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

MONDAY, NOVEMBER 19, 2007, 7:00 P.M.

Call to Order

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

Proclamations

Proclaiming November 2007 as “Hospice and Palliative Care Month” in the City of Grand Junction

Appointments

To the Zoning Board of Appeals

Council Comments

Citizen Comments

*** Indicates New Item

® Requires Roll Call Vote

REVISED

***** CONSENT CALENDAR ***®**

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

Action: Approve the Minutes of the November 5, 2007 and the November 7, 2007 Regular Meeting

2. **Downtown Holiday Parking** [Attach 2](#)

The Downtown Partnership has requested that parking downtown be free again this year to best position downtown for the holiday shopping season. City Staff recommends Free Holiday Parking in all of downtown, including the first floor (119 spaces) of the new Rood Avenue parking structure, with the exception of government offices, illegal parking areas, and shared-revenue lots.

Action: Vacate Parking Enforcement at all Designated Downtown Metered Spaces and Signed Parking from Thanksgiving to New Year's Day, Except Loading, No Parking, Handicapped, and Unbagged Meter Spaces Surrounding Government Offices

Staff presentation: Jodi Romero, Financial Operations Manager

3. **Purchase of Six Wheel Regenerative Air Sweeper** [Attach 3](#)

This purchase is for a six-wheel regenerative air sweeper for the Parks and Recreation Forestry/Horticulture Division and is an addition to the fleet.

Action: Authorize the City Purchasing Division to Purchase a 2007 Tymco 210 Regenerative Air Sweeper from Intermountain Sweeper Company, Located in Denver, CO in the Amount of \$75,750.00

Staff presentation: Joe Stevens, Parks and Recreation Director
Jay Valentine, Financial Operations Assistant Manager

4. **Purchase of Hot Mix Asphalt for Streets Division** [Attach 4](#)

Purchase of approximately 1,200 tons of hot mix asphalt for use by the Streets Division for patching and paving during the 2008 calendar year.

*Action: Authorize the City Purchasing Division to Purchase Approximately 1,200
Tons of Hot Mix Asphalt from Elam Construction, Inc., in the Total Amount of
\$64,800*

Staff presentation: Jay Valentine, Financial Operations Assistant Manager

5. **Setting a Hearing on Zoning the Ingle Annexation, Located at 436 Clear
Creek Drive** [File #ANX-2007-269] [Attach 5](#)

Request to zone the 5.90 acre Ingle Annexation, located at 436 Clear Creek Drive,
to R-5 (Residential, 5 units per acre).

Proposed Ordinance Zoning the Ingle Annexation to R-5 (Residential, 5 Units Per
Acre), Located at 436 Clear Creek Drive

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

Staff presentation: Faye Hall, Associate Planner

6. **Setting a Hearing on the DeHerrera Annexation, Located at 359 29 5/8 Road**
[File ANX-2007-300] [Attach 6](#)

Request to annex 15.52 acres, located at 359 29 5/8 Road. The DeHerrera
Annexation consists of one parcel and right-of-way.

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

Resolution No. 163-07—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, DeHerrera Annexation,
Located at 359 29 5/8 Road and Including Parts of the 29 5/8 Road Right-of-Way

®Action: Adopt Resolution No. 163-07

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado,
DeHerrera Annexation, Approximately 15.52 Acres, Located at 359 29 5/8 Road
and Including Parts of the 29 5/8 Road Right-of-Way

Action: *Introduction of Proposed Ordinance and Set a Hearing for January 14, 2008*

Staff presentation: Justin Kopfman, Associate Planner

7. **Setting a Hearing on the Sipes Annexation, Located at 416 ½ 30 Road, 413 and 415 30 ¼ Road** [File #ANX-2007-313] [Attach 7](#)

Request to annex 3.54 acres, located at 416 ½ 30 Road, 413, and 415 30 ¼ Road. The Sipes Annexation consists of three parcels and right-of-way.

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

Resolution No. 164-07—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, Sipes Annexation, Located at 416 ½ 30 Road, 413, and 415 30 ¼ Road and Including Parts of the 30 ¼ Right-of-Way

®Action: *Adopt Resolution No. 164-07*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Sipes Annexation, Approximately 3.54 Acres, Located at 416 ½ 30 Road, 413, and 415 30 ¼ Road and Including Parts of the 30 ¼ Right-of-Way

Action: *Introduction of Proposed Ordinance and Set a Hearing for January 14, 2008*

Staff presentation: Justin Kopfman, Associate Planner

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

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

8. **Rates and Fees Increase for Utilities and Parking** [Attach 8](#)

Proposed 2008 Utility Rates and Rood Avenue Garage Parking Rates as presented and discussed during budget workshops.

Resolution No. 165-07—A Resolution Adopting Utility Rates for Water, Wastewater, and Solid Waste Services Effective January 1, 2008

Resolution No. 166-07—A Resolution Adopting the Parking Rates for the Rood Avenue Parking Garage

®Action: *Adopt Resolution Nos. 165-07 and 166-07*

Staff presentation: Jodi Romero, Financial Operations Manager

9. **Contract to Purchase Software for Financial and Utility Systems** [Attach 9](#)

The project will provide an integrated financial software system to support financial operations across the City. The project will also provide an updated Utility Billing software system to support the Utility operations for the City. The resulting systems will improve business productivity in the following divisions: Accounting, Accounts Payable, Accounts Receivable, Human Resources, Payroll, Purchasing, Customer Service, Water Services, Solid Waste, and Persigo Wastewater, in addition to providing greatly enhanced budgeting and reporting capabilities for all of the City's operations. The awarded software suppliers will provide installation assistance, system integration, data conversion assistance, staff training, system maintenance, and system support as well as the software.

Action: Authorize the City Purchasing Division to Negotiate Contracts and Award the Integrated Financial Software System Project to New World Systems, St. Louis, Missouri for \$608,794 and Authorize the City Purchasing Division to Award the Utility Billing Software System Project to Harris Computer Systems, North Star Division, Ottawa, Ontario Canada for \$289,000

Staff presentation: Jim Finlayson, Information Systems Manager
Jodi Romero, Financial Operations Manager

10. **Public Hearing—Amendments to the Zoning and Development Code** [File #TAC-2007-307] [Attach 10](#)

The City of Grand Junction requests approval to amend the Zoning and Development Code to consider amendments to the Growth Plan and/or Future Land Use Map more than twice a year, and to update or clarify certain provisions of the Code.

Ordinance No. 4140—An Ordinance Amending Section 2.5 of the Zoning and Development Code to Allow Amendments to the Growth Plan and/or the Future Land Use Map More than Twice Each Calendar Year

Ordinance No. 4141—An Ordinance Amending the Zoning and Development Code to Update and Clarify Certain Sections of the Code and to Make Minor Corrections

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4140 and 4141

Staff presentation: Lisa E. Cox, Planning Manager

11. **Public Hearing—Sura Annexation, Located at 405 25 Road** [File #ANX-2007-276] [Attach 11](#)

Request to annex 1.45 acres, located at 405 25 Road, which includes a portion of the 25 Road and South Broadway rights-of-way. The Sura Annexation consists of one parcel and is located north of South Broadway on the west side of 25 Road in the Redlands.

a. Accepting Petition

Resolution No. 167-07—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Sura Annexation, Located at 405 25 Road and Includes a Portion of the 25 Road and Highway 340 Rights-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4142—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Sura Annexation, Approximately 1.45 Acres, Located at 405 25 Road and Includes a Portion of the 25 Road and Highway 340 Rights-of-Way

®Action: Adopt Resolution No. 167-07 and Hold a Public Hearing and Consider Final Passage and Publication of Ordinance No. 4142

Staff presentation: David Thornton, Principal Planner

12. **Public Hearing—Reigan/Patterson/TEK/Morario Annexation, Located at 824 22 Road, 2202 H Road, 2202 ½ H Road, and 2204 H Road** [File #ANX-2007-279] [Attach 12](#)

Request to annex 27.74 acres, located at 824 22 Road, 2202 H Road, 2202 ½ H Road, 2204 H Road. The Reigan/Patterson/TEK/Morario Annexation consists of

four parcels and is a two part serial annexation which also includes portions of the H Road and 22 Road rights-of-way.

a. Accepting Petition

Resolution No. 168-07—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Reigan/Patterson/TEK/Morario Annexation No. 1 and No. 2, Located at 824 22 Road, 2202 H Road, 2202 ½ H Road, 2204 H Road, Including a Portion of 22 Road and H Road Rights-of-Way is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 4143—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Reigan/Patterson/Tek/Morario Annexation No. 1, Approximately 1.03 Acres, Located in the 22 Road and H Road Rights-of-Way and Includes a Small Portion of 824 H Road

Ordinance No. 4144—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Reigan/Patterson/Tek/Morario Annexation No. 2, Approximately 26.702 Acres, Located at 824 22 Road, 2202 H Road, 2202 ½ H Road and 2204 H Road and Also Includes a Portion of the H Road Right-of-Way

®Action: Adopt Resolution No. 168-07 and Hold a Public Hearing and Consider Final Passage and Publication of Ordinance Nos. 4143 and 4144

Staff presentation: David Thornton, Principal Planner

13. **Public Hearing—Mesa Heights Annexation and Zoning, Located at 2856 B ¾ Road** [File #ANX-2007-270] [Attach 13](#)

Request to annex and zone 3.86 acres, located at 2856 B ¾ Road to R-4 (Residential – 4 dwelling units per acre). The Mesa Heights Annexation consists of 7 parcels and right-of-way dedicated within the Kirby Subdivision.

a. Accepting Petition

Resolution No. 169-07—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Mesa Heights Annexation, Located at 2856 B ¾ Road and Includes the Claire Drive Right-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4145—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Mesa Heights Annexation, Approximately 3.86 Acres, Located at 2856 B $\frac{3}{4}$ Road and Includes the Claire Drive Right-of-Way

c. Zoning Ordinance

Ordinance No. 4146—An Ordinance Zoning the Mesa Heights Annexation to R-4, Located at 2856 B $\frac{3}{4}$ Road

®Action: Adopt Resolution No. 169-07 and Hold a Public Hearing and Consider Final Passage and Publication of Ordinance Nos. 4145 and 4146

Staff presentation: Greg Moberg, Planning Services Supervisor

14. **Public Hearing—Indian Wash Rentals Annexation and Zoning, Located at 378 27 $\frac{1}{2}$ Road** [File #ANX-2007-278] [Attach 14](#)

Request to annex and zone 1.999 acres, located at 378 27 $\frac{1}{2}$ Road, to I-1 (Light Industrial). The Indian Wash Rentals Annexation consists of 1 parcel and includes a portion of the 27 $\frac{1}{2}$ Road right-of-way. The property owners are requesting annexation due to a proposed development on a portion of the property.

a. Accepting Petition

Resolution No. 170-07—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Indian Wash Rentals Annexation, Located at 378 27 $\frac{1}{2}$ Road and Including a Portion of the 27 $\frac{1}{2}$ Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4147—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Indian Wash Rentals Annexation, Approximately 1.999 Acres, Located at 378 27 $\frac{1}{2}$ Road and Including a Portion of the 27 $\frac{1}{2}$ Road Right-of-Way

c. Zoning Ordinance

Ordinance No. 4148—An Ordinance Zoning the Indian Wash Rentals Annexation to I-1, Located at 378 27 $\frac{1}{2}$ Road

®Action: Adopt Resolution No. 170-07 and Hold a Public Hearing and Consider Final Passage and Publication of Ordinance Nos. 4147 and 4148

Staff presentation: Senta L. Costello, Associate Planner

15. **Public Hearing—Ingle Annexation, Located at 436 Clear Creek Drive** [File #ANX-2007-269] [Attach 15](#)

Request to annex 5.90 acres, located at 436 Clear Creek Drive. The Ingle Annexation consists of one parcel.

a. Accepting Petition

Resolution No. 171-07—A Resolution Accepting Petition for Annexation, Making Certain Findings, Determining that Property Known as the Ingle Annexation, Located at 436 Clear Creek Drive is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4149—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Ingle Annexation, Approximately 5.90 Acres, Located at 436 Clear Creek Drive

®Action: Adopt Resolution No. 171-07 and Hold a Public Hearing and Consider Final Passage and Publication of Ordinance No. 4149

Staff presentation: Faye Hall, Associate Planner

16. **Public Hearing—Vacating the Pear Street Right-of-Way, Located North of North Avenue and East of 28 ¾ Road** [File #VR-2007-088] [Attach 16](#)

The petitioner is requesting to vacate the Pear Street right-of-way located on the north side of North Avenue and on the east side of 28 ¾ Road at the old Fun Junction site. This request is conditioned upon the approval of a simple subdivision that will reconfigure seven existing parcels adjacent to Pear Street. The Planning Commission recommended approval of the proposed right-of-way vacation at their October 23, 2007 meeting.

Ordinance No. 4150—An Ordinance Vacating Right-of-Way for Pear Street Located North of North Avenue and East of 28 ¾ Road

®Action: *Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4150*

Staff presentation: Faye Hall, Associate Planner

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

18. **Other Business**

*** 19. **EXECUTIVE SESSION**—FOR THE PURPOSE OF DETERMINING POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATORS AND/OR INSTRUCTING NEGOTIATORS PURSUANT TO SECTION 402 4 E OF COLORADO'S OPEN MEETINGS ACT

20. **Adjournment**

Attach 1

Minutes from the Previous Meetings

GRAND JUNCTION CITY COUNCIL MINUTES OF THE REGULAR MEETING

November 5, 2007

The City Council of the City of Grand Junction convened into regular session on the 5th day of November 2007 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Teresa Coons, Bruce Hill, Gregg Palmer, Doug Thomason, Linda Romer Todd, and Council President Jim Doody. Councilmember Bonnie Beckstein was absent. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and City Clerk Stephanie Tuin.

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

Proclamations

Proclaiming November 11, 2007 as "A Salute to All Veterans 2007" in the City of Grand Junction

Appointments

Councilmember Todd moved to appoint Merv Heinecke to the Horizon Drive Association Business Improvement District Board for a remaining term expiring April 2008. Councilmember Hill seconded. Motion carried.

Council Comments

There were none.

Citizen Comments

There were none.

CONSENT CALENDAR

Councilmember Palmer asked that the Downtown Bid Operating Plan and Budget be removed from the Consent Calendar and postponed for further clarification. He then read the rest of the Consent Calendar. Councilmember Hill moved to approve the Consent Calendar. It was seconded by Councilmember Thomason, and carried by roll call vote to approve the Consent Items #1 through #11, with item #12 being tabled for further clarification.

1. Minutes of Previous Meetings

Action: Approve the Minutes of the October 15, 2007 and the October 17, 2007 Regular Meetings and the October 29, 2007 Special Meeting

2. **Setting a Hearing Zoning the Mesa Heights Annexation, Located at 2856 B $\frac{3}{4}$ Road** [File #ANX-2007-270]

Request to zone 3.86 acres Mesa Heights Annexation, Located at 2856 B $\frac{3}{4}$ Road to R-4 (Residential 4 units per acre).

Proposed Ordinance Zoning the Mesa Heights Annexation to R-4 (Residential 4 Dwelling Units per Acre), Located at 2856 B $\frac{3}{4}$ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for November 19, 2007

3. **Setting a Hearing Zoning the Indian Wash Rentals Annexation, Located 378 27 $\frac{1}{2}$ Road** [File #ANX-2007-278]

Request to zone the 1.999 acre Indian Wash Rentals Annexation, located at 378 27 $\frac{1}{2}$ Road, to I-1 (Light Industrial).

Proposed Ordinance Zoning the Indian Wash Rentals Annexation to I-1, Located at 378 27 $\frac{1}{2}$ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for November 19, 2007

4. **Setting a Hearing on the Davis Annexation, Located at 488 23 Road** [File #ANX-2007-297]

Request to annex 1.55 acres, located at 488 23 Road. The Davis Annexation consists of 1 parcel and includes a portion of the 23 Road right-of-way. The owners have requested annexation in order to subdivide the property.

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

Resolution No. 148-07—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, Davis Annexation, Located at 488 23 Road, Including a Portion of the 23 Road Right-of-Way

Action: Adopt Resolution No. 148-07

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Davis Annexation, Approximately 1.55 Acres, Located at 488 23 Road, Including a Portion of the 23 Road Right-of-Way

Action: Introduction of Proposed Ordinance and Set a Hearing for December 17, 2007

5. **Revocable Permit for Mesa County Bike Rack, Building Sign, and Screening along the South Avenue Right-of-Way** [File #RVP-2007-182]

Request for a Revocable Permit to allow a building sign, a portion of 4 bike racks, and screening within a portion of the South Avenue right-of-way.

Resolution No. 149-07—A Resolution Concerning the Issuance of a Revocable Permit to Mesa County Government

Action: Adopt Resolution No. 149-07

6. **Setting a Hearing on Proposed Amendments to the Zoning and Development Code** [File #TAC-2007-307]

The City of Grand Junction requests approval to amend the Zoning and Development Code to consider amendments to the Growth Plan and/or Future Land Use Map more than twice a year, and to update or clarify certain provisions of the Code.

Proposed Ordinance Amending Section 2.5 of the Zoning and Development Code to Allow Amendments to the Growth Plan and/or the Future Land Use Map More than Twice Each Calendar Year

Proposed Ordinance Amending the Zoning and Development Code to Update and Clarify Certain Sections of the Code and to Make Minor Corrections

Action: Introduction of Proposed Ordinances and Set a Hearing for November 19, 2007

7. **Setting a Hearing to Vacate the Pear Street Right-of-Way, Located North of North Avenue and East of 28 ³/₄ Road** [File #VR-2007-088]

The petitioner is requesting to vacate the Pear Street right-of-way located on the north side of North Avenue and on the east side of 28 ³/₄ Road at the old Fun Junction site. This request is conditioned upon the approval of a simple subdivision that will reconfigure seven existing parcels adjacent to Pear Street. The Planning Commission recommended approval of the proposed right-of-way vacation at their October 23, 2007 meeting.

Proposed Ordinance Vacating Right-of-Way for Pear Street Located North of North Avenue and East of 28 ³/₄ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for November 19, 2007

8. **Setting a Hearing for the Krummel Annexation, Located at 2953 Highway 50**
[File #ANX-2007-294]

Request to annex 1.74 acres, located at 2953 Highway 50. The Krummel Annexation consists of one parcel and is located on the south side of Highway 50 directly west of Buena Vista Drive on Orchard Mesa.

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

Resolution No. 150-07—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, Krummel Annexation, Located at 2953 Highway 50

Action: Adopt Resolution No. 150-07

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Krummel Annexation, Approximately 1.74 Acres, Located at 2953 Highway 50

Action: Introduction of Proposed Ordinance and Set a Hearing for December 17, 2007

9. **Rename Glenwood Avenue between 5th Street and 7th Street to Tiger Avenue**
[File #MSC-2007-311]

A Resolution Renaming Glenwood Avenue Between 5th Street and 7th Street to Tiger Avenue. This portion of Glenwood Avenue is located on the south side of the Grand Junction High School campus.

Resolution No. 151-07—A Resolution Renaming Glenwood Avenue Between 5th Street and 7th Street to Tiger Avenue

Action: Adopt Resolution No. 151-07

10. **Setting a Hearing on the Cooper-Tucker Annexation, Located at 2825 D Road**
[File #ANX-2007-289]

Request to annex 11.47 acres, located at 2825 D Road. The Cooper-Tucker Annexation consists of one parcel and includes a portion of the D Road right-of-way. This property is located on the south side of D Road, east of 28 Road in the Pear Park area.

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

Resolution No. 152-07—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, Cooper-Tucker Annexation, Located at 2825 D Road and Includes a Portion of the D Road Right-of-Way

Action: Adopt Resolution No. 152-07

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Cooper-Tucker Annexation, Approximately 11.47 Acres, Located at 2825 D Road and Includes a Portion of the D Road Right-of-Way

Action: Introduction of Proposed Ordinance and Set a Hearing for December 17, 2007

11. **Purchase of Rugged Mobile Data Computers Systems**

This purchase is for rugged mobile data computers that will be installed in the City's public safety vehicles. Eleven of these computers will be installed in Fire and EMS Vehicles and nine in the new Police Patrol vehicles. Patrol Vehicles, as they are replaced or added annually to the fleet, will also be equipped with mobile data computers. An additional spare system will be purchased by Police which will provide a 24/7 backup. The new computer systems consist of a lightweight, rugged, wireless PC notebook/PC tablet which will allow an EMT, Firefighter, or Police Officer the mobility to input data on-scene such as at a

patient's side or in a residence. The computer systems will also consist of a Permanent Display Removable Computer (PDRC) to be installed in the front seat of the vehicles to allow public safety personnel access to their records management system and computer aided dispatch. The awarded supplier will provide installation assistance, staff training, system maintenance, and system support.

Action: Authorize the City Purchasing Division to Award the Purchase of Public Safety Rugged Mobile Data Computers to Portable Computer Systems (PCS), Golden Colorado, in the Amount of \$79,751 for Police and \$91,466 for Fire, for a Total Price of \$171,217

12. **Downtown Grand Junction Business Improvement District Operating Plan and Budget**

Every business improvement district is required to file an operating plan and budget with the City Clerk by September 30 each year. The City Council is then required to approve the plan and budget within thirty days and no later than December 5. Downtown Grand Junction Business Improvement District filed their 2008 Operating Plan and Budget. It has been reviewed by Staff and found to be reasonable.

Action: Tabled for additional clarification

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Contract Amendment to the Communication Center Remodel to Include Police Evidence and Facilities

This request for a contract amendment is based on an emergency sole source request to expand the scope of work of the previously approved Grand Junction Regional Communication Center construction contract. The amended scope of work will include the remodel of the former National Guard Armory Building, located at the City Shops Complex. This contract amendment is being sought to create a temporary Police Evidence Storage Facility, and permanent quarters for the Facilities Division.

Troy Smith, Deputy Police Chief, and Jay Valentine, Assistant Financial Operations Manager, reviewed this item. Deputy Chief Smith described the purpose of the request, and why circumstances have created the need for the emergency request. The remodel will allow the evidence to be moved into a facility where it can be preserved. Some Staff will also be located in the Armory Building.

Mr. Valentine explained that only one contractor responded to the last formal solicitation for the remodel of the Communication Center. By using this contractor, the City will save one and a-half months in time for soliciting bids.

Council President Doody asked about the air quality in the old facility. Deputy Chief Smith advised that both Hantavirus and air borne bacteria is suspected to be present, and a hazard to City Staff.

Council President Doody asked about the evidence audit that was completed recently. Deputy Chief Smith said only a small amount of coin and marijuana was discovered missing. The last audit was conducted ten years ago.

Councilmember Palmer supported the request. He has seen the existing facility, and it is way past its useful life. Deputy Chief Smith advised that the move is temporary, and the evidence will be relocated back to the new Public Safety facility once it has been constructed. Mr. Valentine noted that the Facilities Superintendent was also being moved into the Armory Building which will make room for Neighborhood Services in the Purchasing Building.

Councilmember Coons moved to authorize the City Purchasing Division to enter into a contract amendment in the amount of \$343,000 with PNCI Construction, Inc. for the completion of the remodel for Police Evidence and Facilities Division operations.

Public Hearing—Vacation of Public Rights-of-Way in the Indian Road Industrial Subdivision, Located Between C ½ Road and D Road at Indian Road [File #SS-2005-290]

A request to vacate portions of Public Rights-of-Way, portions of Utility Easements, Drainage Easements and Multipurpose Easements all as part of the Indian Road Industrial Subdivision Filing 2 application. The simple subdivision application includes creation of 1 new industrial lot, reconfiguration of the existing lots within the subdivision in order to make the lots more developable, and the vacation of rights-of-way and easements that are no longer necessary.

The public hearing was opened at 7:25 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She described the location and the site. Three sites are built on and the rest of the property is vacant. She described the Future Land Use Designation and the existing zoning. There is an extra twelve feet of right-of-way, and there is excess right-of-way in other areas, including an extension of Winters Avenue to the east. The plan is to create a new lot; a new right-of-way (C ¾ Road) will be extended to retain connectivity, and the City will retain utility easements.

The applicant was present, but had nothing to add.

There were no public comments.

The public hearing was closed at 7:35 p.m.

Resolution No. 153-07—A Resolution Vacating Portions of the 15' Utility Easements along the Frontage of all Lots and Portions of the Drainage Easements within the Indian Road Industrial Subdivision

Ordinance No. 4128—An Ordinance Vacating Excess Rights-of-Way, Located Along Indian Road, Lang Drive, and Winters Avenue in the Indian Road Industrial Subdivision

Councilmember Palmer moved to adopt Resolution No. 153-07, and adopt Ordinance No. 4128 and ordered it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Public Hearing—Rim View Estates Annexation and Zoning, Located at 595 21 1/8 Road [File #ANX-2007-251]

Request to annex and zone 4.70 acres, located at 595 21 1/8 Road to R-4 (Residential 4 Units/acre). The Rim View Estates Annexation consists of one parcel and includes a portion of the 21 1/8 Road and South Broadway rights-of-way. The property is located on the southwest corner of South Broadway and 21 1/8 Road in the Redlands.

The public hearing was opened at 7:35 p.m.

Faye Hall, Associate Planner, reviewed this item. She described the request and the site as well as the location. The request is compatible with the Future Land Use Designation. The existing City and County zoning is R-4 (RSF-4 in the County). There is also PUD zoning in the vicinity. Regarding existing lots sizes in the area, there are both 1/4 acre, and 1/2 acre lots. The 1/2 acre lots could be subdivided further as they are zoned R-4. The existing dwelling units would make additional subdivision difficult. The request was recommended for approval by the Planning Commission, and the requests were found to meet the State Statutory requirements for annexation, and the Land Use Code criteria for zoning.

The applicant was not present.

There were no public comments.

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

a. Acceptance Petition

Resolution No. 154-07—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Rim View Estates Annexation, Located at 595 21 1/8 Road and also Includes a Portion of the South Broadway and 21 1/8 Road Rights-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4129—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Rim View Estates Annexation, Approximately 4.70 Acres, Located at 595 21 1/8 Road and also Includes a Portion of the South Broadway and 21 1/8 Road Rights-of-Way

c. Zoning Ordinance

Ordinance No. 4130—An Ordinance Zoning the Rim View Estates Annexation to R-4 (Residential, 4 Units per Acre) Located at 595 21 1/8 Road

Councilmember Todd moved to adopt Resolution No. 154-07, and Ordinance Nos. 4129 and 4130, and ordered them published. Councilmember Palmer seconded the motion. Motion carried by roll call vote.

Public Hearing—Bookcliff Land and Building Annexation and Zoning, Located at 564 29 Road [File #ANX-2007-232]

Request to annex and zone 2.93 acres, located at 564 29 Road to R-8 (Residential 8 Units/acre). The Bookcliff Land and Building Annexation consists of one parcel, includes a portion of the 29 Road right-of-way and to the centerline of the Grand Valley Canal. This property is located on the east side of 29 Road just south of Dawn Drive. This parcel is better known as the old Bookcliff Veterinary site.

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

Councilmember Todd asked that she be recused as she has a business interest in this property. The Council granted her request. Councilmember Todd excused herself, and left the room.

Faye Hall, Associate Planner, reviewed this item. She described the request, the location, and the site. Ms. Hall entered the staff report and attachments into the record. She noted the request meets all requirements. The applicant was present, but had no presentation.

Councilmember Palmer asked why the need for increased density, as it is currently zoned R-4 in the County.

Councilmember Hill said he uses the Future Land Use Map to determine the appropriate zoning. City Attorney clarified that the Persigo Agreement allows zoning to be consistent with the Growth Plan, or can be zoned consistent with existing County zoning. Ms. Hall noted that request does fit the Growth Plan, specifically the higher end of the allowed zoning.

There were no public comments.

The public hearing was closed at 7:44 p.m.

a. Acceptance Petition

Resolution No. 155-07—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Bookcliff Land and Building Annexation, Located at 564 29 Road, Including a Portion of the 29 Road Right-of-Way and to the centerline of the Grand Valley Canal is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4131—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Bookcliff Land and Building Annexation, Approximately 2.93 Acres, Located at 564 29 Road, Including a Portion of the 29 Road Right-of-Way and Includes to the centerline of the Grand Valley Canal

c. Zoning Ordinance

Ordinance No. 4132—An Ordinance Zoning the Bookcliff Land and Building Annexation to R-8 (Residential, 8 Units Per Acre), Located at 564 29 Road

Councilmember Coons moved to adopt Resolution 155-07, and Ordinance Nos. 4131 and 4132, and ordered them published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

Councilmember Todd returned to the meeting.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting was adjourned at 7:47 p.m.

