



**CITY COUNCIL AGENDA
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET
WEDNESDAY, JANUARY 2, 2008, 7:00 P.M.**

Call to Order

Pledge of Allegiance
Invocation – Michael Rossmann, Valley Bible Church

Appointments

To the Horizon Drive Association Business Improvement District

Citizen Comments

***** CONSENT CALENDAR ***®**

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

Action: Approve the Minutes of the December 17, 2007 and the December 19, 2007, Regular Meeting and the Minutes of the December 17, 2007, Special Session

2. **Meeting Schedule and Posting of Notices** [Attach 2](#)

State Law requires an annual designation of the City's official location for the posting of meeting notices. The City's Code of Ordinances, Sec. 2-26, requires the meeting schedule and the procedure for calling special meetings be determined annually by resolution.

Resolution No. 01-08—A Resolution of the City of Grand Junction Designating the Location for the Posting of the Notice of Meetings, Establishing the City Council Meeting Schedule, and Establishing the Procedure for Calling of Special Meetings for the City Council

*** Indicates New Item

® Requires Roll Call Vote

®Action: *Adopt Resolution No. 01-08*

Staff presentation: Stephanie Tuin, City Clerk

3. **Alternate Position for the Forestry Board** [Attach 3](#)

An amendment to the Code of Ordinances to allow for an alternate member to the five-member Grand Junction Forestry Board.

Proposed Ordinance Amending the Composition of the Grand Junction Forestry Board to Allow for an Alternate Position

Action: *Introduction of a Proposed Ordinance and Set a Hearing for January 16, 2008*

Staff presentation: Stephanie Tuin, City Clerk

4. **Setting a Hearing Zoning the DeHerrera Annexation, Located at 359 29 5/8 Road** [File #ANX-2007-300] [Attach 4](#)

Request to zone the 15.52 acres annexation located at 359 29 5/8 Road to R-4 (Residential 4-du/ac.)

Proposed Ordinance Zoning the DeHerrera Annexation to R-4 (Residential, 4 du/ac), Located at 359 29 5/8 Road

Action: *Introduction of a Proposed Ordinance and Set a Hearing for January 16, 2008*

Staff presentation: Justin Kopfman, Associate Planner

5. **Setting a Hearing Zoning the Sipes Annexation, Located at 416 ½ 30 Road and 413, 415 30 ¼ Road** [File #ANX-2007-313] [Attach 5](#)

Request to zone the 3.54 acre Sipes Annexation located at 416 ½ 30 Road, 413, 415 30 ¼ Road to R-8 (Residential 8-du/ac).

Proposed Ordinance Zoning the Sipes Annexation to at R-8 (Residential 8-du/ac), Located at 416 ½ 30 Road, 413, 415 30 ¼ Road

Action: *Introduction of a Proposed Ordinance and Set a Hearing for January 16, 2008*

Staff presentation: Justin Kopfman, Associate Planner

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

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

6. **Construction Contract for River Road Sewer Interceptor Rehabilitation Project** [Attach 6](#)

The River Road Sewer Interceptor Rehabilitation Project will perform necessary maintenance on 11,500 feet of existing 54 inch diameter concrete sewer pipe located under River Road between the City Shops facilities and 24 Road. The rehabilitation will consist of a cured-in-place pipe liner (CIPP) inserted into the existing concrete sewer pipe that becomes a new, fully structural, pipe-within-a-pipe.

Action: *Authorize the City Manager to Enter into a Construction Contract with Insituform Technologies, Inc., in the Amount of \$3,169,439.00*

Staff presentation: Tim Moore, Public Works and Planning Director

7. **Construction Inspection Fees** [Attach 7](#)

Staff proposes to modify the method of collecting inspection fees for new development in 2008. Based on discussions with the development community, the City Construction Inspection Fees are recommended to be flat rates for 2008. This is an effort to simplify the determination of construction inspection costs and allow the developer to better plan for and predict inspection costs associated with their project. The proposed 2008 rates would be charged to the developer at time of plat recordation. The fees are generally based on an average of actual fees charged on development projects completed between 2003-2006 and the projected development activity for 2008.

