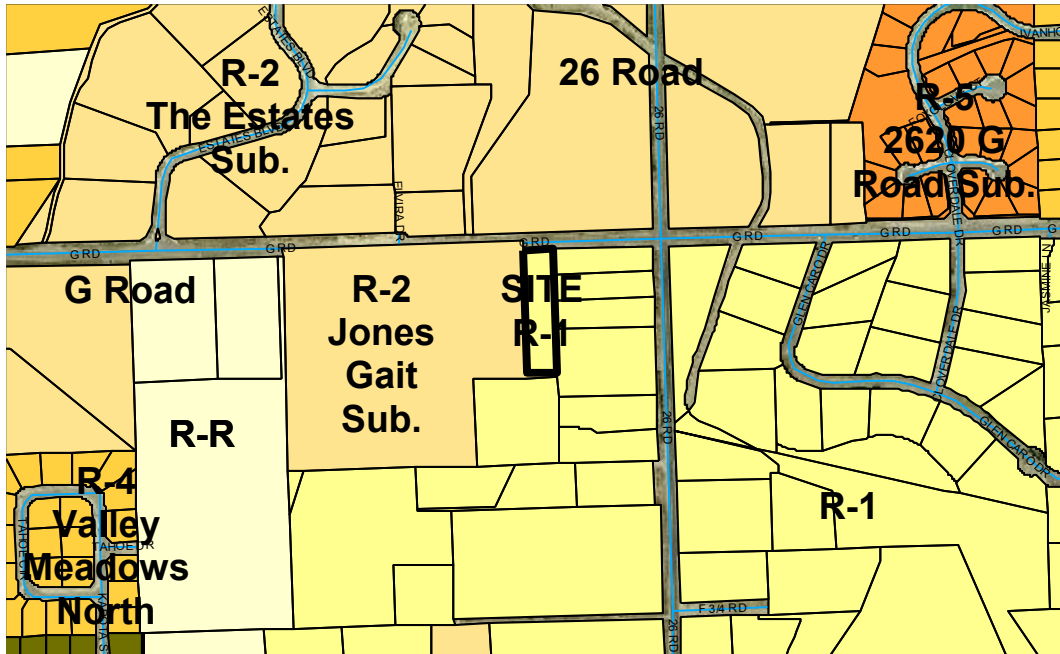
# Future Land Use Map

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 PARCEL OF LAND FROM  
RESIDENTIAL - ONE UNIT PER ACRE (R-1) TO  
RESIDENTIAL - TWO UNITS PER ACRE (R-2)  
LOCATED AT 2593 G ROAD (ROWELL REZONE)**

Recitals.

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.

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

Beginning at a point 372.38 feet west of the northeast corner of Section 3, T1S, R1W of the UM, thence south 474.18 feet; thence west 110 feet; thence north 474.18 feet; thence east 110 feet to the point of beginning, except the north 30 feet for County Road, except south 12 feet as described in deed recorded June 23, 1966 in Book 897 at Page 753, Mesa County, Colorado.

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

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

Attest:

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

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

**Attach 3**  
**Setting a Hearing on the Timberline Steel Annexation**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Timberline Steel Annexation - Located at 2185 River Road		
<b>File #</b>	ANX-2007-242		
<b>Meeting Day, Date</b>	Wednesday, September 19, 2007		
<b>Placement on the Agenda</b>	<b>Consent</b>	<b>X</b>	<b>Individual</b>
<b>Date Prepared</b>	September 5, 2007		
<b>Author Name &amp; Title</b>	Faye Hall – Associate Planner		
<b>Presenter Name &amp; Title</b>	Faye Hall – Associate Planner		

**Summary:** Request to annex 2 acres, located at 2185 River Road. The Timberline Steel Annexation consists of one parcel.

**Budget:** N/A

**Action Requested/Recommendation:** Adopt a Resolution referring the petition for the Timberline Steel Annexation and introduce the proposed Ordinance and set a hearing for November 7, 2007.

**Attachments:**

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

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

STAFF REPORT / BACKGROUND INFORMATION				
<b>Location:</b>		2185 River Road		
<b>Applicants:</b>		Owner: McCallin Real Estate, LLC – Jeff Henke Representative: Vortex Engineering, Inc. – Robert Jones II		
<b>Existing Land Use:</b>		Vacant		
<b>Proposed Land Use:</b>		Outdoor Storage		
<b>Surrounding Land Use:</b>	<b>North</b>	Commercial		
	<b>South</b>	Industrial		
	<b>East</b>	Industrial – Timberline Steel		
	<b>West</b>	Industrial		
<b>Existing Zoning:</b>		County PUD		
<b>Proposed Zoning:</b>		I-1 (Light Industrial)		
<b>Surrounding Zoning:</b>	<b>North</b>	C-2 (General Commercial)		
	<b>South</b>	County PUD (Planned Unit Development)		
	<b>East</b>	I-2 (General Industrial)		
	<b>West</b>	C-2 (General Commercial)		
<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 2 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 Timberline Steel Annexation is eligible to be annexed because of compliance with the following:

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

The following annexation and zoning schedule is being proposed.

<b><i>ANNEXATION SCHEDULE</i></b>	
<b>September 19, 2007</b>	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
<b>September 25, 2007</b>	Planning Commission considers Zone of Annexation
<b>October 17, 2007</b>	Introduction of a proposed Ordinance on Zoning by City Council
<b>November 7, 2007</b>	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
<b>December 8, 2007</b>	Effective date of Annexation and Zoning

**TIMBERLINE STEEL ANNEXATION SUMMARY**

<b>File Number:</b>	ANX-2007-242	
<b>Location:</b>	2185 River Road	
<b>Tax ID Number:</b>	2697-364-10-006	
<b>Parcels:</b>	1	
<b>Estimated Population:</b>	0	
<b># of Parcels (owner occupied):</b>	0	
<b># of Dwelling Units:</b>	0	
<b>Acres land annexed:</b>	2	
<b>Developable Acres Remaining:</b>	2	
<b>Right-of-way in Annexation:</b>	0	
<b>Previous County Zoning:</b>	PUD (Planned Unit Development)	
<b>Proposed City Zoning:</b>	I-1 (Light Industrial)	
<b>Current Land Use:</b>	Vacant	
<b>Future Land Use:</b>	Outdoor Storage	
<b>Values:</b>	<b>Assessed:</b>	\$94,740
	<b>Actual:</b>	\$326,700
<b>Address Ranges:</b>	2183 thru 2185 River Road (Odd only)	
<b>Special Districts:</b>	<b>Water:</b>	Ute Water
	<b>Sewer:</b>	Persigo
	<b>Fire:</b>	Grand Junction Rural
	<b>Irrigation/ Drainage:</b>	Grand Valley Irrigation Grand Junction Drainage District
	<b>School:</b>	District 51
	<b>Pest:</b>	N/A

# Annexation / Site Location Map

Figure 1



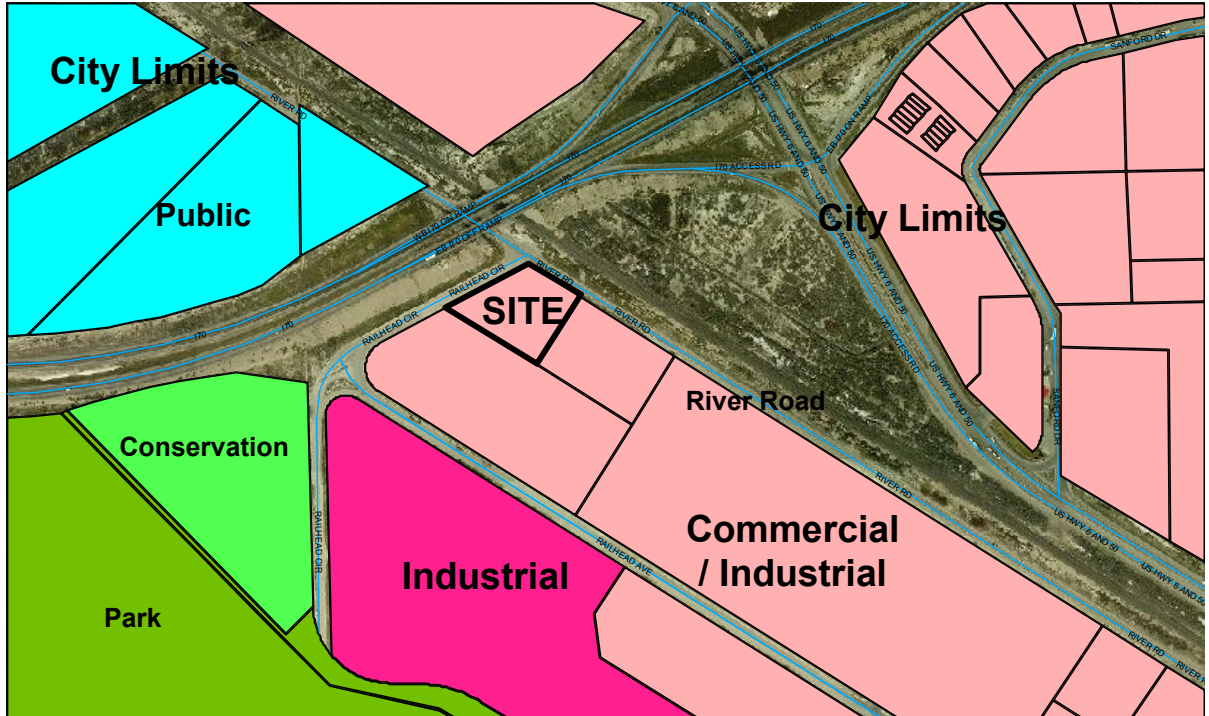
# Aerial Photo Map

Figure 2



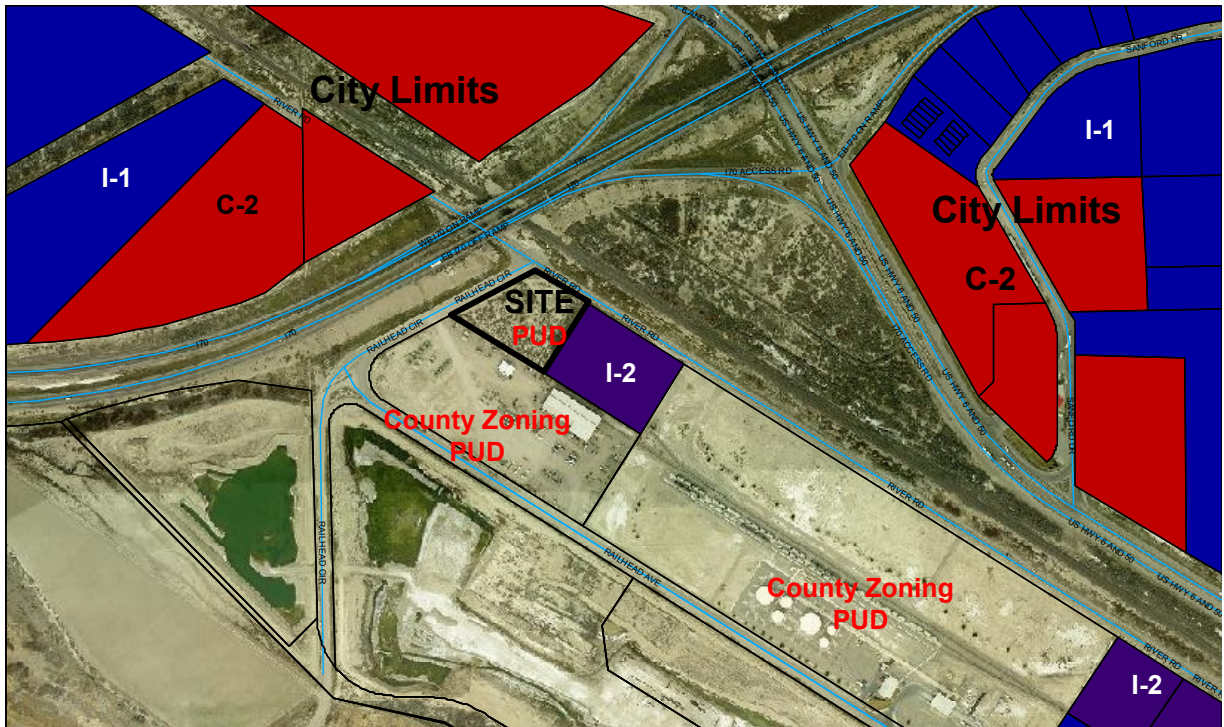
# Future Land Use Map

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 19<sup>th</sup> of September, 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**

**TIMBERLINE STEEL ANNEXATION**

**LOCATED AT 2185 RIVER ROAD.**

WHEREAS, on the 19th day of September, 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:

**TIMBERLINE STEEL ANNEXATION**

A parcel of land located in the Southeast Quarter (SE 1/4) of Section 36, Township 1 North, Range 2 West of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the Northerly corner of Block 1 in Railhead Industrial Park As Amended, Plat Book 13, Page 34, Mesa County Colorado records, said Northerly corner also being a point on Persigo Annexation No. 2, Ordinance No.2556, City of Grand Junction, and assuming the Northerly line of said Block 1 to bear N56°20'29"W with all bearings contained herein relative thereto; thence S56°20'29"E, along the said Northerly line of Block 1, said line being a portion of the perimeter of said Persigo Annexation No. 2, a distance of 219.05 feet to a point on the Westerly boundary of Steel Inc. Annexation, Ordinance No. 3094, City of Grand Junction; thence S33°54'49"W, along the said Westerly line of Steel Inc. Annexation, a distance of 288.96 feet; thence N56°29'47"W a distance of 383.15 feet to a point on the Northwesterly line of said Block 1, also being a point on the perimeter of said Persigo Annexation No. 2; thence N63°21'20"E, along the said Northwesterly line of Block 1, said line also being a portion of the perimeter of said Persigo Annexation No. 2, a distance of 333.83 feet, more or less, to the Point of Beginning.

Containing 87,117 square feet (2.00 acres), 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 7<sup>th</sup> day of November, 2007, in the City Hall auditorium, located at 250 North 5<sup>th</sup> Street, City of Grand Junction, Colorado, at 7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Public Works and Planning Department of the City.

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

Attest:

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

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

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

---

City Clerk

<i><b>DATES PUBLISHED</b></i>
<b>September 21, 2007</b>
<b>September 28, 2007</b>
<b>October 5, 2007</b>
<b>October 12, 2007</b>

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**TIMBERLINE STEEL ANNEXATION**

**APPROXIMATELY 2 ACRES**

**LOCATED AT 2185 RIVER ROAD**

**WHEREAS**, on the 19<sup>th</sup> day of September, 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 7<sup>th</sup> day of November, 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:

**TIMBERLINE STEEL ANNEXATION**

A parcel of land located in the Southeast Quarter (SE 1/4) of Section 36, Township 1 North, Range 2 West of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the Northerly corner of Block 1 in Railhead Industrial Park As Amended, Plat Book 13, Page 34, Mesa County Colorado records, said Northerly corner also being a point on Persigo Annexation No. 2, Ordinance No.2556, City of Grand Junction, and assuming the Northerly line of said Block 1 to bear N56°20'29"W with all bearings contained herein relative thereto; thence S56°20'29"E, along the said Northerly line of Block 1, said line being a portion of the perimeter of said Persigo Annexation No. 2, a distance of 219.05 feet to a point on the Westerly boundary of

Steel Inc. Annexation, Ordinance No. 3094, City of Grand Junction; thence S33°54'49"W, along the said Westerly line of Steel Inc. Annexation, a distance of 288.96 feet; thence N56°29'47"W a distance of 383.15 feet to a point on the Northwesterly line of said Block 1, also being a point on the perimeter of said Persigo Annexation No. 2; thence N63°21'20"E, along the said Northwesterly line of Block 1, said line also being a portion of the perimeter of said Persigo Annexation No. 2, a distance of 333.83 feet, more or less, to the Point of Beginning.

Containing 87,117 square feet (2.00 acres), more or less, as described.

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

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

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

Attest:

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

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

**Attach 4**  
**Setting a Hearing on Crespin Annexation Located at 2930 D ½ Road**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Crespin Annexation - Located at 2930 D ½ Road		
<b>File #</b>	ANX-2007-234		
<b>Meeting Day, Date</b>	Wednesday, September 19, 2007		
<b>Placement on the Agenda</b>	<b>Consent</b>	<b>X</b>	<b>Individual</b>
<b>Date Prepared</b>	September 5, 2007		
<b>Author Name &amp; Title</b>	Faye Hall – Associate Planner		
<b>Presenter Name &amp; Title</b>	Faye Hall – Associate Planner		

**Summary:** Request to annex 5.37 acres, located at 2930 D ½ Road. The Crespin Annexation consists of two parcels and is located on the north side of D ½ Road in the Pear Park area.

**Budget:** N/A

**Action Requested/Recommendation:** Adopt a Resolution referring the petition for the Crespin Annexation and introduce the proposed Ordinance and set a hearing for November 7, 2007

**Attachments:**

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

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

**STAFF REPORT / BACKGROUND INFORMATION**

<b>Location:</b>		2930 D ½ Road		
<b>Applicants:</b>		Owner: Zeck Homes, Inc. – Brooke Bray		
<b>Existing Land Use:</b>		Single Family Residential		
<b>Proposed Land Use:</b>		Single Family Residential		
<b>Surrounding Land Use:</b>	<b>North</b>	Railroad Tracks and Commercial		
	<b>South</b>	Single Family Residential		
	<b>East</b>	Single Family Residential		
	<b>West</b>	Single Family Residential & Commercial		
<b>Existing Zoning:</b>		County I-2 and RSF-R		
<b>Proposed Zoning:</b>		R-8 (Residential, 8 units per acre)		
<b>Surrounding Zoning:</b>	<b>North</b>	C-2 (General Commercial)		
	<b>South</b>	City CSR and County RSF-R		
	<b>East</b>	R-8 (Residential, 8 units per acre)		
	<b>West</b>	County I-2 and City R-4		
<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 5.37 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 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 Crespin 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>September 19, 2007</b>	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
<b>September 25, 2007</b>	Planning Commission considers Zone of Annexation
<b>October 17, 2007</b>	Introduction of a proposed Ordinance on Zoning by City Council
<b>November 7, 2007</b>	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
<b>December 8, 2007</b>	Effective date of Annexation and Zoning

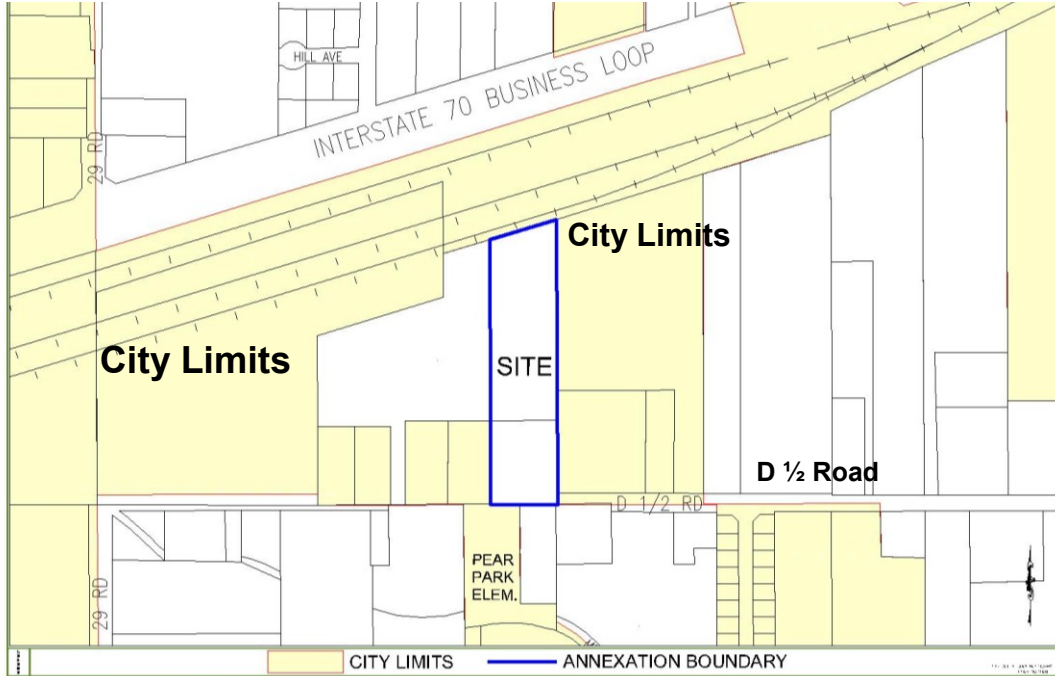


**CRESPIN ANNEXATION SUMMARY**

<b>File Number:</b>	ANX-2007-234	
<b>Location:</b>	2930 D ½ Road	
<b>Tax ID Number:</b>	2943-172-00-220 and 2943-172-00-221	
<b>Parcels:</b>	2	
<b>Estimated Population:</b>	4	
<b># of Parcels (owner occupied):</b>	0	
<b># of Dwelling Units:</b>	2	
<b>Acres land annexed:</b>	5.37 acres	
<b>Developable Acres Remaining:</b>	5.21 acres	
<b>Right-of-way in Annexation:</b>	7136 sq ft (.16 acres)	
<b>Previous County Zoning:</b>	I-2 and RSF-R	
<b>Proposed City Zoning:</b>	R-8 (Residential, 8 units per acre)	
<b>Current Land Use:</b>	Residential	
<b>Future Land Use:</b>	Residential	
<b>Values:</b>	<b>Assessed:</b>	\$9880
	<b>Actual:</b>	\$123,520
<b>Address Ranges:</b>	2928 thru 2930 D ½ Road (even 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 Valley Irrigation Grand Junction Drainage District
	<b>School:</b>	District 51
	<b>Pest:</b>	N/A