Stephanie Tuin, MMC
City Clerk

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

November 7, 2007

The City Council of the City of Grand Junction convened into regular session on the 7th day of November 2007 at 7:03 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Bruce Hill, Gregg Palmer, Doug Thomason, Linda Romer Todd, and Council President Jim Doody. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Jim Doody called the meeting to order, and then led in the Pledge of Allegiance.

Council President Doody announced the date and time of the upcoming Veteran's Day Parade.

Council President Doody recognized students in attendance from a Public Affairs Class at Mesa State College.

Citizen Comments

Betty M. Elsberry, 110 Park Circle, lives on a very quiet one-way street. She loves Grand Junction. She regrets that she did not come before Council to object to the development on First and Patterson when it was being reviewed. She said the community needs the energy in this room, and for them to expend that energy to clean up Grand Junction, which was once an All American City.

Appointments

Councilmember Coons moved to appoint Patti Hoff to the Grand Junction Housing Authority for a five year term expiring October 2012. Councilmember Todd seconded the motion. Motion carried.

Certificates of Appointments

Merv Heinecke was present to receive his certificate of appointment to the Horizon Drive Association Business Improvement District Board.

CONSENT CALENDAR

Councilmember Thomason read the items on the Consent Calendar, and then moved to approve the Consent Calendar. It was seconded by Councilmember Hill, and carried by roll call vote to approve the Consent Items #1 through #4.

1. **Setting a Hearing to Create Alley Improvement District 2008**

Successful petitions have been submitted requesting a local improvement District be created to reconstruct three alleys:

- East/West Alley from 3rd to 4th between Gunnison Avenue and Hill Avenue
- East/West from 9th to 10th between Teller Avenue and Belford Avenue
- North/South Alley from 14th to 15th between Hall Avenue and Orchard Avenue

Resolution No. 156-07—A Resolution Declaring the Intention of the City Council of the City of Grand Junction, Colorado, to Create Within Said City Alley Improvement District No. ST-08 and Authorizing the City Engineer to Prepare Details and Specification for the Same

Action: Adopt Resolution No. 156-07 and Set a Public Hearing for December 19, 2007

2. **Energy Development Water Needs Assessment Contracts**

The Colorado Water Conservation Board has approved grant funding for an Energy Development Water Needs Assessment: analyzing water demands for various energy development scenarios in northwest Colorado. The City will act as a pass-through entity to accept the grant and contract for the engineering services with URS.

Action: Authorize the City Manager to Sign a Grant Contract with the Colorado Water Conservation Board and Authorize the City Manager to Sign an Engineering Services Agreement with URS

3. **Change to Planning Commission Meeting Schedule**

The time that the Planning Commission meetings start is established in the bylaws for the Commission. City Council reviews and approves any changes to the bylaws. Effective with the first meeting in January 2008, the Planning Commission meetings shall begin at 6:00 p.m. All other bylaws shall remain in full force and effect.

Resolution No. 157-07—A Resolution Amending the Bylaws of the Planning Commission Changing the Time that the Meetings Commence

Action: Adopt Resolution No. 157-07

4. **Downtown Grand Junction Business Improvement District Operating Plan and Budget—Continued from November 5, 2007**

Every business improvement district is required to file an operating plan and budget with the City Clerk by September 30 each year. The City Council is then required to approve the plan and budget within thirty days and no later than December 5. Downtown Grand Junction Business Improvement District filed their 2008 Operating Plan and Budget. It has been reviewed by Staff and found to be reasonable.

Action: Approve Downtown Grand Junction Business Improvement District's 2008 Operating Plan and Budget

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Public Hearing—Create the Galley Lane Sanitary Sewer Improvement District No. SS-49-07

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. This is the final step in the formal process of creating the proposed improvement district.

The public hearing opened at 7:11 p.m.

Tim Moore, Public Works and Planning Director, reviewed this item. He described the district that was formed. The petition forming the district had 76% of the owners signing in favor of the district. This will be the last improvement district for the year. Mr. Moore said the request also includes a request to award the contract to M.A. Concrete. City Attorney Shaver advised that since the contract award request was not on the agenda that it could not be addressed tonight.

There were no public comments.

The public hearing was closed at 7:15 p.m.

Resolution No. 158-07—A Resolution Creating and Establishing Sanitary Sewer Improvement District No. SS-49-07, Within the Corporate Limits of the City of Grand Junction, Colorado, Authorizing the Installation of Sanitary Sewer Facilities and Adopting Details, Plans and Specifications for the Same

Councilmember Todd moved to adopt Resolution No. 158-07. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Public Hearing—Timberline Steel Annexation and Zoning, Located at 2185 River Road [File #ANX-2007-242]

Request to annex and zone 2 acres, located at 2185 River Road to I-1 (Light Industrial). The Timberline Steel Annexation consists of one parcel. The property is located on the southeast corner of River Road and Railhead Circle.

The public hearing was opened at 7:16 p.m.

Greg Moberg, Development Services Supervisor, reviewed this item. He described the request, and entered the staff report and attachments into the record.

Mary Vernes, 2031 Freedom Court, representing Vortex Engineering and Timberline Steel was present. She was available for questions. There were none.

There were no public comments.

The public hearing was closed at 7:18 p.m.

a. Accepting Petition

Resolution No. 159-07—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Timberline Steel Annexation, Located at 2185 River Road is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4133—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Timberline Steel Annexation, Approximately 2 Acres, Located at 2185 River Road

c. Zoning Ordinance

Ordinance No. 4134—An Ordinance Zoning the Timberline Steel Annexation to I-1 (Light Industrial) Located at 2185 River Road

Councilmember Palmer moved to adopt Resolution No. 159-07, and adopt Ordinance Nos. 4133 and 4134, and ordered them published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

Public Hearing—Krabacher Annexation and Zoning, Located at 2946 B ½ Road [File #ANX-2007-241]

Request to annex and zone 10 acres, located at 2946 B ½ Road to R-4 (Residential 4 Units/acre). 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.

The public hearing was opened at 7:20 p.m.

Greg Moberg, Development Services Supervisor, reviewed this item. He described the request, and the location, and then entered the staff report and attachments into the record. He said the Planning Commission recommended approval of the annexation and zoning, and the Staff concurs.

The applicant's representative, David Chase with Vista Engineering, 605 28 ¼ Road, was present to answer any questions.

There were no public comments.

The public hearing was closed at 7:21 p.m.

a. Accepting Petition

Resolution No. 160-07—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as Krabacher Annexation, Located at 2946 B ½ Road is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4135—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Krabacher Annexation, Approximately 10 Acres, Located at 2946 B ½ Road

c. Zoning Ordinance

Ordinance No. 4136—An Ordinance Zoning the Krabacher Annexation to R-4 (Residential, 4 Units per Acre) Located at 2946 B ½ Road

Councilmember Beckstein moved to adopt Resolution No. 160-07, and adopt Ordinance Nos. 4135 and 4136, and ordered them published. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

Public Hearing—Crespin Annexation and Zoning, Located at 2930 D ½ Road [File #ANX-2007-234]

Request to annex and zone 5.37 acres, located at 2930 D ½ Road, to R-8 (Residential, 8 units per acre). The Crespin Annexation consists of two parcels and includes a portion of the D ½ Road right-of-way. This property is located on the north side of D ½ Road and south of the railroad tracks in the Pear Park area.

The public hearing was opened at 7:22 p.m.

Greg Moberg, Development Services Supervisor, reviewed this item. He described the request, and the location. He then entered the staff report and attachments into the record. The request meets the criteria in the Zoning and Development Code, and the Planning Commission recommended approval.

Council President Doody asked if the property across the street is Pear Park Elementary. Mr. Moberg said it is.

The applicant was not present.

There were no public comments.

The public hearing was closed at 7:24 p.m.

a. Accepting Petition

Resolution No. 161-07—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Crespin Annexation, Located at 2930 D ½ Road and a Portion of the D ½ Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4137—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

c. Zoning Ordinance

Ordinance No. 4138—An Ordinance Zoning the Crespin Annexation to R-8 (Residential, 8 Units per Acre) Located at 2930 D ½ Road

Councilmember Thomason moved to adopt Resolution No. 161-07, and adopt Ordinance Nos. 4137 and 4138, and ordered them published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

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

Request to zone the 17.52 acre Page Annexation located at 2076 Ferree Drive and 2074 Broadway, to R-4, Residential—4 units/acre Zone District.

The public hearing was opened at 7:25 p.m.

Scott D. Peterson, Senior Planner, reviewed this item. He described the request, and the site location. He advised the Planning Commission recommended approval of the request. He entered the staff report and the attachments into the record. He noted the applicant and the applicant's representative were present.

Mary Vernes with Vortex Engineering, residing at 2031 Freedom Court, was present representing Ken Page of the Page Annexation, and was available for questions.

There were no public comments.

The public hearing was closed at 7:27 p.m.

Ordinance No. 4139—An Ordinance Zoning the Page Annexation to R-4, Residential—4 Units/Acre, Located at 2076 Ferree Drive and 2074 Broadway

Councilmember Hill moved to adopt Ordinance No. 4139, and ordered it published. Councilmember Palmer seconded the motion. Motion carried by roll call vote.

Public Hearing—Growth Plan Amendment for Property Located at 2510 N. 12th Street, 1212, 1228, 1238, 1308, 1310, 1314, and 1324 Wellington Avenue [File #GPA-2006-241]

The petitioners, Dillon Real Estate Company, Inc., request adoption of a Resolution to amend the Growth Plan Future Land Use Map from Residential Medium (4 – 8 DU/Ac.) to Commercial for the properties located at 2510 N. 12th Street, 1212, 1228, 1238, 1308, 1310, 1314 and 1324 Wellington Avenue. The Planning Commission recommended approval of the proposed Growth Plan Amendment request at their September 25, 2007 meeting.

The public hearing was opened at 7:28 p.m.

As the Auditorium was full, Council President Doody laid out some ground rules for the public hearing.

Scott D. Peterson, Senior Planner, reviewed this item. He described the request, and the location. The site is just under three acres. The request is in anticipation of future commercial development. The character of the area is a mix of commercial, medical offices, and residential. Mr. Peterson stated the Growth Plan Amendment request is acceptable as it is compatible, and is located along two arterial streets. Single family development at this location would probably not be feasible. Multi-family development might be possible, but limited due to the size of the site.

In reviewing the criteria for a Growth Plan amendment, since the adoption of the Growth Plan, the City has grown, and traffic has increased along these corridors making it less desirable for single family development. Existing parcels are small, and irregular in shape making residential or commercial development difficult. Buffering would be difficult between commercial and residential as required by the Code. The current zoning is B-1 and R-8. Infrastructure is adequate at this location, however, adjacent roadways would need to be upgraded. Mr. Peterson said improvements would be addressed at site plan review. Traffic is currently heavy at that intersection, and will likely increase. The area has increased with additional health care facilities, and the college expansion. Hilltop Health Services is also nearby. A retail complex is located across 12th Street.

Mr. Peterson concluded the request is consistent with the purpose and intent of the Growth Plan. The intent of the commercial development is to capture traffic currently using the adjacent roadways, not attracting additional traffic. Mr. Peterson listed the letters and petitions both in favor and opposed to the request.

Mr. Peterson stated that the applicant and applicant's representative were in the audience.

Councilmember Hill asked about the two properties currently zoned B-1, and could they be developed without a change in the Growth Plan? Mr. Peterson said they could, but they would probably ask for a housekeeping change to the Growth Plan to make it consistent with the zoning.

Councilmember Hill asked if the petition submitted dated 2006 is correct. Mr. Peterson said the application was filed in 2006 and that is when the neighborhood was notified, and when the petition drive was started. Councilmember Hill noted that Councilmembers received emails which were not included in the packet. Mr. Peterson advised only those received by the City Clerk and himself were added to the material for City Council.

Mark Goldberg, Goldberg Property Associates, was present on behalf of the applicant, and he introduced a number of other representatives in the audience who were available to address questions. Mr. Goldberg confirmed they are at the Growth Plan Amendment stage so they do not have a lot of detail on the site plan. The property is in an infill area. The Growth Plan encourages infill development. The site has a lot of access. Regarding the trees on the property, many are diseased, and need to come down. The City Forester agrees. The development will enhance the area. The current zoning on the many properties do not mesh in a way that can be developed.

In conclusion, Mr. Goldberg said a focus in the Growth Plan was to have development in commercial nodes where there are busy streets, and a shopping center does fit the focus, which is their intent. The size of the proposed development is not large, and is in keeping with the neighborhood. It is convenience retail, which makes for good planning by allowing for a walkable location. They plan to have a high degree of architecture, and bring a first class community shopping center to the area. The Growth Plan also encourages development where there is existing and adequate infrastructure, which will add to the balance of the area.

There was a clarification on the order of public comments, Council President Doody agreed to have those in favor speak first, and those against speak after that.

Council President Doody called a recess at 7:55 p.m.

The meeting reconvened at 8:07 p.m.

Council President Doody noted there was a faint smell of smoke which was the reason for the break. The Fire Department was contacted to investigate.

Council President Doody asked those in favor of the Growth Plan Amendment to come forward to speak.

Sam Suplizio Jr., 3210 Primrose (Spring Valley), voiced support of the Growth Plan change, and the proposed development.

Gayla Jo Slauson, 1225 Wellington Avenue, supported the change, and thought the development would improve the appearance of the site.

John Williams, 695 Round Hill Drive, walks and runs to this vicinity frequently, and is in favor of the change, since it is a parcel that can't be easily developed. He commented that City Market is a terrific corporate citizen, and they will do the right thing. Mr. Williams stated that he was an attorney, but did not have a client in this matter.

Becky Brown, 1441 Patterson #1003, Patterson Gardens, supports the amendment. She is the current president of the Homeowner's Association for Patterson Gardens, and represents 35 other residents who believe City Market would be a great neighbor.

Janet Terry, 3120 Beechwood Drive, lives within a mile of the property and is in support of the change in the Growth Plan. She recognizes the importance of the decision, as she was involved when the Growth Plan was created and adopted, when she sat on City Council. The request is an appropriate change at this time. The Growth Plan has been in existence for over ten years. This is an infill development. She encouraged approval.

Bob Colony, 639 West Pagosa, lives about a mile from the site, and is in favor of the change. He is familiar with City Market, having lived here since 1938. Mr. Colony stated that City Market is a fine operation, and is supportive of the community. He said they will do it right.

Joe Prinster, 2845 Dottie Lane at The Commons, has lived here 82 years, and was in support of the request. The location was not picked out with the intent of increasing traffic, but rather City Market would build the store because the traffic is already there at the site.

Council President Doody asked for those opposed to come forward.

Tom Volkmann, representing the group "Save Our GJ Neighborhoods", organized the presentation that addressed a variety of topics presented by various individuals relative to the criteria for amending the Future Land Use Map. They will not be mentioning City Market who they agree is a good corporate citizen.

Reford Theobald, 3760 Beechwood Street, gave perspective from his experience on the City Council. This is the fourth time this parcel has been reviewed for this type of development. He reviewed the adoption of the Growth Plan, as he was on the City Council at that time. It is a well thought-out plan, and included a lot of community effort.

Mr. Theobald offered what the issue is not. It is not about a park, it is not about the good works of the applicant. No one would argue that City Market is not a good company. It is not about the development at 1st and Patterson. It is not about infill. The goal of the infill policy was to take difficult parcels, with challenges, and help them develop. This property can be developed very easily with lot line adjustments. It is not about economic development. It is not about time, the fact that the parcel has been vacant does not give them an advantage. 48,000 square feet is not a neighborhood convenience store. It is not the only parcel available for this development. The developer has not met all of the criteria. The Growth Plan is a promise to the neighborhood as to what will happen in the neighborhood.

Loretta Ward, 1313 Wellington Avenue, addressed Criterion A, of Section 2.5 C of the Zoning and Development Code which states the current Growth Plan will be amended if the City finds that the proposed amendment is consistent with the purpose and intent of the Plan, and if it meets the following criteria. Criterion A – if there was an error in the designation. She believes there was no error in Criterion A. It was designated as such

to protect the residential neighborhood. She listed the changes in the neighborhood, and how the instances provided by the Planner were not relevant.

Shirley Kelly, 2741 Patterson Road, addressed Criterion B – Subsequent events have invalidated the original premises and findings. She said that Wellington has not changed since the Growth Plan was adopted except for the houses demolished by Kroger. She said the Planner has exaggerated the changes in the neighborhood. There have been no subsequent events to invalidate the premises of the Growth Plan, in fact there have been many homes built in the neighborhood.

Sharon Brown, 1305 Wellington, addressed Criterion C – the character of the neighborhood has changed such to invalidate the plan. The number of residential units has in fact increased, and there is additional need for high density residential development. The Planner implies that the residential development is not attractive. The property is currently zoned appropriately for a small scale commercial development. The area has not changed significantly.

Laurence Raney, 1404 Wellington, and 1305 Wellington, addressed Criterion D – the change being consistent with the goals and policies of the plan. He believes the change is inconsistent. The goal is to promote stable residential neighborhoods. Mr. Raney stated that in Policy 11.2, the City will limit commercial encroachment into stable residential neighborhoods. The proposal will encroach into a stable neighborhood which is inconsistent with the goals of the Growth Plan. The Growth Plan also encourages a buffer zone between commercial and residential. Eliminating the residential portion along Wellington would conflict with that policy. The commercial development might attract up to 8,000 customers per day, this is not a small scale development. Low volume commercial is appropriate, not a high capacity development.

Patty Guerrero, 1541 Pinyon Avenue, addressed Criterion E – the development should be in keeping with the area in size and scope. She said Wellington is not adequate to handle the additional traffic. At the last review in 1999, then Public Works Director Mark Relph estimated that the cost of the upgrade would cost up to one-half million dollars. It will cost a great deal more now. That is \$250,000 to \$500,000 cost to the City. Criterion E is not being met. 12th and Patterson is already crowded and congested, the development will bring in more customers and employees. Extensive upgrades at that intersection will be needed. She said she understands the concept of infill, but also understands the concept of overfill. She asked not to take away the reason for living in Grand Junction.

Harriett Clothier, 1441 Patterson, Unit 801, addressed Criterion F – inadequate supply of suitable land. In the past Kroger has had several options, and could have bought the property at 12th and Horizon, and at 1st and Patterson, they knew what they were getting into when they bought this property. Kroger owns quite a bit of land in this community, several that could be developed, such as the property at 24 Road and Patterson (near Kohl's). She also noted the property located at 32 and C Road, property that she believes is a wonderful location to serve the needs of the residents in the southeast quadrant of the City. Ms. Clothier posed several "what if" questions regarding changes in zoning and re-designation, and how it could affect the neighborhood. It is her opinion that it would be a natural progression to re-designate the

B-1 zoning. Rezoning could potentially allow a 150,000 square foot building in that neighborhood, or a new designation will increase the selling value of the property.

Edie Gregory, 1305 Wellington, addressed Criterion G – the community will derive benefits from the change. She disagreed that it will. The change will increase traffic, it will result in the need to upgrade the roadways up to \$500,000, and it is not consistent with the goals of the Growth Plan. It will undermine a commitment to the Growth Plan. It will eliminate the buffer zone along Wellington, it will slow traffic at the intersection, and will adversely affect corridor preservation. She does not believe it will be accessed by pedestrians, and does not see any overall benefit to the community.

Dick Fulton, 1556 Wellington since 1981, and has paid considerable attention to the Growth Plan documents, would like to commend the citizens who spoke, and said he also represents the group “Save our GJ Neighborhoods”, and does not think this should be a park. He is not against growth and would love to see the commercial part developed as per the current Growth Plan, but wants to preserve the residential buffer along Wellington. He countered the argument given by the City Planner. He stated much of the Planner’s report included copying phrases from the applicant’s application, word for word. The Planning Department is supposed to be an independent review agency, and the report does not include independent analysis. Some of the independent analysis is not relevant, and pre-dates the Growth Plan.

Mr. Fulton then addressed the seven criteria areas. If the applicant meets the first criteria, then he doesn’t need to meet the other six. Mr. Fulton does not believe that these criteria have been met. Criterion E – Adequate Public Facilities. Mr. Fuller said the Planner admits facilities are not adequate, and the street will have to be upgraded. Criterion G – the community benefits are questionable if there are any, and there is enough land for a small commercial development without the change, and without eliminating the residential buffer. Criterion A is whether there was an error. The Planner’s report points out that the irregular lot lines make the development difficult. Mr. Fulton said that can be resolved with lot line adjustments. Regarding Criterion A – there is no error. Criterion F – inadequate land in the community to provide a place for development. There are plenty of locations where Kroger could develop. The site is for a small scale commercial development. Criterion F is not met. Criterion B – subsequent events have invalidated the original premise and findings of the Growth Plan. All of the subsequent development has complied with the Growth Plan. No events or commercial development have invalidated the original premise. Criterion C – area has changed and changes were unanticipated. Wellington has not changed. The proposal is not consistent with the policies, the character, and condition of the area has not changed significantly, and what has changed has been in accordance with the Plan. Criterion D – the change is consistent with existing neighborhood and corridor plans. Mr. Fulton contended that it is in fact inconsistent with the goals and policies of the plan. Criterion D is not met. Criterion A, B, C, D, E, F, and G are not met.

Gary McMurtrey, 860 Hall Avenue, picked up a flyer at Albertsons. Since the growth is toward Fruita, he asked why don’t they build out there instead of the middle of the college sprawl, and St. Mary’s. Another huge grocery store will bring more people, and in case of an emergency, there will need to be more routes to get out of town.

Bruce Verstraete, 1321 Wellington, says that the Growth Plan is a little over 10 years old, and has served the City well, and it shouldn't be amended lightly. It provides the Council with a chance to correct problems before they happen. Patterson is the City's opportunity to maintain an east-west corridor in the valley. He always believed that the criterion for change is application. It seems that amendments and rezones happen very quickly without a lot of thought, and he encouraged the City Council to give this amendment a lot of thought.

Pat Verstraete, 1321 Wellington, lives about 26 feet from the proposed change. She had a petition signed by 399 neighbors that she submitted, all local people, citizens who are aware of the change, and are respectfully asking the City Council not to grant the request. She participated in the new Comprehensive Plan process, and noted that all commercial development had a buffer, and not one map showed a change at this intersection.

Tom Volkmann spoke again saying there hasn't been any change that has invalidated the Growth Plan. There are 8 residential lots, and one of changes the criteria discusses is that these lots should stay residential, but at a higher density. Wellington is still a small street, and should be left residential. He disagreed with the staff report saying residential development at this location would be questionable, as the multi-family option is what was planned. The current residents feel they are in a stable, residential neighborhood, and that expansion of the commercial area further to the south to Wellington is in fact an encroachment of commercial into a stable residential area. The Growth Plan does state the City may consider a small scale commercial center, but the proposal is not small scale. It is that concern that drives the neighbors here. It is not true there is not suitable commercial land available. The report states this is one of the larger commercial lots in town but that is only if the Growth Plan is changed. The applicant has not met the criteria within the Code, so the proposal should be denied.

Marc Goldberg, the applicant, said there is nothing in the Growth Plan that says these lots are buffers under the Growth Plan. Regarding the comment that Wellington would become a collector street, this is not true. The total number of new trips would be 240, and of these 240 trips, only 30 will be on Wellington as the traffic is on the streets today. The improvements to the roadway are needed today. If the project is approved, the applicant will insist in those improvements. Just changing the lots lines will not make these lots developable, there are other issues such as access. There is no intent to build a 100,000 square foot facility. It is intended to be a neighborhood convenience shopping center that will enhance the neighborhood.

Mike Elliot, a citizen of Fruita, and a taxpayer of Grand Junction, said they do a good dance about no extra traffic, but citizens will have to go through the intersection twice, making Wellington the logical access.

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

Councilmember Coons asked how many individuals live in the area that would be impacted. Mr. Peterson said he does not have an exact number, but he listed the various neighborhoods in the area. Councilmember Coons noted that many of the signatures on the petition submitted are out of the neighborhood, and even out of the City. She noted the traffic is already congested in the area. She asked if the City is

planning to upgrade this intersection regardless of the Growth Plan Amendment. Mr. Peterson said due to the increase in traffic, upgrades will be needed at that intersection.

Councilmember Coons asked if the changes will be driven by this lot development. Mr. Peterson said it may spur those upgrades sooner.

Councilmember Coons asked if there was potential for squaring off the lots lines, and if so, what is that process. Mr. Peterson replied that the problem to do that now is that there are two growth plan designations, commercial on the north, and residential on the south. It is possible to do a Growth Plan consistency review to keep the residential on the south where the City Council and Planning would determine the designation, or do a simple subdivision to eliminate all property lines, and create one developable lot, but it would have two zoning designations on one property.

Councilmember Palmer asked about the existing City zoning on the two B-1 flag lots, and asked if those would have to be rezoned to be developed and to maintain a buffer. Mr. Peterson said the lots don't match the Growth Plan designation. Buffers would be required between any commercial and residential lots. Both flag lots currently zoned B-1 could be developed as commercial.

Councilmember Todd asked what size of building could go there after the landscaping, parking and buffer has been installed. Mr. Peterson said a 14 foot landscaping strip is required, and it would be difficult to develop as a new development under current designation.

Councilmember Hill asked what zoning could be applied if the Growth Plan is changed. Mr. Peterson replied that (RO) Residential Office, (B-1) current zoning, (C-1) Light Commercial, (C-2) General Commercial, are all allowed under the commercial designation, and residential development is also allowed in a commercial land use designation.

Councilmember Hill asked what the current zoning is, and screening requirements, between the two zoning designations. Mr. Peterson stated when commercial development abuts residential lots there is a six foot fence, and an eight foot minimum landscaping strip required between the two. In a commercial designation zone there must be a 14 foot landscaping strip adjacent to all right-of-ways. There are also building setback requirements.

Councilmember Coons asked if Wellington would become a collector street. Mr. Peterson, replied that the Engineering Staff said it will remain a local street, not a collector street.

Councilmember Coons asked what the difference is between a collector and a residential street. Mr. Peterson deferred to Tim Moore, the Public Works and Planning Director for an answer.

Tim Moore, Public Works and Planning Director, said there has to be at least 1,000 trips per day to change a residential street to a collector street.

Councilmember Coons asked what improvements would need to be made to the street.

Mr. Moore said that according to the TCP Ordinance, a local street would be the residential or abutting property owner's responsibilities, but if it was a collector street then the City would be responsible for improvements.

Council President Doody asked how the Comprehensive Plan will affect properties like this one throughout the City, if nothing was done at this time. Mr. Peterson said the City will look at the density increases and the commercial and residential zoning needs. The Plan will also be reviewed by the public and a consultant during the two year review period.

Councilmember Palmer asked Mr. Peterson to elaborate on the additional ways buffering can be achieved. Mr. Peterson replied that several options such as landscaping, parking spaces, driving lanes, and detention basins would add areas of separation between commercial and residential.

Councilmember Beckstein asked Mr. Peterson to address the comment that the recommendation does not meet the criteria, and whether ten years ago there was an implied guarantee the residents would be buffered. Mr. Peterson responded with regard to buffering, and the intent in the Growth Plan, the City looked at existing land use, there were eight homes, and was designated such, but no mention of these lots being a buffer for the Wellington area. As far as the Staff report, he stands behind his findings on the criteria in the report.

Councilmember Hill asked, if changed, when does the process allow input on the residential zoning needs. Mr. Peterson replied that the next step is to rezone the properties to commercial. The applicant would propose, and then it will be up to City Staff to review the zoning, then it goes to the Planning Commission for a recommendation. There would be a site plan review which is an administrative review process. If the applicant has any elements such as a drive-through window, it would require a Conditional Use Permit. The process would require a public hearing before the Planning Commission only.

Councilmember Coons asked what the underlying plan zoning designation is on the nearby RO property. Mr. Peterson responded that it is residential medium, but it could have a RO designation.

Councilmember Palmer asked if the applicant could request a zoning change on adjacent parcels. Mr. Peterson replied that they could request a C-1, or a PD designation for all 21 parcels.