Resolution No. 02-08—A Resolution Establishing Flat Rate Development Inspection Fees

®Action: *Adopt Resolution No. 02-08*

Staff presentation: Tim Moore, Public Works and Planning Director

8. **Public Hearing - Rezoning the Pepper Ridge Townhomes, Located at the South End of W. Indian Creek Drive** [File #PP-2007-303] [Attach 8](#)

A request for rezone 3.32 acres, located at the south end of W. Indian Creek Drive, from PD (Planned Development) to R-8 (Residential 8 du/ac).

Ordinance No. 4160—An Ordinance Rezoning the Property Known as the Pepper Ridge Townhomes to R-8 (Residential 8 du/ac), Located at the South end of W. Indian Creek Drive

Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4160

Staff presentation: Adam Olsen, Senior Planner

9. **Public Hearing - Vacating Public Right-of-Way for Portions of Palmer Street and Doninguez Avenue, Alpine Bank Subdivision** [File #PP-2007-317] [Attach 9](#)

The applicant, Alpine Bank, is proposing to subdivide this parcel into a major subdivision containing both commercial and residential lots. At the northwest corner of the property are the existing rights-of-way for Palmer Street and Doninguez Avenue. These rights-of-way are in excess of what is needed and required for access to the proposed subdivision. Therefore, a vacation request is proposed for these portions of right-of-way.

Ordinance No. 4161—An Ordinance Vacating Right-of-Way for Portions of Palmer Street and Doninguez Avenue, Located at 2675 Highway 50

Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4161

Staff presentation: Adam Olsen, Senior Planner

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

11. **Other Business**

12. **Adjournment**

Attach 1
Minutes of Previous Meetings

GRAND JUNCTION CITY COUNCIL
MINUTES OF THE REGULAR MEETING

December 17, 2007

The City Council of the City of Grand Junction convened into regular session on the 17th day of December 2007 at 7:02 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 Doody called the meeting to order. Councilmember Palmer led in the Pledge of Allegiance. The audience remained standing for the invocation by Jim Hale, Spirit of Life Christian Fellowship.

Proclamations/Recognitions

Colorado Weed Management Association's "Weed Manager of the Year" Award

Utility and Street Systems Director Greg Trainor reviewed the history of weed management in the City as it went from the Fire Department to the Parks Department and is now split between Neighborhood Services/Code Enforcement and the Street Division.

Jude Sirota, Mesa County Pest Inspector, presented the "Weed Manager of the Year" award to Rick Alexander who graciously accepted the award and thanked the individuals that helped him succeed.

Appointments

To the Public Finance Corporation

Councilmember Hill moved to reappoint John Gormley to the Public Finance Corporation for a three year term expiring January 2011. Councilmember Coons seconded the motion. Motion carried.

Ratify Appointments to the Riverview Technology Corporation

Councilmember Palmer moved to appoint Susan Holappa, Jerome Gonzales, and Jim Fleming to the Riverview Technology Corporation for three year terms expiring February 2011. Councilmember Hill seconded the motion. Motion carried.

Certificates of Appointments

To the Grand Junction Housing Authority

Patti Hoff was present to receive her certificate of appointment as a member of the Grand Junction Housing Authority.

To the Grand Junction Forestry Board

Stephen Gerow and Mike Heinz were present to receive their certificates of appointment to the Grand Junction Forestry Board.

To the Visitor and Convention Bureau Board of Directors

Nathan Knoll was present to receive his certificate of appointment, and Brunella Gualerzi was present to receive her certificate of reappointment to the Visitor and Convention Bureau Board of Directors.

Council Comments

Councilmember Gregg Palmer announced the selection of Jim Shanks as “Supervisor of the Year”, and Sam Ranguet as “Employee of the Year” at the City’s Award Banquet.

Citizen Comments

There were none.