# Site Location Map

Figure 1



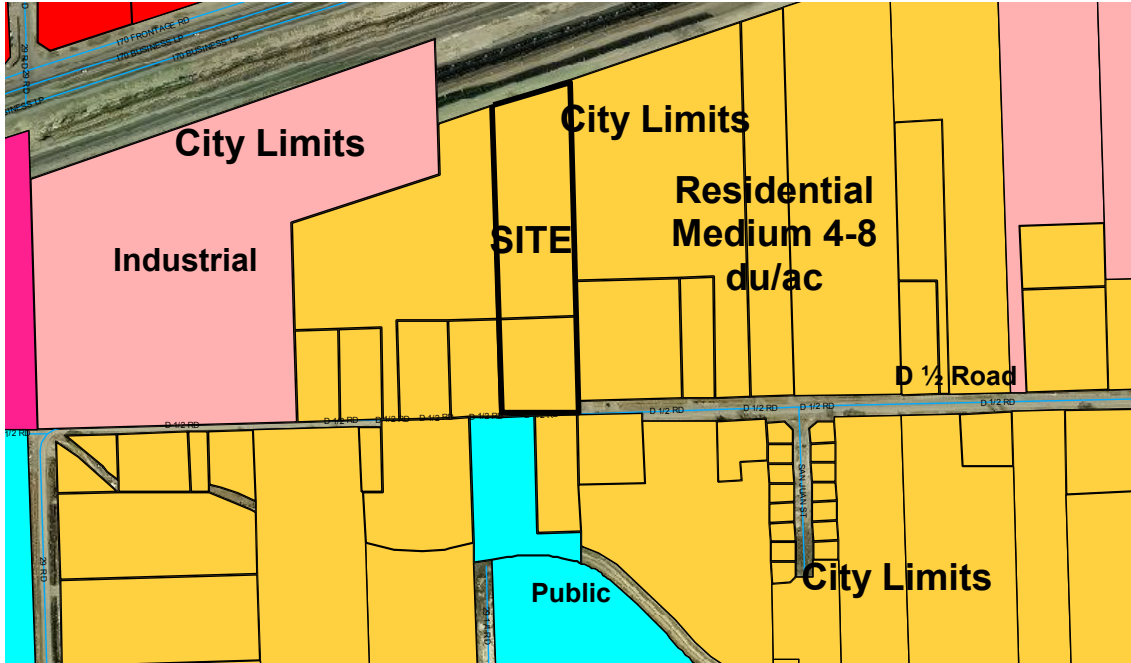
# Aerial Photo Map

Figure 2



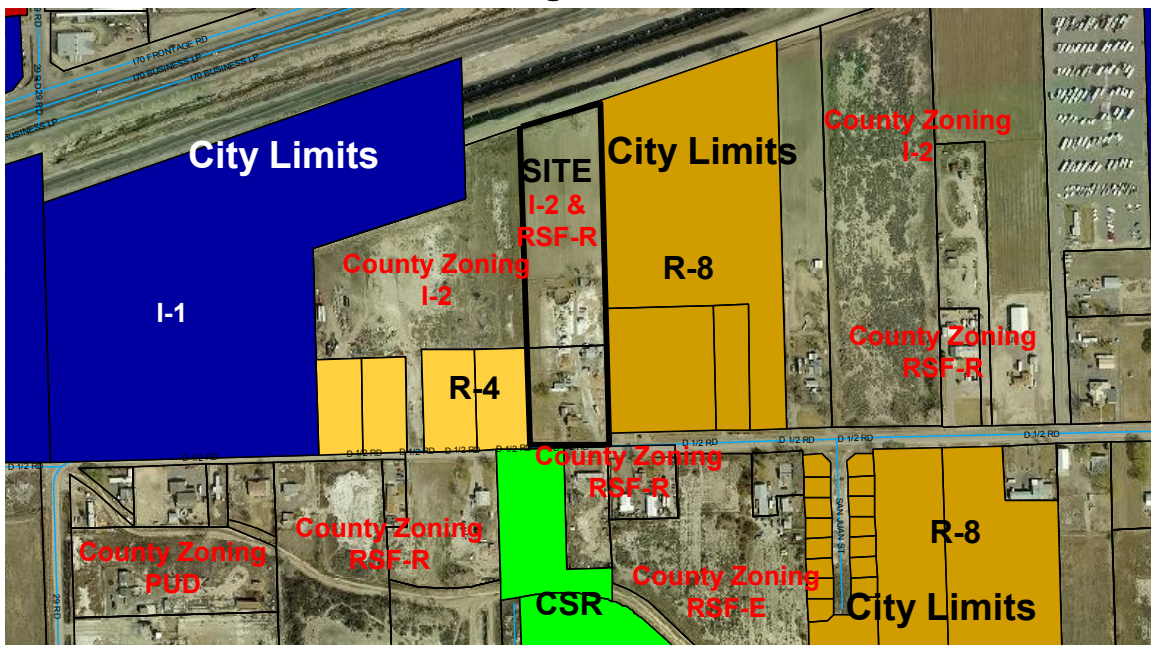
# Future Land Use Map

Figure 3



# Existing City and County Zoning

Figure 4



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 19<sup>th</sup> of September, 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**

**CRESPIN ANNEXATION**

**LOCATED AT 2930 D ½ ROAD AND A PORTION OF THE D ½ ROAD RIGHT-OF-WAY**

WHEREAS, on the 19th day of September, 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:

**CRESPIN ANNEXATION**

A parcel of land located in the Southeast Quarter of the Northwest Quarter (SE1/4 NW 1/4) of Section 17, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado being more particularly described as follows:

All that portion of the West Quarter (W1/4) of the said SE1/4 NW1/4 of Section 17, lying North of the South line of said SE1/4 NW1/4, said South line also being the North line of Siena View Annexation No. 1, Ordinance No. 3500, City of Grand Junction, and South of the South line of Southern Pacific Railroad Annexation No. 1, Ordinance No. 3158, City of Grand Junction, and West of the West line of Beagley II Annexation, Ordinance No. 3795, City of Grand Junction, and East of the East line of Detmer II Annexation No. 3, Ordinance No. 3487, City of Grand Junction, as said East line is extended North and South.

CONTAINING 5.37 acres (233,922.62 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 7<sup>th</sup> day of November, 2007, in the City Hall auditorium, located at 250 North 5<sup>th</sup> Street, City of Grand Junction, Colorado, at 7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Public Works and Planning Department of the City.

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

Attest:

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

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

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

---

City Clerk

<i><b>DATES PUBLISHED</b></i>
<b>September 21, 2007</b>
<b>September 28, 2007</b>
<b>October 5, 2007</b>
<b>October 12, 2007</b>

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**CRESPIN ANNEXATION**

**APPROXIMATELY 5.37 ACRES**

**LOCATED AT 2930 D ½ ROAD AND A PORTION OF THE D ½ ROAD RIGHT-OF-WAY**

**WHEREAS**, on the 19<sup>th</sup> day of September, 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 7<sup>th</sup> day of November, 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:

**CRESPIN ANNEXATION**

A parcel of land located in the Southeast Quarter of the Northwest Quarter (SE1/4 NW 1/4) of Section 17, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado being more particularly described as follows:

All that portion of the West Quarter (W1/4) of the said SE1/4 NW1/4 of Section 17, lying North of the South line of said SE1/4 NW1/4, said South line also being the North line of Siena View Annexation No. 1, Ordinance No. 3500, City of Grand Junction, and South of the South line of Southern Pacific Railroad Annexation No. 1, Ordinance No. 3158, City of Grand Junction, and West of the West line of Beagley II Annexation, Ordinance No. 3795, City of Grand Junction, and East of the East line of Detmer II



Annexation No. 3, Ordinance No. 3487, City of Grand Junction, as said East line is extended North and South.

CONTAINING 5.37 acres (233,922.62 square feet), more or less, as described.

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

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

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

Attest:

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

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

**Attach 5**  
**Setting a Hearing on the Krabacher Annexation**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Krabacher Annexation - Located at 2946 B ½ Road		
<b>File #</b>	ANX-2007-241		
<b>Meeting Day, Date</b>	Wednesday, September 19, 2007		
<b>Placement on the Agenda</b>	<b>Consent</b>	<b>X</b>	<b>Individual</b>
<b>Date Prepared</b>	September 6, 2007		
<b>Author Name &amp; Title</b>	Faye Hall – Associate Planner		
<b>Presenter Name &amp; Title</b>	Faye Hall – Associate Planner		

**Summary:** Request to annex 10 acres, located at 2946 B ½ Road. The Krabacher Annexation consists of one parcel. This property is on the west side of 29 ½ Road directly north of B ½ Road on Orchard Mesa.

**Budget:** N/A

**Action Requested/Recommendation:** Adopt a Resolution referring the petition for the Krabacher Annexation and introduce the proposed Ordinance and set a hearing for November 7, 2007

**Attachments:**

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

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

STAFF REPORT / BACKGROUND INFORMATION				
<b>Location:</b>		2946 B ½ Road		
<b>Applicants:</b>		Owners: Paul and Roberta Krabacher Representative: Vista Engineering Corp – David Chase Developer: Silas Colman		
<b>Existing Land Use:</b>		Single Family Residential		
<b>Proposed Land Use:</b>		Single Family Residential		
<b>Surrounding Land Use:</b>	<b>North</b>	Single Family Residential		
	<b>South</b>	Single Family Residential and Chipeta Golf Course		
	<b>East</b>	Single Family Residential		
	<b>West</b>	Single Family Residential		
<b>Existing Zoning:</b>		County RSF-R		
<b>Proposed Zoning:</b>		R-4 (Residential, 4 units per acre)		
<b>Surrounding Zoning:</b>	<b>North</b>	County RSF-R		
	<b>South</b>	City R-4 and County PUD		
	<b>East</b>	County RSF-R & PUD		
	<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:**

**ANNEXATION:**

This annexation area consists of 10 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 Krabacher Annexation is eligible to be annexed because of compliance with the following:

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

The following annexation and zoning schedule is being proposed.

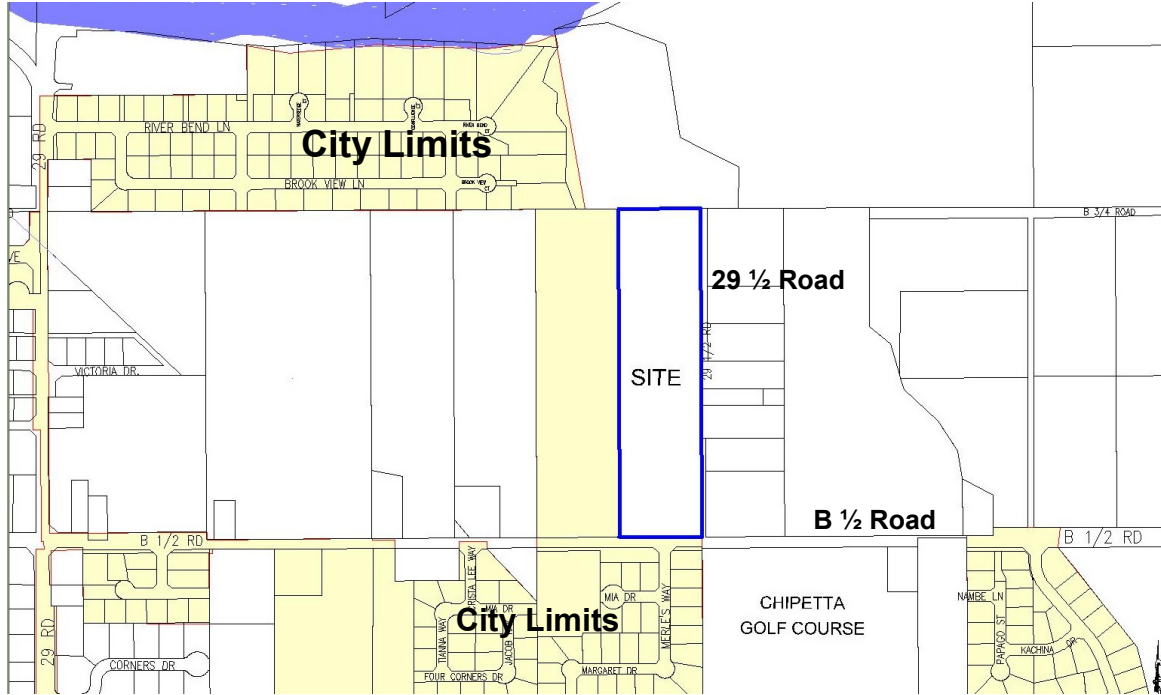
<i><b>ANNEXATION SCHEDULE</b></i>	
<b>September 21, 2007</b>	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
<b>September 25, 2007</b>	Planning Commission considers Zone of Annexation
<b>October 17, 2007</b>	Introduction Of A Proposed Ordinance on Zoning by City Council
<b>November 7, 2007</b>	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
<b>December 8, 2007</b>	Effective date of Annexation and Zoning

**KRABACHER ANNEXATION SUMMARY**

<b>File Number:</b>	ANX-2007-241	
<b>Location:</b>	2946 B ½ Road	
<b>Tax ID Number:</b>	2943-292-00-023	
<b>Parcels:</b>	1	
<b>Estimated Population:</b>	4	
<b># of Parcels (owner occupied):</b>	1	
<b># of Dwelling Units:</b>	1	
<b>Acres land annexed:</b>	10	
<b>Developable Acres Remaining:</b>	10	
<b>Right-of-way in Annexation:</b>	0	
<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>	\$13,000
	<b>Actual:</b>	\$143,030
<b>Address Ranges:</b>	2942 thru 2948 B ½ Road (even only)	
<b>Special Districts:</b>	<b>Water:</b>	Ute Water
	<b>Sewer:</b>	Persigo
	<b>Fire:</b>	Grand Junction Rural
	<b>Irrigation/ Drainage:</b>	Orchard Mesa Irrigation and Drainage
	<b>School:</b>	District 51
	<b>Pest:</b>	Grand Valley Mosquito

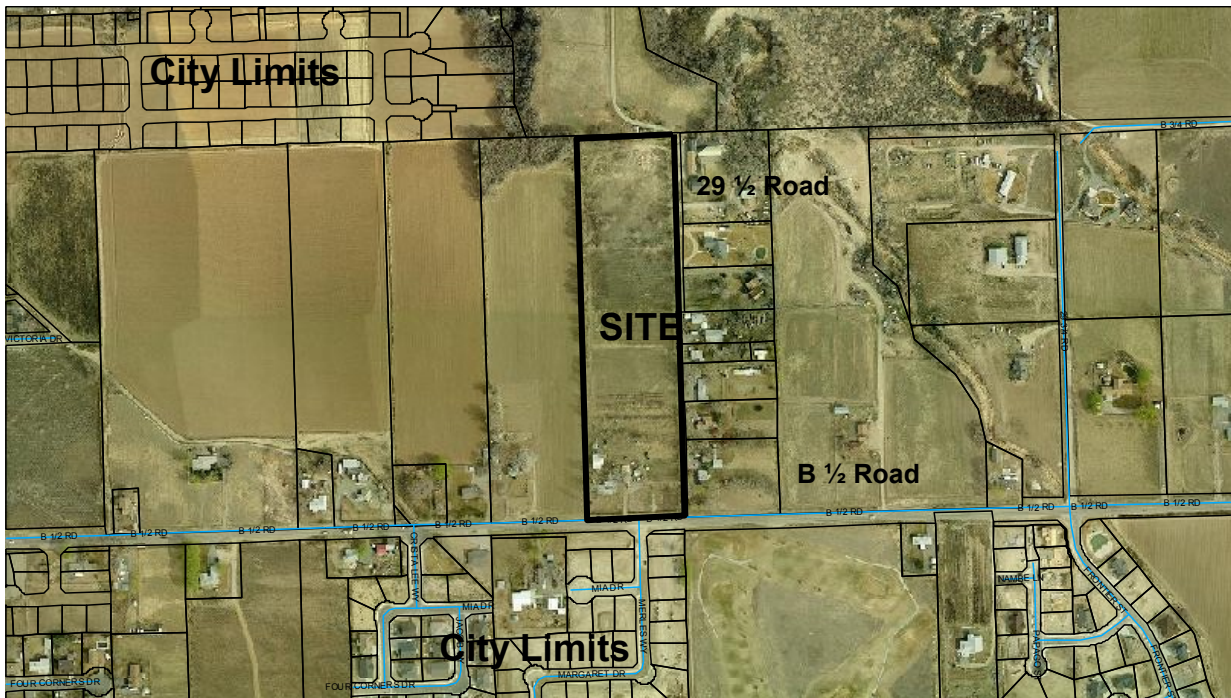
# Annexation / Site Location Map

Figure 1



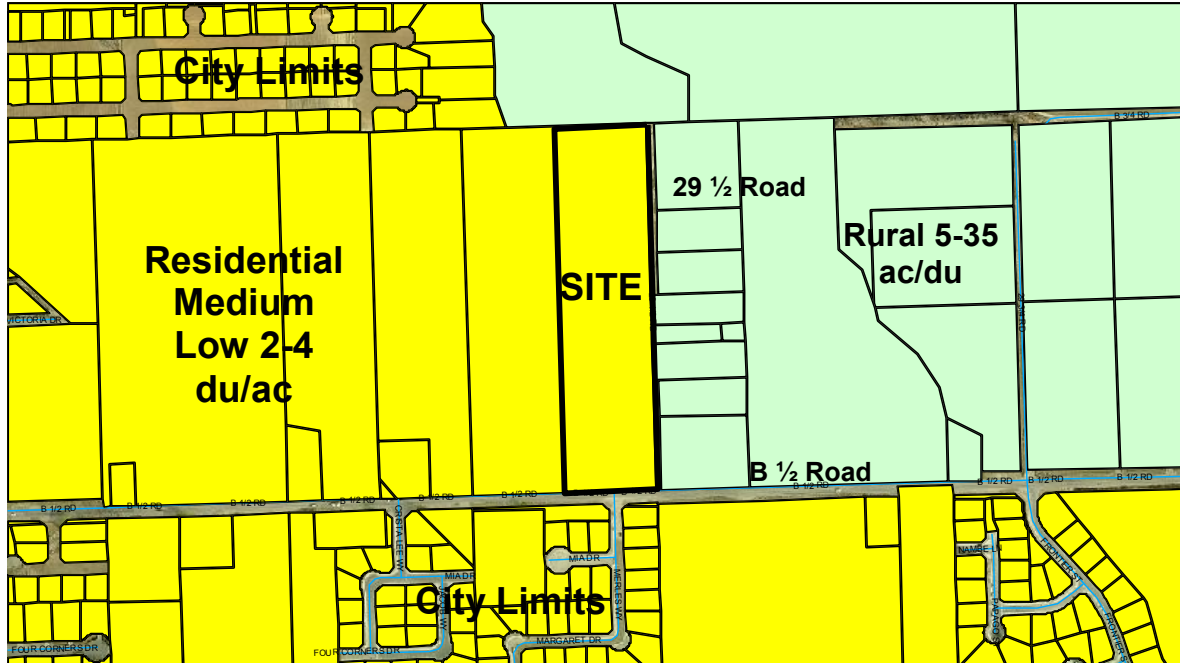
# Aerial Photo Map

Figure 2



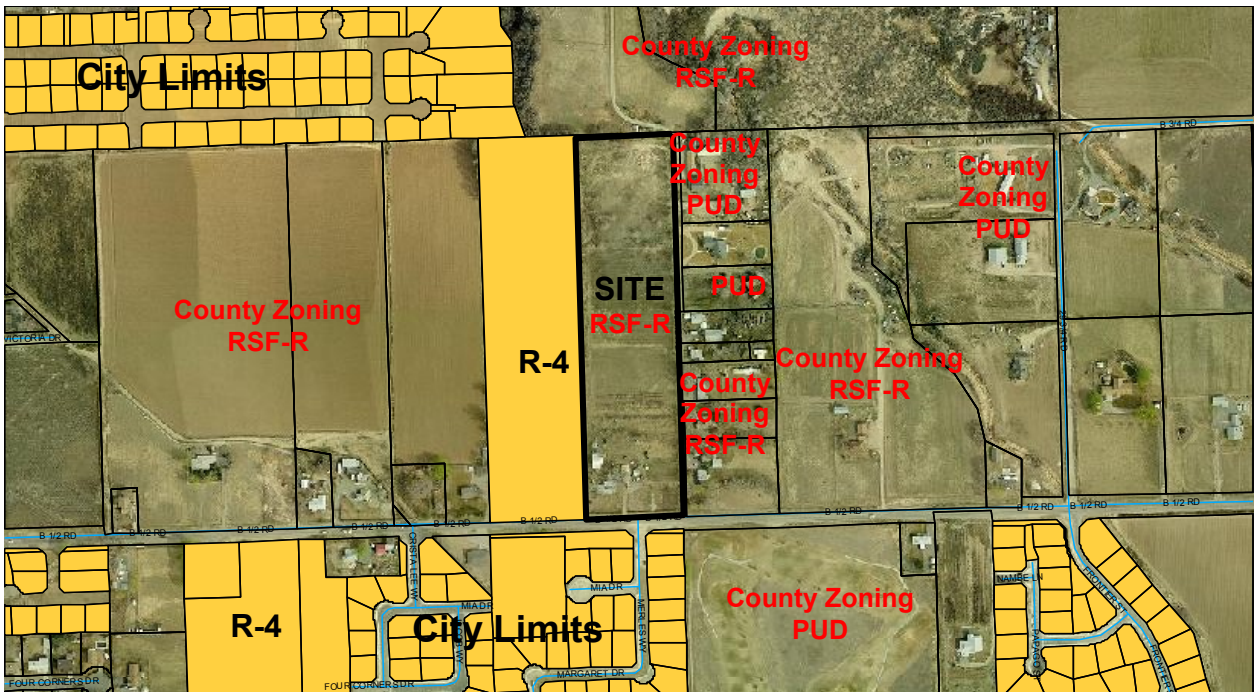
# Future Land Use Map

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 19<sup>th</sup> of September, 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**

**KRABACHER ANNEXATION**

**LOCATED AT 2946 B ½ ROAD**

WHEREAS, on the 19th day of September, 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:

**KRABACHER ANNEXATION**

A certain parcel of land located in the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of Section 29, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

All that portion of the SE1/4 NW1/4 of said Section 29 lying East of Colvin Annexation No. 1, Ordinance No. 3970, City of Grand Junction and Colvin Annexation No. 2, Ordinance No. 3971, City of Grand Junction.

Containing 435,514.06 square feet (10.00 acres), 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 7<sup>th</sup> day of November, 2007, in the City Hall auditorium, located at 250 North 5<sup>th</sup> Street, City of Grand Junction, Colorado, at

7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.

2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Public Works and Planning Department of the City.

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

Attest:

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

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

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

---

City Clerk

<i><b>DATES PUBLISHED</b></i>
<b>September 21, 2007</b>
<b>September 28, 2007</b>
<b>October 5, 2007</b>
<b>October 12, 2007</b>

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**KRABACHER ANNEXATION**

**APPROXIMATELY 10 ACRES**

**LOCATED AT 2946 B ½ ROAD**

**WHEREAS**, on the 19<sup>th</sup> day of September, 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 7<sup>th</sup> day of November, 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:

**KRABACHER ANNEXATION**

A certain parcel of land located in the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of Section 29, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

All that portion of the SE1/4 NW1/4 of said Section 29 lying East of Colvin Annexation No. 1, Ordinance No. 3970, City of Grand Junction and Colvin Annexation No. 2, Ordinance No. 3971, City of Grand Junction.

Containing 435,514.06 square feet (10.00 acres), more or less, as described.

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

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

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

Attest:

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

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

**Attach 6**  
**Setting a Hearing on Zoning the Brady South Annexation**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Brady South Zone of Annexation Located at 347 and 348 27-1/2 Road and 2757 C-1/2 Road		
<b>File #</b>	GPA-2006-051		
<b>Meeting Day, Date</b>	Wednesday, September 19, 2007		
<b>Placement on the Agenda</b>	<b>Consent</b>	X	<b>Individual</b>
<b>Date Prepared</b>	September 7, 2007		
<b>Author Name &amp; Title</b>	Kristen Ashbeck, Senior Planner		
<b>Presenter Name &amp; Title</b>	Kristen Ashbeck, Senior Planner		

**Summary:** SLB Enterprises LLC, owners of the properties located at 347 and 348 27-1/2 Road and 2757 C-1/2 Road are requesting zoning of the properties from County Heavy Industrial (I-2) to Light Industrial (I-1) and Industrial/Office Park (I-O). Planning Commission heard the request at its September 11, 2007 meeting and recommended approval of the Industrial/Office Park (I-O) zoning for all three parcels.

**Budget:** NA

**Action Requested/Recommendation:** First reading of proposed Zone of Annexation ordinance and set a hearing for October 3, 2007.

**Attachments:**

- 1) Staff Report/Background Information
- 2) Site Location Map / Aerial Photo Map
- 3) Future Land Use Map / Existing City and County Zoning
- 4) Applicant's Requested Zoning Map
- 5) Excerpts from Zoning and Development Code, Pertinent Zone District Descriptions
- 6) Excerpt from Zoning and Development Code Table 3.5, Use Zone Matrix, Highlighting Appropriate Zone Districts
- 7) Excerpt from Zoning and Development Code, Exhibit 6.5.C., Buffering Between Zoning Districts
- 8) Comments from Concerned Citizens/Agencies – more to be provided at 2<sup>nd</sup> Reading
- 9) Minutes of Planning Commission Meeting – to be provided at 2<sup>nd</sup> Reading
- 10) Proposed Zoning Ordinance

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

STAFF REPORT / BACKGROUND INFORMATION				
<b>Location:</b>		347 and 348 27-1/2 Road and 2757 C-1/2 Road		
<b>Applicants:</b>		SLB Enterprises LLC, Owners/Developers Vortex Engineering, Robert Jones, Representative		
<b>Existing Land Use:</b>		Vacant – Abandoned Buildings		
<b>Proposed Land Use:</b>		Industrial Office Park		
<b>Surrounding Land Use:</b>	<b>North</b>	Vacant, Light Industrial and Las Colonias Park Site		
	<b>South</b>	Colorado River and Single Family Residential and Park South of the River		
	<b>East</b>	Large Lot Residential		
	<b>West</b>	Vacant – Las Colonias Park Site		
<b>Existing Zoning (Mesa Co):</b>		I-2		
<b>Proposed Zoning:</b>		I-O and I-1		
Surrounding Zoning:	<b>North</b>	CSR and I-1		
	<b>South</b>	R-5 and CSR (South of Colorado River)		
	<b>East</b>	RSF-R (County)		
	<b>West</b>	CSR		
<b>Growth Plan Designation:</b>		Industrial and Commercial Industrial		
<b>Zoning within density range?</b>		X	<b>Yes</b>	<b>No</b>

ANALYSIS:

1. Background:

The 12.62 acre Brady South Annexation consists of 3 parcels located at 347 and 348 27-1/2 Road and 2757 C-1/2 Road. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

2. Consistency with the Growth Plan:

The requested zone districts are consistent with the Future Land Use designations of Industrial and Commercial Industrial.