Councilmember Palmer asked what the process is for a Planned Development (PD). Mr. Peterson explained a PD zone would need to have a community benefit of something above and beyond what the Zoning Code requires.

Council President Doody asked City Manager Laurie Kadrach, how the Comprehensive Plan will play out on infill pieces throughout the City of Grand Junction.

City Manager Laurie Kadrach explained that the existing Growth Plan has a much smaller population projection than even what the City has today. Under the current Growth Plan the City expected a population of 115,300 valley wide. Currently the

population is at 135,000. She continued that as the valley is looked at, the City will see additional pockets of commercial to support the residential development purely from a population standpoint that was not looked at in 1996.

Councilmember Thomason thanked everyone in attendance, and those who sent emails. He assured them that no one takes this decision lightly, and having lived at 1305 Wellington in the 1980's he is familiar with the area. The Growth Plan document has been a great document in the last 11 years, however, as a living document, changes are necessary, as some of the conditions from 1996 do not exist now. He does feel the criteria is being met. Approval does not give a forgone conclusion of approval of the next step, and he is in support of the change.

Councilmember Todd said there has been a lot of change since 1996. When the Growth Plan was first adopted the public was adamant that it stay a living document that had the ability to change. She noted that there is a greater growth than what was projected, and now they have the opportunity to build for the future by looking at the infill projects such as these, and even using the historical document before her, she believes that all the criteria has been met. The growth trend has changed, and therefore change is needed, and she is in support of the amendment.

Councilmember Coons in agreement with Councilmember Thomason thanked everyone for attending, and wanted to assure them that all comments have been listened to. She works within a few blocks of this neighborhood, and has driven through it, and agrees that it is a great neighborhood. There has been a lot of new residential development. Using her elderly parents as an example, she shared their concerns about being able to walk or drive only a few blocks, while avoiding major streets, to access the services they need. Commercial development on this site will be able to provide closer access to retail services within short driving distance. The infill is avoiding sprawl, trying to fill in both residential and commercial areas within the City that needs new development. She doesn't believe it is relevant to the other properties Kroger owns, as far as meeting the criteria. The congestion is evidence the area has changed, and there is a need for new infrastructure in the area. She sees the benefits to the community, and thinks it is a good use of the property. She supports the amendment.

Councilmember Beckstein states that there is a lot of emotion with this amendment. She, herself chose to live here to raise her children in a small community. She said she lives in Spring Valley and fights the traffic, and commented on the growth while noting that change is sometimes painful, but she said she can't rule on memories. She believes that it is better to have the lot as one zone designation. The Staff is diligent in what they do and they do look at the whole picture and address the issues that are of concern, and she too will support the amendment.

Councilmember Palmer expressed his appreciation to everyone for being part of the process. It is important to have the opportunity to speak out, and there has been a lot of discussion, some outside the scope of the purpose. The decision tonight is about the conflict on the property between the zoning, and the Future Land Use Designation. Staff and the Planning Commission recommended approval, and he is in agreement with the Growth Plan Amendment; however, it is not a rubber stamp for the future zoning.

Councilmember Hill said he also grew up in this neighborhood, and he still lives there. The traffic on Patterson needs to be dealt with. He is hearing a voice of concern about changing a Growth Plan to commercial being equated with ruining the neighborhood. He believes it is an improvement with a blended number of uses, and there is a need to deal with the conflict that currently exists, and this is about infill. There are many City Codes in place to protect the community, and he believes that a quality development will be built as a result of these codes. He believes the criteria have been met, and he will support the Growth Plan Amendment.

Council President Doody thanked everyone for the good turnout. He said the City Manager summed it up best. The statistics are the reality, and the City has to deal with the vision piece coming forward through the Comprehensive Plan. He is in support of the Amendment.

Councilmember Todd also thanked everyone for participating.

Resolution No. 162-07 —A Resolution Amending the Growth Plan of the City of Grand Junction to Designate Approximately 2.97 +/- Acres, Located at 2510 N. 12th Street, 1212, 1228, 1238, 1308, 1310, 1314, and 1324 Wellington Avenue from Residential Medium (4-8 DU/AC) to Commercial

Councilmember Todd moved to adopt Resolution No. 162-07. Councilmember Hill seconded the motion. Motion carried by roll call vote (unanimously).

Non-Scheduled Citizens & Visitors

There were none.

Other Business

The following week the Mayor, the Mayor Pro Tem Beckstein, and Councilmember Hill will be in New Orleans, and Council President Doody asked Councilmember Palmer to serve as Acting Mayor in their absence.

Council President Doody reminded everyone of the Veterans Day Parade on Saturday, November 10, 2007 at 2:00 p.m., and the Ceremony on November 11, 2007 at 11:00 a.m. at the Western Slope Vietnam War Memorial Park in Fruita.

Adjournment

The meeting adjourned at 10:17 p.m.

Stephanie Tuin, MMC
City Clerk

**Attach 2
Downtown Holiday Parking**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Holiday Parking in the Downtown		
File #			
Meeting Day, Date	Monday, November 19, 2007		
Placement on the Agenda	Consent	X	Individual
Date Prepared	November 5, 2007		
Author Name & Title	Harold Staf, DDA Executive Director		
Presenter Name & Title	Jodi Romero, Financial Operations Manager		

Summary: The Downtown Partnership has requested that parking downtown be free again this year to best position downtown for the holiday shopping season. City Staff recommends Free Holiday Parking in all of downtown, including the first floor (119 spaces) of the new Rood Avenue parking structure, with the exception of government offices, illegal parking areas, and shared-revenue lots.

Budget: Parking Revenues forfeited for this time period are estimated to be \$30,000.

Action Requested/Recommendation: Vacate parking enforcement at all **designated downtown metered spaces and signed parking from Thanksgiving to New Year's day**, except loading, no parking, handicapped, and unbagged meter spaces surrounding government offices. Metered spaces will be designated by covering the meter with the well-known "Seasons Greetings-Free Parking" red plastic bag.

Attachments: None

Background Information: After several years of implementing a variety of Holiday Parking methods, meeting with varying degrees of success and objection, the system utilized last three years seems to have worked rather well. City Staff believes that while allowing the vast majority of parking to be free and unrestricted, it is critical to maintain available parking for short-term visitors to our government offices (120 out of 1,100 metered spaces) with continued enforcement of the short-term meters surrounding the Post Office (4th & White), the Federal Building (4th & Rood), the City Hall/County Administration block (5th & Rood to 6th & White), and the State Building (6th & Colorado). This will allow parking access to these buildings without adversely affecting the main retail/shopping corridors. Additionally the shared-revenue lots at the State Building and the United Methodist Church (5th & Grand) as always are excluded from Free Holiday Parking and will continue to be enforced. Although some would prefer to enforce the free, signed spaces along Main St. due to limited cooperation in keeping these spaces open for visitors, the simple policy of "Free Parking" downtown that was implemented the last several years remains the easiest and simplest to enforce while limiting confusion on the part of the public. The merchants realize that this policy may

be tempting for employees to abuse by remaining throughout the day, but the Downtown Partnership will again develop a newsletter to downtown businesses requesting their cooperation and noting the support of the City Council.

Attach 3**Purchase of Six Wheel Regenerative Air Sweeper****CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
Subject	Six Wheel Regenerative Air Sweeper		
File #			
Meeting Day, Date	November 19, 2007		
Placement on the Agenda	Consent	X	Individual
Date Prepared	November 9, 2007		
Author Name & Title	Shirley Nilsen, Senior Buyer		
Presenter Name & Title	Joe Stevens, Parks and Recreation Director Jay Valentine, Financial Operations Assistant Manager		

Summary: This purchase is for a six-wheel regenerative air sweeper for the Parks and Recreation Forestry/Horticulture Division and is an addition to the fleet.

Budget: The Parks and Recreation Department is utilizing CIP funding and \$112,000.00 is budgeted.

Action Requested/Recommendation: Authorize the City Purchasing Division to purchase a 2007 Tymco 210 Regenerative Air Sweeper from Intermountain Sweeper Company, located in Denver, CO, in the amount of \$75,750.00.

Background Information: In an effort to provide efficiency the Parks and Recreation Forestry/Horticulture Division requested a low clearance sweeper to be able to access the Two Rivers Convention Center's underground parking lot. Currently the parking lot is being blown by hand with back packs and then hand swept. The sweeper will be utilized in the new downtown parking garage and the new round-a-bouts as well.

The Solicitation was advertised in the Daily Sentinel, and invitations were sent to 35 potential bidders. Four responsive and responsible bids were received as shown below. The Assistant Financial Operations Manager agrees with this recommendation.

Company	Cost
Intermountain Sweeper Company Denver, Colorado	\$76,875.00 (Alternate Bid)
Intermountain Sweeper Company Denver, Colorado	\$86,425.00
O.J. Watson Equipment Denver, CO 80216	\$99,665.50
Faris Machinery Company Grand Junction, CO 81505	\$109,845.00

Attach 4
Purchase of Hot Mix Asphalt for Streets Division
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Purchase of Hot Mix Asphalt for Streets Division		
File #			
Meeting Day, Date	Monday, November 19, 2007		
Placement on the Agenda	Consent	X	Individual
Date Prepared	November 1, 2007		
Author Name & Title	Scott Hockins, Purchasing Supervisor		
Presenter Name & Title	Jay Valentine, Assistant Financial Operations Manager		

Summary: Purchase of approximately 1,200 tons of hot mix asphalt for use by the Streets Division for patching and paving during the 2008 calendar year.

Budget: Authorized and budgeted funds exist for this planned expenditure in the Asphalt Preventative Maintenance Account.

Action Requested/Recommendation: Authorize the City Purchasing Division to purchase approximately 1,200 tons of hot mix asphalt from Elam Construction, Inc., in the total amount of \$64,800.

Attachments: N/A

Background Information: The solicitation was advertised in the Daily Sentinel, and sent to a source list of potential bidders, including the Western Colorado Contractor's Association (WCCA). Two companies responded with formal bids.

- Elam Construction, Inc., Grand Junction \$64,800
- United Companies of Mesa County, Grand Junction \$66,000

Attach 5
Setting a Hearing on Zoning the Ingle Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Zoning the Ingle Annexation - Located at 436 Clear Creek Drive.		
File #	ANX-2007-269		
Meeting Day, Date	Monday, November 19, 2007		
Placement on the Agenda	Consent	X	Individual
Date Prepared	November 6, 2007		
Author Name & Title	Faye Hall, Associate Planner		
Presenter Name & Title	Faye Hall, Associate Planner		

Summary: Request to zone the 5.90 acre Ingle Annexation, located at 436 Clear Creek Drive, to R-5 (Residential, 5 units per acre).

Budget: N/A

Action Requested/Recommendation: Introduce a proposed Ordinance and set a public hearing for December 3, 2007.

Attachments:

1. Staff report/Background information
2. Annexation - 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

STAFF REPORT / BACKGROUND INFORMATION				
Location:		436 Clear Creek Drive		
Applicants:		Owner: Jay Ketchem		
Existing Land Use:		Single Family Residential		
Proposed Land Use:		Single Family Residential		
Surrounding Land Use:	North	Single Family Residential		
	South	Single Family Residential		
	East	Single Family Residential		
	West	Single Family Residential		
Existing Zoning:		County PUD (Planned Unit Development approved at 5.6 units per acre)		
Proposed Zoning:		R-5 (Residential, 5 units per acre)		
Surrounding Zoning:	North	County PUD (Planned Unit Development, 5.6 units per acre)		
	South	County RMF-5		
	East	County RSF-R		
	West	R-5 (Residential, 5 units per acre)		
Growth Plan Designation:		Residential Medium 4-8 du/ac		
Zoning within density range?	X	Yes		No

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the R-5 zone district is consistent with the Growth Plan designation of Residential Medium 4-8 du/ac. The existing County zoning is PUD (Planned Unit Development, 5.6 units per acre). Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

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

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

Response: The proposed zone district of R-5 is compatible with the neighborhood as the property directly south is zoned RMF-5 in the County. The property directly to the west was recently annexed and was zoned R-5. The properties to the north that were recently annexed are zoned R-5 and R-8. The newly developed Dove Creek Subdivision in the County to the east is also zoned RMF-5. Due to the existing subdivisions with similar densities the request for R-

5 is compatible with the neighborhood and is also conforming to the Growth Plan designation of Residential Medium 4-8 du/ac and the Pear Park Plan.

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

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

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

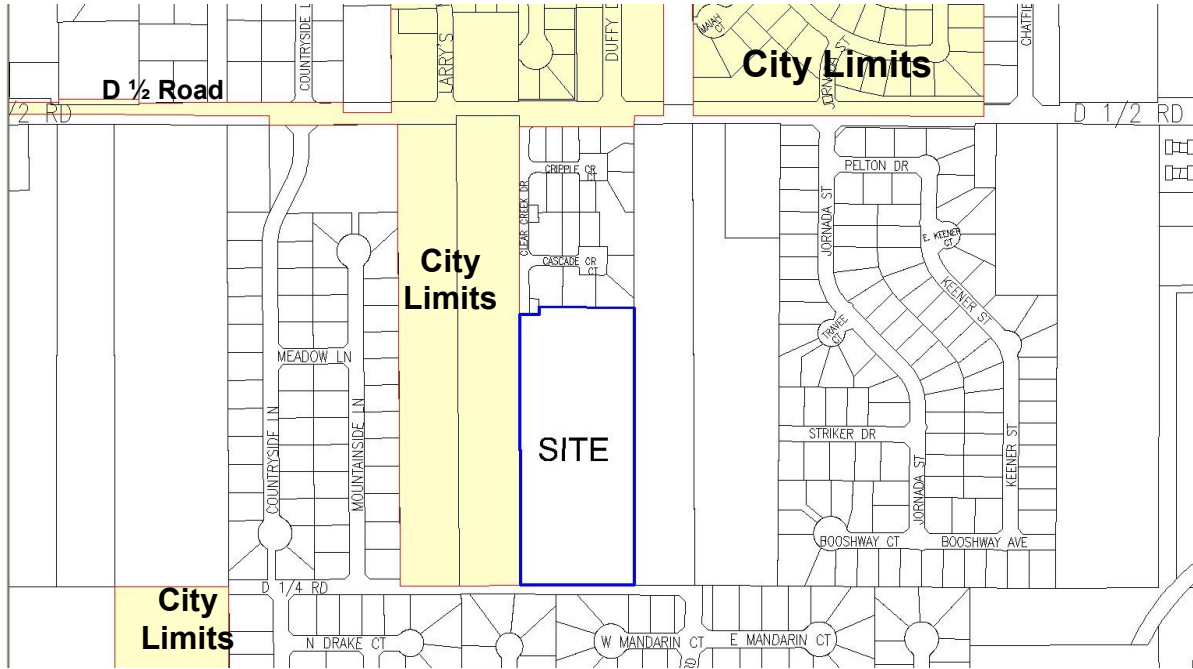
- a. R-4 (Residential, 4 units per acre)
- b. R-8 (Residential, 8 units per acre)

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

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the R-5 district to be consistent with the Growth Plan, the existing County Zoning and Sections 2.6 and 2.14 of the Zoning and Development Code.

Annexation / Site Location Map

Figure 1



Aerial Photo Map

Figure 2



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

LOCATED AT 436 CLEAR CREEK DRIVE

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Ingle Annexation to the R-5 zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the R-5 zone district is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

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

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

All of Lot One of the Third Replat of Brookdale Subdivision, as same is recorded in Plat Book 13, Page 411, Public Records of Mesa County, Colorado

Subject to that certain Boundary Line Agreement as recorded in Book 4384, Page 608, Public Records of Mesa County, Colorado and any easements, reservations and rights of way of record, if any shall exist.

CONTAINING 5.90 Acres (257,089 Square Feet), more or less, as described.

INTRODUCED on first reading the ____ day of ____, 2007 and ordered published.

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

ATTEST:

President of the Council

City Clerk

Attach 6
Setting a Hearing on the DeHerrera Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	DeHerrera Annexation – Located at 359 29 5/8 Road		
File #	ANX-2007-300		
Meeting Day, Date	November 19, 2007		
Placement on the Agenda	Consent	X	Individual
Date Prepared	November 7, 2007		
Author Name & Title	Justin Kopfman – Associate Planner		
Presenter Name & Title	Justin Kopfman – Associate Planner		

Summary: Request to annex 15.52 acres, located at 359 29 5/8 Road. The DeHerrera Annexation consists of one parcel and right of way.

Action Requested/Recommendation: Adopt a Resolution referring the petition for the DeHerrera Annexation and introduce the proposed Ordinance and set a hearing for January 14, 2008.

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					
Location:		359 29 5/8 Road			
Applicants:		Owner: Terry DeHerrera Representative: Ciavonne Roberts – Keith Ehlers			
Existing Land Use:		County RSF-R (Residential Single Family-4 du/ac)			
Proposed Land Use:		R-4 (Residential 4-du/ac)			
Surrounding Land Use:	North	Agriculture			
	South	Residential and Agricultural			
	East	Residential			
	West	Agricultural			
Existing Zoning:		County RSF-4 (Residential Single Family-4 du/ac)			
Proposed Zoning:		R-4 (Residential 4-du/ac)			
Surrounding Zoning:	North	R-8 (residential 8 du/ac)			
	South	County RSF-R (Residential Single Family Rural)			
	East	County RSF-R (Residential Single Family Rural)			
	West	R-R (Residential Rural 1du/5ac)			
Growth Plan Designation:		Residential Medium Low			
Zoning within density range?		X	Yes		No

Staff Analysis:

ANNEXATION:

This annexation area consists of 15.52 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 DeHerrera Annexation is eligible to be annexed because of compliance with the following:

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

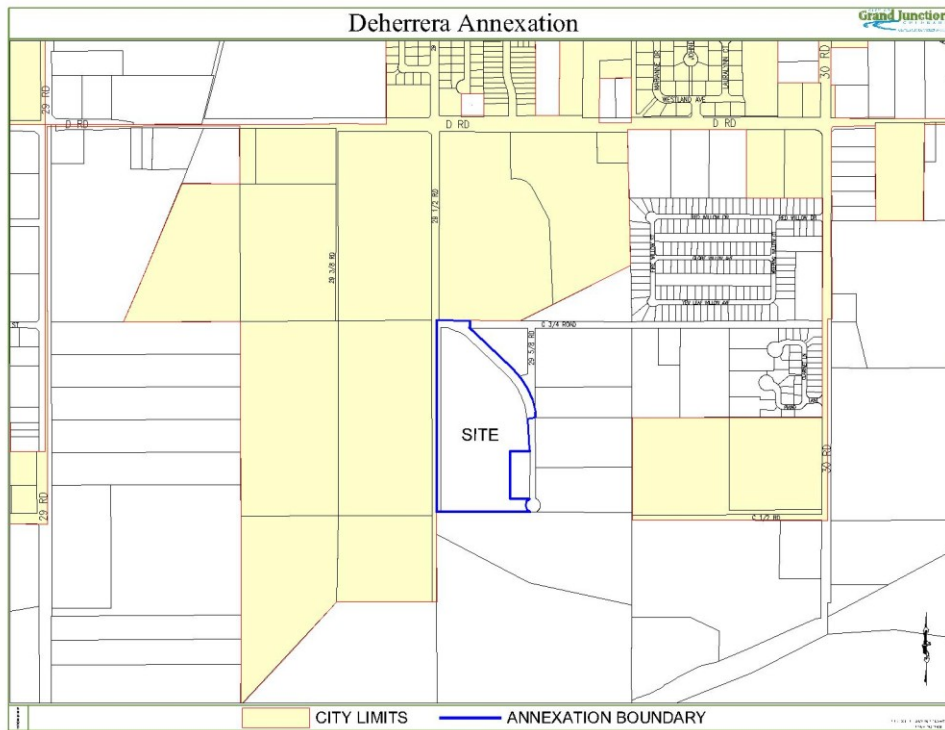
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included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

The following annexation and zoning schedule is being proposed:

<u>ANNEXATION SCHEDULE</u>	
November 19, 2007	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
November 27, 2007	Planning Commission considers Zone of Annexation
December 17, 2007	Introduction of proposed Ordinance on Zoning by City Council
January 14, 2008	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
February 15, 2008	Effective date of Annexation.

DEHERRERA ANNEXATION SUMMARY		
File Number:	ANX-2007-300	
Location:	359 29 5/8 Road	
Tax ID Number:	2943-201-00-105	
Parcels:	1	
Estimated Population:	1	
# of Parcels (owner occupied):	1	
# of Dwelling Units:	1	
Acres land annexed:	15.52 acres (676,051.2 square feet)	
Developable Acres Remaining:	13.296 acres (579,146 square feet)	
Right-of-way in Annexation:	2.224 acres (96,905 square feet)	
Previous County Zoning:	County RSF-R (Residential Single Family Rural)	
Proposed City Zoning:	R-4 (Residential 4 du/ac)	
Current Land Use:	Residential	
Future Land Use:	Residential Medium Low	
Values:	Assessed:	\$51,710
	Actual:	\$178,330
Address Ranges:	357-359 29 5/8 Road (Odd Only) & 356 – 372 28 5/8 Road (Even Only)	
Special Districts:	Water:	Ute Water
	Sewer:	Central Grand Valley Sanitation
	Fire:	Grand Junction Rural
	Irrigation/ Drainage:	Grand Valley Irrigation Grand Junction Drainage District
	School:	District 51
	Pest:	Grand River Mosquito

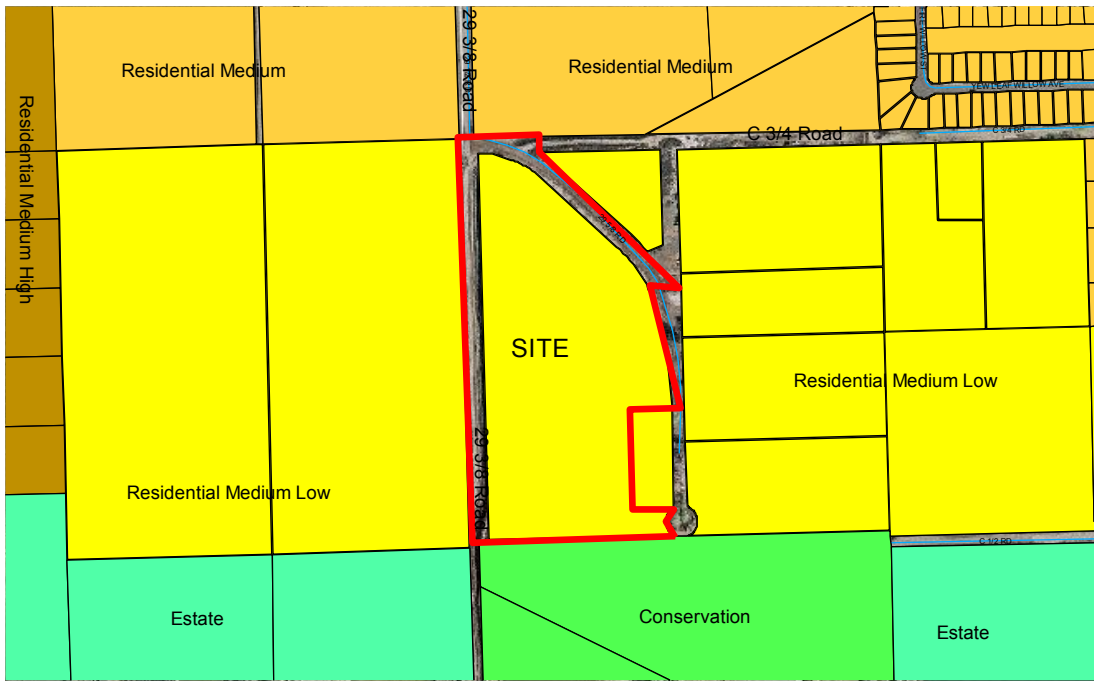
**Annexation/Site Location Map
Figure 1**



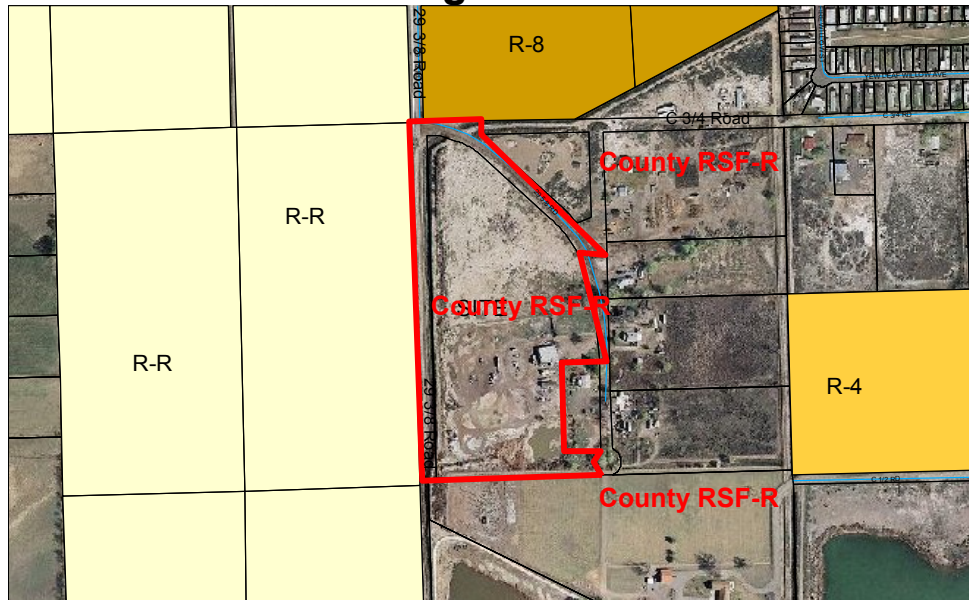
**Aerial Photo Map
Figure 2**



**Future Land Use Map
Figure 3**



Existing City and County Zoning
Figure 4



**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^h of November, 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**

DEHERRERA ANNEXATION

**LOCATED AT 359 29 5/8 ROAD AND INCLUDING PARTS OF THE 29 5/8 ROAD
RIGHT-OF-WAY**

WHEREAS, on the 19th day of November, 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:

DEHERRERA ANNEXATION

A certain parcel of land lying in the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) of Section 20, Township 1 South, Range 1 East of the Ute Principal Meridian, being more particularly described as follows:

BEGINNING at the Northwest corner of the SW 1/4 NE 1/4 of said Section 20 and assuming the West line of the SW 1/4 NE 1/4 of said Section 20 bears S 00°00'44" W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 89°57'53" E along the North line of the SW 1/4 NE 1/4 of said Section 20, a distance of 225.73 feet; thence S 00°02'07" E a distance of 50.00 feet to a point being the intersection of the South right of way for C-3/4 Road and the Easterly right of way for 29-5/8 Road, also being the beginning of a 280.00 foot radius curve, concave Southwest, whose long chord bears S 50°26'40" E with a long chord length of 41.23 feet ; thence Southeasterly 41.27 feet along the arc of said curve, through a central angle of 08°26'40"; thence S 46°29'40" E along said Easterly right of way for 29-5/8 Road, a distance of 345.91 feet to a point being the beginning of a 530.00 foot radius curve, concave Southwest, whose long chord bears S 26°58'17" E with a long chord length of 354.23 feet; thence Southeasterly 361.18 feet along the arc of said curve, through a central angle of 39°02'43"; thence S 00°00'18" E along the Easterly right of way for said 29-5/8 Road, a distance of 29.90 feet; thence S 85°46'36" W a distance of 51.96 feet to a point on the Westerly right of way for said 29-5/8 Road; thence S 04°34'23" E along said Westerly right of way, a distance of 210.13 feet; thence S 00°00'03" W a distance of 8.63 feet; thence N 89°59'57" W along the North line of that certain parcel of land described in Book 3957, Page 614, Public Records of Mesa County, Colorado, a distance of 136.00 feet; thence S 00°00'03" W along the West line of said parcel, a distance of 320.29 feet; thence S 89°59'57" E along the South line of said

parcel, a distance of 129.76 feet to a point on a 50.00 foot radius non-tangent curve, concave Northeast; thence 123.25 feet Southeasterly along the arc of said curve, through a central angle of 141°14'02", whose long chord bears S 19° 16'41" E a distance of 94.33 feet to a point on the South line of that said parcel of land described in Book 3121, Page 581, Public Records of Mesa County, Colorado; thence S 89°56'58" W along the South line said parcel of land, said line being 33.00 feet North of and parallel with the South line of the SW 1/4 NE 1/4 of said Section 20, a distance of 659.33 feet to a point on the West line of the SW 1/4 NE 1/4 of said Section 20; thence N 00°00'44" E along the West line of the SW 1/4 NE 1/4 of said Section 20, a distance of 1291.55 feet, more or less, to the Point of Beginning.