CONSENT CALENDAR

Councilmember Beckstein read the items on the Consent Calendar. Councilmember Hill moved to approve the Consent Calendar. It was seconded by Councilmember Coons and carried by roll call vote to approve the Consent Items #1 through #11 with Councilmember Palmer voting NO on item #9.

1. Minutes of Previous Meetings

Action: Approve the Minutes of the December 3, 2007 and the December 5, 2007, Regular Meeting and the Minutes of the December 5, 2007, Special Session

2. Setting a Hearing Rezoning the Pepper Ridge Townhomes, Located at the South End of W. Indian Creek Drive [File #PP-2007-303]

A request for rezone 3.32 acres, located at the south end of W. Indian Creek Drive, from PD (Planned Development) to R-8 (Residential 8 du/ac).

Proposed Ordinance Rezoning the Property Known as the Pepper Ridge Townhomes to R-8 (Residential 8 du/ac), Located at the South end of W. Indian Creek Drive

Action: Introduction of a Proposed Ordinance and Set a Hearing for January 2, 2008

3. **Setting a Hearing Vacating Public Right-of-Way for Portions of Palmer Street and Doninguez Avenue, Alpine Bank Subdivision** [File #PP-2007-317]

The applicant, Alpine Bank, is proposing to subdivide this parcel into a major subdivision containing both commercial and residential lots. At the northwest corner of the property are the existing rights-of-way for Palmer Street and Doninguez Avenue. These rights-of-way are in excess of what is needed and required for access to the proposed subdivision. Therefore, a vacation request is proposed for these portions of right-of-way.

Proposed Ordinance Vacating Right-of-Way for Portions of Palmer Street and Doninguez Avenue, Located at 2675 Highway 50

Action: Introduction of a Proposed Ordinance and Set a Hearing for January 2, 2008

4. **Setting a Hearing on the Foster Industrial Annexation, Located at 381 27 3/8 Road** [File #ANX-2007-330]

Request to annex .41 acres, located at 381 27 3/8 Road. The Foster Industrial Annexation consists of one parcel and a portion of the 27 ½ Road right-of-way.

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

Resolution No. 178-07—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, Foster Industrial Annexation, Located at 381 27 3/8 Road and a Portion of the 27 ½ Road Right-of-Way

Action: Adopt Resolution No. 178-07

b. Setting a Hearing of Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Foster Industrial Annexation, Approximately .41 acres, Located at 381 27 3/8 Road and a Portion of the 27 ½ Road Right-of-Way

Action: *Introduction of Proposed Ordinance and Set a Hearing for February 4, 2008*

5. **Setting a Hearing on the Garden Grove – Turley Annexation, Located at 2962 A ½ Road** [File #ANX-2007-338]

Request to annex 19.77 acres, located at 2962 A ½ Road. The Garden Grove – Turley Annexation consists of four parcels and is a two part serial annexation.

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

Resolution No. 179-07—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, Garden Grove-Turley Annexation No. 1 and 2, Located at 2962 A ½ Road

Action: Adopt Resolution No. 179-07

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Garden Grove-Turley Annexation No. 1, Approximately 14.93 acres, Located at 2962 A ½ Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Garden Grove-Turley Annexation No. 2, Approximately 4.94 Acres, Located at 2962 A ½ Road

Action: *Introduction of Proposed Ordinances and Set a Hearing for February 4, 2008*

6. **Setting a Hearing Zoning the Gummin Annexation, Located at 2215 Magnus Court** [File #ANX-2006-100]

Request to zone the 6.60 acre Gummin Annexation, located at 2215 Magnus Court, to R-2 (Residential, 2 units per acre).

Proposed Ordinance Zoning the Gummin Annexation, to R-2 (Residential, 2 units per acre), Located at 2215 Magnus Court

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

7. **Setting a Hearing on the Lochmiller Annexation, Located at 193 Shelley Drive**
[File #ANX-2007-329]

Request to annex 1.06 acres, located at 193 Shelley Drive. The Lochmiller Annexation consists of one parcel and includes a portion of the B Road and Shelley Drive rights-of-way. This property is located on the south side of B Road and east of 29 Road on Orchard Mesa.