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

Zone of Annexation: The requested zone of annexation to the I-1 and I-O districts is consistent with the Growth Plan designation of Industrial and Commercial Industrial respectively. The existing County zoning is I-2 on all 3 parcels. 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.

There are several zone district alternatives or combinations thereof that could be applied to the Brady South Annexation properties. The analysis below discusses the differences between the various potential zone districts and their applicability to these properties. Based on this analysis and the applicant's and neighborhood input, Planning Commission made findings on this criterion and made a recommendation to City Council.

- 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.

#### 4. Analysis of Alternatives:

In addition to the zoning that the petitioner has requested (which is depicted in Attachment 3), the following zone districts would also be consistent with the Growth Plan designation for the subject properties.

- a. The alternative zone districts that can be used to implement the Future Land Use category of Industrial (westerly parcel only) include Industrial/Office Park (I-O), Light Industrial (I-1), Heavy Industrial(I-2) or Mixed Use (M-U).
- b. The alternative zone districts that can be used to implement the Future Land Use category of Commercial Industrial (easterly 2 parcels only) include General Commercial (C-2), Industrial/Office Park (I-O), Light Industrial (I-1), or Mixed Use (M-U).



Excerpts from the Zoning and Development Code are attached for reference. The excerpts describe each zone district, the uses allowed within each and the buffer requirement between zone districts as further discussed below. While the Heavy Industrial (I-2) zone district could be applied to the westerly parcel (former rendering plant) due to its Growth Plan Future Land Use Map designation of Industrial, that option for zoning is not discussed since it is not being requested by the applicant.

As mentioned above, it is possible that all three parcels could be zoned the same, but there may also be merit to creating a transition across the site from west to east that would help create compatibility with land uses on both sides of the site. The applicant is suggesting a transition from I-1 on the west to I-O on the east but there are other options that could apply.

While it is likely that the three parcels will be developed as a single project, the site could be developed under two different zone districts since the primary (and maybe only) access to the site at the extension of 27-1/2 Road will divide the property into two distinct areas east and west of the entry road/drive. Thus, all three parcels do not necessarily need to be zoned the same.

**General Commercial (C-2) Zone District.** The C-2 zone district is intended to provide for a wide range of commercial uses with emphasis on low customer use versus retail/service type of commercial uses. The C-2 zone district allows limited outdoor display of goods and very limited outdoor operations. Many uses in the C-2 zone district are allowed in the industrial zone districts but a Conditional Use Permit may be required for some uses in the C-2 district.

Outdoor storage and display areas are not allowed within the front yard setback. Buffering required between C-2 and adjacent single family residential uses is a 6-foot wall and an 8-foot wide strip of landscaping outside the wall. Buffering required between C-2 and adjacent I-1 uses (e.g. to the north across C-1/2 Road) is 6-foot fence or an 8-foot landscape strip.

The C-2 zone district cannot implement the Industrial land use classification, thus could not be applied to the westerly Brady parcel (former rendering plant).

**Industrial/Office Park (I-O) Zone District.** The I-O zone district is intended to provide a mix of light manufacturing and office uses in a business park setting with adequate screening and buffering to other uses. The I-O zone district allows outdoor storage and display only in the rear half of the lot either beside or behind the principal structure. Many uses in the I-O district are allowed in the heavier industrial zone districts but a Conditional Use Permit may be required for some uses in the I-O district.

The I-O zone district does have some specific performance standards for nuisances such as noise, vibration, glare and hazardous materials that do not apply in the C-2

zone district. Additional operational restrictions and/or site design elements could be required for those uses that would require a Conditional Use Permit review process.

Buffering required between I-O and adjacent single family residential is the same as required for C-2 – a 6-foot wall and an 8-foot wide strip of landscaping outside the wall. A buffer of a 6-foot fence or an 8-foot landscape strip is required between I-O and I-1. If the I-O district is applied to the westerly site, the buffering requirement between I-O and the CSR zoning of the Las Colonias Park site is a 6-foot fence and an 8-foot wide strip of landscaping outside the wall.

The I-O zone district can implement both the Industrial and Commercial Industrial land use classifications, thus could be applied to all three Brady parcels.

**Light Industrial (I-1) Zone District.** The I-1 zone district is intended to provide for areas of light fabrication, manufacturing and industrial uses. The performance standards of the I-O district apply in the I-1 district except that outdoor storage and display are allowed except for within the front yard setback. In addition, the I-1 district allows for the establishment of outdoor storage as a principal use. Uses that include outdoor operations are allowed in the I-1 district, whereas these uses require a Conditional Use Permit in the I-O zone district.

Buffering required between I-1 and adjacent single family residential uses is a 6-foot wall and a 25-foot wide strip of landscaping outside the wall. If the I-1 district is applied to the westerly site, the buffering requirement between I-1 and the CSR zoning of the Las Colonias Park site is a 6-foot wall and a 25-foot wide strip of landscaping outside of the wall. There is no buffer required between I-1 uses such as between the Brady properties and the properties to the north.

The I-1 zone district can implement both the Industrial and Commercial Industrial land use classifications, thus could be applied to all three Brady parcels.

**Mixed Use (MU) Zone District.** The M-U zone district is intended to provide for a mix of light manufacturing and office park employment centers, retail, service and multifamily residential uses and serve as a transition between residential and nonresidential uses. The most significant differences between the M-U zone district and the other districts discussed above are the allowance of residential uses and industrial outdoor storage and operations are not allowed in the M-U zone district.

The M-U zone district has some specific performance standards for nuisances such as noise, vibration, glare and hazardous materials that are very similar to those in the I-O zone district.

The M-U zone district states that there will be appropriate screening, buffering and open space and enhancement of natural features but there is no specific buffering

requirement between the M-U and other zone districts. It is intended that such buffers be built into the specific site design.

The M-U zone district can implement both the Industrial and Commercial Industrial land use classifications, thus could be applied to all three Brady parcels. However, it should be kept in mind that this zone district can allow multifamily housing that may not be appropriate to locate in the 100-year floodplain such as exists across most of the westerly parcel.

#### FINDINGS OF FACT/CONCLUSIONS:

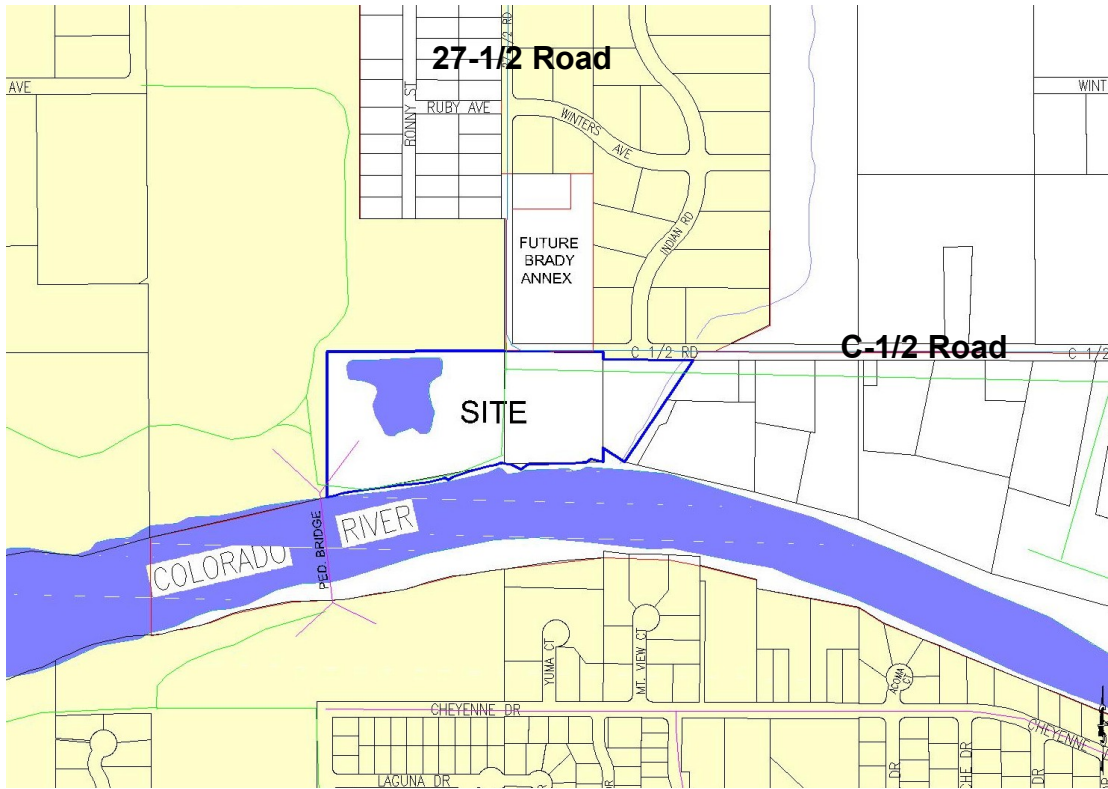
After reviewing the Brady South Annexation, GPA-2007-051, for a Zone of Annexation, Planning Commission made the following findings of fact and conclusions:

3. Planning Commission finds that the Industrial Office (I-O) zone district is consistent with the goals and policies of the Growth Plan.
4. The review criteria in Section 2.6.A.3 and 4 of the Zoning and Development Code have all been met.

#### PLANNING COMMISSION RECOMMENDATION:

Planning Commission heard this request at its September 11, 2007 meeting and recommended approval of the Industrial/Office Park (I-O) zone district for all three parcels. Minutes from the meeting will be provided with the staff report for 2<sup>nd</sup> reading.

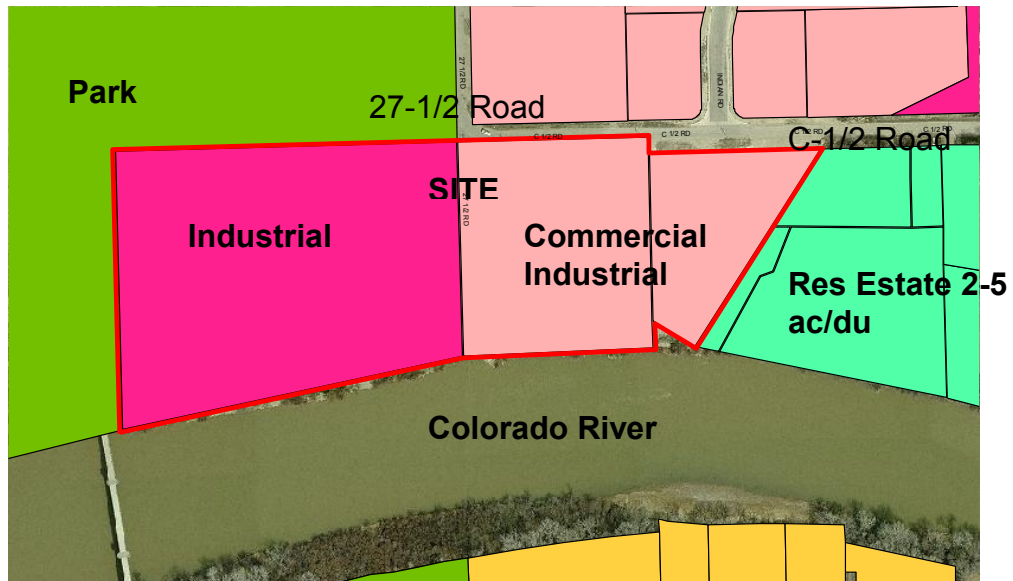
# Site Location Map



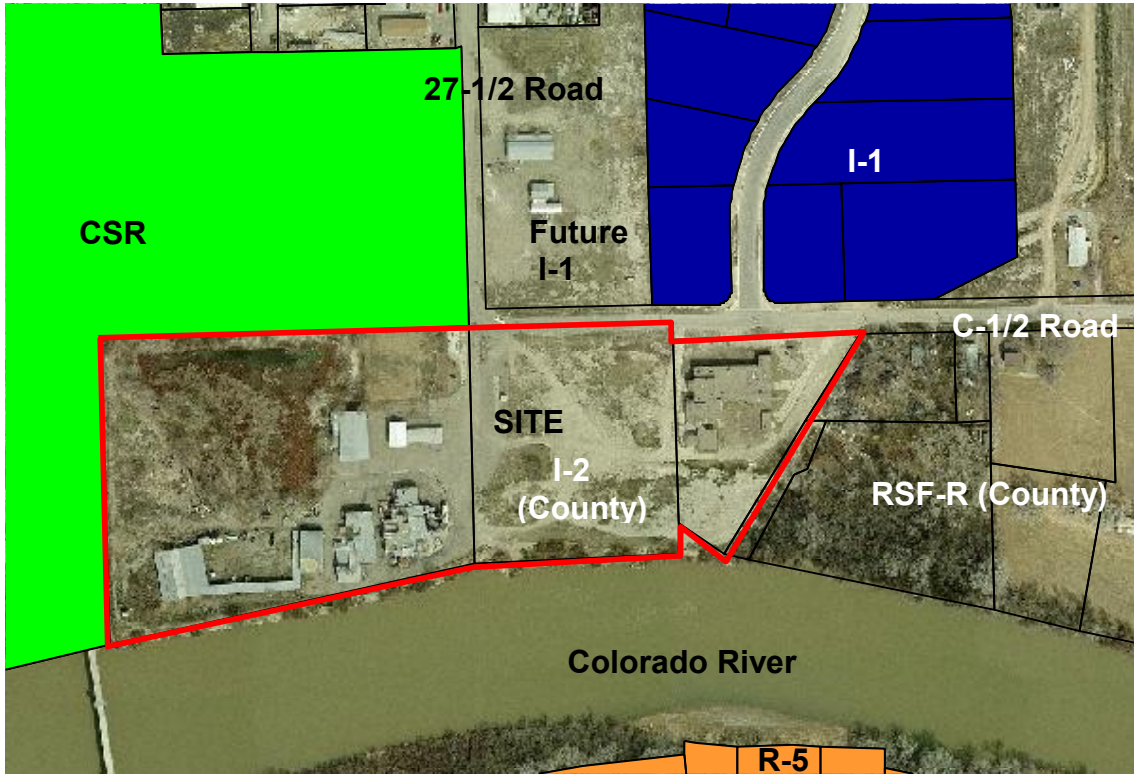
# Aerial Photo Map



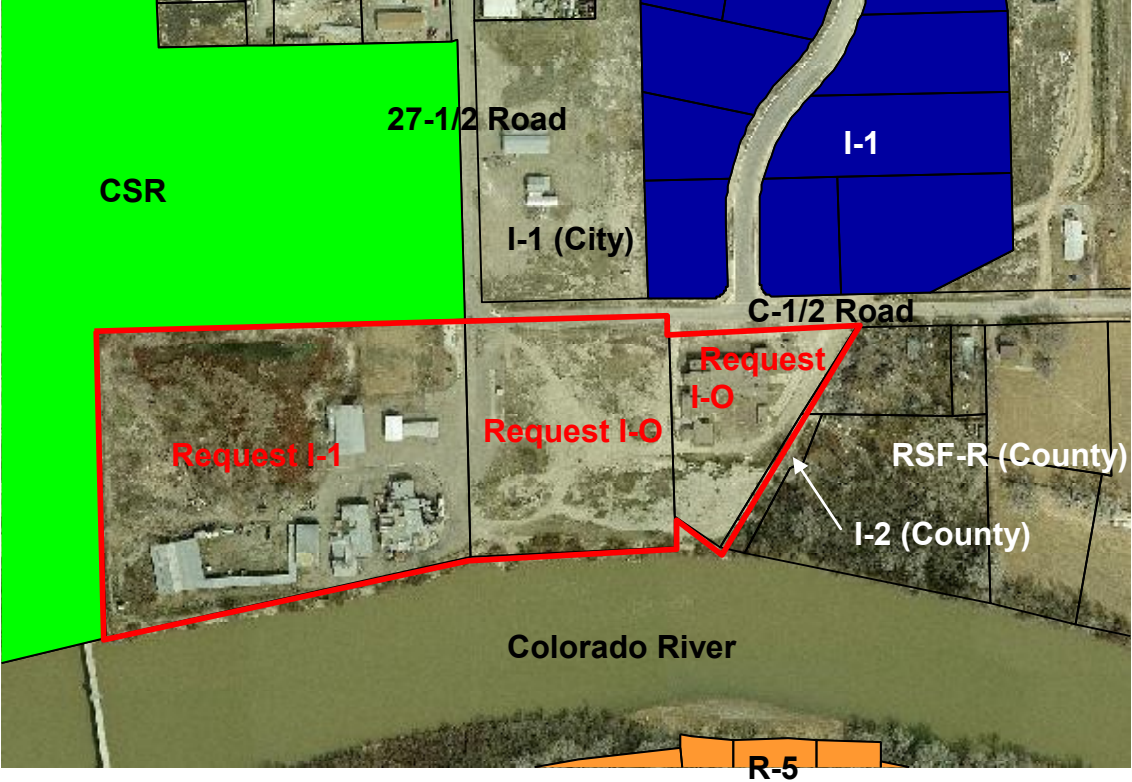
## Future Land Use Map



## Existing City/County Zoning



# Applicant's Requested Zoning



E. **C-2: General Commercial**

1. **Purpose.** To provide for commercial activities such as repair shops, wholesale businesses, warehousing and retail sales with limited outdoor display of goods and even more limited outdoor operations. The C-2 District is appropriate in locations designated for the *commercial or*

<b>C-2 Summary</b>	
Primary Uses	General Retail & Services
Max. Intensity	2.0 FAR
Max. Bldg. Size	150,000 sq. ft.

- a. *commercial or commercial/industrial* future land use classifications in the GROWTH PLAN.
2. **Authorized Uses.** Table 3.5 lists the authorized uses in the C-2 District.
3. **Intensity.** Subject to the development standards in this Code, the following intensity provisions shall apply:
  - a. Nonresidential intensity shall not exceed a floor area ratio (FAR) of 2.0;
  - b. Minimum lot size shall be 0.5 acre, except where a continuous commercial center is subdivided, with pad sites or other shared facilities;
  - c. Maximum building size shall be 150,000 square feet, unless a Conditional Use Permit is issued.
4. **Street Design.** Effective and efficient street design and access shall be considerations in the determination of project/district intensity.
5. **Performance Standards.** Outdoor storage and display areas are not allowed within the front yard setback. Permanent and portable display of retail merchandise is permitted.



F. **I-O: Industrial/Office Park**

1. **Purpose.** To provide for a mix of light manufacturing uses, office park, limited retail and service uses in a business park setting with proper screening and buffering, all compatible with adjoining uses. This District implements the *commercial/industrial* and *industrial* future land use classifications of the GROWTH PLAN.

<b>I-O Summary</b>	
Primary Uses	Light manufacturing, office, commercial services
Max. Intensity	0.75 FAR
Max. Bldg. Size	250,000 sq. ft.

2. **Authorized Uses.** Table 3.5 lists the authorized uses in the I-O District.

3. **Intensity.** Subject to the development standards in this Code, the following intensity provisions shall apply:

- a. Nonresidential intensity shall not exceed a floor area ratio (FAR) of 0.75;
- b. Minimum lot size shall be one (1) acre, except where a continuous commercial center is subdivided;
- c. Maximum building size shall be 250,000 square feet, unless a conditional use permit is issued.

4. **Street Design.** Effective and efficient street design and access shall be considerations in the determination of project/district intensity.

5. **Performance Standards.**

- a. **Retail Sale Area.** Areas devoted to retail sales shall not exceed: ten percent (10%) of the gross floor area of the principal structure, and 5,000 square feet on any lot or parcel.
- b. **Loading Docks.** Loading docks shall be located only in the side or rear yards.
- c. **Vibration, Smoke, Odor, Noise, Glare, Wastes, Fire Hazards and Hazardous Materials.** No person shall occupy, maintain or allow any use in an I-O District without continuously meeting the following minimum standards regarding vibration, smoke, odor, noise, glare, wastes, fire hazards and hazardous materials. Conditional use permits for uses in this district may establish higher standards and conditions.

- (1) **Vibration:** Except during construction or as authorized by the City, activity or operation which causes any perceptible vibration of the earth to an ordinary person on any other lot or parcel, shall not be permitted.
- (2) **Noise:** The owner and occupant shall regulate uses and activities on the property so that sound never exceeds sixty-five decibels (65 dB) at any point on the property line.
- (3) **Glare:** lights, spotlights, high temperature processes or otherwise, whether direct or reflected, shall not be visible from any lot, parcel or right-of-way.
- (4) **Solid and Liquid Waste:** All solid waste, debris and garbage shall be contained within a closed and screened dumpster, refuse bin and/or trash compactor(s). Incineration of trash or garbage is prohibited. No sewage or liquid wastes shall be discharged or spilled on the property.
- (5) **Hazardous Materials:** Information and materials to be used or located on the site whether on a full-time or part-time basis, that are required by the SARA Title III Community Right to Know shall be provided at the time of any City review, including site plan. Information regarding the activity or at the time of any change of use or expansion, even for existing uses, shall be provided to the Director.
- (6) **Outdoor Storage and Display.** Outdoor storage and permanent display areas shall only be located in the rear half of the lot beside or behind the principal structure. Portable display of retail merchandise may be permitted as provided in Chapter Four.

G. **I-1: Light Industrial**

1. **Purpose.** To provide for areas of light fabrication, manufacturing and industrial uses which are compatible with existing adjacent land uses, access to transportation and the availability of public services and facilities. I-1 Zones with conflicts between other uses can be minimized with orderly transitions of zones and buffers between uses. This district implements the *commercial/industrial* and *industrial* future land use classifications of the GROWTH PLAN.

I-1 Summary	
Primary Uses	Manufacturing, office, commercial services
Max. Intensity	2.0 FAR
Max. Bldg. Size	150,000 sq. ft.

2. **Authorized Uses.** Table 3.5 lists the authorized uses in the I-1 district.
3. **Intensity.** Subject to the development standards in this Code, the following intensity provisions shall apply:
- Nonresidential intensity shall not exceed a floor area ratio (FAR) of 2.0;
  - Minimum lot size shall be one (1) acre, except where a commercial or industrial center is subdivided with pad sites or other shared facilities;
  - The maximum building size is 150,000 square feet, unless a conditional use permit is issued.
4. **Street Design.** Effective and efficient street design and access shall be considerations in the determination of project/district intensity.
5. **Performance Standards.** The performance standards of the I-0 district shall apply in the I-1 district, except that principal and accessory outdoor storage and display areas shall be permitted in accordance with Chapter Four, with the following exceptions:
- Outdoor storage and displays shall not be allowed in the front yard setback;
  - Screening shall be maintained in the frontage adjacent to arterial and collector streets and along that portion of the frontage on local streets which adjoin any zone except I-1 or I-2;
  - Unless required to buffer from an adjoining district, screening along all other property lines is not required;
  - Screening of dumpsters is not required; and

- e. Outdoor storage areas may be established as a principal use without a conditional use permit.