CONTAINING 15.52 Acres or 675,929 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 14th day of January 2008, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Public Works and Planning Department of the City.

ADOPTED the _____ day of _____, 2007.

Attest:

President of the Council

City Clerk

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

City Clerk

<i>DATES PUBLISHED</i>
November 21, 2007
November 28, 2007
December 5, 2007
December 12, 2007

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

DEHERRERA ANNEXATION

APPROXIMATELY 15.52 ACRES

**LOCATED AT 359 29 5/8 ROAD AND INCLUDING PARTS OF THE 29 5/8 ROAD
RIGHT-OF-WAY**

WHEREAS, on the 19th day of November, 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 14th day of January, 2008; 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 situates in Mesa County, Colorado, and described to wit:

DEHERRERA ANNEXATION

WHEREAS, on the 19th day of November, 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:

DEHERRERA ANNEXATION

A certain parcel of land lying in the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) of Section 20, Township 1 South, Range 1 East of the Ute Principal Meridian, being more particularly described as follows:

BEGINNING at the Northwest corner of the SW 1/4 NE 1/4 of said Section 20 and assuming the West line of the SW 1/4 NE 1/4 of said Section 20 bears S 00°00'44" W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 89°57'53" E along the North line of the SW 1/4 NE 1/4 of

said Section 20, a distance of 225.73 feet; thence S 00°02'07" E a distance of 50.00 feet to a point being the intersection of the South right of way for C-3/4 Road and the Easterly right of way for 29-5/8 Road, also being the beginning of a 280.00 foot radius curve, concave Southwest, whose long chord bears S 50°26'40" E with a long chord length of 41.23 feet ; thence Southeasterly 41.27 feet along the arc of said curve, through a central angle of 08°26'40"; thence S 46°29'40" E along said Easterly right of way for 29-5/8 Road, a distance of 345.91 feet to a point being the beginning of a 530.00 foot radius curve, concave Southwest, whose long chord bears S 26°58'17" E with a long chord length of 354.23 feet; thence Southeasterly 361.18 feet along the arc of said curve, through a central angle of 39°02'43"; thence S 00°00'18" E along the Easterly right of way for said 29-5/8 Road, a distance of 29.90 feet; thence S 85°46'36" W a distance of 51.96 feet to a point on the Westerly right of way for said 29-5/8 Road; thence

S 04°34'23" E along said Westerly right of way, a distance of 210.13 feet; thence S 00°00'03" W a distance of 8.63 feet; thence N 89°59'57" W along the North line of that certain parcel of land described in Book 3957, Page 614, Public Records of Mesa County, Colorado, a distance of 136.00 feet; thence S 00°00'03" W along the West line of said parcel, a distance of 320.29 feet; thence S 89°59'57" E along the South line of said parcel, a distance of 129.76 feet to a point on a 50.00 foot radius non-tangent curve, concave Northeast; thence 123.25 feet Southeasterly along the arc of said curve, through a central angle of 141°14'02", whose long chord bears S 19° 16'41" E a distance of 94.33 feet to a point on the South line of that said parcel of land described in Book 3121, Page 581, Public Records of Mesa County, Colorado; thence S 89°56'58" W along the South line said parcel of land, said line being 33.00 feet North of and parallel with the South line of the SW 1/4 NE 1/4 of said Section 20, a distance of 659.33 feet to a point on the West line of the SW 1/4 NE 1/4 of said Section 20; thence N 00°00'44" E along the West line of the SW 1/4 NE 1/4 of said Section 20, a distance of 1291.55 feet, more or less, to the Point of Beginning.

CONTAINING 15.52 Acres or 675,929 Square Feet, more or less, as described.

INTRODUCED on first reading on the ____ day of _____, 2007 and ordered published.

ADOPTED on second reading the ____ day of _____, 2008.

Attest:

President of the Council

City Clerk

Attach 7
Setting a Hearing on the Sipes Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Sipes Annexation – Located at 416 ½ 30 Road, 413, 415 30 ¼ Road		
File #	ANX-2007-313		
Meeting Day, Date	Monday, November 19, 2007		
Placement on the Agenda	Consent	X	Individual
Date Prepared	November 7, 2007		
Author Name & Title	Justin Kopfman – Associate Planner		
Presenter Name & Title	Justin Kopfman – Associate Planner		

Summary: Request to annex 3.54 acres, located at 416 ½ 30 Road, 413, and 415 30 ¼ Road. The Sipes Annexation consists of three parcels and right-of-way.

Budget: N/A

Action Requested/Recommendation: Adopt a Resolution referring the petition for the Sipes Annexation and introduce the proposed Ordinance and set a hearing for January 14, 2008.

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					
Location:		416 ½ 30 Road, 413, 415 30 ¼ Road			
Applicants:		Owner: Larry Sipes Representative: DCS, Inc. – Mike Markus			
Existing Land Use:		County RSF-R (Residential Single Family-4 du/ac)			
Proposed Land Use:		City Residential R-8 (Residential 8-du/ac)			
Surrounding Land Use:	North	Residential			
	South	Residential and Vacant			
	East	Residential and Agriculture			
	West	Vacant			
Existing Zoning:		County PUD and RSF-R			
Proposed Zoning:		R-8 (Residential 8-du/ac)			
Surrounding Zoning:	North	County PUD			
	South	County RSF-R (Residential Single Family Rural)			
	East	R-8 (Residential 8-du/ac)			
	West	R-8 (Residential 8-du/ac)			
Growth Plan Designation:		Residential Medium			
Zoning within density range?		X	Yes		No

Staff Analysis:

ANNEXATION:

This annexation area consists of 3.54 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 Sipes Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single

- demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
 - e) The area is capable of being integrated with the City;
 - f) No land held in identical ownership is being divided by the proposed annexation;
 - g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

The following annexation and zoning schedule is being proposed:

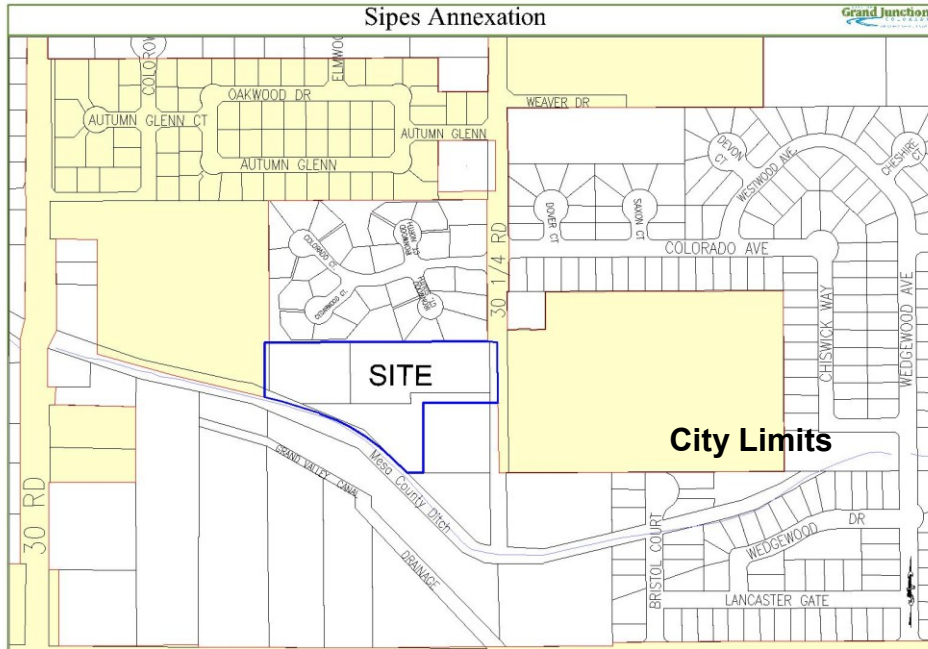
<u>ANNEXATION SCHEDULE</u>	
November 19, 2007	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
November 27, 2007	Planning Commission considers Zone of Annexation
December 17, 2007	Introduction of a proposed Ordinance on Zoning by City Council
January 14, 2008	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
February 15, 2008	Effective date of Annexation.

SIPES ANNEXATION SUMMARY

File Number:		ANX-2007-313
Location:		416 ½ 30 Road, 413, 415 30 ¼ Road
Tax ID Number:		2943-163-00-143; 2943-163-00-154; 2943-163-00-142
Parcels:		3
Estimated Population:		9
# of Parcels (owner occupied):		3
# of Dwelling Units:		3
Acres land annexed:		3.54 acres (154,158 square feet)
Developable Acres Remaining:		3.454 acres (150,491 square feet)
Right-of-way in Annexation:		.0852 acres (3,713 square feet)
Previous County Zoning:		County RSF-R (Residential Single Family Rural) and PUD
Proposed City Zoning:		R-8 (Residential 8 du/ac)
Current Land Use:		Residential
Future Land Use:		Residential Medium
Values:	Assessed:	\$38,430
	Actual:	\$190,000
Address Ranges:		413-419 30 ¼ Road (Odd Only) & 416 ½ – 420 30 Road (Even Only)
Special Districts:	Water:	Clifton Water
	Sewer:	Central Grand Valley Sanitation
	Fire:	Clifton Fire
	Irrigation/ Drainage:	Grand Valley Irrigation Grand Junction Drainage District
	School:	District 51
	Pest:	Grand River Mosquito

Annexation-Site Location Map

Figure 1



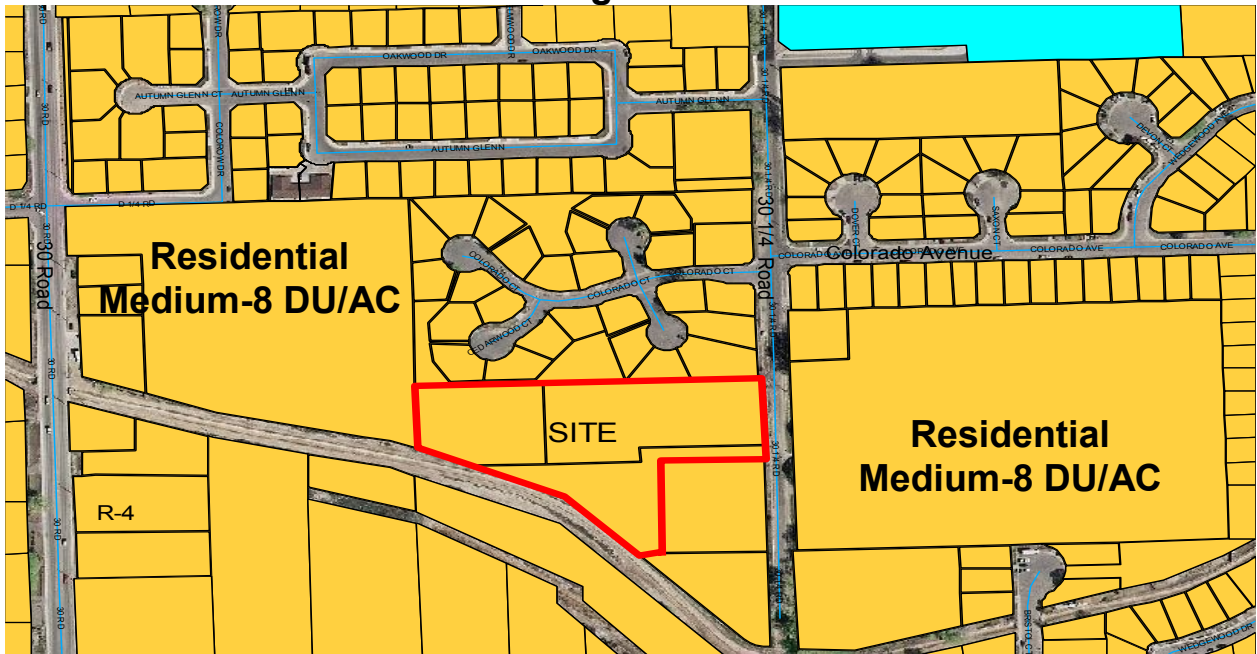
Aerial Photo Map

Figure 2



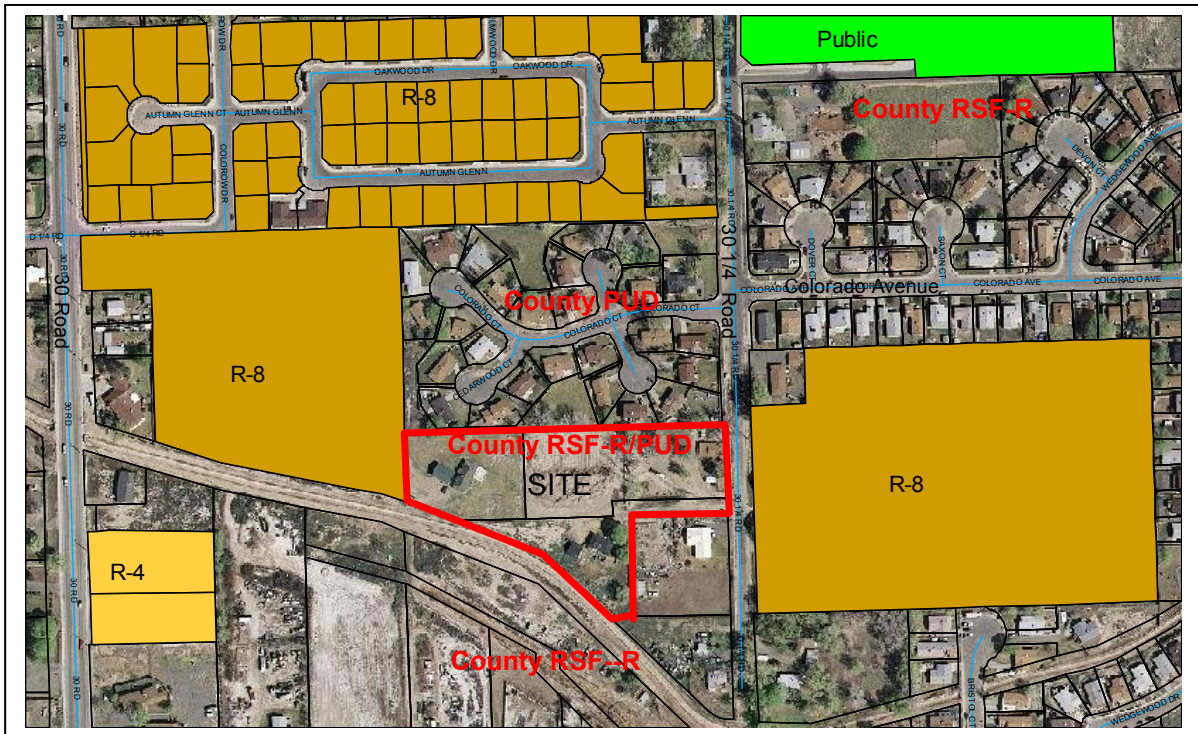
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



**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 19th of November, 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**

SIPES ANNEXATION

**LOCATED AT 416 ½ 30 ROAD, 413, AND 415 30 ¼ ROAD AND INCLUDING PARTS
OF THE 30 ¼ RIGHT-OF-WAY**

WHEREAS, on the 19th day of November, 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:

SIPES ANNEXATION

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 16, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southeast corner of the plat of Ironwood, as same is recorded in Plat Book 12, Page 454, Public Records of Mesa County, Colorado and assuming the East line of the SW 1/4 SW 1/4 of said Section 16 bears S 00°02'08" W with all other bearings shown hereon being relative thereto; thence from said Point of Beginning, N 89°55'08" E along the Easterly extension of the South line of said Ironwood, a distance of 33.00 feet to a point on the East line of the SW 1/4 SW 1/4 of said Section 16; thence S 00°02' 08" W along the East line of the SW 1/4 SW 1/4 of said Section 16, also being the West line of Humphrey Annexation No. 2, City Ordinance No. 4003, a distance of 178.20 feet; thence N 89°57'52" W a distance of 218.00 feet; thence S 00°02'08" W a distance of 200.00 feet; thence S 89°55'08" W a distance of 49.59 feet, more or less, to the centerline of the Grand Valley Canal; thence along said centerline the following four (4) courses:

N 41°58'56" W a distance of 59.40 feet to the beginning of a 556.27 foot radius curve, concave Southwest, whose long chord bears N 58°13'06" W with a long chord length of 243.96 feet; thence

245.96 feet Northwesterly along the arc of said curve, through a central angle of 25°20'01"; thence

N 72°27'39" W a distance of 114.93 feet; thence

N 75°39'07" W a distance of 52.54 feet; thence

N 00°03'08" E along a portion of the East line of Autumn Glenn II Annexation, City Ordinance No. 3877, a distance of 156.88 feet; thence N 89°55'08" E along the South line of said Ironwood subdivision plat, a distance of 642.28 feet, more or less, to the Point of Beginning.

CONTAINING 3.54 Acres or 154,158 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 14th day of January 2008, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Public Works and Planning Department of the City.

ADOPTED the _____ day of _____, 2007.

Attest:

President of the Council

City Clerk

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

City Clerk

<i>DATES PUBLISHED</i>
November 21, 2007
November 28, 2007
December 5, 2007
December 12, 2007

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

SIPES ANNEXATION

APPROXIMATELY 3.54 ACRES

**LOCATED AT 416 ½ 30 ROAD, 413, AND 415 30 ¼ ROAD AND INCLUDING PARTS
OF THE 30 ¼ RIGHT-OF-WAY**

WHEREAS, on the 19th day of November, 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 14th day of January, 2008; 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 situates in Mesa County, Colorado, and described to wit:

SIPES ANNEXATION

WHEREAS, on the 19th day of November, 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:

SIPES ANNEXATION

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 16, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southeast corner of the plat of Ironwood, as same is recorded in Plat Book 12, Page 454, Public Records of Mesa County, Colorado and assuming the East line of the SW 1/4 SW 1/4 of said Section 16 bears S 00°02'08" W with all other bearings shown hereon being relative thereto; thence from said Point of Beginning, N 89°55'08" E along the Easterly extension of the South line of said Ironwood, a distance

of 33.00 feet to a point on the East line of the SW 1/4 SW 1/4 of said Section 16; thence S 00°02' 08" W along the East line of the SW 1/4 SW 1/4 of said Section 16, also being the West line of Humphrey Annexation No. 2, City Ordinance No. 4003, a distance of 178.20 feet; thence N 89°57'52" W a distance of 218.00 feet; thence S 00°02'08" W a distance of 200.00 feet; thence S 89°55'08" W a distance of 49.59 feet, more or less, to the centerline of the Grand Valley Canal; thence along said centerline the following four (4) courses:

N 41°58'56" W a distance of 59.40 feet to the beginning of a 556.27 foot radius curve, concave Southwest, whose long chord bears N 58°13'06" W with a long chord length of 243.96 feet; thence

245.96 feet Northwesterly along the arc of said curve, through a central angle of 25°20'01"; thence

N 72°27'39" W a distance of 114.93 feet; thence

N 75°39'07" W a distance of 52.54 feet; thence

N 00°03'08" E along a portion of the East line of Autumn Glenn II Annexation, City Ordinance No. 3877, a distance of 156.88 feet; thence N 89°55'08" E along the South line of said Ironwood subdivision plat, a distance of 642.28 feet, more or less, to the Point of Beginning.

CONTAINING 3.54 Acres or 154,158 Square Feet, more or less, as described.

INTRODUCED on first reading on the ____ day of _____, 2007 and ordered published.

ADOPTED on second reading the ____ day of _____, 2008.

Attest:

President of the Council

City Clerk

Attach 8**Rates and Fees Increase for Utilities and Parking****CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
Subject	2008 Utility and Parking Rates		
File #			
Meeting Day, Date	Monday, November 19th, 2007		
Placement on the Agenda	Consent		Individual <input checked="" type="checkbox"/>
Date Prepared	November 15 th , 2007		
Author Name & Title	Jodi Romero, Financial Operations Manager		
Presenter Name & Title	Jodi Romero, Financial Operations Manager		

Summary: Proposed 2008 Utility Rates and Rood Avenue Garage Parking Rates as presented and discussed during budget workshops.

Budget: See the attached resolutions.

Action Requested/Recommendation: The request is that City Council adopt the resolution establishing the 2008 utility rates and adopt the resolution establishing the 2008 parking garage rates.

Attachments: proposed resolutions

Background Information:

Utility Rates-The City of Grand Junction establishes rates for utility services to implement decisions made in the long-term financial plans for the water, irrigation, wastewater, and solid waste enterprise funds. The proposed utility rate increases are due largely to the increase in operating costs including the cost of materials for repair and maintenance of the systems, the cost of petroleum based products, as well as other operating supplies needed to continue to provide quality services to customers. The water and irrigation rates average a 5% increase and the solid waste rates will increase by 4%. The Persigo wastewater rates are increasing 2.5% with the sewer plant investment fee increasing to \$2,500 per EQU or single family unit.

Parking Rates-The City of Grand Junction establishes parking rates that support the long term financial plan of the parking system in managing parking facilities in a way that provides adequate, affordable, safe, and convenient parking in the downtown area.

The rates proposed for the new Rood Avenue Parking Garage have been reviewed and recommended by the Parking Management Advisory Group comprised of a City Council representative, the DDA Executive Director, DDA board members, and City engineering and parking staff. The daily parking rates in the garage are proposed to be the same as the short-term parking rates on the street and lots. The garage lease rates are based on market, and vary depending on whether a space is covered or uncovered.

NOTE: Originally an increase in the long-term meter rates on the street and lots was

proposed, however, due to the inability to adapt the 60 year old mechanical meters to the new rates, that proposed increase has been delayed until 2009.

RESOLUTION NO. ____-07

**A RESOLUTION ADOPTING UTILITY RATES FOR WATER, WASTEWATER,
AND SOLID WASTE SERVICES EFFECTIVE JANUARY 1, 2008**

Recitals:

The City of Grand Junction establishes rates for utility services on a periodic basis, and by this resolution, the City Council establishes rates for water, wastewater and solid waste utility services and to implement decisions made in the long-term financial plans for the water, wastewater, and solid waste enterprise funds.

City Water System. There will be a \$1.00 increase in the minimum water rate to \$8.50 per 3,000 gallons. The commodity rates for 3,000 – 10,000 gallons, from 11,000 – 20,000 gallons, and over 20,000 will each increase \$0.05 per thousand gallons. This revenue increase of 5% reflects a water conservation rate, and an increase in the Water Funds major capital program.

Kannah Creek Water System. There will be a change in the minimum water rate of \$30.00 per 3,000 gallons in the Kannah Creek Water System to \$32.50 per 3,000 gallons. The commodity rates for 3,000 – 10,000 gallons, from 11,000 – 20,000 gallons, and over 20,000 will each increase \$0.10 per thousand gallons. This revenue increase of 5% reflects a water conservation rate, and an increase to reflect the cost of on-going operating expenses.

Wastewater. Rates are being increased to reflect the cost of on-going operating expenses, particularly energy, debt service for the combined storm and sanitary sewer elimination project, and an increase in the Waste Water major capital program. The increase in the plant investment fee (PIF) per EQU reflects a recommendation from staff related to findings of the 2006 Persigo Sewer System Rate Study. The PIF is established on the “buy in method” in which new development pays for existing capacity in the waste water plant and collection system based on a current value of that infrastructure.

Solid Waste. The 2008 rate adjustment will reflect increases in operating costs such as fuel, equipment, and Mesa County landfill tipping fees.

The City Council has the authority to establish rates by resolution.

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

Effective January 1, 2008 rates for utility services will change according to the following schedule. Appropriate schedules will be developed showing charges for all utility services rendered.

City Water

Residential

0-3000 gal. of use	\$7.50 to \$8.50 base	\$1.00 increase.
Next 7,000 gal. of use	\$1.75 to \$1.80 per 1,000 gal.	5 ¢ increase/1,000 gal.
Next 10,000 gal. of use	\$2.10 to \$2.15 per 1,000 gal.	5 ¢ increase/1,000 gal.
From 20,000 gal of use	\$2.45 to \$2.50 per 1,000 gal	5 ¢ increase/1,000 gal.

Kannah Creek Water System

0-3000 gal. of use	\$30.00 to \$32.50 base	\$2.50 increase.
Next 7,000 gal. of use	\$3.50 to \$3.60 per 1,000 gal.	10 ¢ increase/1,000 gal.
Next 10,000 gal. of use	\$4.20 to \$4.30 per 1,000 gal.	10 ¢ increase/1,000 gal.
From 20,000 gal of use	\$4.90 to \$5.00 per 1,000 gal.	10 ¢ increase/1,000 gal.

Sewer:

2.5% per EQU increase for all customers. This equates to an increase of .36 cents per month for a single family home, from \$14.25 to \$14.61 per month for full service customers.

The Plant Investment fee will change from \$2,000 to \$2,500 per single family equivalent unit.

Irrigation Rates in the Ridges

Increase of 5% for all customers. Single family rate will increase 66 ¢ per month from \$12.60 to \$13.26 and multi family rates will increase 45 ¢ per month from \$8.93 to \$9.38.

Solid Waste:

Increase of 4% Residential, and Commercial. Recycling will remain at \$1.75 per month.

64 Gallon	\$ 9.43	36 ¢ increase
96 Gallon	\$ 11.95	46 ¢ increase
(2) 64 Gallon	\$ 14.49	56 ¢ increase
(1) 96 Gal (1) 64 Gal.	\$ 17.01	65 ¢ increase
(2) 96 Gallon	\$ 19.53	75 ¢ increase

PASSED and ADOPTED this ____ day of _____, 2007.

Mayor

Attest:

City Clerk

RESOLUTION NO. ___-07

**A RESOLUTION ADOPTING THE PARKING RATES FOR THE ROOD AVENUE
PARKING GARAGE**

Recitals:

In preparation for and in connection with the opening of the Rood Avenue parking structure, a strategy was developed to ensure the success of the new structure. This strategy was discussed and accepted by the City Council through the 2005 Memorandum of Agreement with the DDA with reference to the Downtown Parking Operational Plan. The Parking Advisory Management Group (PMAG) was also formed at that time. PMAG's members are comprised of a City Council representative, the DDA Executive Director, DDA board members, and City engineering and parking staff. PMAG's purpose is to provide guidance and oversight on the design and construction of the parking structure, as well as the management of the parking system as a whole. As part of this guidance the PMAG group has reviewed and recommends the proposed parking rates for the garage.

The City of Grand Junction establishes parking rates on a periodic basis, and by this resolution, the City Council establishes the rates for parking in the Rood Avenue garage.

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

Effective January 1, 2008 rates for parking in the Rood Avenue Garage are established according to the following schedule.

Daily Parking Rates (Garage Main Floor)	\$.50 / hr
Short Term (mo to mo) Lease-Uncovered	\$50 / mo
Short Term (mo to mo) Lease-Covered	\$60 / mo
Long Term (10 year) Lease with option to renew-Uncovered	\$8,750 Paid In Full at Inception of Lease
Long Term (10 year) Lease with option to renew-Covered	\$10,500 Paid In Full at Inception of Lease

PASSED and ADOPTED this 19th day of November, 2007.

Attest:

City Clerk

President of the Council

Attach 9
Contract to Purchase Software for Financial and Utility Systems
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Integrated Financial Software System Utility Billing Software System		
File #			
Meeting Day, Date	November 19, 2007		
Placement on the Agenda	Consent		Individual X
Date Prepared	November 13, 2007		
Author Name & Title	Shirley Nilsen, Senior Buyer		
Presenter Name & Title	Jim Finlayson, Information Systems Manager Jodi Romero, Financial Operations Manager		

Summary: The project will provide an integrated financial software system to support financial operations across the City. The project will also provide an updated Utility Billing software system to support the Utility operations for the City. The resulting systems will improve business productivity in the following divisions: Accounting, Accounts Payable, Accounts Receivable, Human Resources, Payroll, Purchasing, Customer Service, Water Services, Solid Waste, and Persigo Wastewater, in addition to providing greatly enhanced budgeting and reporting capabilities for all of the City's operations. The awarded software suppliers will provide installation assistance, system integration, data conversion assistance, staff training, system maintenance, and system support as well as the software.