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

Resolution No. 180-07—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, Lochmiller Annexation, Located at 193 Shelley Drive and also Includes a Portion of the B Road and Shelley Drive Rights-of-Way

Action: Adopt Resolution No. 180-07

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Lochmiller Annexation, Approximately 1.06 acres, Located at 193 Shelley Drive and also Includes a Portion of the B Road and Shelley Drive Rights-of-Way

Action: Introduction of Proposed Ordinance and Set a Hearing for February 4, 2008

8. **Setting a Hearing for the Ridges Mesa Planned Development (ODP) Outline Development Plan** [File #ODP-2006-358]

A request for approval of an Outline Development Plan (ODP) to develop 51 acres as a Planned Development in a currently zoned R-2 (Residential-2 dwelling units per acre) zone district; retaining the R-2 zoning as the default zoning designation.

Proposed Ordinance Rezoning the Approximately 51.04 Acres from R-2 to PD (Planned Development) The Ridges Mesa Planned Development, Located East of Hidden Valley Drive and High Ridge Drive

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

9. **Reimbursement Agreement for the Corner Square Project at the Southwest Corner of Patterson Road and North 1st Street** [File# INR-2007-246]

This is a request for approval of an agreement for repayment of infill/redevelopment incentives awarded for reimbursement for the cost of undergrounding utilities along Ranchman's Ditch on Patterson Road. The infill grant was awarded at the September 19, 2007 City Council meeting. The award is associated with a project known as Corner Square at the southwest corner of N. 1st Street and Patterson Road.

Action: Ratify the Agreement for Reimbursement of Awarded Infill Monies

10. **Contract Renewal for Visitor and Convention Bureau Advertising Services**

This is the third year of a 5-year annually renewable contract with Hill & Company Integrated Marketing and Advertising to provide advertising services to the VCB.

Action: Authorize the City Manager to Sign a Contract with Hill & Company Integrated Marketing and Advertising in the Amount of \$425,000 for the Period January 1 – December 31, 2008

11. **Contract Renewal for Visitor and Convention Bureau Website Marketing Services**

This is the third year of a 5 year annually renewable contract with Miles Media Group to provide website maintenance and advertising services to the VCB.

Action: Authorize the City Manager to Sign a Contract with Miles Media Group, Sarasota, Florida, in the Amount of \$125,000 for the Period January 1, 2008 – December 31, 2008

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Public Hearing—Davis Annexation and Zoning, Located at 488 23 Road [File #ANX-2007-297]

Request to annex and zone 1.55 acres, located at 488 23 Road, to R-2 (Residential 2 du/ac). 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.

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

Senta L. Costello, Associate Planner, reviewed this item. She described the location and the request and then asked that the staff report and attachments be entered into the record. She advised that the Planning Commission recommended approval. Ms. Costello

said the annexation and zoning request meets the criteria of the Zoning and Development Code. She noted the applicant was present.

The applicant did not wish to speak.

There were no public comments.

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

a. Acceptance Petition

Resolution No. 181-07—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Davis Annexation, Located at 488 23 Road, Including a Portion of the 23 Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4154—An 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

c. Zoning Ordinance

Ordinance No. 4155—An Ordinance Zoning the Davis Annexation to R-2, Located at 488 23 Road

Councilmember Thomason moved to adopt Resolution No. 181-07, and Ordinance Nos. 4154 and 4155, and ordered them published. Councilmember Palmer seconded the motion. Motion carried by roll call vote.

Public Hearing—Krummel Annexation and Zoning, Located at 2953 Highway 50 [File #ANX-2007-294]

Request to annex and zone 1.74 acres, located at 2953 Highway 50, to R-4 (Residential, 4 units per acre). 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.

The public hearing opened at 7:23 p.m.