J. **M-U: Mixed Use**

1. **Purpose.** To provide for a mix of light manufacturing and office park employment centers, retail, service and multifamily residential uses with appropriate screening, buffering and open space and enhancement of natural features and other amenities such as trails, shared drainage facilities, and common landscape and streetscape character. This District implements the *commercial, commercial/industrial, industrial* and *mixed use* future land use

<b>M-U Summary</b>	
Primary Uses	Employment, residential, limited retail, open space
Max. Intensity	Nonresidential: 0.50 FAR
Maximum Density	Residential: 24 units per acre
Minimum Density	Residential: 8 units per acre
Max. Bldg. Size	150,000 sq. ft. (30,000 sq. ft. for retail)

- classifications of the Growth Plan, as well as serving as a transition between residential and nonresidential use areas.
2. **Authorized Uses.** Table 3.5 lists the authorized uses in the M-U district.
3. **Intensity.** Subject to the development standards in this Code, the following intensity provisions shall apply:
  - a. Nonresidential intensity shall not exceed a floor area ratio (FAR) of 0.50;
  - b. Nonresidential minimum lot size shall be one (1) acre, except where a continuous commercial center is subdivided;
  - c. Maximum building size shall be 150,000 square feet unless a Conditional Use Permit is issued;
  - d. Maximum gross residential density shall not exceed twenty-four (24) units per acre;
  - e. Minimum net residential density shall be eight (8) units per acre.
4. **Performance Standards.** Development shall conform to the standards established in this Code.
  - a. Refer to any applicable overlay zone district and/or corridor design standards and guidelines.
  - b. **Loading/Service Areas.** Loading docks and trash or other service areas shall be located only in the side or rear yards.

- c. **Vibration, Smoke, Odor, Noise, Glare, Wastes, Fire Hazards and Hazardous Materials.** No person shall occupy, maintain or allow any use in an M-U District without continuously meeting the following minimum standards regarding vibration, smoke, odor, noise, glare, wastes, fire hazards and hazardous materials. Conditional Use Permits for uses in this district may establish higher standards and conditions.
- (1) **Vibration:** Except during construction or as authorized by the City, activity or operation which causes any perceptible vibration of the earth to an ordinary person on any other lot or parcel, shall not be permitted.
  - (2) **Noise:** The owner and occupant shall regulate uses and activities on the property so that sound never exceeds sixty-five decibels (65 dB) at any point on the property line.
  - (3) **Glare:** Lights, spotlights, high temperature processes or otherwise, whether direct or reflected, shall not be visible from any lot, parcel or right-of-way.
  - (4) **Solid and Liquid Waste:** All solid waste, debris and garbage shall be contained within a closed and screened dumpster, refuse bin and/or trash compactor(s). Incineration of trash or garbage is prohibited. No sewage or liquid wastes shall be discharged or spilled on the property.
  - (5) **Hazardous Materials:** Information and materials to be used or located on the site whether on a full-time or part-time basis, that are required by the SARA Title III Community Right to Know shall be provided at the time of any City review, including the site plan. Information regarding the activity or at the time of any change of use or expansion, even for existing uses, shall be provided to the Director.
  - (6) **Outdoor Storage and Display:** Outdoor storage and permanent display areas shall only be located in the rear half of the lot beside or behind the principal structure. Portable display of retail merchandise may be permitted as provided in Chapter Four.

### 3.5 USE/ZONE MATRIX

- A. **Principal Uses.** The only uses allowed in any zone or district are those listed in Table 3.5. The use categories listed in the first column of Table 3.5 are described in Chapter Nine. The second column of the use matrix contains an abbreviated definition of the uses. In some cases, use-specific standards are referred to in the last column of the Table. These uses are permitted subject to particular requirements listed under each zone or district.
- B. **Allowed Uses.** An "A" indicates that the listed use is allowed by-right within the respective zoning district without the need for a public hearing. If compliance with all City, state and federal requirements are fully met, the Director may allow development, construction and/or use. The text for each zone, the balance of this Code, applicable state and other City regulations and federal requirements supplement Table 3.5 and control if inconsistent or ambiguous. See the maximum building size indicated for each zone district. No person shall begin any use without a written approval of the Director.
- C. **Conditional Uses.** A "C" indicates that the listed use is allowed within the respective zoning district only after review and approval of a conditional use permit, in accordance with the review procedures of Chapter Two. Conditional uses are subject to all other applicable standards of this Code.
- D. **Prohibited Uses.** A blank space indicates that the listed use is not allowed within the district, unless otherwise expressly allowed by another provision of this Code.

**Table 3.5 Use/Zone Matrix**

Use Category-Definition. See Chapter Nine for complete description.	Specific Use Type	NONRESIDENTIAL				Use-Specific Standard
		C-2	O	L-1	M-U	
<b>RESIDENTIAL</b>						
<b>Household Living</b> - residential occupancy of a dwelling unit by a "household"	Business Residence	A	C	C	A	4.3.I
	Rooming/Boarding House					
	Two Family Dwelling <sup>3</sup>					
	Single-Family Detached					4.3.N
	Duplex <sup>3</sup>					
	Multifamily <sup>3</sup>				A	4.3.O
	Stacked Dwelling					
	Residential Subunits/Accessory Units					4.1.G
	Agricultural Labor Housing					
	Single-Family Attached				A	
	Manufactured Housing Park					4.3.F
All Other Housing Living				A		
<b>Home Occupation</b>	Home Occupation				A	4.1.H
<b>Group Living</b> - residential occupancy of a structure by a group of people who do not meet the definition of "Household Living"	Small Group Living Facility	C				4.3.Q
	Large Group Living Facility (includes secure facilities)	C			C	4.3.Q
	Unlimited Group Living Facility	C			C	4.3.Q
<b>INSTITUTIONAL &amp; CIVIC</b>						
<b>Colleges and Vocational Schools</b> - colleges and institutions of higher learning	Colleges and Universities	A	C	C	A	
	Vocational, Technical & Trade Schools	A	A	C	A	
	All Other Educational Institutions	C	C	C	A	
<b>Community Service</b> - uses providing a local service to the community	Community Activity Building	A	C		A	
	All Other Community Service	C	C	C	C	
<b>Cultural</b> - establishments that document the social and religious structures and intellectual and artistic manifestations that characterize a society	Museum, Art Galleries, Opera Houses, Libraries	C	C	C	A	
<b>Day Care</b> - care, protection and supervision for children or adults on a regular basis away from their primary residence for less than 24 hours per day	Home-Based Day Care (1-12)	C			C	
	General Day Care	C	C		C	
<b>Detention Facilities</b> - facilities for the detention or incarceration of people	Jails, Honor Camps, Reformatories	C		C		
	Community Corrections Facility	C				
	Law Enforcement Rehabilitation Centers	C		C		
<b>Hospital/Clinic</b> - uses providing medical treatment or surgical care to	Medical and Dental Clinics	A	C	A	A	
	Counseling Centers (nonresident)	A	C		A	



patients	Hospital/Mental Hospital	C	C		C	
	Physical and Mental Rehabilitation (resident)	C	C		C	
	All Other	C	C		C	
<b>Parks and Open Space</b> - natural areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, etc.	Cemetery	A	C	C	C	
	Golf Course	A	C	C	A	
	Campground, Primitive					
	Golf Driving Ranges	A	C	A	C	
	Parks, Lakes, Reservoirs	A	A	C	A	
	All Other	A	C	C	C	
<b>Religious Assembly</b> - meeting area for religious activities	All	A		A	A	4.3.P
<b>Funeral Homes/Mortuaries/ Crematories</b>	All	A			C	
<b>Safety Services</b> - public safety and emergency response services	All	A	A	A	A	
<b>Schools</b> - schools at the primary, elementary, middle, junior high or high school level	Boarding Schools	C			C	
	Elementary Schools				C	
	Secondary Schools	A			C	
<b>Utility, Basic</b> - Infrastructure services that need to be located in or near the area where the service is provided	Utility Service Facilities (underground)	A	A	A	A	
	All Other Utility, Basic	A	A	A	C	
<b>Utility, Corridors</b> - passageways for bulk transmitting or transporting of electricity, gas, oil, communication signals, or other similar services	Transmission Lines (above ground)	C	C	C	C	
	Transmission Lines (underground)	A	A	A	C	
	Utility Treatment, Production or Service Facility		C	C	C	
	All Other	C	C	C	C	
<b>COMMERCIAL</b>						
<b>Entertainment Event, Major</b> - activities and structures that draw large numbers of people to specific events or shows	Indoor Facilities	C	C		C	
	Outdoor Facilities	C	C	C	C	
<b>Lodging</b> - hotels, motels and similar establishments	Hotels & Motels	A	C		C	
	Bed and Breakfast (1-3 guest rooms)	C			C	4.3.H
	Bed and Breakfast (4-5 guest rooms)	C			C	4.3.H
<b>Office</b> - activities conducted in an office setting and generally focusing on business, government, professional, or financial services	General Offices	A	A	C	A	
	Office with Drive-Through	A	C	C	C	
<b>Parking, Commercial</b> - parking that is not necessary to serve a specific use and for which fees may be charged	All	A	A	A	C	
<b>Recreation and Entertainment, Outdoor</b> - large, generally commercial uses that provide continuous recreation or entertainment-oriented activities	Campgrounds and Camps (non-primitive)	A				4.3.E
	Resort Cabins and Lodges					
	Swimming Pools, Community	A	C		A	
	Shooting Ranges, Outdoor			C		
	Amusement Park	C			C	
	Drive-In Theater	C				

	Miniature Golf	C			C	
	Riding Academy, Roping or Equestrian Area					
	Zoo	C				
	All Other Outdoor Recreation	C		C	C	
<b>Recreation and Entertainment, Indoor</b> - large, generally commercial uses that provide indoor recreation or entertainment-oriented activities including health clubs, movie theaters, skating rinks, arcades	Health Club	A	A	C	A	
	Movie Theater	A	A	C	C	
	Skating Rink	A	A	C	C	
	Arcade	A	A	C	C	
	Shooting Ranges, Indoor	C		C		
	All Other Indoor Recreation	A	A	C	C	
<b>Retail Sales and Service</b> - firms involved in the sale, lease or rental of new or used products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer & business goods	Adult Entertainment	A		A		4.3.B
	Alcohol Sales, retail	A	C	C	C	
	Bar/Nightclub	C	C	C	C	
	Animal Care/Boarding/Sales, Indoor	A	C	A		
	Animal Care/Boarding/Sales, Outdoor	C	C	C		
	Delivery and Dispatch Services (vehicles on-site)	A	A	A	C	
	Drive-through Uses (Restaurants)	C		C		
	Drive-through Uses (Retail)	C		C		
	Food Service, Catering	A	A	A	A	
	Food Service, Restaurant (including alcohol sales)	A	C	C	C	
	Farm Implement/Equipment Sales/Service	A	C	A		
	Farmer's Market/Flea Market	A			C	4.3.C
	Feed Store	A		A		
	Fuel Sales, automotive/appliance	A	C	A		
	Fuel Sales, heavy vehicle	C	C	A		
	General Retail Sales, Indoor operations, display and storage	A	C	C	C	
	General Retail Sales, Outdoor operations, display or storage	A		C		
	Landscaping Materials Sale/Greenhouse/Nursery	A		A		
	Manufactured Building Sales and Service	A		A		
	Produce Stands <sup>2</sup>	A	A	A	A	
	Rental Service, Indoor display/storage	A		A	A	
	Rental Service, Outdoor display/storage	A		A		
	Repair, small appliance	A		A	A	
Repair, large appliance	A		A	A		
Personal Services	A	C		A		
	All Other Retail Sales and Services	A	C		C	
<b>Self-Service Storage</b> - uses providing separate storage areas for individual or business uses						
	Mini-Warehouse	A	C	A	C	4.3.G
<b>Vehicle Repair</b> - repair service to passenger vehicles, light and medium						
	Auto and Light Truck Mechanical Repair	A	C	A		

trucks and other consumer motor vehicles	Body Shop	A	C	A		
	Truck Stop/Travel Plaza	A		A		
	Tire Recapping and Storage	A		A		
	All Other Vehicle Repair	C		C		
<b>Vehicle Service, Limited</b> - direct services to motor vehicles where the driver or passengers generally wait in the car or nearby while the service is performed	Car Wash	A	C	A	C	
	Gasoline Service Station	A	C	A	C	
	Quick Lube	A	C	A	C	
	All Other Vehicle Service, limited	A		A		
<b>INDUSTRIAL</b>						
<b>Manufacturing and Production</b> - firms involved in the manufacturing, processing, fabrication, packaging, or assembly of goods	<b>Indoor Operations and Storage</b>					
	Assembly	A	A	A	A	
	Food Products	A	A	A	A	
	Manufacturing/Processing	A	A	A	A	
	<b>Indoor Operations with Outdoor Storage</b>					
	Assembly	A	A	A	C	
	Food Products	C	A	A	C	
	Manufacturing/Processing	A	A	A	C	
	<b>Outdoor Operations and Storage</b>					
	Assembly	C	C	A		
	Food Products	C	C	A		
	Manufacturing/Processing	C	C	A		
	All Other Industrial Service, including the storage of hazardous materials and explosives		C	C		
<b>Contractors and Trade Shops</b>	Indoor operations and storage	A	C	A	A	-
-	Indoor operations and outdoor storage (including heavy vehicles)	A	C	A	C	-
-	Outdoor storage and operations		C	A		-
<b>Junk Yard</b>	Junk Yard			C		4.3.D
<b>Impound Lot</b>	Impound Lot	C		C		
<b>Heavy Equipment Storage/Pipe Storage</b>	All		C	A		
<b>Warehouse and Freight Movement</b> - firms involved in the storage or movement of freight	Indoor Operations, Storage and Loading	A	A	A	A	
	Indoor Storage with Outdoor Loading Docks	C	A	A	C	
	Outdoor Storage or Loading		C	A		
	Gas or Petroleum Storage		C	C		
	Sand or Gravel Storage			A		4.3.K
	All Other			C		
<b>Waste-Related Use</b> - uses that receive solid or liquid wastes from others, uses that collect sanitary wastes or uses that manufacture or produce goods or energy from the composting of organic material	Non-Hazardous Waste Transfer			C		
	Medical/Hazardous Waste Transfer Station			C		4.3.J
	Solid Waste Disposal Sites			C		
	Recycling Collection Point	C	C	C		
	All Other Waste-Related			C		
<b>Wholesale Sales</b> - firms involved in the sale, lease or rental of products primarily intended for industrial,	Wholesale Business (No Highly Flammable Materials/Liquids)	A	A	A	A	
	Agricultural Products		C	A	C	

institutional or commercial businesses	All Other Wholesale Uses		C	A	C	
<b>OTHER</b>						
<b>Agricultural</b>	Animal Confinement			C		
	Dairy			C		
	Confined Animal Feeding Operation, Feedlot			C		
	Forestry, Commercial					
	Pasture, Commercial			A		
	Winery		C	C	C	
	All Other Agriculture			C		
<b>Aviation or Surface Passenger Terminal</b> - facilities for the landing and take-off of flying vehicles or stations for ground-based vehicles, including loading and unloading areas	Airports/Heliports	C	C	C		
	Bus/Commuter Stops	A	A	A	A	
	Bus/Railroad Depot	A	A	A		
	Helipads	C	C	C	C	
	All Other Aviation or Surface Passenger Terminal			C	C	
<b>Mining</b> - mining or extraction of mineral or aggregate resources from the ground for off-site use	Oil or Gas Drilling			C		
	Sand or Gravel Extraction or Processing			C	C	4.3.K
	All Other Mining					
<b>Telecommunications Facilities</b> - devices and supporting elements necessary to produce nonionizing electromagnetic radiation operating to produce a signal	Telecommunications Facilities & Support Structures	C	C	C	C	4.3.R

<sup>1</sup> Only allowed as part of a mixed use development.

<sup>2</sup> Produce stands are allowed in residential zone districts only for products produced on the premises provided no hazards are created with parking, ingress, egress and signage and the operation does not disrupt the peace, quiet and dignity of the neighborhood. Produce stands in non-residential zone districts may include products produced off-premise and require a Temporary Use Permit.

<sup>3</sup> In some zone districts, lots originally platted and zoned for detached dwellings require a Conditional Use Permit for attached units. See Section 3.3.

Exhibit 6.5.C  
BUFFERING BETWEEN ZONING DISTRICTS

Zoning of Proposed Development	Zoning of Adjacent Property												
		R-5	R-8	R-12 & R-16	R-24	R-O	B-1	B-2	C-1	C-2 & I-O	I-1	I-2	CSR
SF (Subdivisions)	-	-	-	-	-	-	F	F	-	W	W	W	-
R-5	-	-	-	-	-	-	F	F	-	W	W	W	-
R-8	A&F <sup>1</sup>	-	-	A or F	A or F	A or F	F	F	-	W	W	W	-
R-12 & R-16	A&F	A&F	A&F	A&F	A or F	A or F	F	F	W	W	W	W	-
R-24	A&F	A&F	A&F	A&F	A or F	A or F	F	F	W	W	W	W	-
RO	A	A	A	A	A	-	A or F	A&F	A or F	W	W	W	-
B-1	A&F	A&F	A&F	A&F	A&F	A&F	A&F <sup>2</sup>	A&F <sup>2</sup>	A&F <sup>2</sup>	A or F	A or F	A or F	-
B-2	A	A	A	A	A	A	-	-	-	-	A or F	A or F	-
C-1	A&W	A&W	A&W	A&W	A&W	A&W	-	-	-	-	A or F	A or F	F
C-2 & I-O	A&W	A&W	A&W	A&W	A&W	A&W	A&F	-	-	-	A or F	A or F	A&F
I-1	B&W	B&W	B&W	B&W	B&W	B&W	A&F	A&F	B or F	B or F	-	-	B&W
I-2	B&W	B&W	B&W	B&W	B&W	B&W	A&F	A&F	B or F	B or F	-	-	B&W
CSR <sup>3</sup>	-	-	-	-	-	-	-	-	-	B	B	B	-

<sup>1</sup> Only required for multifamily development in R-8.

<sup>2</sup> Only B-1 that includes a residential component adjacent to nonresidential uses or zoning requires "A&F" buffer.

<sup>3</sup> Gravel operations subject to buffering adjacent to residential.

Zoning of Proposed Development	Zoning of Adjacent Property											
		R-5	R-8	R-12 & R-16	R-24	R-O	B-1	B-2	C-1	C-2 & I-O	I-1	I-2

**Notes**

A and B indicate landscape buffer types as described in Exhibit 6.5.D  
 F and W indicate a six foot (6') fence and wall respectively as described in paragraph 1 of Section 6.5.F.  
 A berm with landscaping is an alternative for a required fence or wall if the total height is a minimum of six feet (6')  
 The word "or" means either the landscape buffer or fence/wall may be provided.  
 The "&" means that both the landscape buffer and the fence/wall shall be provided.  
 Where alleys or streets separate different zone districts, the Director may approve increased landscaping rather than requiring a wall or fence.  
 The Director may modify this table based on the uses proposed in any zone district.

**Exhibit 6.5.D  
BUFFER REQUIREMENTS**

Buffer Types	Landscaping Requirements	Location of Buffers on Site
<p style="text-align: center;"><b>Type A</b></p> <p style="text-align: center;"><b>Type B</b></p>	<p style="text-align: center;"><b>Eight foot (8') wide landscape strip with trees and shrubs</b></p> <p style="text-align: center;">Twenty-five foot (25') wide landscape strip with trees and shrubs</p>	<p style="text-align: center;"><b>Between different uses Exhibit 6.5.C</b></p> <p style="text-align: center;">Between different uses Exhibit 6.5.C</p>
<p><b>Note: Fences and walls are required for most buffers.</b></p>		

**LETTERS FROM CONCERNED CITIZENS/AGENCIES**

**More to be Provided for 2<sup>nd</sup> Reading**



>>> <[Rick\\_Krueger@fws.gov](mailto:Rick_Krueger@fws.gov)> 8/24/2007 5:13 PM >>>

To All Concerned: Penny and Enno Heuscher contacted me earlier in the week concerning the proposal by Brady trucking to operate a trucking operation at the intersection of 27 1/2 and C 1/2 Roads adjacent to the Colorado River. They asked if there were any concerns that the Service might have about the pending proposal Brady has to construct and operate from this site adjacent to the River. I told them that the Service has several concerns that should be addressed:

The Colorado River including the 100 year flood plain is designated critical habitat for two Federally listed endangered fish the Colorado pikeminnow and razorback sucker. In addition two other Federally listed endangered species the bonytail and humpback chub occupy the river in close proximity to this site. If this project requires a Federal action (i.e. 404 permit) then the Federal agency representing the applicant will need to consult with the Service on impacts to all federally listed species.

The Service is very concerned about floodplain encroachment. The floodplain of the Colorado River has been drastically reduced and this is a major concern for the fish. If Brady plans to further restrict the floodplain at this site this could lead to increased velocities in the river and decreased over-bank flooding which is essential to the life cycles of endangered fish. If their proposal decreases the overall capacity of the floodplain this could be a concern by increasing the potential for flooding up stream and downstream of the constriction point. This tends to lead to more requests for higher dikes to protect these areas causing even further degradation of floodplain habitat. In addition, maintaining a riparian buffer (setback areas) along the river is important for a number of species including migratory birds, another Service trust resource. Riparian areas have a number of functions besides providing habitat for birds and terrestrial species they act as a flood buffer, providing decreased velocities and creating sediment depositional areas. They also provide a source of nutrients to the river as bank side vegetation grows and falls into the river. This provides the nutrients that produce the bugs and aquatic microfauna that fish and other riparian species depend upon to live and reproduce.

As I understand it, the proposal is for a trucking operation at this site. Run-off from parking areas and loading areas are a concern from a contaminants standpoint. We would request that all storm water from the site pass through an oil/trash/water separator before entering the Colorado River. The potential for contaminants entering the river from a trucking operation are quite high and the potential for fish to be exposed to contaminants is a concern. We have had discussions with city engineers in the past about the use of water/oil separators at key areas within the valley to protect the river from contaminants. It may be prudent to look at the stormwater within the total drainage area and determine if a central collection point should be created with an oil/ water separator designed into the containment/detention pond.

The Service has been an active participant supporting the Riverfront Commissions efforts to restore the river corridor to a more natural environment and remove historic industrial uses/users. Protecting our riverfront should be a common cause of the Grand Junction community. Most areas within the nation now recognize the value that river floodplains provide including: reducing flooding potential, providing wildlife habitat and recreational opportunities through trails and open space and natural contaminant buffers. The city and county should take an active role by changing zoning along the rivers to provide a natural buffer by rezoning former industrial and urban development designations to open space as opportunities become available. This will preserve the Grand Valley's overall appeal and provide protection which may lead to delisting of the four Federally endangered fish that occupy our Rivers.

Rick Krueger  
U.S. FWS, Contaminants Specialist  
764 Horizon Drive, Bldg. B  
Grand Junction, CO 81506  
Phone: (970) 243-2778  
Fax: (970) 245-6933  
e-mail: [Rick\\_Krueger@fws.gov](mailto:Rick_Krueger@fws.gov)

Dear Commissioners,

The proposal to establish a trucking operation at the intersection of 27 1/2 and C 1/2 Roads adjacent to the Colorado River should not be approved. Maintaining a riparian buffer along the river is important for a number of species including breeding, wintering, and migratory birds, and allowing such operations would negatively affect an already threatened resource.

Despite its occupying approximately one percent of the region's surface area, lowland riparian habitat provides support for up to 80% of the resident bird species during some part of their life cycle. Colorado Partners in Flight (a cooperative effort of governmental agencies, conservation groups, industry, the academic community, and private individuals) points out in its Bird Conservation Plan, " This system has the richest avian species component of any of Colorado's habitats." A recent study identified more than 200 bird species using a single mile of this habitat in the Grand Valley during a one-year period, including species of conservation concern such as Bald Eagle and Peregrine Falcon. Another recent survey identified the Grand Valley riparian corridor as the best representative of this habitat in Western Colorado. Because the Grand Valley riparian corridor provides critical habitat for such a large percentage of the state's bird species, Audubon of Colorado has recognized it as one of Colorado's Important Bird Areas.