Budget: Information Systems has budgeted the funds for the financial software system replacement. Funding will be provided from the IS Fund and will be replenished over five years through an accrual charge. The Utility Enterprise funds have budgeted the funds for the Utility Billing System replacement.

Action Requested/Recommendation: Authorize the City Purchasing Division to negotiate contracts and award the Integrated Financial Software System project to New World Systems, St. Louis, Missouri for \$608,794. Authorize the City Purchasing Division to award the Utility Billing Software System project to Harris Computer Systems, North Star Division, Ottawa, Ontario Canada for \$289,000.

Background Information: The City has been utilizing the Banner Financial Software System for the past 12 years. The software was originally written for use by institutions of higher education and has been adapted for use by other not for profit organizations. It has been sold several times and is a point in its life cycle where a major upgrade is required. The City has evaluated the cost to upgrade using the current vendor estimates and has determined that it would be more effective to replace the systems

with newer technology than to upgrade the older technology and continue to pay high maintenance fees. The newer technology will streamline business process through fully integrated modules, maximize the ability to access information through drilldown capabilities, expanded report writing and inquiry tools, and provide web enabled access to citizens, utility customers and City employees.

The solicitation was advertised in the Daily Sentinel and invitations were sent to 117 potential providers. Eight proposals were received from the following suppliers:

Company	Price
ACS, Solution Services Lexington, Kentucky	Non-Responsive
Harris Cayenta – Advanced Ottawa, Ontario	\$791,751
Harris Computer Systems, Gems St. Louis, Missouri	\$553,017
Harris Computer Systems, North Star Toronto, Ontario	\$665,581
NorthStar Utilities (only)	\$289,000
Innoprise Software Broomfield, Colorado	Non-responsive
Springbrook Portland, Oregon	\$623,390
Tyler Technologies Renton, Washington	\$533,530
New World Systems St. Louis, Missouri	\$608,794

The integrated financial software provider was selected through a competitive Request for Proposal process using the following evaluation criteria:

- Overall Quality of Product
 - Match with Functional Requirements
 - Technical Environment Compatibility
 - Ease of Use
- Company Capacity
 - Experience
 - Reputation
 - Support and Maintenance
 - Training Capacity
 - Reference by Similar Users
 - RFP Compliance
- Total Cost of System

Proposals were opened and evaluated by a team of representatives from various Departments and Divisions. The proposals from ACS and Innoprise were deemed non-responsive because their proposed systems did not provide complete functionality or included unproven modules. The Harris Cayenta proposal did not have demonstrated successful experience with Microsoft SQL Server. The remaining software suppliers were given an opportunity to demonstrate their software capabilities to a multi-discipline evaluation team on-site. The demonstrations assisted the evaluation committee in determining which software best fulfilled the City's needs. New World was invited to return and present an expanded demonstration of their budgeting, purchasing, human resource, and utility billing modules. North Star was asked to provide an additional demonstration via the Internet.

New World Systems was chosen to provide financial systems software because of the following:

- Demonstrated successful implementation experience with over 300 government agencies: Excellent References
- Overall best value: the software has been completely rewritten using the latest Internet based technology.
- Product Functionality: software is flexible, robust, fully integrated, and easy to use
- Support and Maintenance
- Company stability and growth
- Their proposal demonstrated an excellent understanding of our needs, the capabilities of the technology, and willingness to work with us over several years to achieve our objectives

Harris North Star was chosen to provide utility billing software because of the following:

- Demonstrated successful implementation experience with over 170 municipal and governmental utility providers: Excellent References
- Overall best value: the software was developed by utility managers for utility providers and is considered a "best-of-breed" system for utility providers of our size and complexity.
- Product Functionality: software is extremely flexible, robust, fully integrated, and easy to use
- Support and Maintenance
- Company stability and growth
- Their proposal demonstrated an excellent understanding of our needs, the capabilities of the technology, and willingness to work with us over several years to achieve our objectives

The two software offerings have been paired in other municipalities and the combination received outstanding references.

The evaluation team is recommending New World Systems as the provider for the financial systems and Harris Computer Systems, North Star Division as the provider for the Utility Billing systems. The Information Systems Manager and Assistant Financial Operations Manger agree with this recommendation.

Attach 10

**Public Hearing—Proposed Amendments to the Zoning and Development Code
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
Subject	Proposed amendments to the Zoning and Development Code		
File #	TAC-2007-307		
Meeting Day, Date	Monday, November 19, 2007		
Placement on the Agenda	Consent		Individual X
Date Prepared	November 12, 2007		
Author Name & Title	Lisa E. Cox, Planning Manager		
Presenter Name & Title	Lisa E. Cox, Planning Manager		

Summary: The City of Grand Junction requests approval to amend the Zoning and Development Code to consider amendments to the Growth Plan and/or Future Land Use Map more than twice a year, and to update or clarify certain provisions of the Code.

Budget: N/A

Action Requested/Recommendation: Hold a public hearing and adopt the final Ordinances.

Attachments:

1. Staff report
2. Two proposed Ordinances.

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

Staff Analysis:

Several proposed amendments or updates to the Code are being proposed by City staff and are attached to this staff report in two ordinances. The majority of the updates or amendments are minor in nature and intended to provide clarification of various Code provisions, to streamline the development review process, or to make minor corrections of typographical errors in the Code.

The first ordinance attached to this report contains a proposed amendment to allow consideration of amendments to the Growth Plan and/or Future Land Use Map more than twice a year. The Code currently allows a request for a Growth Plan or Future Land Use Map amendment to be considered only twice a year. The professional development community has made numerous requests that this provision of the Code be amended to allow more frequent consideration of such requests.

City Council recently amended Section 2.5 of the Code to allow for the review of a Growth Plan amendment concurrently either with adoption of a zone of annexation of property, and/or concurrently with a request to rezone property to a Planned Development (PD). Council discussed the current limitation of the Code for consideration of Growth Plan and/or Future Land Use Map amendments. Some Council members were concerned that the requirement was unduly restrictive.

Because the nature of a master plan, such as the Growth Plan and the Future Land Use Map (known together as the "Growth Plan") should be reflective of the changing conditions in the community, and because the Grand Valley and City are experiencing significant growth pressure, the limitations on reviews of the Growth plan should be eliminated.

The attached ordinance to allow amendments to the Growth Plan and/or Future Land Use Map more than twice a year contains a sunset provision that requires City Council to review the ordinance twelve (12) months from its adoption. If the ordinance is not readopted then the ordinance shall be null, void and of no effect and Section 2.5(E) shall revert to the terms written prior to the ordinance which amended it.

The second ordinance attached to this report contains various proposed amendments to update or clarify certain provisions of the Code. The proposed amendments are minor in nature and intended to provide clarification of various Code provisions, to streamline the development review process, or to make minor corrections of typographical errors in the Code.

Both of the proposed ordinances containing the various amendments to the Zoning and Development Code have been reviewed and endorsed by the focus group that staff has worked with for the past 18 months on development related issues. Staff will continue working with the focus group when proposing future amendments to the Code.

During its regular October 23, 2007 meeting the Planning Commission gave consideration to the two ordinances and also made a recommendation of approval.

FINDINGS OF FACT/CONCLUSIONS:

In reviewing the proposed amendments contained in the two ordinances attached to this report, the Planning Commission found that the requested Code amendments and updates furthered the intent of the Growth Plan by ensuring that the Zoning and Development Code is maintained in a manner that addresses development issues in an efficient and effective manner.

PLANNING COMMISSION RECOMMENDATION:

After discussion of the two proposed ordinances, the Planning Commission forwarded a recommendation of approval for each of the two ordinances to City Council of the proposed text amendments, TAC-2007-307, which include an amendment to consider amendments to the Growth Plan and/or Future Land Use Map more than twice a year and to amend various sections of the Zoning and Development Code to update or clarify certain provisions of the Code.

CITY OF GRAND JUNCTION

ORDINANCE NO.

**AN ORDINANCE AMENDING SECTION 2.5 OF THE ZONING
AND DEVELOPMENT CODE TO ALLOW AMENDMENTS TO THE
GROWTH PLAN AND/OR THE FUTURE LAND USE MAP MORE
THAN TWICE EACH CALENDAR YEAR**

RECITALS:

The City Council amended Section 2.5 of the Zoning and Development Code on March 21, 2007 (Ordinance No. 4055), to allow for the review of a Growth Plan Amendment concurrently either with adoption of a zone of annexation of property, and/or concurrently with a request to rezone property to Planned Development (PD).

During the Council's consideration of Ordinance No. 4055, discussion of the current requirements of Section 2.5 (E)(1)(a), which limits proposed amendments to twice each year, occurred. Some Council members were concerned that the requirement is unduly restrictive.

Because the nature of a master plan, such as the Growth Plan and the Future Land Use Map (together the "Growth Plan") should be reflective of the changing conditions in the community and because the Grand Valley, and the City in particular, are experiencing significant growth pressure, the limitations on reviews of the Growth Plan should be eliminated.

The Planning Commission, having heard and considered this proposed amendment to Section 2.5 of the Zoning and Development Code, has recommended approval of the proposed revision.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE ZONING AND DEVELOPMENT CODE BE ADMENDED AS FOLLOWS:

1. Repeal and reenact Section 2.5.E to read as follows:

"E. Application requirements and processing procedures in Table 2.1 and Section 2.3 B apply, except that changes to the Growth Plan, including map amendments and text amendments, shall be processed when they are received.

1. **Application Requirements.**

a. **Minimum Requirements.** In making a request for a plan amendment, the applicant shall address each of the criteria provided in this Section.

b. **Optional Materials.** In addition to the required written descriptions, justifications and responses, the City Council, Planning Commission or staff may request additional documents, reports, studies, plans and drawings as deemed necessary to fully evaluate the request. The applicant may submit additional relevant materials.

2. Notice.

a. **Property Sign.** Signs giving notice are not required for text amendment requests, nor for map amendments initiated by the City as a Citywide or area plan process or requests relating to more than five percent (5%) of the area of the City.

b. **Mailed Notice.** A mailed notice is not required for a map amendment request relating to more than five percent (5%) of the area of the City and/or related to a Citywide or area plan process, or for text amendment requests; however, the Director shall give notice in an advertisement in a local newspaper of general circulation (Section 2.3.b.6.)

3. Hearing. If action by the City and the County is required, the Director will attempt to arrange a joint meeting of city and County Planning Commissions, although such joint meetings are not required. If a joint hearing is held, the chairpersons shall jointly determine how to conduct such a hearing. Each commission shall vote separately.

4. Timing. If both the City and County should act, and thirty (30) calendar days have passed since action by one entity without action by the second entity, the decision of the first entity shall control."

2. **Sunset Clause.** This Ordinance shall be reviewed by the City Council twelve (12) months from its adoption. If the Ordinance is not readopted then the Ordinance shall be null, void and of no effect and Section 2.5 (E) shall revert to the terms written prior to this Ordinance.

Introduced for first reading this 5th day of November, 2007.

Passed and adopted this ____ day of _____, 2007.

James J. Doody
President of the Council

Attest:

Stephanie Tuin
City Clerk

CITY OF GRAND JUNCTION

ORDINANCE NO.

**AN ORDINANCE AMENDING THE ZONING AND DEVELOPMENT
CODE TO UPDATE AND CLARIFY CERTAIN SECTIONS OF THE
CODE AND TO MAKE MINOR CORRECTIONS**

RECITALS:

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

The City of Grand Junction wishes to amend and update various sections of the Code that clarify certain provisions, and to make minor corrections.

The City Council finds that the request to amend the Code is consistent with the goals and policies of the Growth Plan.

The Planning Commission, having heard and considered the request, found the proposed amendments further several goals and policies of the Growth Plan and recommended approval of the proposed revisions to the Zoning and Development Code.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE ZONING AND DEVELOPMENT CODE BE AMENDED AS FOLLOWS:

Amend Section 1.11.C as follows (beginning with item #8):

8. Fee in-lieu of land dedication waiver; ~~and~~
9. Sewer variances; and
10. Street name changes.

Amend Section 1.15 as follows (beginning with R):

- R. Development Improvement Agreement; and
- S. Landscaping and/or Irrigation Revocable Permits, including retaining walls that are 4' tall or less.

Amend Table 2.1 as follows:

Amend footnote #1 to read: Where required a General Meeting with City staff must occur before a development application will be accepted. For all other submittals the checklist will be provided through a Counter General Meeting. At the discretion of the Director, a Counter General Meeting may be substituted for a General Meeting. In addition, a Preapplication Conference with City staff is highly recommended for most subdivisions, multifamily, commercial and industrial projects, as the best way to ensure the success of a project.

Amend footnote #4 to read: A neighborhood meeting is required for a Growth Plan amendment or, rezoning or zone of annexation to a greater intensity/density.

Add footnote #4 to mandatory Neighborhood Meeting for the Zoning of Annexation section of the table.

Add footnote #10 to read: Meetings required for a stand alone Growth Plan Amendment, Zoning Map Amendment (Rezone) or Zoning of Annexation request may be held between 180 days and five (5) business days before the application can be submitted.

Add footnote #10 to mandatory Neighborhood Meeting for the Map Amendments and Zoning Map Amendments sections of the table.

Amend the CODE AMENDMENTS section of the table as follows: Zoning Map Amendments (Rezone)

Amend Section 2.2.B.1.a as follows (by adding the following to the end of the last sentence): Counter General Meeting. Submittal checklists for projects that do not require a General Meeting will be provided as a Counter General Meeting. The checklist and packet will be compiled and made available for the applicant. At the discretion of the Director, a Counter General Meeting may be substituted for a General Meeting.

Amend Section 2.3.B.4.e as follows: Meeting Time and Location. The applicant must provide a meeting room and must conduct the meeting. Meetings must be held on a weekday evening that is not a holiday beginning between 5:30 PM and 8:00 PM in a location that is accessible to the affected neighborhood. The Director may approve other times and locations. The meeting date, time and location must be approved by the Director. To qualify, a meeting must be held between 180 days and fourteen (14) days before the application can be submitted. Meetings required for a stand alone Growth Plan Amendment, Zoning Map Amendment (Rezone) or Zoning of Annexation request may be held between 180 days and five (5) business days before the application can be submitted.

Amend Section 3.3.G.3.b to read: Minimum lot size shall be 4,000 square feet for each single family detached and two family dwellings, and 6,000 square feet for a

duplex and stacked dwelling; Two family dwellings require that each dwelling unit be located on a separate lot of a minimum of 4,000 square feet per lot.

Amend Section 3.4.A.5.c to read: Use of Front Yard. Front yards shall be reserved for landscaping, sidewalks, driveway access to parking areas and signage. Parking for nonresidential uses shall be located outside of the front yard setback area.

Amend Section 3.6.B.7.f as follows: If the minimum or maximum density requirements of the zone conflict with the minimum or maximum residential density requirements of the growth plan land use classification see Section 3.6.B.8 9.

Amend Section 4.1.J.2.b to read: Fences in excess of six feet (6') shall be considered a structure and shall comply with the ~~Uniform~~ International Building Code and all required setbacks.

Amend Section 5.4.F.1.a to read: Buildings can be safely designed and that the design is compatible with lesser setbacks. Compatibility shall be evaluated under the ~~Uniform~~ International Fire Code and any other applicable life, health or safety codes;

Amend Section 6.2.B.2.i to read: (1) Any person who applies for a building permit for an impact-generating development shall pay a Transportation ~~Impact Fee~~ Capacity Payment (TCP) in accordance with the most recent fee schedule prior to issuance of a building permit. If any credit is due pursuant to Section 6.2.B.2.i above, the amount of such credit shall be deducted from the amount of the fee to be paid.

Delete Table 6.2.A in its entirety.

Amend Table 6.2.B as follows: Table 6.2.B A.

Amend first sentence of Section 7.2.H.2.c to read: Native vegetation to screen and soften the visual impact of the structure; and/or

Amend Section 9.32, Terms Defined, Dwelling, Stacked to read: A dwelling containing two (2) single family dwellings on the same lot and separated ~~vertically~~ by a horizontal separation.

Introduced for first reading on this 5th day of November, 2007.

PASSED and ADOPTED this _____ day of _____, 2007.

ATTEST:

James J. Doody
President of City Council

Stephanie Tuin
City Clerk

Attach 11
Public Hearing—Sura Annexation, Located at 405 25 Road
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Sura Annexation - Located at 405 25 Road		
File #	ANX-2007-276		
Meeting Day, Date	Monday, November 19, 2007		
Placement on the Agenda	Consent		Individual X
Date Prepared	November 7, 2007		
Author Name & Title	Faye Hall, Associate Planner		
Presenter Name & Title	David Thornton – Principal Planner		

Summary: Request to annex 1.45 acres, located at 405 25 Road, which includes a portion of the 25 Road and South Broadway rights-of-way. The Sura Annexation consists of one parcel and is located north of South Broadway on the west side of 25 Road in the Redlands.

Budget: N/A

Action Requested/Recommendation: Adopt Resolution accepting the petition for the Sura Annexation and hold a public hearing and consider final passage of Annexation Ordinance.

Attachments:

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

Background Information: See attached Staff Report/Background Information

STAFF REPORT/BACKGROUND INFORMATION				
Location:		405 25 Road		
Applicants:		Owner: Matthew M. Sura Representative: Matthew M. Sura		
Existing Land Use:		Single Family Residential		
Proposed Land Use:		Single Family Residential		
Surrounding Land Use:	North	Single Family Residential		
	South	Single Family Residential		
	East	Single Family Residential		
	West	Single Family Residential		
Existing Zoning:		County RSF-4 (Residential Single Family, 4 units per acre)		
Proposed Zoning:		R-4 (Residential, 4 units per acre)		
Surrounding Zoning:	North	County RSF-4		
	South	County RSF-4		
	East	County RSF-4		
	West	County RSF-4		
Growth Plan Designation:		Residential Low ½ - 2 acres/du		
Zoning within density range?		Yes	X	No

Staff Analysis:

ANNEXATION:

This annexation area consists of 1.45 acres of land and is comprised of one parcel. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

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

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single

demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;

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

The following annexation and zoning schedule is being proposed.

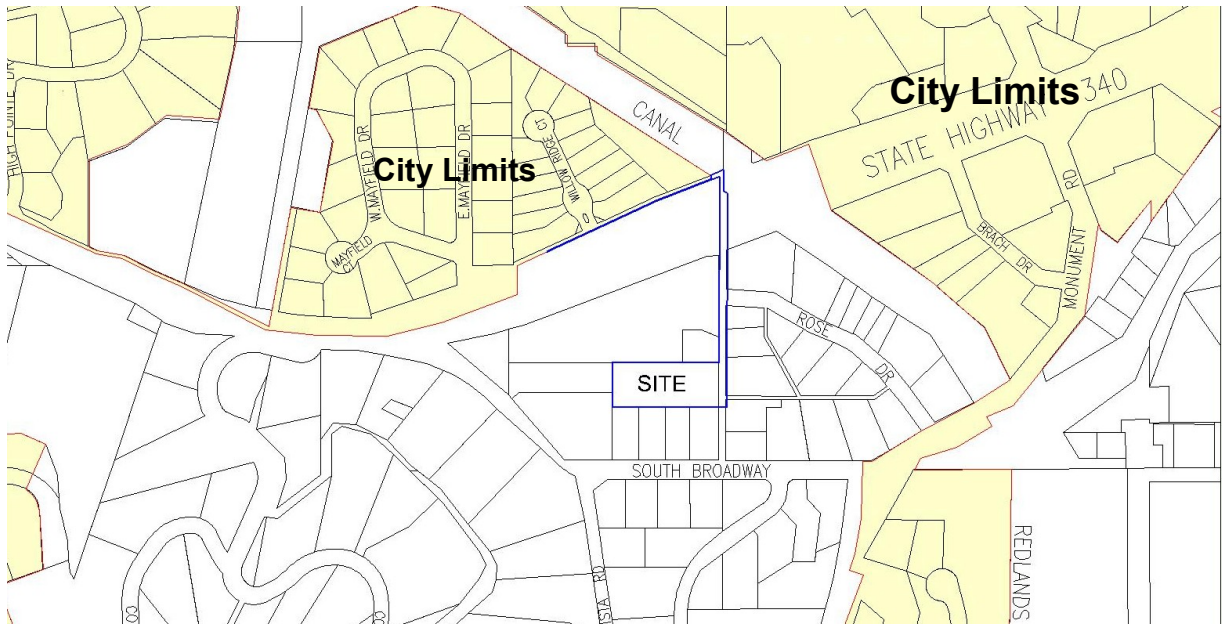
<u>ANNEXATION SCHEDULE</u>	
October 15, 2007	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
To be determined	Planning Commission considers Zone of Annexation
To be determined	Introduction of a proposed Ordinance on Zoning by City Council
To be determined	Zoning by City Council
November 19, 2007	Acceptance of Petition and Public Hearing on Annexation
December 21, 2007	Effective date of Annexation

SURA ANNEXATION SUMMARY

File Number:	ANX-2007-276	
Location:	405 25 Road	
Tax ID Number:	2945-164-00-139	
Parcels:	1	
Estimated Population:	4	
# of Parcels (owner occupied):	1	
# of Dwelling Units:	1	
Acres land annexed:	1.45 acres	
Developable Acres Remaining:	1.03 acres (44,935 sq ft)	
Right-of-way in Annexation:	.421 acres (18,347 sq ft)	
Previous County Zoning:	RSF-4 (Residential Single Family, 4 units per acre)	
Proposed City Zoning:	R-4 (Residential, 4 units per acre)	
Current Land Use:	Single Family Residential	
Future Land Use:	Single Family Residential	
Values:	Assessed:	\$16,070
	Actual:	\$201,860
Address Ranges:	403 thru 405 (odd only) 25 Road	
Special Districts:	Water:	Ute Water
	Sewer:	Persigo
	Fire:	Grand Junction Rural
	Irrigation/ Drainage:	Redlands Irrigation Redlands Drainage District
	School:	District 51

Annexation / Site Location Map

Figure 1



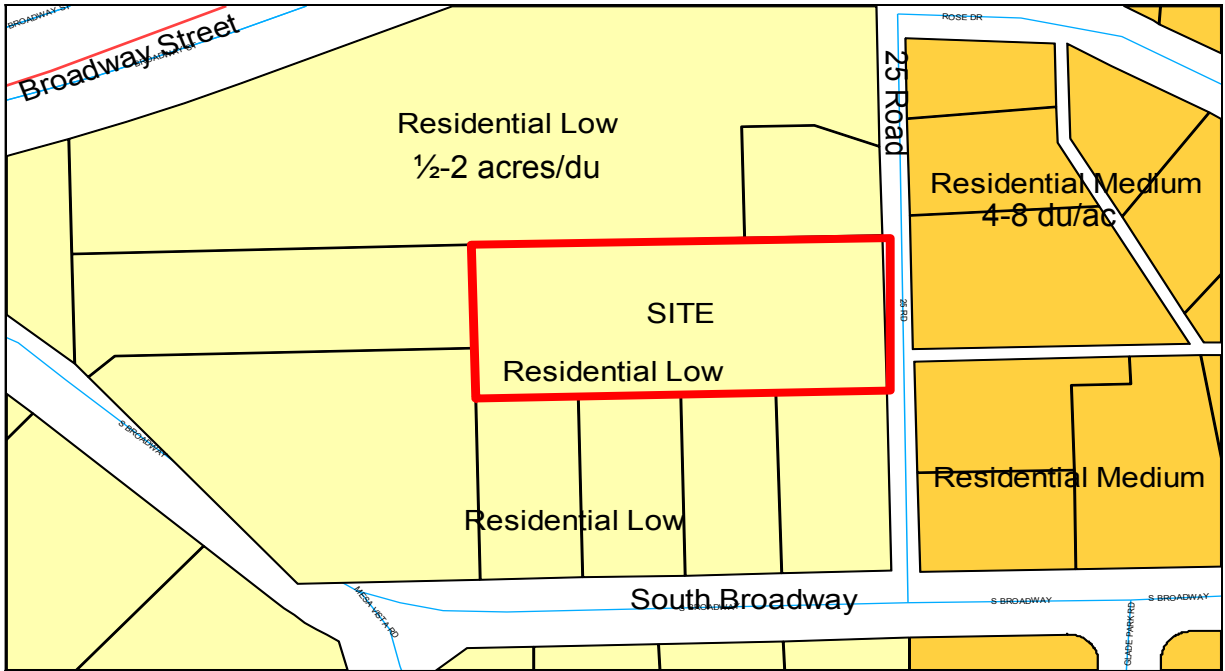
Aerial Photo Map

Figure 2



Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

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

SURA ANNEXATION

**LOCATED AT 405 25 ROAD AND INCLUDES A PORTION OF THE 25 ROAD AND
HIGHWAY 340 RIGHTS-OF-WAY**

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 15th day of October, 2007, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

SURA ANNEXATION

A certain parcel of land located in the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section 16, Township One South, Range One West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Southeast corner of said Section 16 and assuming the East line of the SE 1/4 SE 1/4 of said Section 16 to bear N00°11'28"E with all bearings contained herein relative thereto, thence N00°11'28"E along the East line of the SE 1/4 SE 1/4 of said Section 16 distance of 193.00 feet to the Point of Beginning; thence N89°48'32"W a distance of 340.50 feet; thence N00°11' 28"E a distance of 137.00 feet; thence S89°48'32"E a distance of 328.00 feet to a point on the Westerly right of way of 25 Road as described in Book 980, Page 88 of the Mesa County, Colorado public records; thence N00°11'28"E along said Westerly right of way of 25 Road and the northerly projection thereof a distance of 566.23 feet; thence S69°14'28"W a distance of 207.00 feet; thence S65°38'58"W a distance of 368.76 feet; thence N24°21'02 "W a distance of 2.00 feet to a point on the Southerly line of High Pointe Estates Annexation, Ordinance No. 3221, City of Grand Junction; thence N65°38'58"E along the Southerly line of said High Pointe Estates Annexation the following three courses: (1) N65°38'58"E a distance of 368.82 feet; (2) N69°14'28"E a distance of 180.64 feet; (3) N02°15'02"W a distance of 10.55 feet; thence N69°14'28"E a distance of 41.06 feet returning to the East line of the SE 1/4 SE 1/4 of said Section 16; thence S00°11'28"W along the East line of the SE 1/4 SE 1/4 of said Section 16 a distance of 55.32 feet; thence S55°58'32"E a distance of 14.45 feet to a point on the Easterly right of way of 25 Road as shown on

the Plat of Franchini Subdivision, recorded in Plat Book 6, Page 25 of the Mesa County, Colorado public records; thence S00°11'28"W along a line being 12.00 feet East of and parallel with the East line of the SE 1/4 SE 1/4 of said Section 16 and also being the Easterly right of way of 25 Road a distance of 657.00; thence N89°48'32"W a distance of 12.00 feet to the Point of Beginning.

Said parcel contains 1.45 acres (63,282 square feet), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 19th day of November, 2007; and

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

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

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

ADOPTED the ____ day of _____, 2007.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

SURA ANNEXATION

APPROXIMATELY 1.45 ACRES

**LOCATED AT 405 25 ROAD AND INCLUDES A PORTION OF THE 25 ROAD AND
HIGHWAY 340 RIGHTS-OF-WAY**

WHEREAS, on the 15th day of October, 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 19th 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:

SURA ANNEXATION

A certain parcel of land located in the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section 16, Township One South, Range One West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Southeast corner of said Section 16 and assuming the East line of the SE 1/4 SE 1/4 of said Section 16 to bear N00°11'28"E with all bearings contained herein relative thereto, thence N00°11'28"E along the East line of the SE 1/4 SE 1/4 of said Section 16 distance of 193.00 feet to the Point of Beginning; thence N89°48'32"W a distance of 340.50 feet; thence N00°11' 28"E a distance of 137.00 feet; thence S89°48'32"E a distance of 328.00 feet to a point on the Westerly right of way of 25 Road as described in Book 980, Page 88 of the Mesa County, Colorado public records;

thence N00°11'28"E along said Westerly right of way of 25 Road and the northerly projection thereof a distance of 566.23 feet; thence S69°14'28"W a distance of 207.00 feet; thence S65°38'58"W a distance of 368.76 feet; thence N24°21'02 "W a distance of 2.00 feet to a point on the Southerly line of High Pointe Estates Annexation, Ordinance No. 3221, City of Grand Junction; thence N65°38'58"E along the Southerly line of said High Pointe Estates Annexation the following three courses: (1) N65°38'58"E a distance of 368.82 feet; (2) N69°14'28"E a distance of 180.64 feet; (3) N02°15'02"W a distance of 10.55 feet; thence N69°14'28"E a distance of 41.06 feet returning to the East line of the SE 1/4 SE 1/4 of said Section 16; thence S00°11'28"W along the East line of the SE 1/4 SE 1/4 of said Section 16 a distance of 55.32 feet; thence S55°58'32"E a distance of 14.45 feet to a point on the Easterly right of way of 25 Road as shown on the Plat of Franchini Subdivision, recorded in Plat Book 6, Page 25 of the Mesa County, Colorado public records; thence S00°11'28"W along a line being 12.00 feet East of and parallel with the East line of the SE 1/4 SE 1/4 of said Section 16 and also being the Easterly right of way of 25 Road a distance of 657.00; thence N89°48'32"W a distance of 12.00 feet to the Point of Beginning.