Senta L Costello, Associate Planner, reviewed this item. She described the location and the request and then asked that the staff report and attachments be entered into the record. She advised that the Planning Commission recommended approval. Ms. Costello said the annexation and zoning request meets the criteria of the Zoning and Development Code. She noted the applicant was present.

The applicant did not wish to speak.

There were no public comments.

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

a. Accepting Petition

Resolution No. 182-07—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Krummel Annexation, Located at 2953 Highway 50 is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4156—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Krummel Annexation, Approximately 1.74 Acres, Located at 2953 Highway 50

c. Zoning Ordinance

Ordinance No. 4157—An Ordinance Zoning the Krummel Annexation to R-4 (Residential, 4 units per acre), Located at 2953 Highway 50

Councilmember Coons moved to adopt Resolution No. 182-07, and Ordinance Nos. 4156 and 4157, and ordered them published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

Public Hearing—Cooper-Tucker Annexation and Zoning, Located at 2825 D Road
[File #ANX-2007-289]

Request to annex and zone 11.47 acres, located at 2825 D Road, to I-1 (Light Industrial). 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.

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

Senta L. Costello, Associate Planner, reviewed this item. She described the location and the request and then asked that the staff report and attachments be entered into the record. Ms. Costello said the annexation and zoning request meets the criteria of the Zoning and Development Code. She advised that the Planning Commission recommended approval. Ms. Costello said the applicant is present.

The applicant's representative stated that there is no need for them to present unless there are questions.

There were no public comments.

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

a. Acceptance Petition

Resolution No. 183-07—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as Cooper-Tucker Annexation, Located at 2825 D Road and also Includes a Portion of the D Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4158—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Cooper-Tucker Annexation, Approximately 11.47 Acres, Located at 2825 D Road and also Includes a Portion of the D Road Right-of-Way

c. Zoning Ordinance

Ordinance No. 4159—An Ordinance Zoning the Cooper-Tucker Annexation to I-1 (Light Industrial), Located at 2825 D Road

Councilmember Todd moved to adopt Resolution No. 183-07, and Ordinance Nos. 4158 and 4159, and ordered them published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

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

The City received one (1) letter from a neighborhood citizen regarding the City Council's decision to approve a Growth Plan Amendment request to amend the 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 letter requested a rehearing in accordance with Section 2.18 D. of the Zoning and Development Code.

John Shaver, City Attorney, reviewed this item. He explained the process and referred to a letter from Dick Fulton requesting the rehearing, and a letter from the applicant responding to the request for a rehearing. Mr. Shaver then explained the criteria for considering the request, and what questions the City Council should consider. He read

2.18 D 3g which states the Council can allow the requestor to make statements explaining his request. He cannot present any new evidence, but he may characterize it or describe it, but not actually offer the evidence until a rehearing, if such a rehearing is granted.

Council President Doody asked if there is a motion to hear Dr. Fulton.

Councilmember Todd moved to deny the request for a rehearing. The motion died due to lack of a second.

Councilmember Coons moved to have a discussion as to whether or not to rehear the issues. Councilmember Beckstein seconded the motion. Motion carried by roll call vote with Councilmember Todd voting NO.

Councilmember Coons asked to hear from Dr. Fulton as to the nature of the additional evidence.

Councilmember Beckstein advised she has heard that the City Council did not explain themselves sufficiently at the last hearing.

Councilmember Hill was open to hearing from Dr. Fulton, as well as Councilmember Todd.

Dr. Richard Fulton, 1556 Wellington Avenue, the requestor for the rehearing, stated that either Criteria A must be met, or else all the other criteria must be met. He did not feel there was evidence presented as such.

Councilmember Coons said she felt the criteria were addressed in her comments at the first hearing.

Councilmember Todd said she specifically addressed Criteria A in her comments.

Councilmember Thomason said he felt there had been a change in the area so Criteria A was addressed.

Councilmember Hill said the focus of the City Council questions at the hearing was not on the criteria since the City Council did not have questions relative to the criteria. The part of Staff's presentation that was critical was that there was an error in the Land Use Designation with the lots being residential, and extending up into the commercial area.