Lowland riparian is, of all of our varied habitat types, the one most susceptible to loss and degradation by urban and industrial development. Allowing a trucking operation on the river's banks would be counter to the Riverfront Commission's efforts to restore the river corridor to a more natural environment by removing historic industrial uses/users. Protecting the riverfront and its riparian habitat should be a high priority for the Grand Valley. Most areas within the nation now recognize the value that river floodplains provide by reducing flooding potential and providing wildlife habitat and recreational opportunities. The city and county should take an active role in developing these values by rezoning former industrial and urban development designations to open space as opportunities become available.

Rich Levad

(co-author, "Birds of Western Colorado: Plateau and Mesa Country")

August 28, 2007

To the Grand Junction City Council Members and the Grand Junction Planning Commission:

**Re: The South Downtown Plan and the Brady Trucking Zone of Annexation  
Between C ½ Road and the Colorado River**

The zoning decisions for the Brady property along the riverfront will present a golden opportunity for the Grand Junction City Council Members to take responsible action regarding the future of the South Downtown area of our fair city.

Many people have worked diligently and unselfishly on the future of this important area of our city and there are compelling reasons for this area to be zoned for Mixed Use. The area is in the flood plain and US Fish and Wildlife Service is very concerned about floodplain encroachment. In addition, there are many homes directly across the river from the Brady property that are impacted by the noise and the unsavory view that a large trucking company, that is billed as an Oil Field Hauling and Trucking firm, would result in.

This is prime real estate that should be used to enhance our city. A riverfront location in the downtown area would be a perfect location for restaurants, parks and river trails, as many other cities throughout the country have chosen to provide for their citizens.

Other cities (see attached) have had to spend millions of dollars to change their riverfronts from prior heavy industrial use to residential, parks and neighborhood enhancing businesses, such as restaurants and theaters. It makes no sense to zone the area in question for industrial use when the potential for better alternatives is so apparent. Stating that it should be zoned for heavy industrial use because it was always that way is not taking the longer view, and it is the longer view that needs to be taken. Looking forward to what this area could look like and the tremendous income it could produce for the city is what needs to be considered. As a concerned citizen and as an active member of the Grand Valley Audubon Society, I urge the City Council Members to take this unique opportunity to improve our riverfront by voting to have this area zoned for Mixed Use.

***American cities transform themselves from places of industry and commerce to centers of culture and refinement.***

***Chief Joseph: "Without Vision the People Perish"***

Sincerely,

Paul Didier,  
2808 Laddie Way  
Grand Junction, CO 81506  
242-8643  
didier@cheerful.com

## MUNICIPAL RIVERFRONT IMPROVEMENTS

### ***American cities transform themselves from places of industry and commerce to centers of culture and refinement.***

1 Portland,  
OR

<http://www.tbrpc.org/waterfront/riverpl.htm>

By the early 1970s, Portlanders were deciding how they could reclaim their waterfront. A masterplan was already in place known as the Downtown Waterfront Urban Renewal Plan. The plan sought to strengthen the link between the waterfront and the central city. Portland's commitment to the South Waterfront began in 1975 when the City Council amended the plan and extended the urban renewal boundary south to Montgomery Street. In 1976 a landmark decision removed Harbor Drive, a four-lane expressway that cut off downtown from the river. The stage was set for Portlanders to again have access to their riverfront! In 1979, the Planning Commission and City Council adopted the South Waterfront Development Program developed by the Portland Development Commission. Between the years of 1980 and 1983 the Marina basin was dredged, utility relocation and street construction work were completed and the Waterfront Park Extension from the Hawthorne Bridge to Montgomery Street was underway.

2 Pittsburgh,  
PA

[http://www.friendsoftheriverfront.org/new\\_pages/links.htm](http://www.friendsoftheriverfront.org/new_pages/links.htm)

Read about Pittsburgh's extensive revitalization of its riverfronts - all three rivers at the above website.

3 St. Louis,  
MO

<http://stlouis.missouri.org/government/duffy/riverfront.htm>

<http://www.explorestlouis.com/meetings/newPackage.asp?PageType=3>

**The Riverfront Master Plan** - St. Louis' historic riverfront is being re-made for the future thanks to a new Master Plan. A mile-long stretch of the Riverfront from the Poplar Street to the Eads bridges will be transformed into an inviting and vibrant destination with greenways, dining, attractions and a focus on the Mississippi River. The plan also will create new spaces for public performances to enhance the popular Live on the Levee summer concert series and allow for additional riverfront events.

4 Philadelphia,  
PA

[http://www.schuylkillbanks.org/admin/controls/doc/2\\_20051213115749.pdf](http://www.schuylkillbanks.org/admin/controls/doc/2_20051213115749.pdf)

The New Schuylkill Riverfront - Master Plan and Priority Projects - Along the banks of the Schuylkill River, south of the Fairmount water works, a long-awaited transformation is taking place. It is not just the new trail that bends around a gracious turn in the river and continues to Locust Street. It's in the hearts and minds of Philadelphians who are experiencing the Schuylkill for the first time and discovering the joy of bringing the river back into the fabric of our lives. For many years, the lower section of the Schuylkill River has deserved only a casual glance. Due to more than a century of industrialization, it has lost the lush green banks that attracted early Dutch explorers and the city's forefathers who strategically aligned the city's development along its verdant edge. Look again.

- 5 Des Moines, IA <http://www.lib.drake.edu/heritage/odm/article.html>

As landscape architecture, municipal art and city planning gained increasing favor nationally, local architects turned to matters of site planning. At the request of the Civic Improvement Committee of the Greater Des Moines Committee (connected with the Commercial Clubs), Frank E. Wetherell prepared the "Plan of Improvement of River Front" in 1908.

- 6 Fort Wayne, IN <http://downtownfortwayne.com/story.php?cat=1&sub=253&uid=134>

Municipal Riverfront Improvement District/ CREeDAn infill strategy for the downtown core is being developed that will weld these two sets of incentives to grow **mixed-use** projects, featuring first floor retail/restaurants and upper floor housing as well as integrating arts and culture into a number of smaller developments. Setting the conditions to spur creative industries is the key goal of the strategy.

- 7 Sunbury, PA <http://www.seda-coq.org/nor-sunbury/cwp/view.asp?a=863&Q=430769>

The goal of the Sunbury Riverfront Park Project is to create aesthetically pleasing riverfront improvements that combine flood protection with quality park and recreation services and facilities that benefit the diverse recreational interests of its residents, and provides access to the Susquehanna River and Lake Augusta, while serving as a catalyst for economic development.

- 8 Bellevue, IA <http://www.iowaleague.org/AboutCities/CIA.aspx?id=113>

The majority of Bellevue's riverfront area had been improved with brick sidewalks, picnic tables, benches, and lighting, however the south river front was still in need of these improvements. The river front is used extensively by the community and tourists for recreation and completing the South Riverfront Park Project would finish the entire riverfront area and be another step closer to eventually encircling the entire city with a walkway system. The additions were completed in June of 2004.

- 9 Albany, GA <http://www.albanytomorrow.com/projects/projects.html>

Both new and rehabilitated structures are included in Albany Tomorrow's proposed \$1.5-\$2 million development of the downtown street closest to the Flint River. The Flint River Entertainment District is envisioned as a dense mix of specialty retail, entertainment and dining establishments linking the Flint RiverCenter, the hotel and conference center, the Flint River Walk, the Albany Civic Center and riverfront amenities such as docks, plazas, parks and trails. The area would feature streetscape and lighting improvements as well as courtyards, open-air tables and inventive storefront treatments. Development along the west side of Front Street in the block between Broad and Pine Avenues is emphasized.

**10** Henderson  
City, KY

<http://www.courierpress.com/news/2007/jul/15/riverfront-improvements-meeting-set/?gleaner=1/>

the commission will meet in a workshop, at which time it will discuss the list of possible riverfront improvement projects.

**11** Rockland  
County NY

<http://www.co.rockland.ny.us/planning/landuse/rivercomm.htm>

Communities have officially agreed to work together toward preserving and enhancing one of our greatest assets, our riverfront communities

**MINUTES FROM SEPTEMBER 11, 2007 PLANNING COMMISSION  
MEETING**

**To Be Provided for 2<sup>nd</sup> Reading**



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE ZONING THE BRADY SOUTH ANNEXATION TO  
INDUSTRIAL/OFFICE PARK (I-O) ZONE DISTRICT**

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

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Brady South Annexation to the Industrial/Office Park (I-O) zone district finding that it conforms with the 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 Industrial/Office Park (I-O) zone district is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

The following properties be zoned Industrial/Office Park (I-O).

**BRADY SOUTH ANNEXATION**

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

BEGINNING at the Northwest corner of that certain parcel of land described in Book 4172, Page 725, Public Records of Mesa County, Colorado, and assuming the North line of the NE 1/4 SW 1/4 bears N89°57'02"E with all other bearings contained herein being relative thereto; thence N89°57'02"E along said North line a distance of 664.62 feet to the Northeast corner of said NE 1/4 SW 1/4; thence along the North line of the NW 1/4 SE 1/4 of said Section 24 and along the South line of the Elite Towing Annexation No. 1, City of Grand Junction, Ordinance Number 3101 the following 3 courses: (1) S89°46'25"E a distance of 367.65 feet; (2) S00°08'41"W a distance of

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

Said parcel contains 12.62 acres (549,691 square feet), more or less, as described.

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

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

ATTEST:

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

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

**Attach 7**

**Setting a Hearing to Create the Galley Lane Sanitary Sewer Improvement District  
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Create the Galley Lane Sanitary Sewer Improvement District No. SS-49-07 and giving notice of a hearing.		
<b>File #</b>			
<b>Meeting Day, Date</b>	Wednesday, September 19, 2007		
<b>Placement on the Agenda</b>	<b>Consent</b>	<input checked="" type="checkbox"/>	<b>Individual</b>
<b>Date Prepared</b>	September 15, 2007		
<b>Author Name &amp; Title</b>	Michael Grizenko, Real Estate Technician		
<b>Presenter Name &amp; Title</b>	Tim Moore, Public Works and Planning Director		

**Summary:** A majority of the owners of real estate located in the area of Young Street between F 1/2 Road and Galley Lane have submitted a petition requesting an improvement district be created to provide sanitary sewer service to their respective properties, utilizing the septic sewer elimination program to help reduce assessments levied against the affected properties. The proposed resolution is the required first step in the formal process of creating the proposed improvement district.

**Budget:** Costs to be incurred within the limits of the proposed district boundaries are estimated to be \$243,592. Sufficient funds have been transferred from Fund 902, the sewer system "general fund", to pay for these costs. Except for the 30% Septic System Elimination(SSE) contribution, this fund will be reimbursed by assessments to be levied against the 17 benefiting properties, as follows:

Estimated Project Costs	\$243,592	\$14,329/ lot
-30% SSE amount (excluding easement costs)	<u>(\$ 73,078)</u>	<u>(\$ 4,299) / lot</u>
Total Estimated Assessments	\$170,514	\$10,030/ lot

This proposed improvement district is slated for construction as part of the 2007 revised budget of \$720,000 in **906-F48200**. A breakdown of the budget is as follows:

PROJECT NAME	BUDGET ESTIMATE
Galley Lane SID	\$ 250,000.00
Palace Verdes SID	\$ 199,061.00

Bluffs SID	\$ 241,348.00
23 Road S of Broadway	\$ 20,000.00
Estimated TOTAL:	\$ 710,409.00
Budget Total	<u>\$ 720,000.00</u>
Remaining Funds:	\$ 9,591.00

**Action Requested/Recommendation:** Adopt a resolution declaring the intention of the City Council to create The Galley Lane Sanitary Sewer Improvement District No. SS-49-07 and giving notice of a hearing.

**Attachments:**

1. Ownership summary,
2. Vicinity map,
3. Resolution, which includes the notice of hearing.

**Background Information:** In 2001 the City Council and Mesa County Commissioners adopted two policies to promote the elimination of septic systems in the Persigo sewer service area. A total of \$720,000 is budgeted in 2007 revised to fund improvement districts that will extend sanitary sewer service to various neighborhoods. Additionally, a Septic System Elimination Program (SSEP) has been created that provides financial assistance for property owners who wish to participate in improvement districts. This program authorizes the City and Mesa County to pay 30% of improvement district costs.

Improvement districts historically begin with public interest. The City or Mesa County receives questions from property owners in an area regarding possibility of sewer service and connection to the Persigo Waste Water Treatment Plant.

The City and County hold an initial public meeting for the affected parties introducing the SSEP and provide estimated high and low range costs for the district. At this meeting an informal petition is circulated. If a simple majority of property owners affected favor a district, the project is designed by the City and advertised for bids. Otherwise, the district is tabled until some later date.

After the City receives bids, a second public meeting is held with residents to discuss the estimated assessment based on bid price from the lowest qualified bidder. At this meeting a formal, legally binding, petition is circulated with costs based on the low bid received.

If a majority of the property owners vote to form the district, the City Council takes action to create the district and awards the construction contract. After construction is completed the City Council initiates assessment proceedings. Each property in the district is assessed based on actual costs of construction, less the 30% SSEP contribution, if it applies.

This proposed improvement district consists of 17 single-family properties which are connected to septic systems. Seventy-six percent of the property owners have signed a petition requesting that this improvement district be created. People's Ordinance No. 33 authorizes the City Council to create improvement districts when requested by a majority of the owners of real estate to be assessed.

On November 7, 2007, the City Council will conduct a public hearing and consider a resolution to create this proposed improvement district.

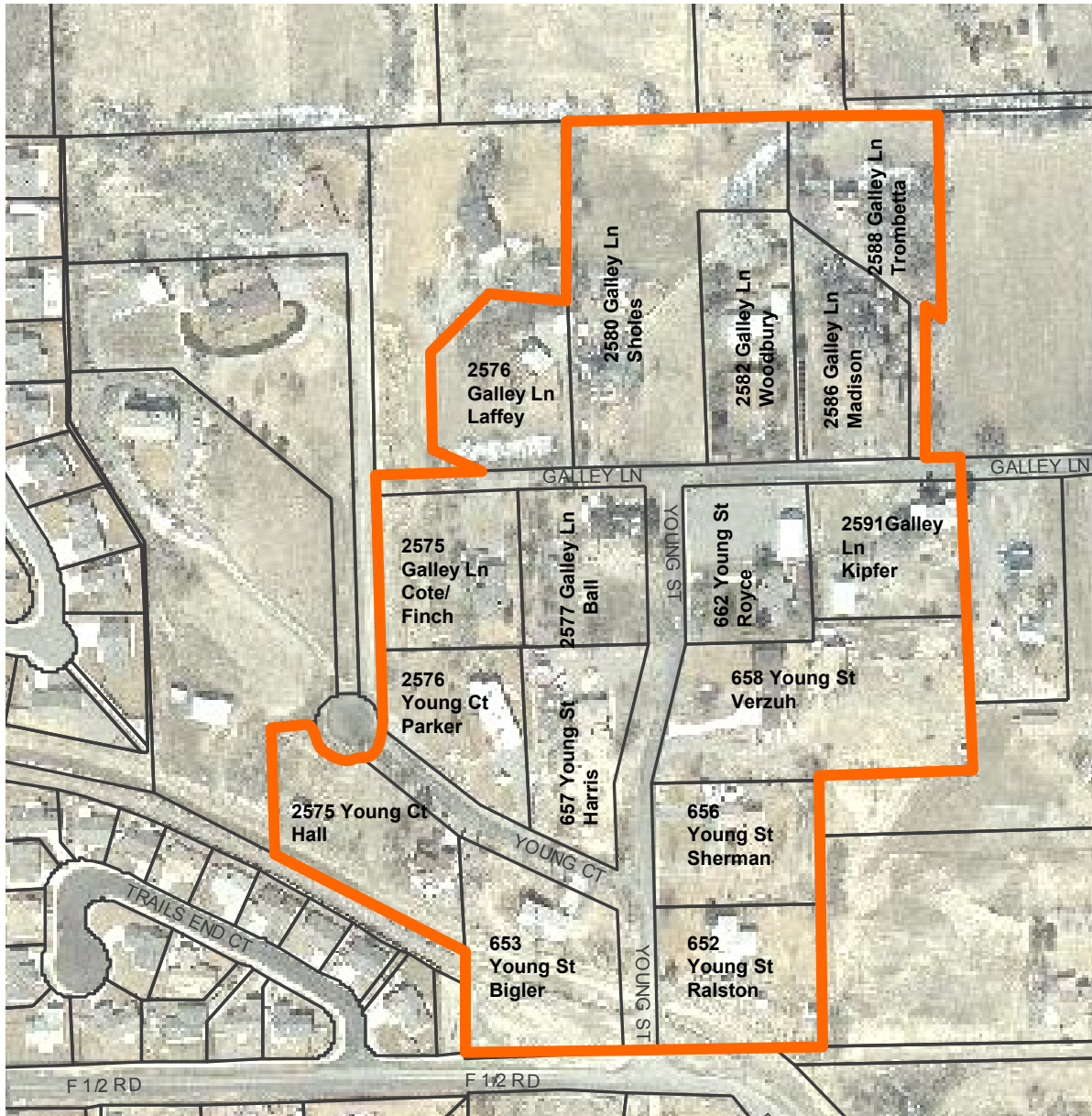
**PROPOSED GALLEY LANE  
SANITARY SEWER IMPROVEMENT DISTRICT**

<b>SCHEDULE NO.</b>	<b>OWNERSHIP</b>	<b>PROPERTY ADDRESS</b>	<b>ESMT REQ.?</b>
2945-031-01-001	• Michael Cote & Yvonne Finch	2575 Galley Lane	
2945-031-01-002	• Lawrence & Caroline Ball Trust	2577 Galley Lane	
2945-031-01-003	• Robert J. & Rebecca M. Royce	662 Young Street	
2945-031-01-005	Patrick Dwane Sherman	656 Young Street	
2945-031-01-006	• Patrick A. & Chrisy M. Ralston	652 Young Street	Yes
2945-031-01-008	• Bix & Kateri Bigler	653 Young Street	
2945-031-01-010	• Craig & Emily Parker	2576 Young Ct	Yes
2945-031-01-011	• Harold & Elizabeth Harris	657 Young Street	
2945-031-01-012	• John & Patricia Verzuh	658 Young Street	
2945-031-37-002	Christopher & Robin Madison	2586 Galley Lane	
2945-031-00-034	• Margaret Sholes	2580 Galley Lane	
2945-031-00-035	Peter & Susan Woodbury	2582 Galley Lane	
2945-031-00-038	• Denise Kipfer	2591 Galley Lane	
2945-031-71-001*	• David B. & Jenny L. Hall	2575 Young Ct	
2945-031-71-002*	• David B. & Jenny L. Hall	2573 Young Ct	
2945-031-00-181	John & Shirley Laffey, Trustees	2576 Galley Lane	
2945-031-37-003	• Sharon A. Trombetta	2588 Galley Lane	

\* Assessor number tentative based on conversation with Assessor's office; final number to be determined by Assessor's office after plat recordation.

- Indicates owners signing in favor of improvements are 13/17 or 76%

# BOUNDARY OF THE PROPOSED GALLEY LANE SANITARY SEWER IMPROVEMENT DISTRICT



**CITY OF GRAND JUNCTION, COLORADO**

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

**A RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO, TO CREATE WITHIN SAID CITY, THE GALLEY LANE SANITARY SEWER DISTRICT NO. SS-49-07, AUTHORIZING THE CITY UTILITY ENGINEER TO PREPARE DETAILS AND SPECIFICATIONS FOR THE SAME, AND GIVING NOTICE OF A HEARING**

WHEREAS, a majority of the property owners to be assessed have petitioned the City Council, under the provisions of Chapter 28 of the City of Grand Junction Code of Ordinances, as amended, and People's Ordinance No. 33, that a Sanitary Sewer Improvement District be created for the design, construction and installation of sanitary sewer facilities and appurtenances related thereto for the special benefit of the real property hereinafter described; and

WHEREAS, the City Council has found and determined, and does hereby find and determine, that the construction and installation of sanitary sewer facilities as petitioned for is necessary for the health, safety and welfare of the residents of the territory to be served and would be of special benefit to the properties included within said district; and

WHEREAS, the City Council deems it necessary and appropriate to take the necessary preliminary proceedings for the creation of a special sanitary sewer improvement district, to be known as Sanitary Sewer Improvement District No. SS-49-07, to include the services and facilities as hereinafter described for the special benefit of the real property as hereinafter described.

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

1. That the real property (also known as the "District Lands") to be assessed with the total actual costs of the proposed services, labor, materials and improvements which the City may deem appropriate, is described as follows:

Lots 1 through 7, inclusive Linda Subdivision, as recorded in Plat Book 8, Page 66 in the office of the Mesa County Clerk and Recorder; AND ALSO

Lots 2 and 3, Galley Minor Subdivision, as recorded in Plat Book 15, Page 66, in the office of the Mesa County Clerk and Recorder; AND ALSO



Lots 1 and 2, DJ Hall Subdivision as recorded in the office of the Mesa County Clerk and Recorder; AND ALSO

All that part of the S1/2NE1/4 Section 3, T1S, R1W, Ute Meridian, lying north of the Galley Lane right-of-way and contained within the following described line:

Beginning at the Southwest corner Lot 2 Galley Minor Subdivision, as recorded in Plat Book 15, Page 66 of the Mesa County records; thence N 00°06'00"W, along the west line of said Galley Lane Minor Subdivision, a distance of 473.63 feet to the North line of the S1/2NE1/4 of said Section 3; thence S90°00'00"W, along said North line, a distance of 310 feet; thence S00°00'00"W 244.85 feet; thence N86°30'W 111 feet; thence S43°14'03"W 111.93 feet; thence S00°30'30"W 132.07 feet; thence S65°42'30"E 67.40 feet; thence South 2.5 feet to the north line of said Galley Lane; AND ALSO

All that part of the S1/2NE1/4 Section 3, T1S, R1W, Ute Meridian, lying south of the Galley Lane right-of-way and east of said Linda Subdivision, contained within the following described line:

Beginning 610 feet West of the NE corner of the south 5 acres of the N1/2SE1/4NE1/4 said Section 3; thence South 425 feet; thence West 209 feet to the East line said Linda Subdivision.

All in the City of Grand Junction, Mesa County, Colorado.

2. That the proposed services, labor, materials and improvements (also known as the "District Improvements") necessary to accommodate the request of the owners of the District Lands shall include, but may not be limited to, the design, construction, installation and placement of sanitary sewer main lines, inlets, manholes, connecting mains, service line stub-outs to the property lines, compensation or fees required for easements, permits or other permanent or temporary interests in real property which may be required to accommodate the installation, operation, maintenance, repair and replacement of the District Improvements, together with any other services or facilities required to accomplish this request as deemed necessary by the City Utility Engineer, all of which shall be installed in accordance with the General Conditions, Specifications and Details for Public Works and Utility Projects of the City of Grand Junction.

3. That the assessments to be levied against and upon the District Lands shall be based upon the total actual costs of the District Improvements. The City Utility Engineer has estimated the total probable costs of the District Improvements to be \$243,592. Based on the aforesaid estimate of the City Utility Engineer, the

assessments to be levied against and upon each individual parcel are estimated to be \$14,328.93; provided, however, that pursuant to a Joint Resolution by the City Council and the Board of Commissioners of Mesa County, being City Resolution No. 38-00, and Mesa County Resolution No. MCM 2000-73, the City has determined that the District Lands are eligible for and shall receive the benefits of the Septic System Elimination Program and thus said District Lands shall be assessed for only seventy (70%) of the assessable cost of said improvements. Notwithstanding the foregoing estimates, the total costs of the District Improvements, whether greater or less than said estimates, shall be assessed against and upon the District Lands. The assessments to be levied against and upon the District Lands do not include other costs and fees which the owners of the District Lands will be required to pay prior to making connection to the District Improvements, including, but not limited to, costs to extend the service lines from the stub-outs to the building(s) to be served, Plant Investment Fees, and any other fees which may be required prior to making physical connections to the District Improvements.