Said parcel contains 1.45 acres (63,282 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 15th day of October, 2007 and ordered published.

ADOPTED the _____ day of _____, 2007.

Attest:

President of the Council

City Clerk

Attach 12
Public Hearing—Reigan/Patterson/TEK/Morario Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Reigan/Patterson/TEK/Morario Annexation - Located at 824 22 Road, 2202 H Road, 2202 ½ H Road, 2204 H Road		
File #	ANX-2007-279		
Meeting Day, Date	Monday, November 19, 2007		
Placement on the Agenda	Consent	<input type="checkbox"/>	Individual <input checked="" type="checkbox"/>
Date Prepared	November 7, 2007		
Author Name & Title	Faye Hall, Associate Planner		
Presenter Name & Title	David Thornton, Principal Planner		

Summary: Request to annex 27.74 acres, located at 824 22 Road, 2202 H Road, 2202 ½ H Road, 2204 H Road. The Reigan/Patterson/TEK/Morario Annexation consists of four parcels and is a two part serial annexation which also includes portions of the H Road and 22 Road rights-of-way.

Budget: N/A

Action Requested/Recommendation: Adopt Resolution accepting the petition for the Reigan/Patterson/TEK/Morario Annexation and hold a public hearing and consider final passage of Annexation Ordinance.

Attachments:

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

Background Information: See attached Staff Report/Background Information

STAFF REPORT/BACKGROUND INFORMATION			
Location:		824 22 Road, 2202 H Road, 2202 ½ H Road, 2204 H Road	
Applicants:		Owners: TEK Leasing, LLC – Glenn Larson, Robert and Marie Reigan, Leah Morario, Jerry D. Patterson Representative: Marie Reigan	
Existing Land Use:		Residential / Agricultural	
Proposed Land Use:		Mixed Use	
Surrounding Land Use:	North	Residential	
	South	Industrial	
	East	Residential / Agricultural	
	West	Residential / Agricultural	
Existing Zoning:		County RSF-E (Residential Single Family, Estate) and AFT (Agricultural Forestry Transitional)	
Proposed Zoning:		M-U (Mixed Use)	
Surrounding Zoning:	North	County PUD (Planned Unit Development)	
	South	County PUD (Planned Unit Development)	
	East	County AFT (Agricultural Forestry Transitional)	
	West	County RSF-R (Residential Single Family, Rural)	
Growth Plan Designation:		Rural 5-35 ac/du	
Zoning within density range?		<input type="checkbox"/>	<input checked="" type="checkbox"/> Yes
		<input checked="" type="checkbox"/>	<input type="checkbox"/> No

Staff Analysis:

ANNEXATION:

These four properties were four of the five properties that were recently added to the Persigo Boundary. Now since they are within the urban area, the property owners are also seeking a change in the Future Land Use Map. The change in the Future Land Use Map has also been submitted for review and approval, but will be considered at a future Council Meeting.

This annexation area consists of 27.74 acres of land and is comprised of four parcels and is a two part serial annexation. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

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

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

The following annexation and zoning schedule is being proposed.

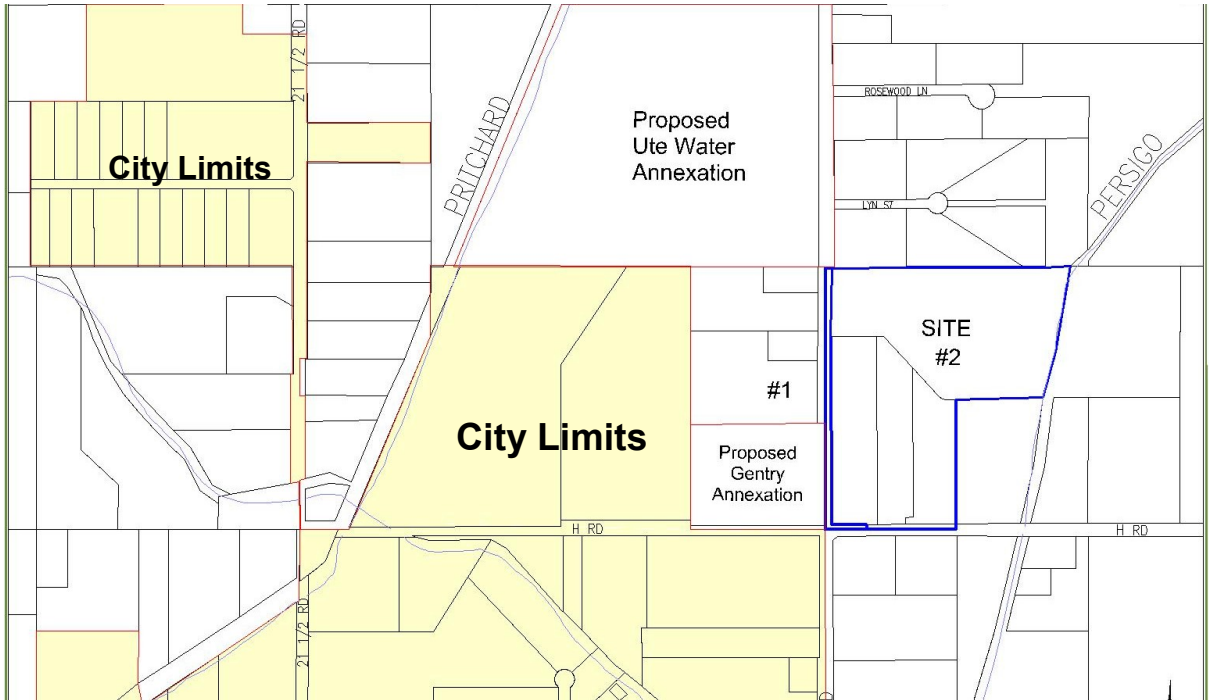
<u>ANNEXATION SCHEDULE</u>	
October 15, 2007	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
To be determined	Planning Commission considers Zone of Annexation
To be determined	Introduction of a proposed Ordinance on Zoning by City Council
To be determined	Zoning by City Council
November 19, 2007	Acceptance of Petition and Public Hearing on Annexation
December 21, 2007	Effective date of Annexation

REIGAN/PATTERSON/TEK/MORARIO ANNEXATION SUMMARY

File Number:	ANX-2007-279	
Location:	824 22 Road, 2202 H Road, 2202 ½ H Road, 2204 H Road	
Tax ID Number:	2701-303-12-001, 2701-303-12-002, 2701-303-00-154, 2701-303-00-524	
Parcels:	4	
Estimated Population:	12	
# of Parcels (owner occupied):	2	
# of Dwelling Units:	3	
Acres land annexed:	27.74 acres	
Developable Acres Remaining:	26.60 acres	
Right-of-way in Annexation:	1.14 acres	
Previous County Zoning:	RSF-E (Residential Single Family, Estate) AFT (Agricultural Forestry Transitional)	
Proposed City Zoning:	M-U (Mixed Use)	
Current Land Use:	Residential / Agricultural	
Future Land Use:	Mixed Use	
Values:	Assessed:	\$30,760
	Actual:	\$250,540
Address Ranges:	822 thru 824 (even only) 22 Road and 2202 thru 2204 (even only) H Road	
Special Districts:	Water:	Ute Water
	Sewer:	Persigo
	Fire:	Grand Junction Rural
	Irrigation/ Drainage:	Grand Valley Irrigation Grand Junction Drainage District
	School:	District 51

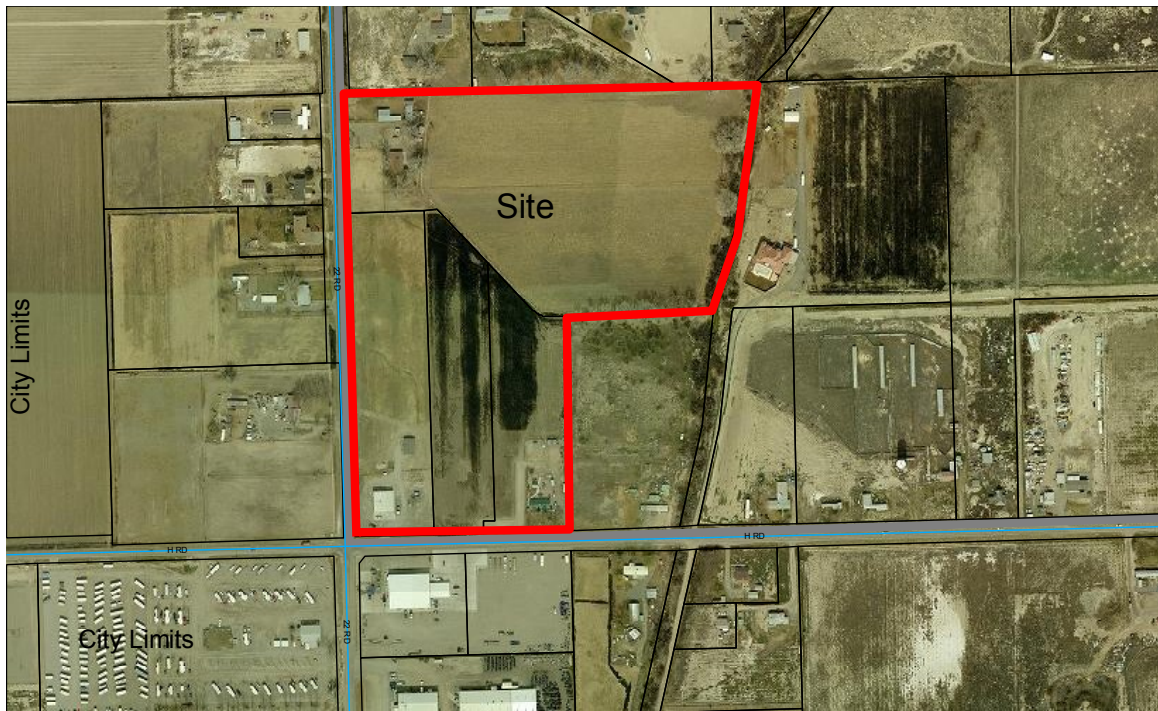
Annexation / Site Location Map

Figure 1



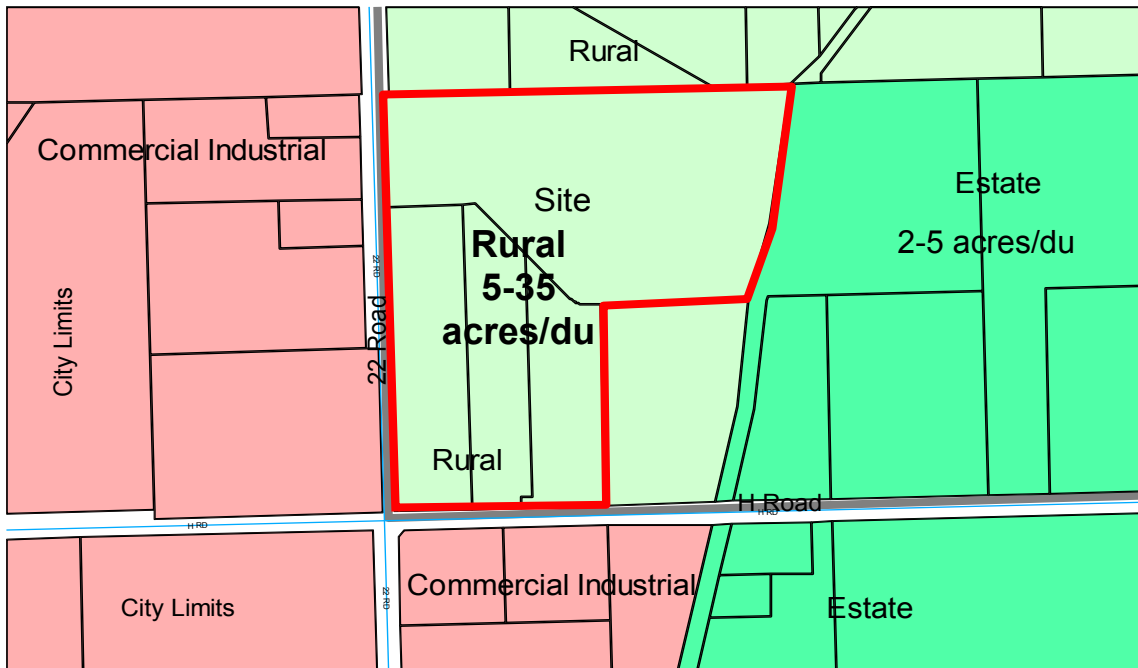
Aerial Photo Map

Figure 2



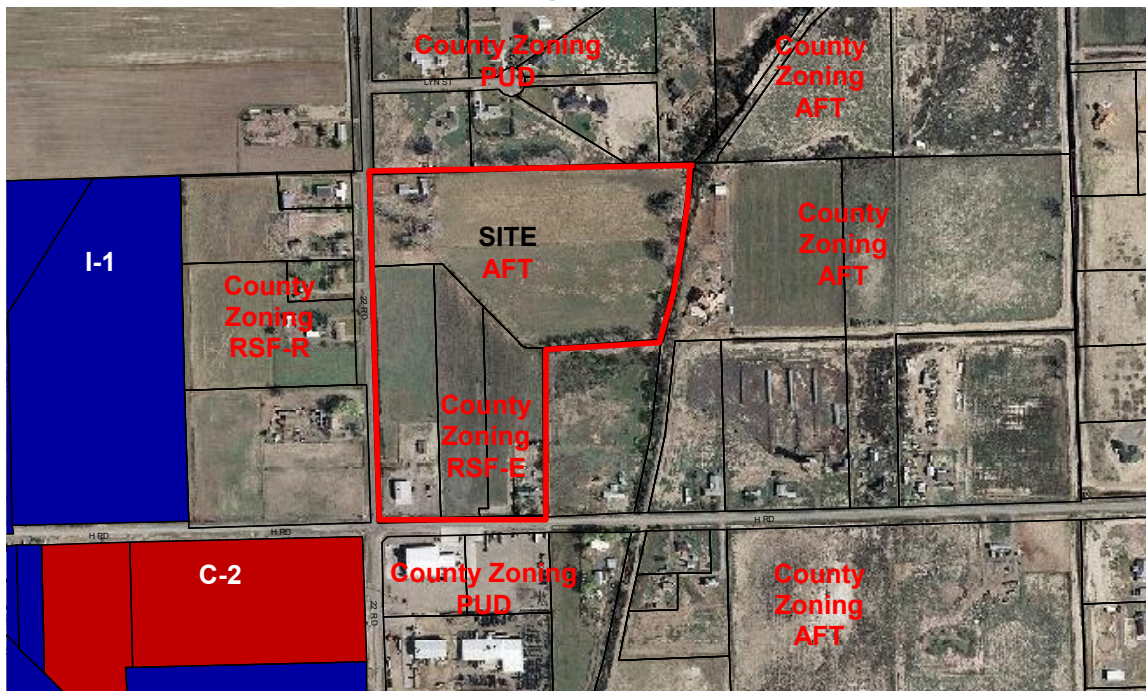
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

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

REIGAN/PATTERSON/TEK/MORARIO ANNEXATION NO. 1 AND NO. 2

**LOCATED AT 824 22 ROAD, 2202 H ROAD, 2202 ½ H ROAD AND 2204 H ROAD AND
ALSO INCLUDES A PORTION OF THE 22 AND H ROAD
RIGHTS-OF WAY**

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 15th day of October, 2007, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

REIGAN/PATTERSON/TEK/MORARIO ANNEXATION #1

A certain parcel of land located in the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) of Section 30, Township 1 North, Range 1 West, of the Ute Meridian, County of Mesa, State of Colorado, Being more particularly described as follows:

The West 30 feet AND the South 30 feet of the West 210 feet of the SW1/4 SW1/4 of said Section 30.

AND ALSO

REIGAN/PATTERSON/TEK/MORARIO ANNEXATION #2

A certain parcel of land located in the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) of Section 30, Township 1 North, Range 1 West, of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the Southwest corner of said 30, and assuming the West line of said SW1/4 SW1/4 to bear N00°03'11E" with all bearings contained here in relative there to; thence N89°59'49", along the South line of said SW1/4 SW1/4, a distance of 210.00 feet to the POINT OF BEGINNING; thence along the boundary of the Reigan/Patterson/TEK/Morario Annexation No. 1 the following three (3) courses: 1) N00°00'11"W a distance of 30.00 feet; 2) S89°59'49"W a distance of 179.97 feet; 3) N00°03'11" a distance of 1,209.09 feet; thence S89°59'30"E, along the North line of said SW1/4 SW1/4, a distance of 1,201.25 feet to the centerline of the Persigo Wash, also

being the west line of Turner Simple Subdivision as recorded in Plat Book 17, Page 372, Public Records, Mesa County, Colorado; thence along the centerline of Persigo Wash, said centerline also being the west line of said Turner Simple Subdivision, the following three courses: 1) S09°19'W" a distance of 435.34 feet; 2) S15°34'10"W a distance of 237.80 feet; 3) S07°27'10"W a distance of 6.07 feet; thence S89°56'10"W a distance of 440.40 feet to the Northeast corner of Lot 2, Ram's Subdivision as recorded in Book 4056, Page 462, Public Records, Mesa County, Colorado; thence S00°24'19"W, along the east line of said Ram's Subdivision, a distance of 674.52 feet to the South line of said SW1/4 SW1/4; thence S89°59'49"W, along the South line of the said SW1/4 SW ¼, a distance of 442.33 feet, more or less, to the Point of Beginning.

WHEREAS, a hearing on the petition was duly held after proper notice on the 19th day of November, 2007; and

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

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

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

ADOPTED the ____ day of _____, 2007.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

REIGAN/PATTERSON/TEK/MORARIO ANNEXATION NO. 1

APPROXIMATELY 1.03 ACRES

**LOCATED IN THE 22 ROAD AND H ROAD RIGHTS-OF-WAY AND INCLUDES A
SMALL PORTION OF 824 H ROAD**

WHEREAS, on the 15th day of October, 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 19th 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:

REIGAN/PATTERSON/TEK/MORARIO ANNEXATION #1

A certain parcel of land located in the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) of Section 30, Township 1 North, Range 1 West, of the Ute Meridian, County of Mesa, State of Colorado, Being more particularly described as follows:

The West 30 feet AND the South 30 feet of the West 210 feet of the SW1/4 SW1/4 of said Section 30.

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

INTRODUCED on first reading on the 15th day of October, 2007 and ordered published.

ADOPTED the _____ day of _____, 2007.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

REIGAN/PATTERSON/TEK/MORARIO ANNEXATION NO. 2

APPROXIMATELY 26.702 ACRES

**LOCATED AT 824 22 ROAD, 2202 H ROAD, 2202 ½ H ROAD AND 2204 H ROAD AND
ALSO INCLUDES A PORTION OF THE H ROAD RIGHT-OF-WAY**

WHEREAS, on the 15th day of October, 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 19th 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:

REIGAN/PATTERSON/TEK/MORARIO ANNEXATION #2

A certain parcel of land located in the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) of Section 30, Township 1 North, Range 1 West, of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the Southwest corner of said 30, and assuming the West line of said SW1/4 SW1/4 to bear N00°03'11E" with all bearings contained here in relative there to; thence N89°59'49", along the South line of said SW1/4 SW1/4, a distance of 210.00 feet to the POINT OF BEGINNING; thence along the boundary of the Reigan/Patterson/TEK/Morario Annexation No. 1 the following three (3) courses: 1) N00°00'11"W a distance of 30.00 feet; 2) S89°59'49"W a distance of 179.97 feet; 3) N00°03'11" a distance of 1,209.09 feet; thence S89°59'30"E, along the North line of said SW1/4 SW1/4, a distance of 1,201.25 feet to the centerline of the Persigo Wash, also

being the west line of Turner Simple Subdivision as recorded in Plat Book 17, Page 372, Public Records, Mesa County, Colorado; thence along the centerline of Persigo Wash, said centerline also being the west line of said Turner Simple Subdivision, the following three courses: 1) S09°19'W" a distance of 435.34 feet; 2) S15°34'10"W a distance of 237.80 feet; 3) S07°27'10"W a distance of 6.07 feet; thence S89°56'10"W a distance of 440.40 feet to the Northeast corner of Lot 2, Ram's Subdivision as recorded in Book 4056, Page 462, Public Records, Mesa County, Colorado; thence S00°24'19"W, along the east line of said Ram's Subdivision, a distance of 674.52 feet to the South line of said SW1/4 SW1/4; thence S89°59'49"W, along the South line of the said SW1/4 SW ¼, a distance of 442.33 feet, more or less, to the Point of Beginning.

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

INTRODUCED on first reading on the 15th day of October, 2007 and ordered published.

ADOPTED the _____ day of _____, 2007.

Attest:

President of the Council

City Clerk

Attach 13
Public Hearing—Mesa Heights Annexation and Zoning
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Mesa Heights Annexation and Zoning - Located at 2856 B 3/4 Road		
File #	ANX-2007-270		
Meeting Day, Date	Monday, November 19, 2007		
Placement on the Agenda	Consent		Individual X
Date Prepared	November 9, 2007		
Author Name & Title	Greg Moberg, Planning Services Supervisor		
Presenter Name & Title	Greg Moberg, Planning Services Supervisor		

Summary: Request to annex and zone 3.86 acres, located at 2856 B ¾ Road to R-4 (Residential – 4 dwelling units per acre). The Mesa Heights Annexation consists of 7 parcels and right-of-way dedicated within the Kirby Subdivision.

Budget: N/A

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

Attachments:

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

Background Information: See attached Staff Report/Background Information

STAFF REPORT/BACKGROUND INFORMATION			
Location:		2856 B 3/4 Road	
Applicants:		Owner: Ted Martin Representative: Janet Carter	
Existing Land Use:		Residential	
Proposed Land Use:		Residential	
Surrounding Land Use:	North	Agricultural	
	South	Residential	
	East	Residential	
	West	Residential	
Existing Zoning:		County RSF-4 (Residential Single Family-4 du/ac)	
Proposed Zoning:		R-4 (Residential 4du/ac)	
Surrounding Zoning:	North	County RSF-4 (Residential Single Family-4 du/ac) R-4 (Residential 4du/ac)	
	South	County RSF-4 (Residential Single Family-4 du/ac)	
	East	R-4 (Residential 4du/ac)	
	West	County PUD (Planned Unit Development)	
Growth Plan Designation:		Residential Medium Low	
Zoning within density range?		X	Yes
			No

Staff Analysis:

ANNEXATION:

This annexation area consists of 3.86 acres of land and is comprised of 7 parcels. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

It is staff's professional opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Mesa Heights 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>ANNEXATION SCHEDULE</i>	
October 15, 2007	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
October 23, 2007	Planning Commission considers Zone of Annexation
November 5, 2007	Introduction of a proposed Ordinance on Zoning by City Council
November 19, 2007	Acceptance of Petition and Public Hearing on Annexation and zoning by City Council
December 23, 2007	Effective date of Annexation

MESA HEIGHTS ANNEXATION SUMMARY		
File Number:		ANX -2007-270
Location:		2856 B 3/4 Road
Tax ID Number:		2943-301-14-001 to 007
Parcels:		7
Estimated Population:		3
# of Parcels (owner occupied):		1
# of Dwelling Units:		1
Acres land annexed:		3.86
Developable Acres Remaining:		3.86
Right-of-way in Annexation:		18,964 square feet (.43 acres)
Previous County Zoning:		RSF-4 (Residential Single Family-4 du/ac)
Proposed City Zoning:		R-4 (Residential 4du/ac)
Current Land Use:		Residential
Future Land Use:		Residential
Values:	Assessed:	\$9,460
	Actual:	\$108,870
Address Ranges:		
Special Districts:	Water:	Ute Water
	Sewer:	Orchard Mesa
	Fire:	Grand Junction Rural
	Irrigation/ Drainage:	Orchard Mesa Irrigation
	School:	District 51

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

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

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

Response: The proposed zone district of R-4 is compatible with the neighborhood as adjacent properties to the north, south and east are either zoned RSF-4 in the County or R-4 in the City. The property directly to the north was recently annexed and was zoned R-4 (Mahan Manor Annexation). The property to the east was annexed and zoned R-4 in 2003 (UnawEEP Heights Annexation #3). Furthermore, the request is compatible to the Orchard Mesa Neighborhood Plan as the property is designated as Single Family (4 units per gross acre).

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

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

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

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

PLANNING COMMISSION RECOMMENDATION:

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

Annexation/Site Location Map

Figure 1



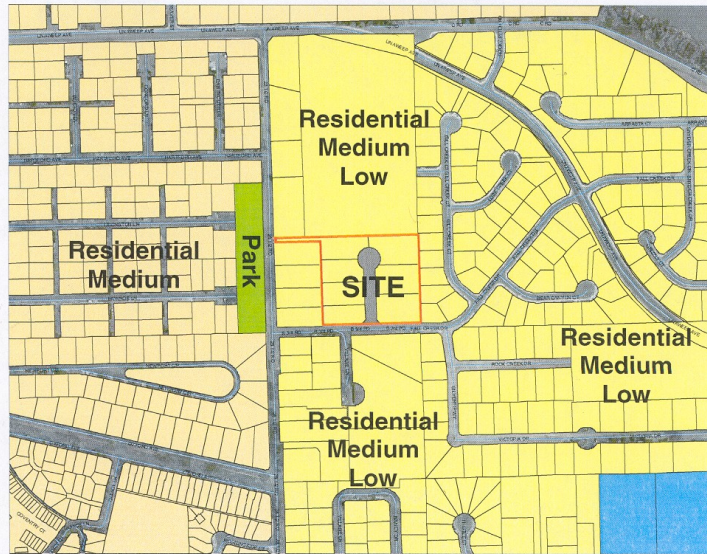
Aerial Photo Map

Figure 2



Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

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

MESA HEIGHTS ANNEXATION

**LOCATED AT 2856 B ³/₄ ROAD AND INCLUDES THE
CLAIRE DRIVE RIGHT-OF-WAY**

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 15th day of October, 2007, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

MESA HEIGHTS ANNEXATION

A certain parcel of land lying in the Northwest Quarter of the Northeast Quarter (NW1/4 NE1/4) of Section 30, 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 of that portion of Kirby Subdivision, as same is recorded in Plat Book 11, Page 28, Public Records of Mesa County, Colorado, lying North of the North right of way for B 3/4 Road as recorded in Plat Book 9, Page 23, Public Records of Mesa County, Colorado; TOGETHER WITH the following; Commencing at the Southwest corner of said NW1/4 NE1/4, and assuming the West line of said NW1/4 NE1/4 bears N00°03'05"E with all other bearings contained herein being relative thereto; thence N00°03'05"E along the said West line a distance of 391.14 feet to the Point of Beginning; thence N00°03'05"E, along said West line a distance of 20.00 feet; thence S89°57'10"E a distance of 20.00 feet to the Northwest corner said Kirby Subdivision; thence S00°03'05"W, along the most westerly line said Kirby Subdivision, a distance of 20.00 feet; thence N89°57'10"W a distance of 20.00 feet, more or less, to the Point of Beginning.