Councilmember Palmer said he too thought the criteria was met, specifically Criteria A, the area has changed.

Councilmember Beckstein said the Staff presentation was concise, they listened to both sides, but the conclusion to change the Growth Plan designation was correct. The zoning is still to be considered.

Council President Doody did not have much to add as he did not feel that either the Planning Commission or the City Council was in error. He felt Councilmember Thomason's comment that the Growth Plan is a living document was appropriate at the last hearing.

Councilmember Thomason moved to deny the request for rehearing on the Growth Plan Amendment. Councilmember Todd seconded. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting adjourned at 7:54 p.m.

Stephanie Tuin, MMC
City Clerk

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

December 19, 2007

The City Council of the City of Grand Junction convened into regular session on the 19th day of December 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 Doody called the meeting to order. Councilmember Thomason led in the Pledge of Allegiance.

Citizen Comments

There were none.

CONSENT CALENDAR

Councilmember Palmer read the items on the Consent Calendar noting that Item #5, Construction Impact Fees, has been postponed. Councilmember Hill moved to approve the Consent Calendar with the exception of #5. It was seconded by Councilmember Thomason and carried by roll call vote to approve the Consent Items #1 through #4 and Item #6.

1. **Setting a Hearing on the Meens Annexation, Located at 2475 Monument Road** [File #GPA-2007-262]

Request to annex 19.39 acres, located at 2475 Monument Road. The Meens Annexation consists of one parcel of land and associated right-of-way of Monument Road.

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

Resolution No. 184-07—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, Meens Annexation, Located at 2475 Monument Road Including Portions of the Monument Road Right-of-Way

Action: Adopt Resolution No. 184-07

b. Setting a Hearing of Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Meens Annexation, Approximately 19.39 acres, Located at 2475 Monument Road Including Portions of the Monument Road Right-of-Way

Action: Introduction of Proposed Ordinance and Set a Hearing for February 6, 2008

2. **Setting a Hearing Amending the Zoning for Weeminuche Estates Subdivision**
[File #PP-2007-003]

A request for approval to amend the existing PD (Planned Development) zoning with a default zone of R-4 by approval of a Preliminary Development Plan (PDP) to develop 362 dwelling units on 151.38 acres as a Planned Development.

Proposed Ordinance Amending the Existing Planned Development Zone by Approving a Preliminary Development Plan with a Default R-4 (Residential-4) Zone for the Development of 362 Dwelling Units for the Weeminuche Estates Subdivision, Located North of H Road Between 26 Road and 26 ½ Road, West of the 26 ½ Road and Summer Hill Way Intersection

Action: Introduction of Proposed Ordinance and Set a Hearing for January 16, 2008

3. **Designating Signatories for Banking and Financial Accounts and Transactions**

Based on the appointment of a new City Manager earlier this year and because of changes in job titles and responsibilities of other employees of the City, it is necessary and proper to designate signature responsibility for banking and financial transactions.

Resolution No. 185-07—A Resolution Designating Signatories for Banking and Financial Accounts and Transactions for the City of Grand Junction, Colorado

Action: Adopt Resolution No. 185-07

4. **Contract for Highway 50 Access Control Plan**

Approval of a professional design services contract with PBS&J, Inc., for the City's share of the Highway 50 Access Control Plan. The project is managed by CDOT and is jointly funded by CDOT, Mesa County, and the City of Grand Junction.

Action: Authorize the City Manager to Sign a Contract with PBS&J for Professional Services, in an Amount not to Exceed \$70,000

5. **Construction Impact Fees for 2008** REMOVED AND POSTPONED

Based on discussions with the development community, the City Construction Inspection Fees are proposed to be flat rates for 2008. This is an effort to simplify the determination of construction inspection costs and allow the Developer to better plan for and predict inspection costs associated with their project. The proposed 2008 rates are based on an average of actual fees charged on development projects completed between 2003-2006 and would be charged to the Developer at time of plat recordation.