4. That the assessments to be levied against and upon the District Lands to pay the whole costs of the District Improvements shall be due and payable, without demand, within thirty (30) days after the ordinance assessing such costs against and upon the District Lands becomes final. Failure by any owner(s) to pay the whole assessment within said thirty (30) day period shall be conclusively considered as an election on the part of said owner(s) to pay such owner's assessment in ten (10) annual installments, in which event an additional six percent (6%) one-time charge for costs of collection and other incidentals shall be added to the principal amount of such owner's assessment. Assessments to be paid in installments shall accrue simple interest at the rate of 8 percent (8%) per annum on the unpaid balance and shall be payable at the time the next installment of general taxes, by the laws of the State of Colorado, is payable, and each annual installment shall be paid on or before the same date each year thereafter until paid in full; provided, however, that any new lot created within a period of ten (10) years following the creation of said Sanitary Sewer Improvement District No. SS-49-07 shall not have the election of paying the assessment to be levied against and upon such new lots in ten (10) annual installments, but rather, such assessments shall be due and payable at the time any such new lots are created.

5. That the City Utilities Engineer is hereby authorized and directed to prepare full details, plans and specifications for the District Improvements, together with and a map of the district depicting the District Lands to be assessed from which the amount of the estimated assessments to be levied against each individual property may be readily ascertained, all as required by Ordinance No. 178, as amended, City of Grand Junction, Colorado.

6. That Notice of Intention to Create said Sanitary Sewer Improvement District No. SS-49-07, and of a hearing thereon, shall be given by advertisement in one issue of

The Daily Sentinel, a newspaper of general circulation published in said City, which Notice shall be in substantially the form set forth in the attached **"NOTICE"**.

## NOTICE

### OF INTENTION TO CREATE SANITARY SEWER IMPROVEMENT DISTRICT NO. SS-49-07, IN THE CITY OF GRAND JUNCTION, COLORADO, AND OF A HEARING THEREON

**PUBLIC NOTICE IS HEREBY GIVEN**, pursuant to the request of a majority of the owners of the property to be assessed, to the owners of real estate in the district hereinafter described and to all persons generally interested, that the City Council of the City of Grand Junction, Colorado, has declared its intention to create Sanitary Sewer Improvement District No. SS-49-07, in said City, for the purposes of installing sanitary sewer facilities and related appurtenances to serve the property hereinafter described which lands are to be assessed with the total costs of the improvements, to wit:

Lots 1 through 7, inclusive Linda Subdivision, as recorded in Plat Book 8, Page 66 in the office of the Mesa County Clerk and Recorder; AND ALSO

Lots 2 and 3, Galley Minor Subdivision, as recorded in Plat Book 15, Page 66, in the office of the Mesa County Clerk and Recorder; AND ALSO

Lots 1 and 2, DJ Hall Subdivision as recorded in the office of the Mesa County Clerk and Recorder; AND ALSO

All that part of the S1/2NE1/4 Section 3, T1S, R1W, Ute Meridian, lying north of the Galley Lane right-of-way and contained within the following described line:

Beginning at the Southwest corner Lot 2 Galley Minor Subdivision, as recorded in Plat Book 15, Page 66 of the Mesa County records; thence N 00°06'00"W, along the west line of said Galley Lane Minor Subdivision, a distance of 473.63 feet to the North line of the S1/2NE1/4 of said Section 3; thence S90°00'00"W, along said North line, a distance of 310 feet; thence S00°00'00"W 244.85 feet; thence N86°30'W 111 feet; thence S43°14'03"W 111.93 feet; thence S00°30'30"W 132.07 feet; thence S65°42'30"E 67.40 feet; thence South 2.5 feet to the north line of said Galley Lane; AND ALSO

All that part of the S1/2NE1/4 Section 3, T1S, R1W, Ute Meridian, lying south of the Galley Lane right-of-way and east of said Linda Subdivision, contained within the following described line:

Beginning 610 feet West of the NE corner of the south 5 acres of the N1/2SE1/4NE1/4 said Section 3; thence South 425 feet; thence West 209 feet to the East line said Linda Subdivision.

All in the City of Grand Junction, Mesa County, Colorado.

**Location of Improvements:** Located in the area of Young Street between F 1/2 Road and Galley Lane.

**Type of Improvements:** The improvements requested include the installation or construction of sanitary sewer main lines, inlets, manholes, connecting mains, service line stub-outs to the property lines, together with engineering, inspection, administration and any other services or facilities required to accomplish this request as deemed necessary by the City Utility Engineer, hereinafter referred to as the "District Improvements", all of which shall be installed in accordance with the General Conditions, Specifications and Details for Public Works and Utility Projects of the City of Grand Junction.

That the assessments to be levied against and upon the District Lands to pay the whole costs of the District Improvements, which have been estimated by the City Utility Engineer to be \$243,592; provided, however, that pursuant to a Joint Resolution by the City Council and the Mesa County Board of Commissioners, being City Resolution No. 38-00, and Mesa County Resolution No. MCM 2000-73, the City has determined that the District Lands are eligible for and shall receive the benefits of the Septic System Elimination Program and thus said District Lands shall be assessed for only seventy (70%) of the assessable cost of said improvements. Assessments shall be due and payable, without demand, within thirty (30) days after the ordinance assessing such costs against and upon the District Lands becomes final. Failure by any owner(s) to pay the whole assessment within said thirty (30) day period shall be conclusively considered as an election on the part of said owner(s) to pay such owner's assessment in ten (10) annual installments, in which event an additional six percent (6%) one-time charge for costs of collection and other incidentals shall be added to the principal amount of such owner's assessment. Assessments to be paid in installments shall accrue simple interest at the rate of 8 percent (8%) per annum on the unpaid balance and shall be payable at the time the next installment of general taxes, by the laws of the State of Colorado, is payable, and each annual installment shall be paid on or before the same date each year thereafter until paid in full; provided, however, that any new lot created within a period of ten (10) years following the creation of said Sanitary Sewer Improvement District No. SS-49-07 shall not have the election of paying the assessment to be levied against and upon such new lots in ten (10) annual installments, but rather, such assessments shall be due and payable at the time any such new lots are created.

On November 7, 2007, at the hour of 7:00 o'clock P.M. in the City Council Chambers located at 250 N. 5<sup>th</sup> Street in said City, the Council will consider testimony that may be made for or against the proposed improvements by the owners of any real estate to be assessed, or by any person interested.

A map of the district, from which the estimated share of the total cost to be assessed upon each parcel of real estate in the district may be readily ascertained, and all proceedings of the Council, are on file and can be seen and examined by any person interested therein in the office of the City Clerk during business hours, at any time prior to said hearing.

Dated at Grand Junction, Colorado, this \_\_\_\_ day of \_\_\_\_\_, 2007.

**BY ORDER OF THE CITY COUNCIL  
CITY OF GRAND JUNCTION, COLORADO**

By: \_\_\_\_\_  
City Clerk

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

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

Attest:

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

**Attach 8  
Public Hearing—Assessments for Sanitary Sewer Improvement District  
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Public Hearing and Second Reading of a Proposed Assessing Ordinance for Bluffs Sanitary Sewer Improvement District No. SS-48-06		
<b>File #</b>			
<b>Meeting Day, Date</b>	Wednesday, September 19, 2007		
<b>Placement on the Agenda</b>	<b>Consent</b>		<b>Individual</b> <b>x</b>
<b>Date Prepared</b>	September 14, 2007		
<b>Author Name &amp; Title</b>	Michael Grizenko, Real Estate Technician		
<b>Presenter Name &amp; Title</b>	Tim Moore, Public Works and Planning Director		

**Summary:** The City has completed the installation of sanitary sewer facilities as requested by a majority of the property owners to be assessed, located in the area east of 23 Road and between Terry Court and the Colorado River.

**Budget:** Sufficient funds were transferred in 2006 from Fund 902 - the Sewer System General Fund, to Fund 906 – the Septic System Elimination Fund, to support expenses related to this project. Except for the 30% Septic System Elimination contribution, this fund will be reimbursed by assessments to be levied against the twenty-one benefiting properties. The estimated versus actual costs and assessments are as follows:

<b>Item</b>	<b>Original Estimate</b>	<b>Actual</b>	<b>Difference</b>
Total Project Costs*	\$318,872	\$286,035.64	-\$ 32,836.36
30% Contribution**	<u>\$ 92,611</u>	\$ 82,078.25	-\$ 10,532.75
Per Lot Assessment***	\$ 10,341	\$ 9,321.64	-\$ 1,019.36

\* Total Project Costs include design, construction, inspection, easement acquisition and administration.

\*\* Included estimated cost of easements (\$12,441.47) which do not figure into the 30% contribution.

\*\*\*Assessments do not include Plant Investment Fees and costs to connect to the sewer main.

Two properties consist of duplexes, which are assessed at 1.44 Equivalency

Units(EQU's) each.

**Action Requested/Recommendation:** Conduct a Public Hearing and Adopt a Proposed Ordinance on second Reading for Bluffs Sanitary Sewer Improvement District No. SS-48-06.

**Attachments:**

1. Vicinity Map
2. Ownership Summary Sheet;
3. Proposed Ordinance.

**Background Information:** Improvement Districts are a cost-sharing program between the City and property owners who request the City's assistance in installing new or improved infrastructure to their neighborhood. People's Ordinance No. 33 authorizes the City Council to create Improvement Districts when petitioned by a majority of the property owners to be assessed. The petition for this Improvement District was signed by 64% of the property owners.

A summary of the process that follows submittal of the petition is provided below. Items preceded by a √ indicate steps already taken with this Improvement District and the item preceded by a ► indicates the step being taken with the current Council action.

1. √ City Council passes a Resolution declaring its intent to create an improvement district. The Resolution acknowledges receipt of the petition and gives notice of a public hearing.
2. √ Council conducts a public hearing and passes a Resolution creating the Improvement District.
3. √ Council awards the construction contract.
4. √ Construction.
5. √ After construction is complete, the project engineer prepares a Statement of Completion identifying all costs associated with the Improvement District.
6. √ Council passes a Resolution approving and accepting the improvements and gives notice of a public hearing concerning a proposed Assessing Ordinance.
7. √ Council conducts the first reading of the proposed Assessing Ordinance.
8. ► Council conducts a public hearing and second reading of the proposed Assessing Ordinance.



9. The adopted Ordinance is published for three consecutive days.
10. The property owners have 30 days from final publication to pay their assessment in full. Assessments not paid in full will be amortized over a ten-year period. Amortized assessments may be paid in full at anytime during the ten-year period.

Property owners are assessed for the actual costs of design, construction, inspection and administration. Under current policy adopted by a joint resolution between the City and Mesa County, Persigo Septic System Elimination Funds pay 30% of the assessable costs.

In addition to assessments, the property owners are responsible for bearing the following expenses:

- ◆ Costs to physically connect their service line to the building to be sewerred;
- ◆ Plant Investment Fees.

The City is responsible for extending each service line from the sewer main to the property line. The property owner is responsible for extending the service line from their property line to the building to be sewerred.

The Plant Investment Fee is currently \$2,000 for each sewer connection. The Plant Investment Fee will be raised to \$2,500 in 2008.

The published assessable costs of \$9,880.93 per lot, \$14,228.54 for lots containing duplexes and assessed at 1.44 EQU's, include a one-time charge of 6% for costs of collection and other incidentals. This fee will be deducted for assessments paid in full by October 22, 2007. Assessments not paid in full will be turned over to the Mesa County Treasurer for collection under a 10-year amortization schedule with simple interest at the rate of 8% accruing against the declining principal balance.

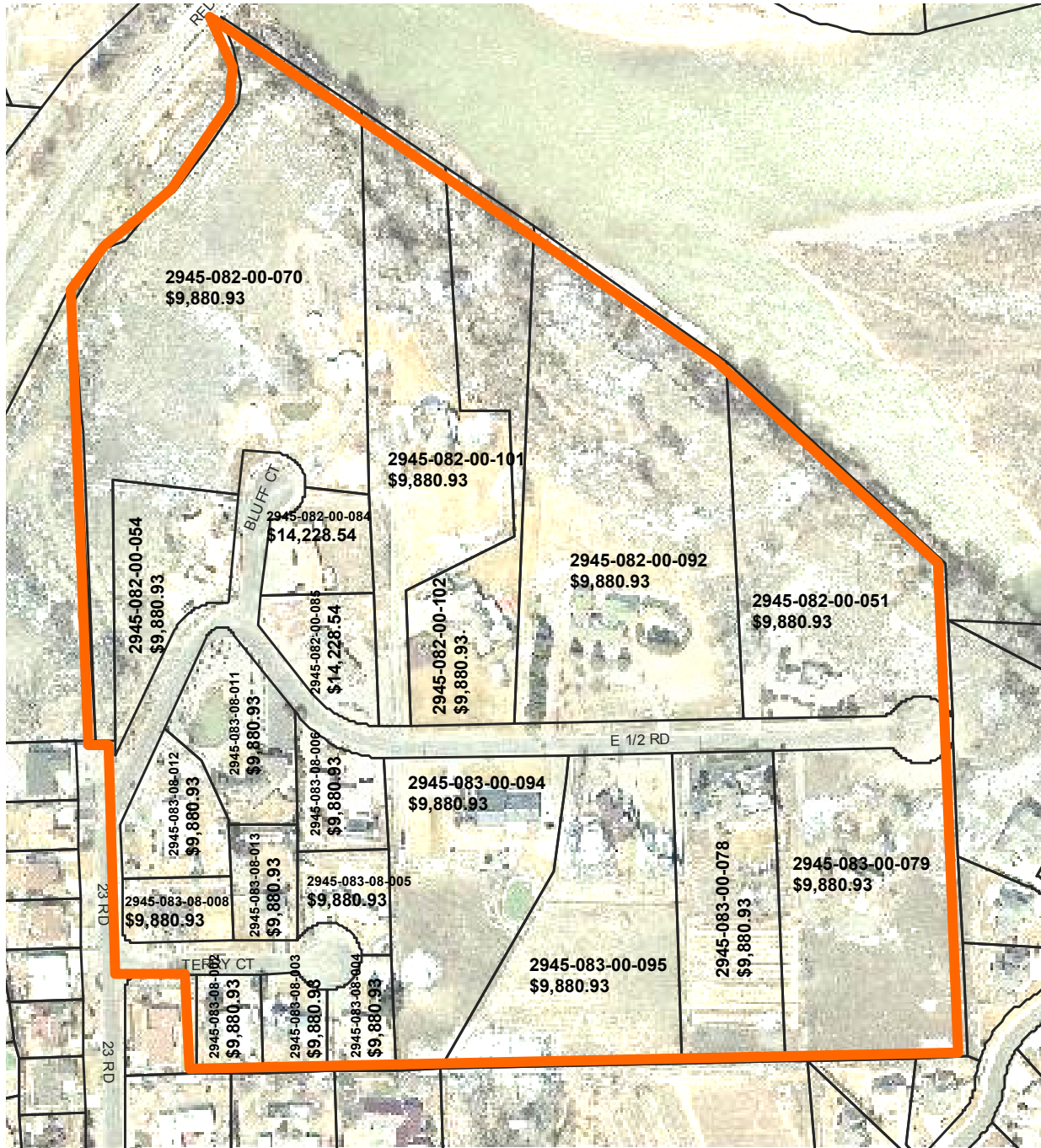
## OWNERSHIP SUMMARY

### BLUFFS SANITARY SEWER IMPROVEMENT DISTRICT No. SS-48-06

SCHEDULE NO.	OWNERSHIP	PROPERTY ADDRESS	ESMT REQ.?
2945-082-00-051	The Elliott Living Trust	2324 E 1/2 Road	
2945-082-00-054	• Henry G. & Judith K. Drake	555 Bluff Court	Yes
2945-082-00-070	Ramona Lee Osborn	562 Bluff Court	Yes
2945-082-00-084	Dixie Y. Hunt	556 Bluff Court	
2945-082-00-085	• Joy June Calhoun	2306 E 1/2 Road	
2945-082-00-092	• Daniel R. & Evelyn M. Gearhart	2320 E 1/2 Road	
2945-082-00-101	• David G. Kimbrough	2310 E 1/2 Road	
2945-082-00-102	Gertrude P. Yarnall Family Trust	2312 E 1/2 Road	
2945-083-00-078	• John Charles & Genell Renee Stites	2323 E 1/2 Road	
2945-083-00-079	• James E. & Jane Ann Schroeder	2325 E 1/2 Road	
2945-083-00-094	• Ron L. & Nola A. Kissner	2311 E 1/2 Road	
2945-083-00-095	• John F. & Marion A. Nepp	2313 E 1/2 Road	
2945-083-08-002	• Connie Sue Gearhart	2303 Terry Court	
2945-083-08-003	Jerry D. & Glenda M. Francis Trusts	2305 Terry Court	
2945-083-08-004	Paula M. & Carol L. Crowe	2307 Terry Court	
2945-083-08-005	Jack A. & Carolyn Jean Thomas	2306 Terry Court	
2945-083-08-006	• Loren E. & Laurel J. Ennis	2307 E 1/2 Road	
2945-083-08-008	• Carol L. & Dacre H. Dunn	2302 Terry Court	
2945-083-08-011	• Thomas G. & Rhonda K. Kupcho	2303 E 1/2 Road	
2945-083-08-012	Mary Louise Sharpe	546 23 Road	
2945-083-08-013	Jack W. & Sandra L. Warren	2304 Terry Court	

- Indicates owners signing in favor of the improvements are 12/21 or 57%.

# BOUNDARY OF THE BLUFFS SANITARY SEWER IMPROVEMENT DISTRICT



**CITY OF GRAND JUNCTION, CO**

**ORDINANCE NO.**

**AN ORDINANCE APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR BLUFFS SANITARY SEWER IMPROVEMENT DISTRICT NO. SS-48-06, IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178, ADOPTED AND APPROVED THE 11<sup>TH</sup> DAY OF JUNE, 1910, AS AMENDED; APPROVING THE APPORTIONMENT OF SAID COST TO EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; ASSESSING THE SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; APPROVING THE APPORTIONMENT OF SAID COST AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENT**

WHEREAS, the City Council and the Municipal Officers of the City of Grand Junction, in the State of Colorado, have complied with all the provisions of law relating to certain improvements in Bluffs Sanitary Sewer Improvement District No. SS-48-06, in the City of Grand Junction, pursuant to Ordinance No. 178 of said City, adopted and approved June 11, 1910, as amended, being Chapter 28 of the Code of Ordinances of the City of Grand Junction, Colorado, and pursuant to the various resolutions, orders and proceedings taken under said Ordinance; and

WHEREAS, the City Council has heretofore caused to be published the Notice of Completion of said local improvements in said Bluffs Sanitary Sewer Improvement District No. SS-48-06, and the apportionment of cost thereof to all persons interested and to the owners of real estate which is described therein, said real estate comprising the district of land known as Bluffs Sanitary Sewer Improvement District No. SS-48-06, in the City of Grand Junction, Colorado, which said Notice was caused to be published in the Daily Sentinel, the official newspaper of the City of Grand Junction (the first publication thereof appearing on August 17, 2007, and the last publication thereof appearing on August 19, 2007); and

WHEREAS, said Notice recited the share to be apportioned to and upon each lot or tract of land within said District assessable for said improvements, and recited that complaints or objections might be made in writing to the Council and filed with the City Clerk within thirty (30) days from the first publication of said Notice, and that such complaints would be heard and determined by the Council at its first regular meeting after the said thirty (30) days and before the passage of any ordinance assessing the cost of said improvements; and

WHEREAS, no written complaints or objections have been made or filed with the City Clerk as set forth in said Notice; and

WHEREAS, the City Council has fully confirmed the statement prepared by the City Engineer and certified by the President of the Council showing the assessable cost of said improvements and the apportionment thereof heretofore made as contained in that certain Notice to property owners in Bluffs Sanitary Sewer Improvement District No. SS-48-06, duly published in the Daily Sentinel, the official newspaper of the City, and has duly ordered that the cost of said improvements in said Bluffs Sanitary Sewer Improvement District No. SS-48-06 be assessed and apportioned against all of the real estate in said District in the portions contained in the aforesaid Notice; and

WHEREAS, from the statement made and filed with the City Clerk by the City Engineer, it appears that the assessable cost of the said improvements is \$216,194.75, said sum including a one-time charge of six percent (6%) for costs of collection and other incidentals; and

WHEREAS, from said statement it also appears the City Engineer has apportioned a share of the assessable cost to each lot or tract of land in said District in the following proportions and amounts, severally, to wit:

TAX SCHEDULE NO.	LEGAL DESCRIPTION	ASSESSMENT
2945-082-00-051	Beginning at a point 20 feet South and S 89° 55' E 970 feet from the West 1/4 corner of Section 8, T1S, R1W, Ute Meridian; thence North 572.54 feet to the South bank of the Colorado River; thence Southeasterly along the River to East line of the Southwest 1/4 of Northwest 1/4(SW1/4NW1/4); thence South along the East line of the SW1/4NW1/4 to a point 20 feet South of Southeast corner of the SW1/4NW1/4; thence N89°55'W 350 feet more or less to the point of beginning, except the road in Book 951, Page 408 of the Mesa County Clerks office.	\$9,880.93
2945-082-00-054	Beginning at a point 30 feet East and 24.26 feet South of the W¼ Corner of Section 8, Township 1 South, Range 1 West of the Ute Meridian, thence North 418.53 feet, thence South 81°10'40" East 194 feet, more or less, to the Westerly line of Bluff Court, thence along the Westerly line of Bluff Court S06°35' W 159.44 to E 1/2 Road, thence Southwesterly 97.38 feet along the arc of curve to	\$9,880.93

	the left having a radius of 75 feet (the chord bears S63°12'W 90.69 feet); thence S26°00' W 210.75 feet to the point of Beginning.	
2945-082-00-070	Beginning at the W¼ Corner of Section 8, Township 1 South, Range 1 West of the Ute Meridian, thence South 142.8 feet, thence N26°00'E 330.45 feet, thence along the arc of a 50.0 foot radius curve to the right, 102.76 feet (the chord of which bears N84°52'30"E 85.6 feet), thence S36°15'E 150.0 feet, thence along the arc of a 150.5 foot radius curve to the left 140.97 feet (the chord of which bears S63°05' East 135.87 feet), thence North 988.81 feet to the South Bank of Colorado River, thence N53°45'W 266.96 feet to the Centerline of Goat Ranch Wash, thence along said Wash S28°00'W 414.69 feet, thence N89°55'W 30.0 feet to the West line of said Section 8, thence South 759.93 feet to the W¼ Corner of said Section 8, and the Point of Beginning, EXCEPTING therefrom the following: Beginning at a point on the North right of way of E½ Road from whence the W¼ Corner of said Section 8 bears S54°49'W 306.6 feet, thence S36°15'E 150.0 feet, thence along the arc of a 125.5 foot radius curve to the left 117.55 feet (the chord of which bears S63°05'E 113.3 feet), thence North 353.5 feet, thence N81°10'40"W 117.83 feet, thence along the arc of a 50.0 foot radius curve to the right 76.59 feet (the chord of which bears S52°42'10"W 69.32 feet), thence S06°35'W 158.35 feet to the Point of Beginning, AND EXCEPT Beginning at a point 30 feet East and 24.26 feet South of the W¼ Corner of said Section 8, thence North 418.53 feet, thence S81°10'40"E 194 feet, more or less, to the Westerly line of Bluff Court, thence along the Westerly line of Bluff Court S06°35'W 159.44 feet to E½ Road, thence Southwesterly 97.38 feet along the arc of a curve to the having a radius of 75 feet (the chord bears S63°12'W 90.69 feet, thence S26°00'W 210.75 feet to the point of beginning, AND ALSO EXCEPT tracts conveyed to Mesa County for roads in Book 986 at Page 253 and in Book 1371 at Page 271.	\$9,880.93
2945-082-00-084	Commencing at a point on the North right of way of	\$14,228.54