CONTAINING 3.86 Acres, more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 19th day of November, 2007; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefore, that one-sixth of the perimeter of the area proposed to be annexed is

contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

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

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

ADOPTED this ____ day of _____, 2007.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

MESA HEIGHTS ANNEXATION

APPROXIMATELY 3.86 ACRES

**LOCATED AT 2856 B ³/₄ ROAD AND INCLUDES THE
CLAIRE DRIVE RIGHT-OF-WAY**

WHEREAS, on the 15th day of October, 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 19th 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 situated in Mesa County, Colorado, and described to wit:

MESA HEIGHTS ANNEXATION

A certain parcel of land lying in the Northwest Quarter of the Northeast Quarter (NW1/4 NE1/4) of Section 30, 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 of that portion of Kirby Subdivision, as same is recorded in Plat Book 11, Page 28, Public Records of Mesa County, Colorado, lying North of the North right of way for B 3/4 Road as recorded in Plat Book 9, Page 23, Public Records of Mesa County, Colorado; TOGETHER WITH the following; Commencing at the Southwest corner of said NW1/4 NE1/4, and assuming the West line of said NW1/4 NE1/4 bears N00°03'05"E with all other bearings contained herein being relative thereto; thence N00°03'05"E along the said West line a distance of 391.14 feet to the Point of Beginning; thence N00°03'05"E, along said West line a distance of 20.00 feet; thence S89°57'10"E a distance of 20.00 feet to the Northwest corner said Kirby Subdivision; thence S00°03'05"W, along the most westerly line said Kirby Subdivision, a

distance of 20.00 feet; thence N89°57'10"W a distance of 20.00 feet, more or less, to the Point of Beginning.

CONTAINING 3.86 Acres, more or less, as described.

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

INTRODUCED on first reading on the 15th day of October, 2007 and ordered published.

ADOPTED the _____ day of _____, 2007.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE MESA HEIGHTS ANNEXATION TO
R-4**

LOCATED AT 2856 B ¾ 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 Mesa Heights Annexation to the R-4 zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

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

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

The following property be zoned R-4 (Residential – 4 dwelling units per acre).

MESA HEIGHTS ANNEXATION

A certain parcel of land lying in the Northwest Quarter of the Northeast Quarter (NW1/4 NE1/4) of Section 30, 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 of that portion of Kirby Subdivision, as same is recorded in Plat Book 11, Page 28, Public Records of Mesa County, Colorado, lying North of the North right of way for B ¾ Road as recorded in Plat Book 9, Page 23, Public Records of Mesa County, Colorado; TOGETHER WITH the following; Commencing at the Southwest corner of said NW1/4 NE1/4, and assuming the West line of said NW1/4 NE1/4 bears N00°03'05"E with all other bearings contained herein being relative thereto; thence N00°03'05"E along the said West line a distance of 391.14 feet to the Point of Beginning; thence N00°03'05"E, along said West line a distance of 20.00 feet; thence S89°57'10"E a distance of 20.00 feet to the Northwest corner said Kirby Subdivision; thence S00°03'05"W, along the most westerly line said Kirby Subdivision, a distance of 20.00 feet; thence N89°57'10"W a distance of 20.00 feet, more or less, to the Point of Beginning.

CONTAINING 3.86 Acres (168,141 Sq. Ft.), more or less, as described.

Introduced on first reading this 5th day of November, 2007 and ordered published.

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

ATTEST:

President of the Council

City Clerk

Attach 14
Public Hearing—Indian Wash Rentals Annexation and Zoning
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Indian Wash Rentals Annexation and Zoning - Located at 378 27 1/2 Road		
File #	ANX-2007-278		
Meeting Day, Date	November 19, 2007		
Placement on the Agenda	Consent		Individual X
Date Prepared	November 1, 2007		
Author Name & Title	Senta L. Costello, Associate Planner		
Presenter Name & Title	Senta L. Costello, Associate Planner		

Summary: Request to annex and zone 1.999 acres, located at 378 27 1/2 Road, to I-1 (Light Industrial). The Indian Wash Rentals Annexation consists of 1 parcel and includes a portion of the 27 1/2 Road right-of-way. The property owners are requesting annexation due to a proposed development on a portion of the property.

Budget: N/A

Action Requested/Recommendation: Adopt Resolution accepting the petition for the Indian Wash Rentals Annexation and hold a public hearing and consider final passage of the Annexation Ordinance and Zoning Ordinance.

Attachments:

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

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION					
Location:		378 27 1/2 Road			
Applicants:		Indian Wash Rentals, LLC – Robert O. Branson			
Existing Land Use:		Residential/Industrial/Vacant			
Proposed Land Use:		Residential/Outdoor Storage Yard			
Surrounding Land Use:	North	Single Family Residential			
	South	Vacant Industrial			
	East	Vacant Industrial			
	West	Single Family Residential			
Existing Zoning:		County I-2 (Industrial)			
Proposed Zoning:		City I-1 (Light Industrial)			
Surrounding Zoning:	North	County I-2 (Industrial)			
	South	City I-1 (Light Industrial)			
	East	City I-1 (Light Industrial)			
	West	County I-2 (Industrial)			
Growth Plan Designation:		Industrial			
Zoning within density range?		X	Yes		No

Staff Analysis:

ANNEXATION:

This annexation area consists of 1.999 acres of land and is comprised of 1 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 Indian Wash Rentals Annexation is eligible to be annexed because of compliance with the following:

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

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

The following annexation and zoning schedule is being proposed.

<u>ANNEXATION SCHEDULE</u>	
October 15, 2007	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
October 23, 2007	Planning Commission considers Zone of Annexation
November 5, 2007	Introduction of a proposed Ordinance on Zoning by City Council
November 19, 2007	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
December 23, 2007	Effective date of Annexation and Zoning

INDIAN WASH RENTALS ANNEXATION SUMMARY		
File Number:		ANX-2007-278
Location:		378 27 1/2 Road
Tax ID Number:		2945-241-00-039
Parcels:		1
Estimated Population:		2
# of Parcels (owner occupied):		0
# of Dwelling Units:		1
Acres land annexed:		1.999
Developable Acres Remaining:		Approximately 1.5 acres
Right-of-way in Annexation:		8,696 square feet of the 27 1/2 Road right-of-way
Previous County Zoning:		I-2 (Heavy Industrial)
Proposed City Zoning:		I-1 (Light Industrial)
Current Land Use:		Residential/Industrial/Vacant
Future Land Use:		Residential/Outdoor Storage Yard
Values:	Assessed:	= \$11,750
	Actual:	= \$147,610
Address Ranges:		378 27 1/2 Road
Special Districts:	Water:	Ute Water
	Sewer:	Central Grand Valley Sanitation
	Fire:	Grand Junction Rural Fire District
	Irrigation/Drainage:	Grand Valley Irrigation/Grand Junction Drainage
	School:	Mesa County School District #51
	Pest:	Grand River Mosquito District

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

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

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

Response: The proposal is compatible with the neighborhood. Much of the land to the east is developing with light industrial type uses. And although the property to the west is currently a mix of residential and industrial type uses, the area is designated Industrial on the Future Land Use Map.

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

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

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

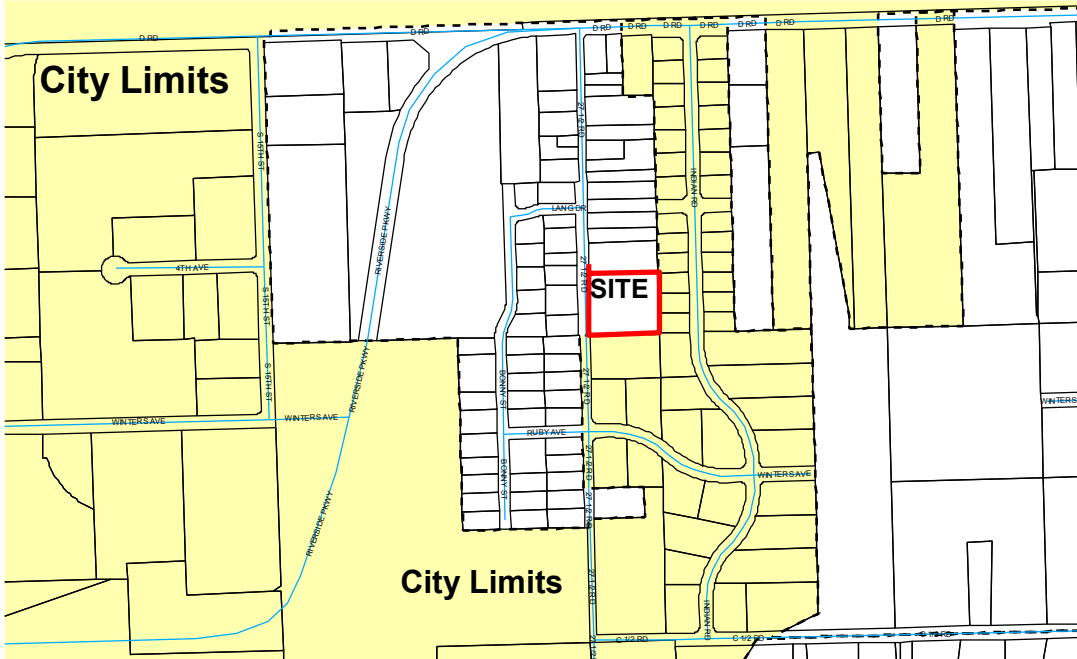
- d. I-O (Industrial-Office)
- e. I-2 (General Industrial)
- f. M-U (Mixed-Use)

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

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

Site Location Map

Figure 1



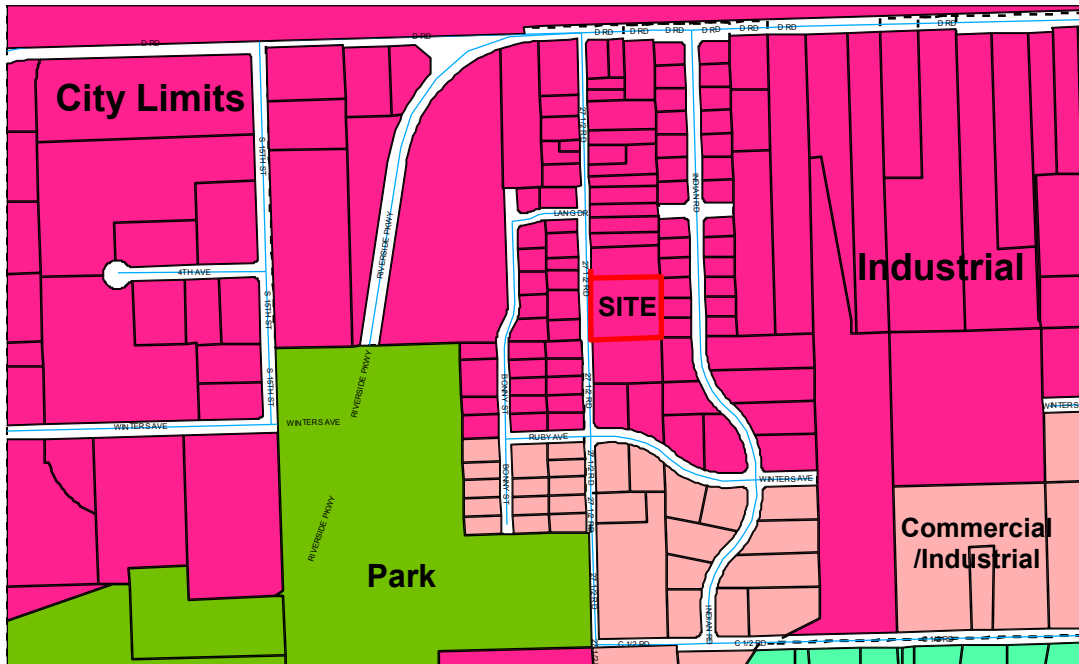
Aerial Photo Map

Figure 2



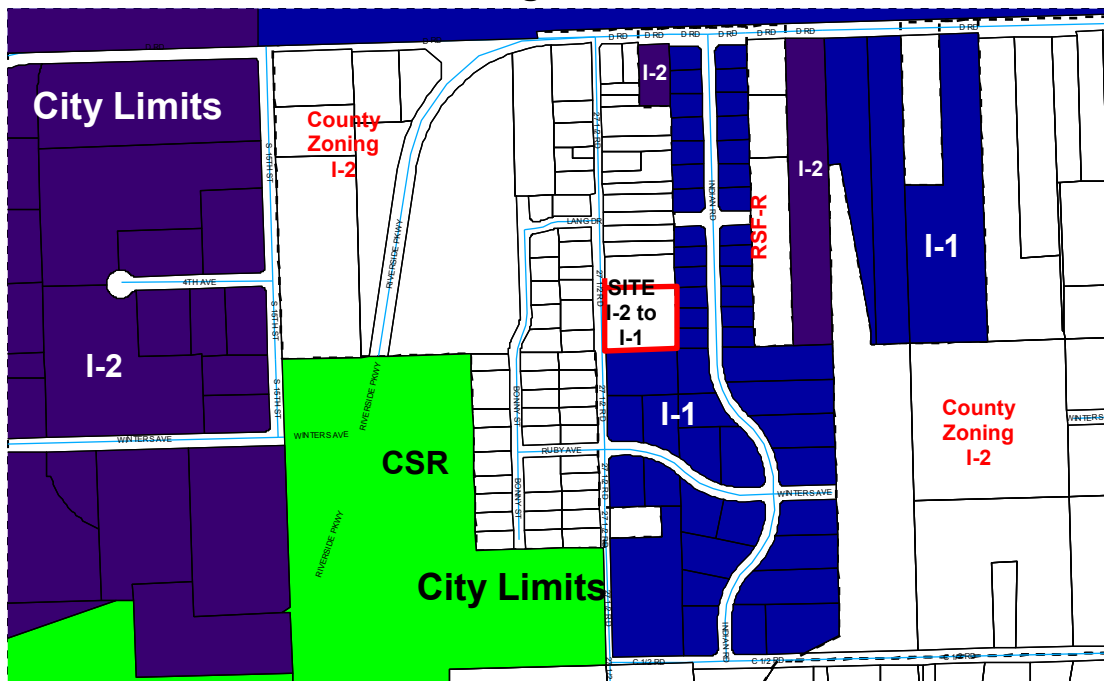
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



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

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

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

INDIAN WASH RENTALS ANNEXATION

**LOCATED AT 378 27 ½ ROAD AND INCLUDING A PORTION OF THE 27 ½ ROAD
RIGHT-OF-WAY**

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 15th day of October, 2007, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

INDIAN WASH RENTALS ANNEXATION

A certain parcel of land lying in the Northwest Quarter of the Northeast Quarter (NW1/4 NE1/4) 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 Southwest corner of said NW1/4 NE1/4, and considering the West line of the said NW1/4 NE1/4 to bear N00°08'44"E with all bearings herein being relative thereto; thence N00°08'44"E, along said West line, a distance of 263.49 feet; thence S89°59'19"E a distance of 330.00 feet to a point on Indian Road Industrial Subdivision Annexation No. 2, City Ordinance No. 3677; thence along the said Indian Road Industrial Subdivision Annexation No. 2 the following two courses: 1) S00°08'44"W a distance of 264.15 feet to the South line of said NW1/4 NE1/4; 2) N89°52'24"W, along said South line a distance of 330.00 feet, more or less, to the Point of Beginning.

CONTAINING 1.999 Acres (87,076.44 Sq. Ft.), more or less, as described

WHEREAS, a hearing on the petition was duly held after proper notice on the 5th day of October, 2007; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefore, that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the

City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

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

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

ADOPTED this ____ day of _____, 2007.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

INDIAN WASH RENTALS ANNEXATION

APPROXIMATELY 1.999 ACRES

**LOCATED AT 378 27 ½ ROAD AND INCLUDING A PORTION OF THE 27 ½ ROAD
RIGHT-OF-WAY**

WHEREAS, on the 15th day of October, 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 19th 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:

INDIAN WASH RENTALS ANNEXATION

A certain parcel of land lying in the Northwest Quarter of the Northeast Quarter (NW1/4 NE1/4) 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 Southwest corner of said NW1/4 NE1/4, and considering the West line of the said NW1/4 NE1/4 to bear N00°08'44"E with all bearings herein being relative thereto; thence N00°08'44"E, along said West line, a distance of 263.49 feet; thence S89°59'19"E a distance of 330.00 feet to a point on Indian Road Industrial Subdivision Annexation No. 2, City Ordinance No. 3677; thence along the said Indian Road Industrial Subdivision Annexation No. 2 the following two courses: 1) S00°08'44"W a distance of 264.15 feet to the South line of said NW1/4 NE1/4; 2) N89°52'24"W, along said South line a distance of 330.00 feet, more or less, to the Point of Beginning.

CONTAINING 1.999 Acres (87,076.44 Sq. Ft.), more or less, as described

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

INTRODUCED on first reading on the 15th day of October, 2007 and ordered published.

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

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE INDIAN WASH RENTALS ANNEXATION TO
I-1**

LOCATED AT 378 27 ½ ROAD

Recitals:

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

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

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

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

A certain parcel of land lying in the Northwest Quarter of the Northeast Quarter (NW1/4 NE1/4) 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 Southwest corner of said NW1/4 NE1/4, and considering the West line of the said NW1/4 NE1/4 to bear N00°08'44"E with all bearings herein being relative thereto; thence N00°08'44"E, along said West line, a distance of 263.49 feet; thence S89°59'19"E a distance of 330.00 feet to a point on Indian Road Industrial Subdivision Annexation No. 2, City Ordinance No. 3677; thence along the said Indian Road Industrial Subdivision Annexation No. 2 the following two courses: 1) S00°08'44"W a distance of 264.15 feet to the South line of said NW1/4 NE1/4; 2) N89°52'24"W, along said South line a distance of 330.00 feet, more or less, to the Point of Beginning.

CONTAINING 1.999 Acres (87,076.44 Sq. Ft.), more or less, as described

INTRODUCED on first reading the 5th day of November, 2007 and ordered published.

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

ATTEST:

President of the Council

City Clerk

Attach 15
Public Hearing—Ingle Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Ingle Annexation - Located at 436 Clear Creek Drive		
File #	ANX-2007-269		
Meeting Day, Date	Monday, November 19, 2007		
Placement on the Agenda	Consent		Individual X
Date Prepared	November 7, 2007		
Author Name & Title	Faye Hall, Associate Planner		
Presenter Name & Title	Faye Hall, Associate Planner		

Summary: Request to annex 5.90 acres, located at 436 Clear Creek Drive. The Ingle Annexation consists of one parcel.

Budget: N/A

Action Requested/Recommendation: Adopt Resolution accepting the petition for the Ingle Annexation and hold a public hearing and consider final passage of Annexation Ordinance.

Attachments:

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

Background Information: See attached Staff Report/Background Information

STAFF REPORT/BACKGROUND INFORMATION			
Location:		436 Clear Creek Drive	
Applicants:		Owner: Jay Ketchem Representative: Austin Civil Group – Tony Contreras	
Existing Land Use:		Single Family Residential	
Proposed Land Use:		Single Family Residential	
Surrounding Land Use:	North	Single Family Residential	
	South	Single Family Residential	
	East	Single Family Residential	
	West	Single Family Residential	
Existing Zoning:		County PUD (Planned Unit Development approved at 5.6 units per acre)	
Proposed Zoning:		City R-5 (Residential, 5 units per acre)	
Surrounding Zoning:	North	County PUD (Planned Unit Development 5.6 units per acre)	
	South	County RMF-5	
	East	County RSF-R	
	West	R-5 (Residential, 5 units per acre)	
Growth Plan Designation:		Residential Medium 4-8 du/ac	
Zoning within density range?		X	Yes
			No

Staff Analysis:

ANNEXATION:

This annexation area consists of 5.90 acres of land and is comprised of one parcel. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

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

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single

demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;

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

The following annexation and zoning schedule is being proposed.

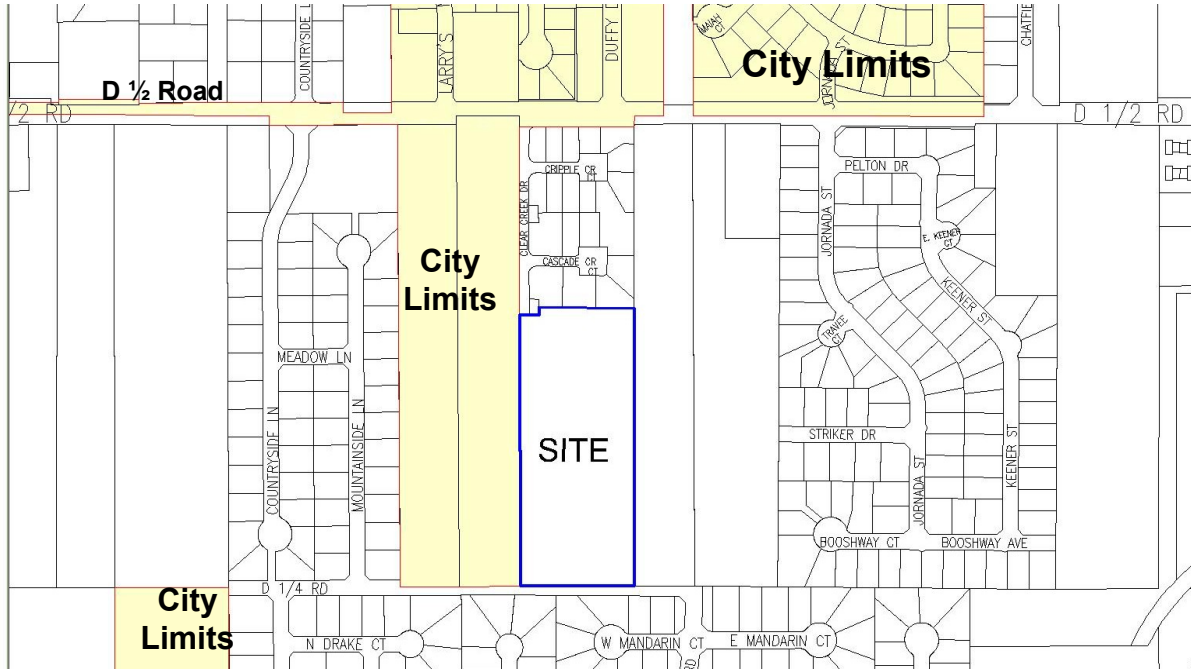
<u>ANNEXATION SCHEDULE</u>	
October 15, 2007	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
October 23, 2007	Planning Commission considers Zone of Annexation
November 19, 2007	Introduction of a Proposed Ordinance on Zoning by City Council
December 3, 2007	Zoning by City Council
November 19, 2007	Acceptance of Petition and Public Hearing on Annexation
December 23, 2007	Effective date of Annexation

INGLE ANNEXATION SUMMARY

File Number:	ANX-2007-269	
Location:	436 Clear Creek Drive	
Tax ID Number:	2943-153-37-033	
Parcels:	1	
Estimated Population:	2	
# of Parcels (owner occupied):	1	
# of Dwelling Units:	1	
Acres land annexed:	5.90 acres	
Developable Acres Remaining:	5.90 acres	
Right-of-way in Annexation:	0	
Previous County Zoning:	PUD (Planned Unit Development approved at 5.6 units per acre)	
Proposed City Zoning:	R-5 (Residential, 5 units per acre)	
Current Land Use:	Single Family Residential	
Future Land Use:	Single Family Residential	
Values:	Assessed:	\$14,330
	Actual:	\$179,960
Address Ranges:	425 thru 436 Clear Creek Drive	
Special Districts:	Water:	Clifton Water
	Sewer:	Central Grand Valley
	Fire:	Clifton Fire
	Irrigation/ Drainage:	Grand Valley Irrigation Grand Junction Drainage
	School:	District 51

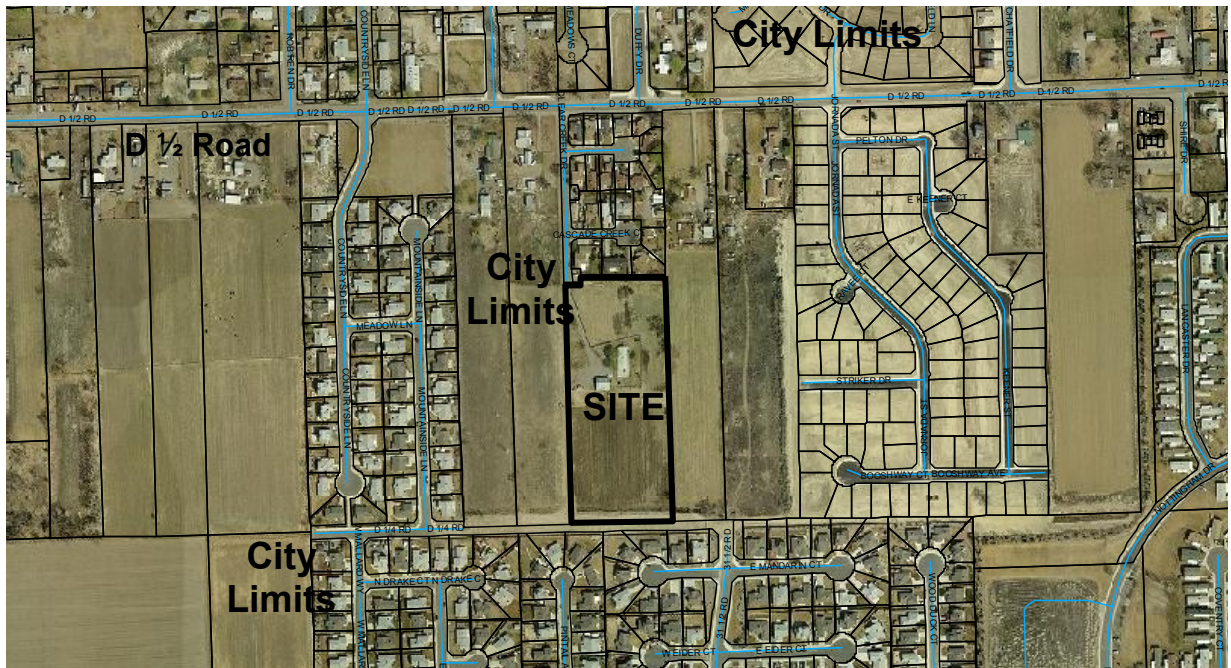
Annexation / Site Location Map

Figure 1



Aerial Photo Map

Figure 2



CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

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

INGLE ANNEXATION

LOCATED AT 436 CLEAR CREEK DRIVE

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 15th day of October, 2007, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

INGLE ANNEXATION

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

All of Lot One of the Third Replat of Brookdale Subdivision, as same is recorded in Plat Book 13, Page 411, Public Records of Mesa County, Colorado

Subject to that certain Boundary Line Agreement as recorded in Book 4384, Page 608, Public Records of Mesa County, Colorado and any easements, reservations and rights of way of record, if any shall exist.

CONTAINING 5.90 Acres (257,089 Square Feet), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 19th day of November, 2007; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefore, that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City;

that no land held in identical ownership has been divided without the consent of the landowner; that no land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

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

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

ADOPTED the ____ day of _____, 2007.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

INGLE ANNEXATION

APPROXIMATELY 5.90 ACRES

LOCATED AT 436 CLEAR CREEK DRIVE

WHEREAS, on the 15th day of October, 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 19th 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:

INGLE ANNEXATION

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

All of Lot One of the Third Replat of Brookdale Subdivision, as same is recorded in Plat Book 13, Page 411, Public Records of Mesa County, Colorado

Subject to that certain Boundary Line Agreement as recorded in Book 4384, Page 608, Public Records of Mesa County, Colorado and any easements, reservations and rights of way of record, if any shall exist.

CONTAINING 5.90 Acres (257,089 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 15th day of October, 2007 and ordered published.

ADOPTED the _____ day of _____, 2007.