6. **Construction Contract for 2007 Sewer Line Replacement**

The 2007 Sewer Line Replacement project consists of replacement of deteriorating sewer lines within the Persigo sewer agreement boundaries. The areas that were selected this year are as follows: 7th Street and Orchard Avenue, between Bookcliff Avenue and Manor Avenue from 20th Street to 22nd Street and in the Redlands area on Granite Court, Dinosaur Court and Meadows Way.

Action: Authorize the City Manager to Sign a Construction Contract for the 2007 Sewer Line Replacement to Sorter Construction, Inc., in the Amount of \$409,971.00

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Transportation Impact Fees for 2008

The Grand Junction City Council has met previously and discussed increasing the valley wide Transportation Capacity Payment (TCP) for 2008. Council's from Fruita, Palisade and the Mesa County Commissioners have all had similar discussions. At the present time it does not appear that all of the area governments will adopt a similar fee schedule. At the December 19th meeting the City of Grand Junction will consider increasing the fee in 2008 to \$2,554 per single family unit with proportionate increases for commercial and industrial uses.

Trent Prall, Interim Deputy City Manager, reviewed this item. He reviewed the history of the fee and the discussions that have taken place within the Transportation Impact Fee Committee. The different entities were not able to come to a consensus on raising the fee so each entity will be taking its own action on whether or not to increase the fee.

This is not critical as there are a variety of other fees that vary from jurisdiction to jurisdiction. The fee being proposed by Grand Junction is an increase based on the Colorado Department of Transportation (CDOT) price increases.

Council President Doody asked for Mr. Prall to elaborate on the discussions of the study with the Mesa County Commissioners, the Palisade Town Board, and Fruita City Council. Interim Deputy City Manager Prall responded that the study in 2004 recommended a rate of about \$3,000. By inflating that rate to the CDOT construction cost index, the City would be looking at a current fee of \$4,800.

Councilmember Beckstein asked what percentage of the impact fees will actually cover the cost of the additional infrastructure. Interim Deputy City Manager Prall said only about 25% of the cost is generated by the fee while some of the impact is offset by the increased sales taxes.

Councilmember Palmer asked Interim Deputy City Manager Prall how the impacts were paid prior to 2004. Mr. Prall said the fee was \$500, but the developers were also required to install much of the improvements themselves, such as lights, turn lanes, curb, gutter, etc. In 2004 the City moved away from that method by charging a higher fee, but then the City was responsible for improvements to the collector roads.

Councilmember Palmer said he remembers the discussion that development should pay its own way and the reason for changing the method was to allow the developer to know ahead of time what it will cost them, and also that the funds could be combined to complete larger projects. He noted that the method does not seem to be working well, as the taxpayers are now footing much more of the bill.

Interim Deputy City Manager Prall agreed, but the resolution also restricted additional negotiation with the developer. A change might be made to allow for developer negotiation to allow the City to stretch the dollars to better meet the impact demands.

Councilmember Hill asked what the City did with the impact fee when the developer was doing their own improvements. Interim Deputy City Manager Prall said that the developer was credited back for the improvements that were done. Councilmember Hill continued that the real benefit was that the developers knew what their costs were going in, and there were no surprises partway into the development. He said that this is the first time he knew that the fee was being discounted by 49.2%, and it was his understanding that the increase to \$1,500 would bring the City up to par. Even raising the fee to \$2,554, a 60% increase, is not close to the amount the City needs to eliminate a taxpayer subsidy. Councilmember Todd said she has concerns about comments that increased sales taxes are taking care of things, but when relating to the streets, the City is still delaying overlays because the dollars are already accounted for.

Councilmember Hill noted that this fee increase will increase the revenues by \$1 million. He asked how this will affect TABOR, and will it really offset costs of infrastructure, or will it go towards repayment of debt as excess revenue.

Interim Deputy City Manager Prall said although those funds would go directly to transportation impact projects, in reality the additional revenue will go towards the debt repayment. Councilmember Hill said it would then affect other projects. Interim Deputy City Manager Prall said it would affect reserves, but it would not affect service delivery or capital projects.