	E 1/2 Road from whence the W 1/4 Corner of Section 8, Township 1 South, Range 1 West of the Ute Meridian bears South 54°49' West 306.6 feet; thence North 06°35' East 30.35 feet for a Point of Beginning; thence North 06° 35' East 128 feet; thence along the arc of a 50 foot radius curve to the right 76.59 feet (the chord of which bears North 52°42'10" East 69.32 feet); thence South 81°10'40" East 117.83 feet; thence South 150 feet; thence West to the Point of Beginning.	
2945-082-00-085	Commencing at a point on the North right-of-way of E 1/2 Road from whence the W 1/4 corner of Section 8, Township 1 South, Range 1 West of the Ute Meridian bears South 54°49' West 306.06 feet; thence North 06°35' East 30.35 feet for a Point of Beginning; thence South 06°35' West 30.35 feet; thence South 36°15' East 150 feet; thence along the arc of a 125.5 feet radius curve to the left 117.73 feet ( the chord of which bears South 63°07'30" East 113.46 feet); thence North 203.5 feet; thence South 89°39'50" West 186.43 feet to the point of beginning.	\$14,228.54
2945-082-00-092	Beginning S89°59'E 649.00 feet and 5.0 feet North of the W 1/4 Corner of Section 8, T1S, R1W, of the Ute Meridian; thence N04°47'13"E 765.28 feet; thence S53°45'E 158.94 feet; thence S46°15'E 175.48 feet; thence South 547.54 feet; thence N89°55'W 321.0 feet to the point of beginning.	\$9,880.93
2945-082-00-101	Commencing at the W¼ corner of Section 8, T1S, R1W, of the Ute Meridian; thence S89°55'00"E a distance of 585.00 feet; thence N00°00'00"E 272.82 feet to the point of beginning; thence continuing N00°00'00"E 211.30 feet; thence S89°55'00"E 41.43 feet; thence S00°00'00"W 191.70 feet, thence S65°03'06"W 45.69 feet to the point of beginning; together with: Commencing at the W¼ corner of said Section 8, thence S89°55'00"E along a distance of 455.00 feet, thence N00°00'00"E 212.15 feet, thence N65°03'06"E 38.60 feet to the point of beginning; thence N00°00'00"E 13.67 feet; thence S89°55'00"E 29.29 feet; thence S65°03'06"W 32.30 feet to the point of beginning; together with: Commencing at the W1/4 corner of said Section 8, thence S89°55'00"E a	\$9,880.93

	distance of 440.00 feet, thence N00°00'00"E 5.00 feet to the point of beginning; thence continuing N00°00'00"E 963.81 feet; thence S53°45'00"E 179.80 feet, thence S00°00'00"W 378.86 feet; thence S89°55'00"E 41.43 feet; thence S00°00'00"W 191.70 feet; thence S65°03'06"W 189.07 feet; thence S00°00'00"W 207.15 feet; thence N89°55'00"W 15.00 feet to the point of beginning.	
2945-082-00-102	Commencing at the W $\frac{1}{4}$ corner of Section 8, T1S, R1W, Ute Meridian; thence S89°55'00"E a distance of 455.00 feet; thence leaving said South line N00°00'00"E 5.00 feet to the point of beginning; thence continuing N00°00'00"E 207.15 feet; thence N65°03'06"E 180.07 feet; thence N00°00'00"E 191.70 feet; thence N89°55'00"W 41.43 feet; thence N00°00'00"E 378.86 feet; thence S53°45'00"E 161.30 feet; thence S04°57'13"W 765.28 feet; thence N89°55'00"W 194.00 feet to the point of beginning.	\$9,880.93
2945-083-00-078	Commencing at the West Quarter Corner of Section 8, T1S, R1W, Ute Meridian; thence South 521.3 feet; thence South 89°55' East 880.00 feet to the point of beginning; thence North 476.30 feet; thence South 89°55' East 160.00 feet; thence South 476.30 feet; thence North 89°55' West 160.00 feet to the point of beginning.	\$9,880.93
2945-083-00-079	Beginning 521.3 feet South and S89°55'E 880 feet from the W $\frac{1}{4}$ corner of Section 8, T1S, R1W, Ute Meridian; thence S89°55' East 440.00 feet to the East line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 8; thence North 501.3 feet (said point bears South 20.0 feet from the NE corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 8); thence N89°55'W 440.0 feet; thence South 501.3 feet to the point of beginning. EXCEPT beginning at the NW corner of said tract herein described; thence South 25.0 feet; thence S89°55'E 346.7 feet; thence along the arc a 50.0 foot radius curve to the left 104.72 feet (the chord of which bears S89°55'E 86.6 feet); thence S89°55'E 6.7 feet to the East line of the tract herein described; thence North 25.0 feet to the Northeast corner of the tract herein described; thence N89°55'W 440.0 feet to the point of beginning.	\$9,880.93



	ALSO EXCEPT beginning at a point 521.3 feet South and S89°55'E 880.00 feet from the West ¼ corner of said Section 8; thence North 476.30 feet; thence S89°55'E 160.00 feet; thence South 476.30 feet; thence N89°55'W 160.00 feet to the point of beginning.	
2945-083-00-094	Beginning at a point which bears South 521.30 feet and S89°55'E 440.00 feet from the W1/4 corner of Section 8, T1S, R1W of the Ute Meridian; thence S89°55'E 70.08 feet; thence N31°26'30"E 350.12 feet; thence N10°50'E 141.30 feet; thence N06°14'30"E 38.72 feet; thence North 25.00 feet; thence N89°55'W 283.50 feet; thence South 501.30 feet to the point of beginning. EXCEPT tract conveyed to County of Mesa, State of Colorado by instrument recorded October 16, 1970 in Book 951 at page 408 for road right of way.	\$9,880.93
2945-083-00-095	Beginning South 521.30 feet and S89°55'E 510.08 feet from the W 1/4 corner of Section 8, T1S, R1W, Ute Meridian; thence S89°55'E 369.92 feet; thence North 501.30 feet; thence N89°55'W 156.50 feet; thence South 25.0 feet; thence S06°14'30"W 38.72 feet; thence S10°50'W 141.30 feet to the point of beginning; EXCEPT the North 25.00 feet for road right of way.	\$9,880.93
2945-083-08-002	Lot 2, Del Monte Park Subdivision, City of Grand Junction	\$9,880.93
2945-083-08-003	Lot 3, Del Monte Park Subdivision, City of Grand Junction	\$9,880.93
2945-083-08-004	Lot 4, Del Monte Park Subdivision, City of Grand Junction	\$9,880.93
2945-083-08-005	Lot 5, Del Monte Park Subdivision, City of Grand Junction	\$9,880.93
2945-083-08-006	Lot 6, Del Monte Park Subdivision, City of Grand Junction	\$9,880.93
2945-083-08-008	Lot 8, Del Monte Park Subdivision, City of Grand Junction	\$9,880.93
2945-083-08-011	Lot 1, Del Monte Park Replat, a Replat of Lots 7, 9, and 10, Del Monte Park Subdivision, City of Grand Junction	\$9,880.93
2945-083-08-012	Lot 2, Del Monte Park Replat, a Replat of Lots 7, 9, and 10, Del Monte Park Subdivision, City of Grand Junction	\$9,880.93
2945-083-08-013	Lot 3, Del Monte Park Replat, a replat of Lots 7, 9,	\$9,880.93

	and 10, Del Monte Park Subdivision, City of Grand Junction	
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NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

Section 1. That the assessable cost and apportionment of the same, as hereinabove set forth, is hereby assessed against all real estate in said District, and to and upon each lot or tract of land within said District, and against such persons in the portions and amounts which are severally hereinbefore set forth and described.

Section 2. That said assessments, together with all interests and penalties for default in payment thereof, and all cost of collecting the same, shall from the time of final publication of this Ordinance constitute a perpetual lien against each lot of land herein described, on a parity with the tax lien for general, State, County, City and school taxes, and no sale of such property to enforce any general, State, County, City or school tax or other lien shall extinguish the perpetual lien of such assessment.

Section 3. That said assessment shall be due and payable within thirty (30) days after the final publication of this Ordinance without demand; provided that all such assessments may, at the election of the owner, be paid in installments with interest as hereinafter provided. Failure to pay the whole assessment within the said period of thirty (30) days shall be conclusively considered and held an election on the part of such owner to pay in such installments. All persons so electing to pay in installments shall be conclusively considered and held as consenting to said improvements, and such election shall be conclusively considered and held a waiver of any and all rights to question the power and jurisdiction of the City to construct the improvements, the quality of the work and the regularity or sufficiency of the proceedings, or the validity or correctness of the assessment.

Section 4. That in case of such election to pay in installments, the assessments shall be payable in ten (10) equal annual installments of the principal. The first of said installments of principal shall be payable at the time the next installment of general taxes, by the laws of the State of Colorado, is payable, and each annual installment shall be paid on or before the same date each year thereafter, along with simple interest which has accrued at the rate of eight percent (8%) per annum on the unpaid principal, payable annually.

Section 5. That the failure to pay any installments, whether of principal or interest, as herein provided, when due, shall cause the whole unpaid principal to become due and payable immediately and the whole amount of the unpaid principal and accrued interest shall thereafter draw interest at the rate of eight percent (8%) per annum until the day of sale, as by law provided; but at any time prior to the date of sale, the owner may pay the amount of such delinquent installment or installments, with interest at the rate of eight percent (8%) per annum as aforesaid; and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any piece of real estate not in default as to any installments may at any time pay the whole of the unpaid principal with interest accrued.

Section 6. That payment may be made to the City Finance Director at any time within thirty (30) days after the final publication of this Ordinance, and an allowance of the six percent (6%) added for cost of collection and other incidentals shall be made on all payments made during said period of thirty (30) days.

Section 7. That the monies remaining in the hands of the City Finance Director as the result of the operation and payments under Bluffs Sanitary Sewer Improvement District No. SS-48-06 shall be retained by the Finance Director and shall be used thereafter for the purpose of further funding of past or subsequent improvement districts which may be or may become in default.

Section 8. That all provisions of Ordinance No. 178 of the City of Grand Junction, as amended, being Chapter 28 of the Code of Ordinances of the City of Grand Junction, Colorado, shall govern and be taken to be a part of this Ordinance with respect to the creation of said Bluffs Sanitary Sewer Improvement District No. SS-48-06, the construction of the improvements therein, the apportionment and assessment of the cost thereof and the collection of such assessments.

Section 9. That this Ordinance, after its introduction and first reading, shall be published once in full in the Daily Sentinel, the official newspaper of the City, at least ten (10) days before its final passage, and after its final passage, it shall be numbered and recorded in the City ordinance record, and a certificate of such adoption and publication shall be authenticated by the certificate of the publisher and the signature of the President of the Council and the City Clerk, and shall be in full force and effect on and after the date of such final publication, except as otherwise provided by the Charter of the city of Grand Junction.

Introduced on First Reading this 15<sup>th</sup> day of August, 2007.

Passed and Adopted on the \_\_\_\_\_ day of \_\_\_\_\_, 2007

Attest:

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

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

**Attach 9**  
**Public Hearing—Vacating an Existing Alley Right-of-Way**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Vacation of an existing alley right-of-way adjacent to Mesa State College properties – Located at 1257 Elm Avenue and 1260 Kennedy Avenue		
<b>File #</b>	VR-2007-177		
<b>Meeting Day, Date</b>	Wednesday, September 19, 2007		
<b>Placement on the Agenda</b>	<b>Consent</b>	<input type="checkbox"/>	<b>Individual</b> <input checked="" type="checkbox"/>
<b>Date Prepared</b>	September 6, 2007		
<b>Author Name &amp; Title</b>	Scott D. Peterson, Senior Planner		
<b>Presenter Name &amp; Title</b>	Scott D. Peterson, Senior Planner		

**Summary:** The petitioner, Mesa State College, is requesting to vacate an existing alley right-of-way located west of 13<sup>th</sup> Street between Elm and Kennedy Avenue, adjacent to Mesa State properties for the benefit of current building expansions. The Planning Commission recommended approval of the proposed alley right-of-way vacation at their August 14, 2007 meeting.

**Budget:** N/A.

**Action Requested/Recommendation:** Conduct the Public Hearing and approve the Vacation Ordinance.

**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

BACKGROUND INFORMATION					
<b>Location:</b>		1257 Elm Avenue and 1260 Kennedy Avenue			
<b>Applicants:</b>		Mesa State College			
<b>Existing Land Use:</b>		Alley right-of-way			
<b>Proposed Land Use:</b>		Development of adjacent properties for Mesa State College building expansion			
<b>Surrounding Land Use:</b>	<b>North</b>	Multi-family residential			
	<b>South</b>	Multi and Single-family residential			
	<b>East</b>	Multi and Single-family residential			
	<b>West</b>	Multi-family residential and parking lot area for Mesa State College			
<b>Existing Zoning:</b>		R-16, Residential – 16 units/acre			
<b>Proposed Zoning:</b>		N/A			
<b>Surrounding Zoning:</b>	<b>North</b>	R-16, Residential – 16 units/acre			
	<b>South</b>	R-16, Residential – 16 units/acre			
	<b>East</b>	R-16, Residential – 16 units/acre			
	<b>West</b>	R-16, Residential – 16 units/acre			
<b>Growth Plan Designation:</b>		Residential Medium High (8 – 12 DU/Ac.)			
<b>Zoning within density range?</b>		N/A	Yes	<input type="checkbox"/>	No

**Staff Analysis:**

The applicant, Mesa State College, wishes to vacate an existing alley right-of-way located west of 13<sup>th</sup> Street between Elm and Kennedy Avenue, adjacent to Mesa State properties for the benefit of current building expansions. Mesa State College intends to develop the adjacent properties, which are currently under construction, for use as an office building for the Colleges' Purchasing Department and mail handling activities and a separate maintenance shop building for the storage of equipment, etc. Upon the approval of the requested alley right-of-way vacation, a Utility and Access Easement will be retained, via City Ordinance, for the existing utilities that are located within this alley right-of-way (sewer and electric) and for the general circulation of traffic.

The four (4) single-family homes as identified in the Aerial Photo Map have also been recently removed.

Portions of this existing alley right-of-way to the west were previously vacated in their entirety in 1982 by City Ordinance No. 2050. This proposed alley vacation application would vacate the remaining alley right-of-way located within Block 2 of the Henderson Heights Subdivision.

### **Consistency with the Growth Plan:**

The adjacent properties are currently zoned R-16, Residential – 16 units/acre with the Growth Plan Future Land Use Map showing this area as Residential Medium High (8 – 12 DU/Ac.). 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. A Subdivision Plat should also be filed to consolidate property lines and identify all easements for the entire Block 2 area of Henderson Heights.

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 alley right-of-way does not conflict with the Growth Plan, major street plan and other adopted plans and policies of the City of

Grand Junction. A Utility and Access Easement 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 this alley right-of-way vacation.

- 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 request.

- 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 alley right-of-way will be retained as a Utility and Access Easement to allow for the continued flow of traffic and access to utilities. 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 vacation as a new Utility and Access Easement will be retained by the approved City Ordinance.

**FINDINGS OF FACT/CONCLUSIONS:**



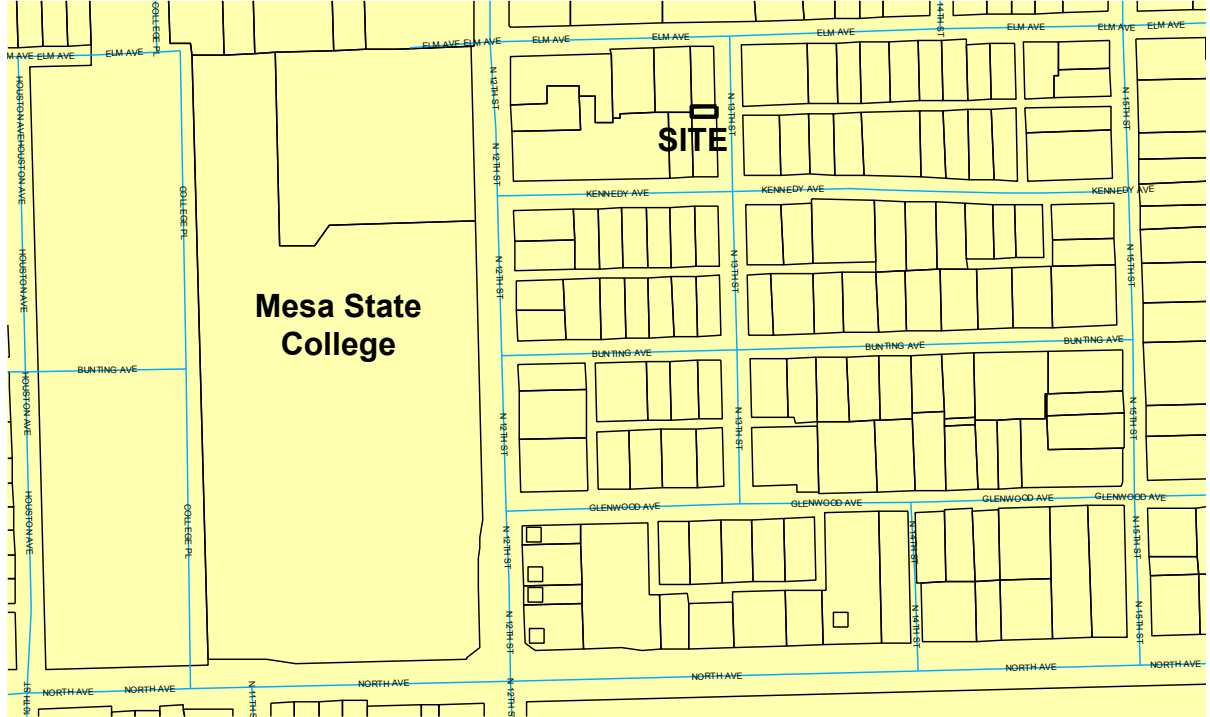
After reviewing the Mesa State College application, VR-2007-177 for the vacation of an alley right-of-way adjacent to Mesa State College properties, the Planning Commission makes the following findings of fact and conclusions:

5. The requested alley right-of-way vacation is consistent with the Growth Plan.
6. The review criteria in Section 2.11 C. of the Zoning and Development Code have all been met.
7. Approval of the alley vacation request is contingent upon the approval and retention of a Utility and Access Easement.

**Action Requested / Recommendation:** The Planning Commission recommends that the City Council approve the Ordinance for the requested alley right-of-way vacation adjacent to Mesa State College properties, located at 1257 Elm Avenue and 1260 Kennedy Avenue, finding the request consistent with Growth Plan and Section 2.11 C. of the Zoning and Development Code.

# Site Location Map – Alley Vacation

Figure 1



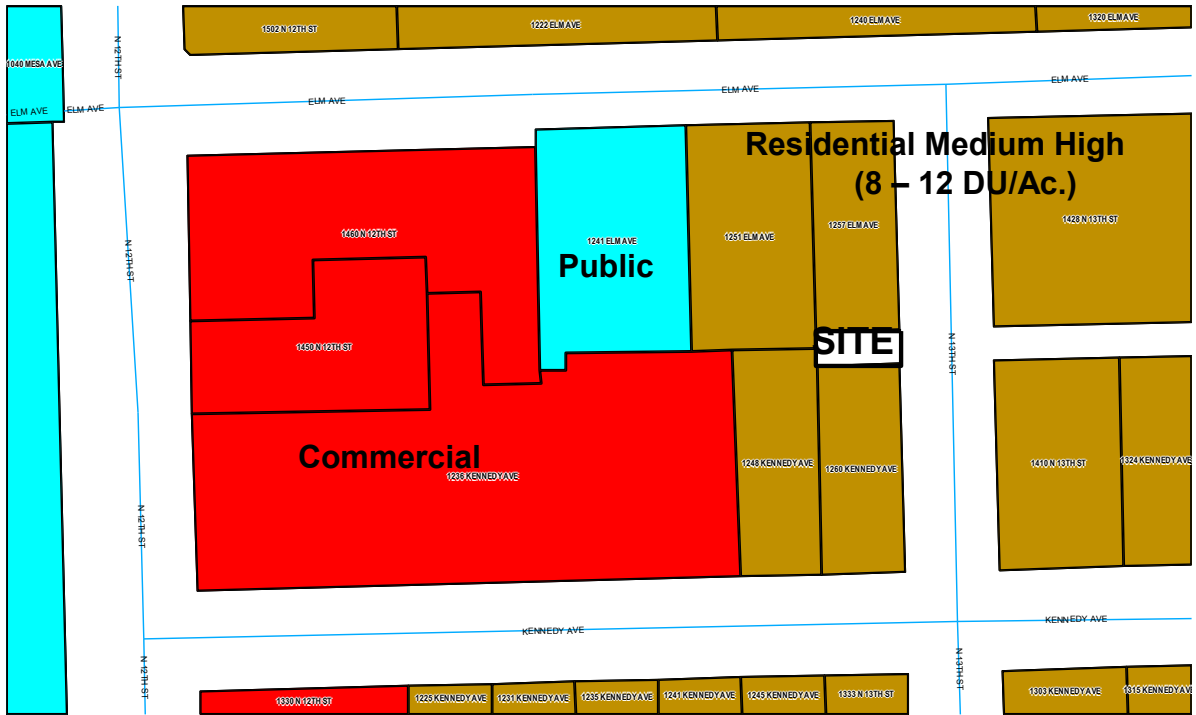
# Aerial Photo Map – Alley Vacation

Figure 2



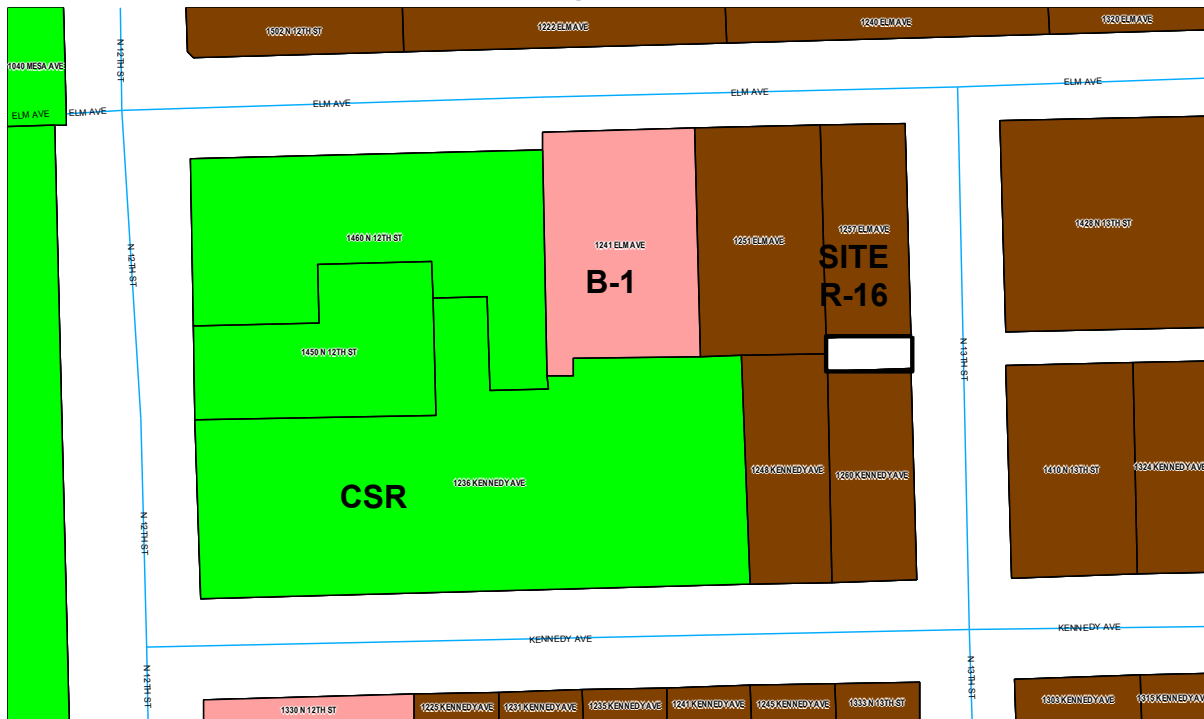
# Future Land Use Map – Alley Vacation

Figure 3



# Existing City Zoning – Alley Vacation

Figure 4



**CITY OF GRAND JUNCTION**

**ORDINANCE NO.**

**AN ORDINANCE VACATING AN ALLEY RIGHT-OF-WAY  
ADJACENT TO MESA STATE COLLEGE PROPERTIES**

**LOCATED AT 1257 ELM AVENUE AND 1260 KENNEDY AVENUE**

Recitals:

Mesa State College has requested the vacation of an alley right-of-way adjacent to their properties to allow for expansion of the campus, in accordance with the 1999 Facilities Master Plan. The vacated right-of-way must be retained as a Utility and Access Easement to allow for the adequate circulation of through traffic and access to utilities. Only sod or asphalt surface treatment will be allowed within said Utility and Access Easement. Other surface treatment shall be subject to review and approval by the City of Grand Junction.