Attest:

President of the Council

City Clerk

Attach 16
Public Hearing—Vacating the Pear Street Right-of-Way
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Vacate the Pear Street right-of-way - Located north of North Avenue and east of 28 ¾ Road		
File #	VR-2007-088		
Meeting Day, Date	Monday, November 19, 2007		
Placement on the Agenda	Consent		Individual X
Date Prepared	November 6, 2007		
Author Name & Title	Faye Hall, Associate Planner		
Presenter Name & Title	Faye Hall, Associate Planner		

Summary: The petitioner is requesting to vacate the Pear Street right-of-way located on the north side of North Avenue and on the east side of 28 ¾ Road at the old Fun Junction site. This request is conditioned upon the approval of a simple subdivision that will reconfigure seven existing parcels adjacent to Pear Street. The Planning Commission recommended approval of the proposed right-of-way vacation at their October 23, 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 and County Zoning Map
4. Ordinance and Exhibit A & B

BACKGROUND INFORMATION				
Location:		Pear Street		
Applicants:		Owners: In and Out LLC – William Shuman, Scotty Investments – William Shuman, Sydney Pincock Representative: Tom Logue		
Existing Land Use:		Residential and Commercial retail		
Proposed Land Use:		Commercial retail		
Surrounding Land Use:	North	Recreational - Grand Mesa Little League ball field		
	South	Commercial – Walmart		
	East	Commercial – Retail, Car wash, Restaurant		
	West	Commercial – Texas Roadhouse and Colorado West Regional Mental Health Center		
Existing Zoning:		C-1 (Light Commercial)		
Proposed Zoning:		C-1 (Light Commercial)		
Surrounding Zoning:	North	CSR (Community Services and Recreation)		
	South	C-2 (General Commercial) and C-1 (Light Commercial)		
	East	C-1 (Light Commercial) and R-8 (Residential, 8 units per acre)		
	West	C-1 (Light Commercial)		
Growth Plan Designation:		Commercial		
Zoning within density range?		X	Yes	No

Staff Analysis:

The Pear Street right-of-way proposed to be vacated is a local street that does not meet the current City Standards. Pavement width is approximately 12 feet which is potentially dangerous for emergency services and utility maintenance to the adjoining properties. There is no curb, gutter or sidewalk and the access that it currently provides is substandard. Current utilities located within Pear Street are a 6 inch water main (City of Grand Junction), 8 inch sanitary sewer line (Fruitvale Sanitation District), above ground electric (Xcel Energy to be abandoned), natural gas main (Xcel Energy), underground communication line (Qwest Communication to be abandoned) and an

irrigation ditch and pipeline (Fruitvale Lateral District to be abandoned). The applicant is requesting to vacate Pear Street along with a Simple Subdivision that will allow redevelopment of the seven existing properties into a commercial retail center. New access will be established from 28 ³/₄ Road. All utilities that are to remain in the vacated area will be placed in tracts; the utilities that are to be abandoned will be put underground and rerouted in other parts of the site and will be shown on the Simple Subdivision Plat, with associated easements.

Consistency with the Growth Plan:

This project is consistent with the following Goals and Policies of the Growth Plan:

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

Policy 5.2: The City and County will encourage development that uses existing facilities and is compatible with existing development.

Policy 5.3: The City and County may accommodate extensions of public facilities to serve development that is adjacent to existing facilities.

Development in areas which have adequate public facilities in place or which provide needed connections of facilities between urban development areas will be encouraged. Development that is separate from existing urban services ("leap-frog" development) will be discouraged.

Goal 10: To retain valued characteristics of different neighborhoods within the community.

Policy 10.1: The City and County should encourage public and private investments that contribute to stable residential areas and encourage redevelopment of transitional areas in accordance with the Future Land Use Map. Public facilities should be designed to support desired neighborhood character.

Policy 10.2: The City and County will encourage neighborhood designs which promote neighborhood stability and security.

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

Policy 12.1: The City and County will encourage the retention of small-scale neighborhood commercial centers that provide retail and service opportunities in a manner that is compatible with surrounding neighborhoods.

Goal 13: To enhance the aesthetic appeal and appearance of the community's built environment.

Policy 13.2: The City and County will enhance the quality of development along key arterial street corridors. The Urban Area Plan will prevail when existing corridor plans, adopted prior to 1996, are inconsistent with this plan.

Goal 28: The City of Grand Junction is committed to taking an active role in the facilitation and promotion of infill and redevelopment within the urban growth area of the City.

Policy 28.2: The City shall identify specific geographic areas appropriate to implement the general goal of facilitating infill and redevelopment, while enabling the City to prioritize its focus and target limited resources in as efficient a manner as possible.

Section 2.11.c of the Zoning and Development Code:

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

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

Vacating .50 acres of Pear Street will not conflict with the Growth Plan as the goals and policies listed previously show that this vacation will be supportive. No other plans or policies conflict with this vacation request.

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

No parcel will be landlocked as the result of this vacation request, given that the Simple Subdivision Plat currently undergoing review provides access to all lots from 28 ³/₄ Road. This Simple Subdivision reconfigures the existing seven parcels so that access will be ensured to all. The approval of the vacation request and the recording of the vacation ordinance will be conditioned on the approval of a Simple Subdivision Plan providing all parcels access from a public street as required by the Zoning and Development Code. The parcel that abuts Pear Street on the northern end owned by the Grand Mesa Little League already receives direct access from 28 ³/₄ Road.

- 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.

The current Pear Street access to the affected parcels is substandard at this time. There is not adequate pavement width, curb, gutter or sidewalk. Due to this the current access is considered to be unreasonable and may affect the value of the adjoining properties. The vacation of Pear Street will allow for a more reasonable and safer access to all affected properties from 28 ³/₄ Road with the associated Simple Subdivision that will occur.

- 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).

The fact that Pear Street is substandard creates a potentially dangerous situation for emergency vehicles and utility providers to gain access which affects the health, safety and welfare of the properties along this street. The vacation would allow for future access improvements to occur for the adjoining properties to eliminate these problems.

- 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.

All utilities will be placed in the appropriate tracts with easements and the utilities that will be abandoned will be redirected through a different part of the site and put underground. All properties will have adequate public facilities and services provided.

- f. The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.
 - The vacation of Pear Street will reduce maintenance of a substandard street.
 - Will allow for safety improvements at North Avenue and the current Pear Street location.
 - Upgrades to the existing domestic water main for increase fire protection.
 - Placement of overhead electric and communication lines underground.
 - Upgrades to the existing irrigation delivery and drainage system in the area.
 - An increase in economic activity in the community.

FINDINGS OF FACT/CONCLUSIONS/CONDITIONS

After reviewing the Plaza on North Avenue Pear Street Vacation application, VR-2007-088 for the vacation of a public right-of-way, staff makes the following findings of fact, conclusions and conditions:

1. The requested right-of-way vacation is consistent with the Growth Plan.

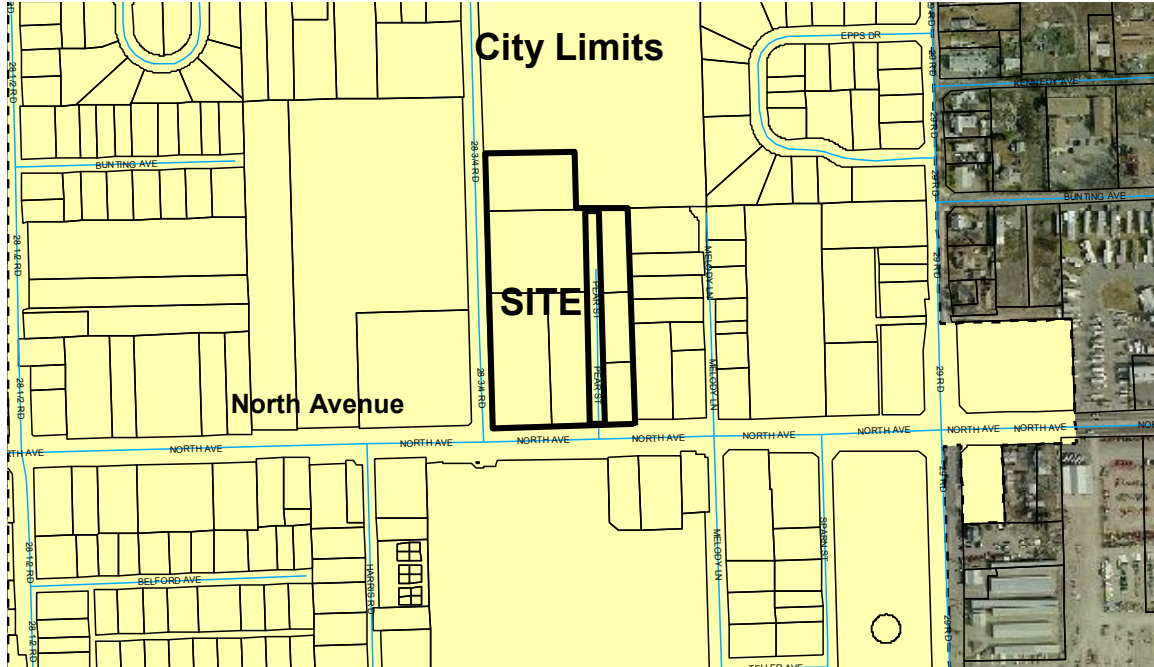
2. The review criteria in Section 2.11.C of the Zoning and Development Code have all been met.
3. Approval and recording of the vacation ordinance shall be conditioned upon the following:
 - a) approval and recordation of a subdivision plat providing access to all lots in the subdivision currently served by Pear Street;
 - b) Provision of a tract for sanitary sewer and water facilities currently in Pear Street;
 - c) Relocation of other utilities in Pear Street with associated easements.

RECOMMENDED MOTION:

The Planning Commission recommends that the City Council approve the Ordinance for the vacation of Pear Street, finding the request consistent with the Growth Plan and Section 2.11 C. of the Zoning and Development Code.

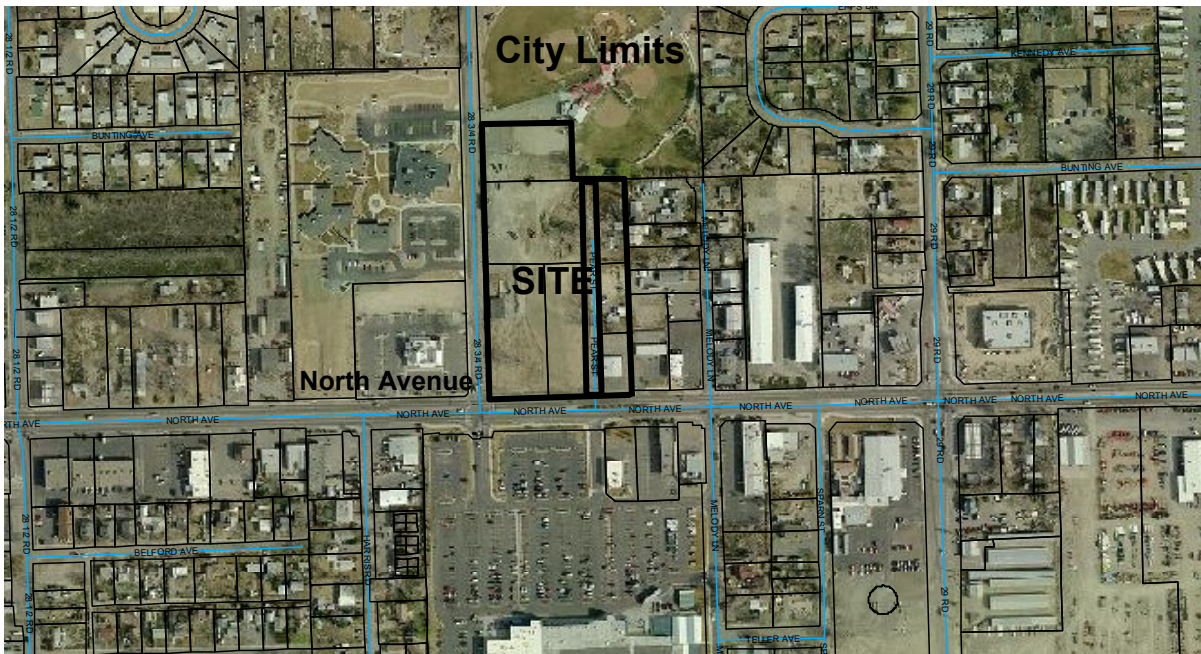
Site Location Map

Figure 1



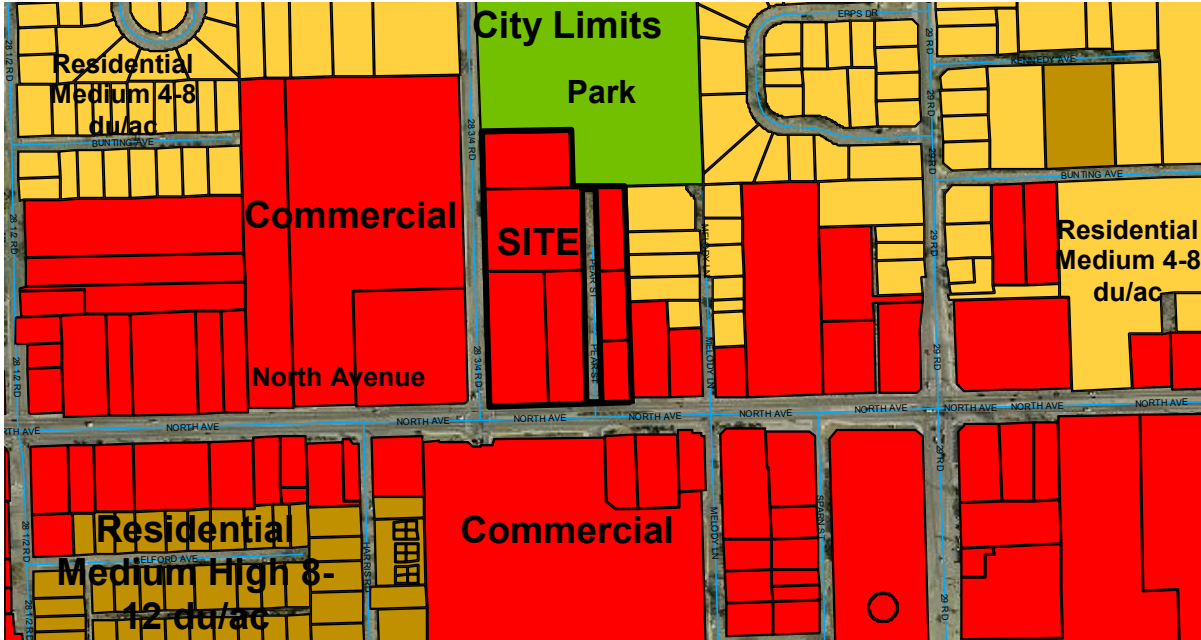
Aerial Photo Map

Figure 2



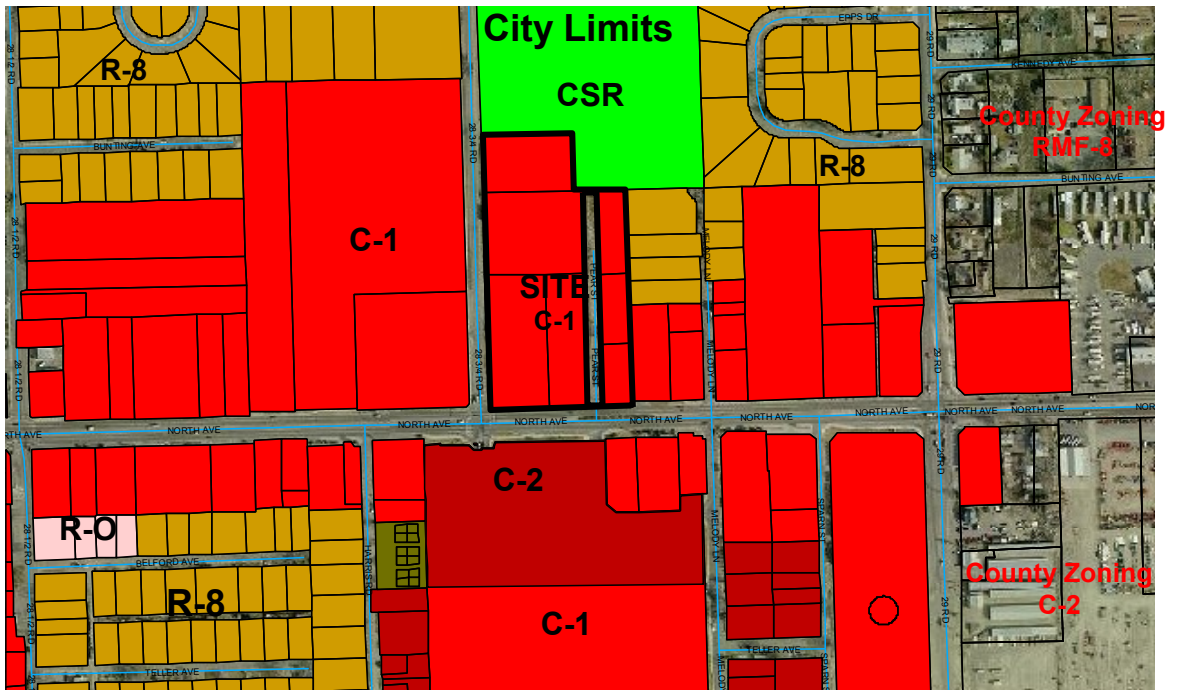
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



CITY OF GRAND JUNCTION

ORDINANCE NO.

**AN ORDINANCE VACATING RIGHT-OF-WAY FOR PEAR STREET
LOCATED NORTH OF NORTH AVE AND EAST OF 28 ³/₄ ROAD**

RECITALS:

A vacation of the dedicated right-of-way for has been requested by the adjoining property owners.

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

The Planning Commission, having heard and considered the request, found the criteria of the Code to have been met, and recommends that the vacation be approved, subject to recordation of a plat that provides access, easements and tracts as required by the Zoning and Development Code.

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

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

1. Recordation of a plat that provides access, easements and tracts as required by the Zoning and Development Code.
2. Applicants shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents.

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

A parcel or tract of land situate in the SE1/4 SE1/4 Section 7, Township 1 South, Range 1 East of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being the same parcel as the Pear Street right-of-way as conveyed to Mesa County, Colorado and/or the City of Grand Junction, Colorado as recorded in the following documents of the Mesa County, Colorado, Clerk & Recorder: Book 821, Page 305; Book 821, Page 427; Book 823, Page 90; Book 824, Page 41 and Book 2881, Page 509; and as may exist as an apparent easement as evidenced by Transnation Title Policy No. A52-0113971, ALTA Survey deposited with the Mesa County Surveyor as Deposit Numbers 3546-3548 of 2006 and by old assessor's plats for which no recording

documents could be found; said parcel or tract being more particularly described as follows:

Commencing at the E 1/16 corner of the south line of Section 7, Township 1 South, Range 1 East of the Ute Meridian, monumented with MCSM No. 1218-1 in a monument box, whence the SE 1/16 corner of said Section 7, monumented with MCSM No. 640, bears N00°07'26"W, a distance of 1318.66 feet, with all other bearings contained herein being relative thereto; thence, S89°49'23"E along the south line of the SE1/4 SE1/4 of said Section 7, a distance of 329.29 feet to the SE corner of the W1/2 SW1/4 SE1/4 SE1/4 of said Section 7; thence, N00°06'35"W along the east line of said W1/2 SW1/4 SE1/4 SE1/4, a distance of 40.00 feet to the northerly right-of-way line of North Avenue; thence, N89°49'23"W along said northerly right-of-way line, a distance of 15.00 feet to the westerly right-of-way line of Pear Street and the POINT OF BEGINNING; thence, N00°06'35"W along the westerly right-of-way line of Pear Street being a line parallel with and 15.00 feet measured at right angles westerly of the east line of the W1/2 SW1/4 SE1/4 SE1/4 of said Section 7, a distance of 619.29 feet to the northerly line of the SW1/4 SE1/4 SE1/4 of said Section 7; thence, S89°48'56"E along the said northerly line a distance of 35.00 feet; thence, S00°06'35"E along the easterly right-of-way line of Pear Street being a line parallel with and 20.00 feet measured at right angles easterly of the west line of the E1/2 SW1/4 SE1/4 SE1/4 of said Section 7, a distance of 609.28 feet; thence, S44°57'59"E, a distance of 14.18 feet to the northerly right-of-way line of North Avenue; thence, N89°49'23"W along said northerly right-of-way line, a distance of 45.00 feet to the POINT OF BEGINNING; containing 0.50 acres by these measures.

Introduced for first reading on this 5th day of November, 2007

PASSED and ADOPTED this _____ day of _____, 2007.

ATTEST:

President of City Council

City Clerk

Exhibit A
Pear Street ROW Vacation
Legal Description

A parcel or tract of land situate in the SE1/4 SE1/4 Section 7, Township 1 South, Range 1 East of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, being the same parcel as the Pear Street right-of-way as conveyed to Mesa County, Colorado and/or the City of Grand Junction, Colorado as recorded in the following documents of the Mesa County, Colorado, Clerk & Recorder: Book 821, Page 305; Book 821, Page 427; Book 823, Page 90; Book 824, Page 41 and Book 2881, Page 509; and as may exist as an apparent easement as evidenced by Transnation Title Policy No. A52-0113971, ALTA Survey deposited with the Mesa County Surveyor as Deposit Numbers 3546-3548 of 2006 and by old assessor's plats for which no recording documents could be found; said parcel or tract being more particularly described as follows:

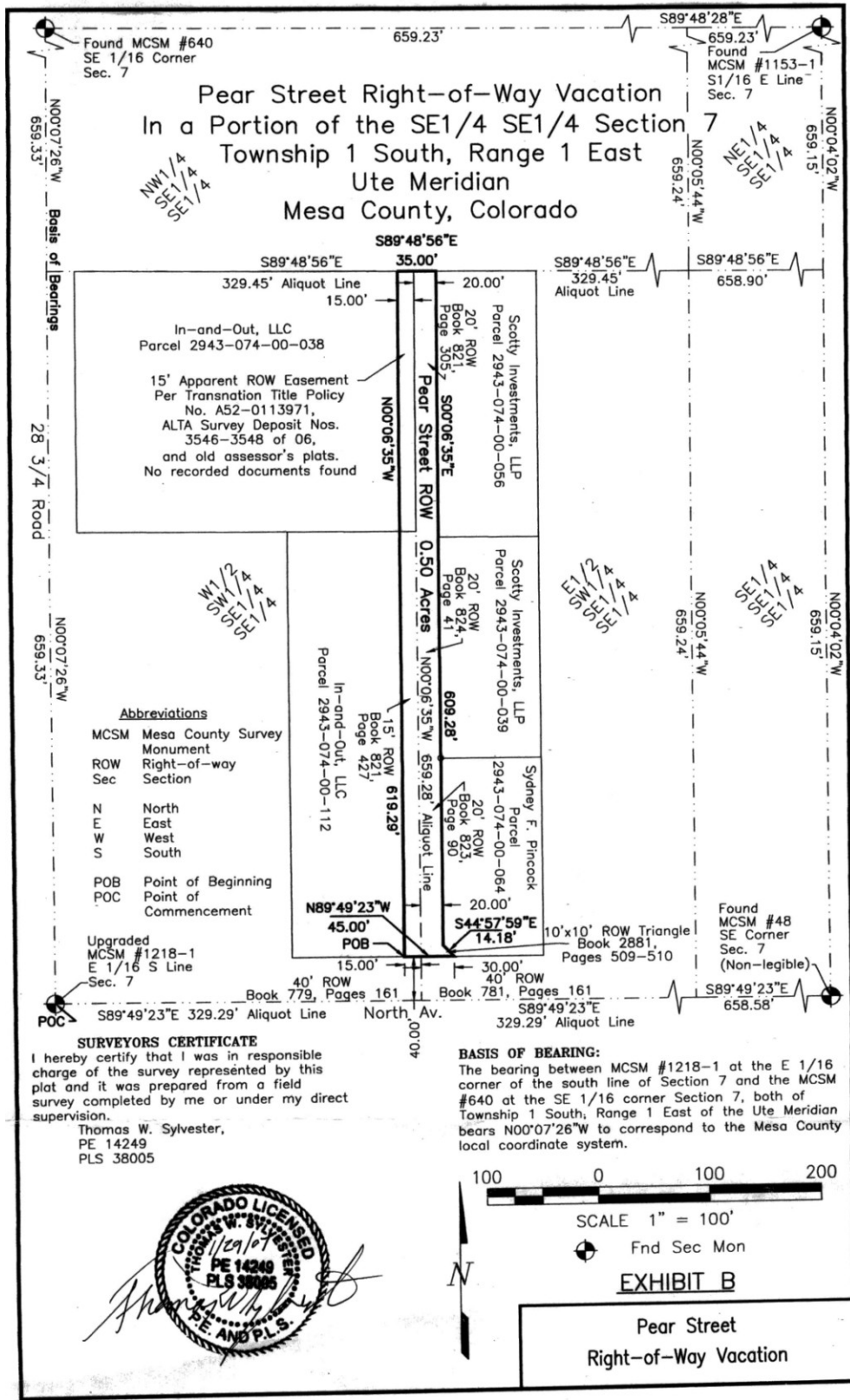
Commencing at the E 1/16 corner of the south line of Section 7, Township 1 South, Range 1 East of the Ute Meridian, monumented with MCSM No. 1218-1 in a monument box, whence the SE 1/16 corner of said Section 7, monumented with MCSM No. 640, bears N00°07'26"W, a distance of 1318.66 feet, with all other bearings contained herein being relative thereto;
thence, S89°49'23"E along the south line of the SE1/4 SE1/4 of said Section 7, a distance of 329.29 feet to the SE corner of the W1/2 SW1/4 SE1/4 SE1/4 of said Section 7;
thence, N00°06'35"W along the east line of said W1/2 SW1/4 SE1/4 SE1/4, a distance of 40.00 feet to the northerly right-of-way line of North Avenue;
thence, N89°49'23"W along said northerly right-of-way line, a distance of 15.00 feet to the westerly right-of-way line of Pear Street and the POINT OF BEGINNING;
thence, N00°06'35"W along the westerly right-of-way line of Pear Street being a line parallel with and 15.00 feet measured at right angles westerly of the east line of the W1/2 SW1/4 SE1/4 SE1/4 of said Section 7, a distance of 619.29 feet to the northerly line of the SW1/4 SE1/4 SE1/4 of said Section 7;
thence, S89°48'56"E along the said northerly line a distance of 35.00 feet;
thence, S00°06'35"E along the easterly right-of-way line of Pear Street being a line parallel with and 20.00 feet measured at right angles easterly of the west line of the E1/2 SW1/4 SE1/4 SE1/4 of said Section 7, a distance of 609.28 feet;
thence, S44°57'59"E, a distance of 14.18 feet to the northerly right-of-way line of North Avenue;
thence, N89°49'23"W along said northerly right-of-way line, a distance of 45.00 feet to the POINT OF BEGINNING;
containing 0.50 acres by these measures.

Legal description prepared by:

Merritt LS, L.L.C.
743 Horizon Dr. Suite 100B
Grand Junction, CO. 81506

Thomas W. Sylvester
P.E. 14249 &
P.L.S. 38005





**Pear Street Right-of-Way Vacation
In a Portion of the SE1/4 SE1/4 Section 7
Township 1 South, Range 1 East
Ute Meridian
Mesa County, Colorado**

In-and-Out, LLC
Parcel 2943-074-00-038

15' Apparent ROW Easement
Per Transation Title Policy
No. A52-0113971,
ALTA Survey Deposit Nos.
3546-3548 of 06,
and old assessor's plats.
No recorded documents found

Scotty Investments, LLP
Parcel 2943-074-00-056

Scotty Investments, LLP
Parcel 2943-074-00-039

Sydney F. Pinecock
Parcel 2943-074-00-064

In-and-Out, LLC
Parcel 2943-074-00-112

Found MCSM #48
SE Corner
Sec. 7
(Non-legible)

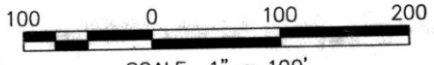
- Abbreviations**
- MCSM Mesa County Survey Monument
 - ROW Right-of-way
 - Sec Section
 - N North
 - E East
 - W West
 - S South
 - POB Point of Beginning
 - POC Point of Commencement

Upgraded
MCSM #1218-1
E 1/16 S Line
Sec. 7

SURVEYORS CERTIFICATE
I hereby certify that I was in responsible charge of the survey represented by this plot and it was prepared from a field survey completed by me or under my direct supervision.

Thomas W. Sylvester,
PE 14249
PLS 38005

BASIS OF BEARING:
The bearing between MCSM #1218-1 at the E 1/16 corner of the south line of Section 7 and the MCSM #640 at the SE 1/16 corner Section 7, both of Township 1 South, Range 1 East of the Ute Meridian bears N00°07'26"W to correspond to the Mesa County local coordinate system.



SCALE 1" = 100'
Fnd Sec Mon

EXHIBIT B

**Pear Street
Right-of-Way Vacation**