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. It also meets the criteria of Section 2.11 of the Zoning and Development Code with the conditions of approval which are the dedication of the Utility and Access Easement.

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 right-of-way is hereby vacated subject to the listed conditions:

That certain 20.00 foot wide Alley lying in the Southwest Quarter of the Southwest Quarter (SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ) of Section 12, Township 1 South, Range 1 West, Ute Meridian, lying within Block 2, Henderson Heights Subdivision, as same is recorded in Plat Book 4, Page 2, Public Records of Mesa County, Colorado; bounded on the West by previously vacated alley document Ordinance No. 2050 at Book 1372, Page 253; bounded on the South by Lots 18 and 19, of said Block 2; bounded on the East by the right of way of 13<sup>th</sup> Street; bounded on the North by Lots 16 and 17 of said Block 2, all within said Henderson Heights Subdivision, Grand Junction, Mesa County, Colorado.

The identified right-of-way as shown on "Exhibit A" as part of this vacation description. Provided, however, that those certain alley right-of-way vacated herewith shall be retained by the City as a Utility and Access Easement for general traffic circulation and access to existing utilities.

Applicants shall pay all recording/documentary fees for the Vacation Ordinance.

Introduced for first reading on this 5<sup>th</sup> day of September, 2007

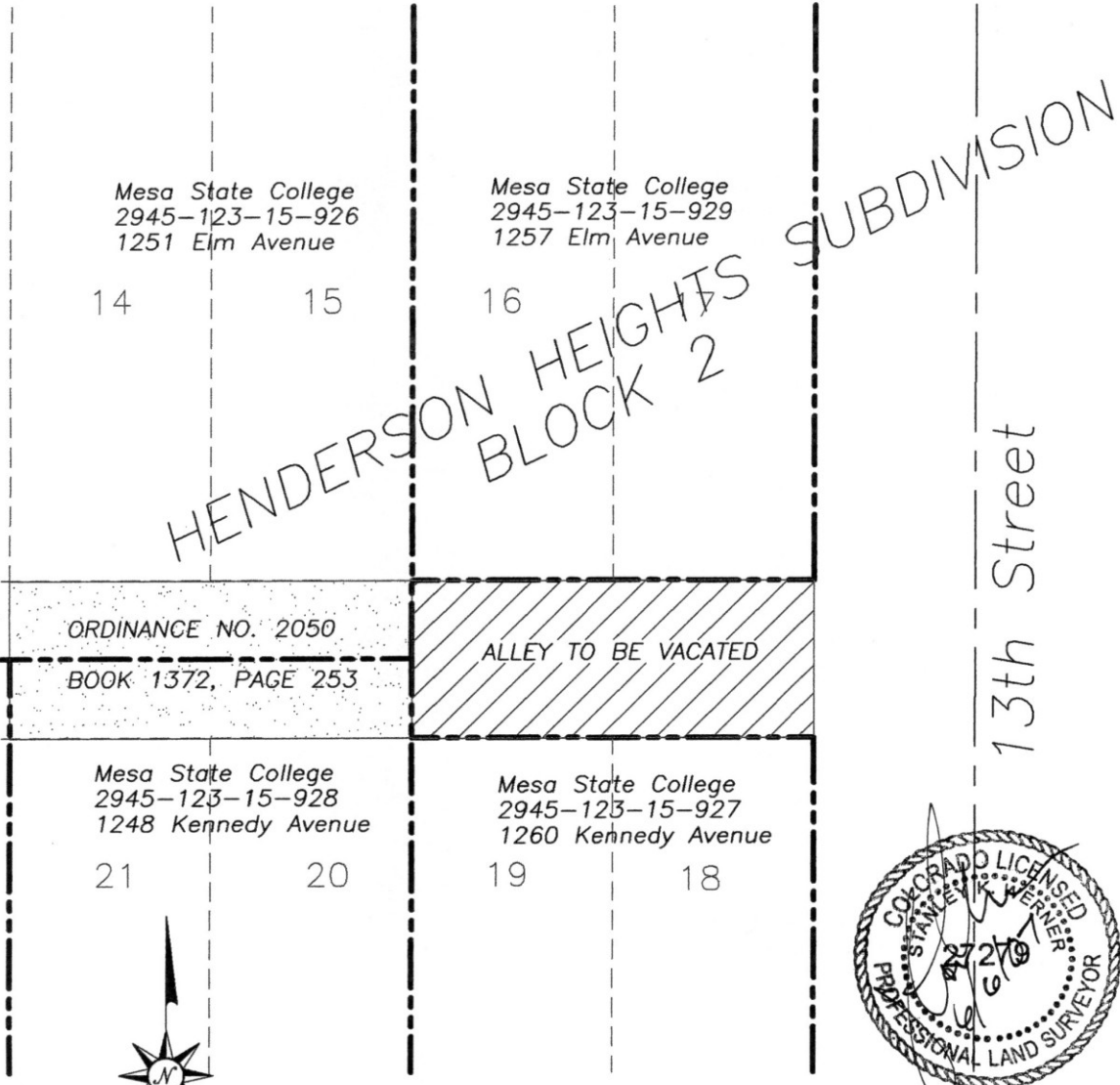
PASSED and ADOPTED on second reading this \_\_\_\_\_ day of \_\_\_\_\_ , 2007.

ATTEST:

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

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

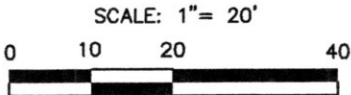
# EXHIBIT A



HENDERSON HEIGHTS  
BLOCK 2

## High Desert Surveying, LLC

1673 Highway 50 Unit C  
Grand Junction, Colorado 81503  
Tele: 970-254-8649 Fax: 970-240-0451



PROJ. NO. 07-33		Drawn	APP'D	SHEET	OF
DATE: March 21, 2007		skw	skw	1	1

**Attach 10  
Public Hearing—Sunpointe North Subdivision Growth Plan Amendment  
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Growth Plan Amendment for Sunpointe North Subdivision – Located at the Southwest Corner of 26 Road and G ½ Road		
<b>File #</b>	GPA-2007-058		
<b>Meeting Day, Date</b>	Wednesday, September 19, 2007		
<b>Placement on the Agenda</b>	<b>Consent</b>	<input type="checkbox"/>	<b>Individual</b> <input checked="" type="checkbox"/>
<b>Date Prepared</b>	September 11, 2007		
<b>Author Name &amp; Title</b>	Lori V. Bowers, Senior Planner		
<b>Presenter Name &amp; Title</b>	Lori V. Bowers, Senior Planner		

**Summary:** There is an apparent error on the Future Land Use Map that shows 0.359 acres, surrounded by Lujan Circle, in the Sunpointe North Subdivision, designated as a Park. The entire subdivision is zoned R-2. Had the Park designation been correct, the subject parcel should have been zoned to CSR (Community Services and Recreation) upon annexation.

**Budget:** N/A

**Action Requested/Recommendation:** Approval of amending the Future Land Use Map of the Growth Plan.

**Attachments:**

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

**Background Information:**

The Sunpointe North Subdivision was approved in 1984 by the Board of County Commissioners. The final plat was recorded in July of 1985. At that time the property was located outside the City limits. The property was annexed into the City in 2000, as part of the G Road North Annexation. The annexation area consisted of 274 acres of land. This area had been enclaved since May 7, 1995. Under the 1998 Persigo Agreement with Mesa County, the City is to annex all enclave areas within 5 years. The City annexed the land with the existing County zoning in place, realizing that when

these properties re-developed they would need to be rezoned to be consistent with the Growth Plan. The Sunpointe North Subdivision consists of nine lots and one small round lot, 0.359 acres in size, located in the center of the subdivision surrounded by Lujan Circle. It is labeled as “Open Space” on the Plat. This parcel is shown on the Future Land Use Map with a Park designation. Had the Park designation been correct, the zoning map should have reflected the zoning designation of CSR (Community Services and Recreation) for that area. The rest of the subdivision is shown with the designation of Residential Medium, 4 to 8 dwelling units per acre. This is inconsistent with the existing zoning, which is R-2. The applicants wish to redevelop this subdivision consistent with the Growth Plan for this area therefore the Future Land Use Map needs to be amended. This is considered a minor housekeeping item and does not affect the goals and policies of the Growth Plan. Once the Growth Plan is amended the applicants may move forward with their rezone request, which will bring the entire subdivision in conformance with the Growth Plan and the Future Land Use Map.

## 2. Section 2.5.C of the Zoning and Development Code

The Growth Plan can be amended if the City finds that the proposed amendment is consistent with the purpose and intent of the Plan and it meets the following criteria:

- a. There was an error such that then existing facts, projects or trends that were reasonably foreseeable were not accounted for;

The area in question, 0.359 acres, surrounded by Lujan Circle, was zoned by Mesa County in 1985 to the designation of RSF-2. The City accepted the County zoning at the time of annexation realizing that it was not consistent with the Growth Plan. The Future Land Use Map reflected the proposed subdivision’s desire to provide an “Open Space” area, yet the appropriate CSR zoning was not placed on the zoning map. The subdivision was platted but never constructed. Therefore the Park designation on the Future Land Use Map is in error.

- b. Subsequent events have invalidated the original premises and findings;

The property was zoned RSF-2 by Mesa County. It was understood upon annexation that the existing County zoning was not consistent with the Growth Plan. The Future Land Use Map showed the area in question as a Park yet the zoning on the entire parcel was RSF-2. The correct zoning for the park area would have been CSR (Community Services and Recreation).

- c. The character and/or condition of the area have changed enough that the amendment is acceptable and such changes were not anticipated and are not consistent with the plan;



The amendment to the Plan is acceptable because the plat that created the “park area” does not conform with the density requirements of the Growth Plan.

- d. The change is consistent with the goals and policies of the Plan, including applicable special area, neighborhood and corridor plans;

The change is consistent with the goals and policies of the Plan by meeting Policy 1.3: “The City and County will use Exhibit V.3.: Future Land Use Map in conjunction with the other policies of this plan to guide zoning and development decisions. City and County decisions about the type and intensity of land uses will be consistent with the Future Land Use Map and Plan policies”. The subject parcel is also within the boundaries of the North Central Valley Plan, and the proposed Growth Plan Amendment is consistent with its goals and policies. To be consistent, the Future Land Use Map should be amended to reflect the density requirements of the Growth Plan for this area by eliminating the Park designation on this small parcel of land.

- e. Public and community facilities are adequate to serve the type and scope of the land use proposed;

The size of the area in question is not adequate to serve the community, only the proposed subdivision may have benefited from the small open space area. Any future proposed subdivision will have to meet the density requirements of the Growth Plan, therefore this area should be corrected on the Future Land Use Map.

- f. An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use;

The Future Land Use Map showed a very small area to be zoned for park use. This was based on an approved subdivision that was never constructed and was not in conformance with the Growth Plan for this area.

- g. The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

The benefit of the proposed amendment is to correct an error on the Future Land Use Map. It reflected a subdivision platted in unincorporated Mesa County, that was never constructed and did not meet the density requirements of the Growth Plan.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Growth Plan Amendment for the Sunpointe North Subdivision, file number GPA-2007-058, the Planning Division makes the following findings of fact and conclusions:

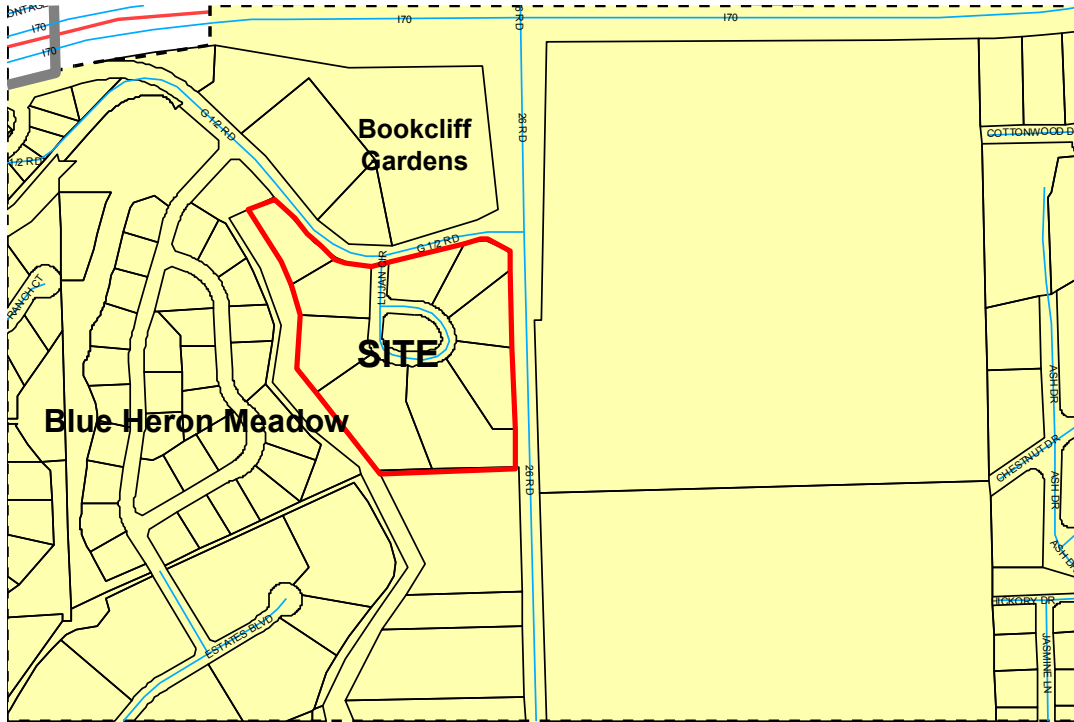
8. The proposed amendment is consistent with the purpose and intent of the Growth Plan.
9. The review criteria in Section 2.5.C of the Zoning and Development Code have all been met.
3. The goals and policies of the North Central Valley Plan have been met.

**PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission has not yet made a recommendation as this is scheduled for their review on September 11, 2007. A recommendation will be provided at the Public Hearing.

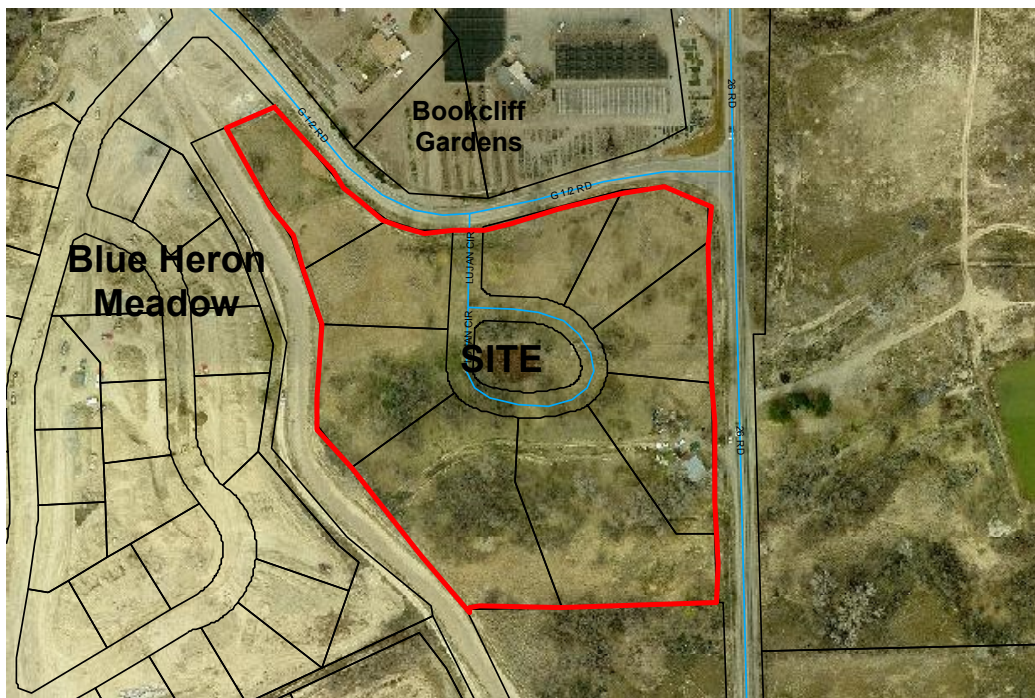
# Site Location Map

SW Corner 26 Rd and G ½ Rd



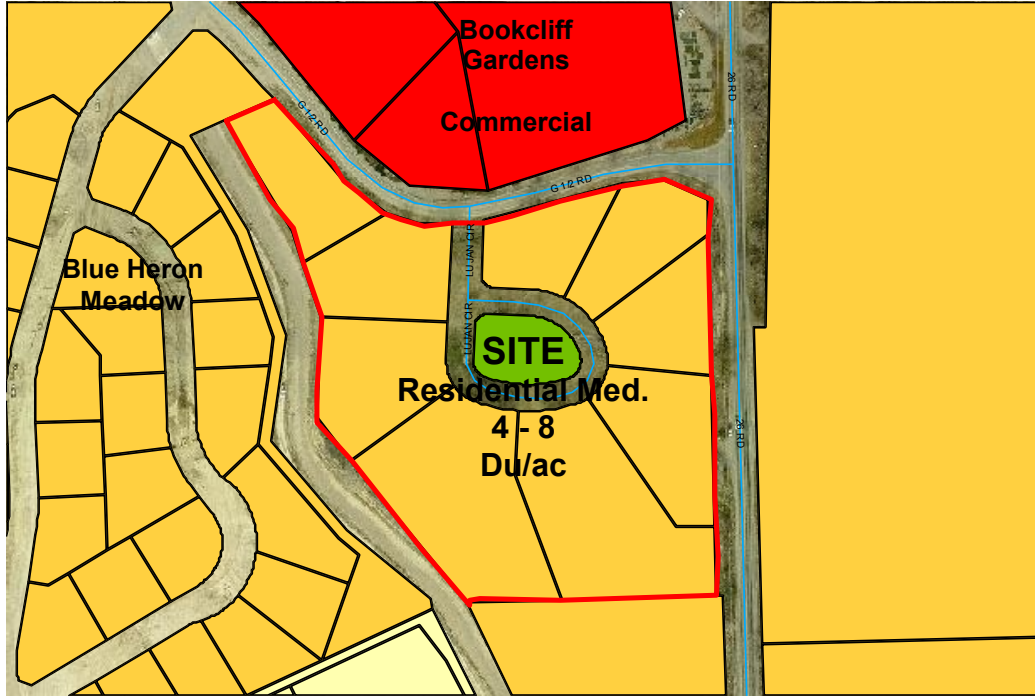
# Aerial Photo Map

SW Corner 26 Rd and G ½ Rd



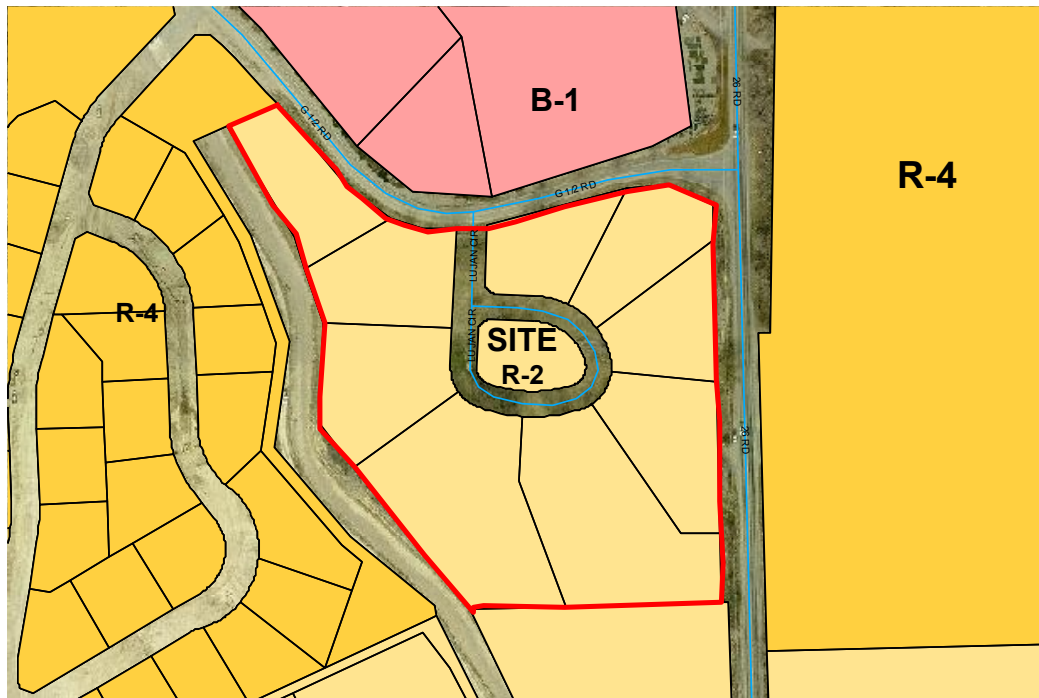
# Future Land Use Map

SW Corner 26 Rd and G ½ Rd



# Existing City and County Zoning

SW Corner 26 Rd and G ½ Rd



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. \_\_\_\_-07**

**A RESOLUTION AMENDING THE GROWTH PLAN OF THE CITY OF GRAND JUNCTION ON 0.359 ACRES IN THE CENTER OF LUJAN CIRCLE, SHOWN ON THE SUNPOINTE NORTH SUBDIVISION PLAT, THE SOUTHWEST CORNER OF 26 ROAD AND G 1/2 ROAD**

Recitals:

An error has been determined on the Future Land Use Map of the Growth Plan. A request for a Growth Plan Amendment has been submitted in accordance with the Zoning and Development Code. The applicant has requested that approximately 0.359 acres, located in the center of Lujan Circle, shown on the Sunpointe North Subdivision Plat, be changed from the designation of "Park" to the designation of Residential / Medium Density (4-7.9 du/ac).

In a public hearing, the City Council reviewed the request for the proposed Growth Plan Amendment and determined that it satisfied the criteria as set forth and established in Section 2.5.C of the Zoning and Development Code and the proposed amendment is consistent with the purpose and intent of the Growth Plan.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:** The area described below is redesignated from Park to Residential/Medium Density on the Future Land Use Map.

Property Description:

A parcel of land identified by Tax Parcel ID number 2701-344-08-010, CONTAINING 0.359 Acres (15,638.04 Square Ft.).

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

ATTEST:

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

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