Councilmember Palmer agreed with Councilmember Hill and said as the City garners more income and goes over the TABOR limit, the City really isn't gaining enough to be able to catch up on the necessary cost of infrastructure. It is his understanding that the City is trying to have development pay its own way, but it appears that the taxpayer is actually taking on more of the burden. He asked Interim Deputy City Manager Prall if there is a way to calculate if taxpayers are picking up a lesser or greater amount of the necessary infrastructure.

Interim Deputy City Manager Prall said although one might argue that additional sales tax helps development pay its own way; the reality is that funds are just not there to get the work done.

Councilmember Coons noted that Grand Junction's transportation impact fees were lower than other comparable entities, and she asked how the other communities are addressing this fee.

Interim Deputy City Manager Prall agreed it does vary greatly and he pointed out the particular reasoning of each community, pointing out that some of the other communities already have their infrastructure in place, but because Grand Junction is still growing, new infrastructure is required.

Councilmember Coons questioned the differential between residential and commercial fees, and the return on benefit.

Interim Deputy City Manager Prall said if the community is not able to decentralize shopping then there will be millions of dollars of improvements to the road system to transport residents in Whitewater, Pear Park, and Clifton to the shopping areas. It would be ideal to charge the fees according to the impact of the particular development.

Councilmember Hill confirmed that the proposed increase is just for 2008 so perhaps these other options mentioned can be explored.

Councilmember Palmer said that the Council is always looking for options that are fair to all, and he asked for clarification on Mr. Prall's comment regarding project based fees prior to 2004.

Interim Deputy City Manager Prall said that with the impact fees where they are now, and if the City had the flexibility to negotiate infrastructure construction with the developers then he believes they would be closer to having the resources needed to meet the goals without raising the transportation impact fees at this point.

Councilmember Palmer asked if an increase in the fees will shift development to Fruita and the unincorporated areas.

City Attorney Shaver suggested that the City be divided into certain study areas (much like basins used in sewer service) where the fees would be determined for those localized areas. The fees could also be drafted in order to encourage development in certain areas.

Councilmember Beckstein explained that in the committee meetings each entity had different goals and different reasoning, and thus the lack of consensus. She thought the fee could be used as a tool, and it does not have to be uniform across the County, but it does need to be enough to meet the cost of construction.

Councilmember Coons pointed out that using the fee to incentivize growth might not, in reality, cover the cost.

Councilmember Hill asked if there is a compromise where the developers are responsible for the improvements, thereby eliminating some of the TABOR issues, and yet enough of a fee to help the City with its road improvements. Also, is there a method that can be used so the developer is not caught by surprise.

Councilmember Todd said that taking the element of surprise out is very important so she would like to see this discussed in more detail. She suggested that the focus be on this year, and then discuss the issue in more detail later.

Council President Doody was disappointed at the number of studies that are done, and then the recommendations are not followed.

Councilmember Beckstein noted that the fee being considered should be only for 2008 and 2009, until such time as the Comprehensive Plan is complete.

Council President Doody asked how Fruita intends to proceed.

City Manager Kadrach said Fruita is going with a higher rate than what is proposed for Grand Junction for residential fees, but plans to keep the commercial rate the same. Palisade is doing the same.

City Manager Kadrich addressed the previous study. It did show the fee should have been higher, but that study is now outdated.

Councilmember Hill noted it is the 2002 study which he did not know they were adopting a fee at a discounted price, but he agreed a new study may be in order.

Councilmember Palmer asked if there is an ending date on the fee. City Attorney Shaver said the resolution is written to continue until another fee is adopted. Councilmember Palmer didn't want that question to delay a decision now. City Attorney Shaver offered to amend the resolution to affect his concern.

Diane Schwenke, 528 Greenbelt Court, a representative from the Chamber of Commerce, strongly urged the Council to look at other options and she suggested that the new fees would mean tens of thousands of dollars for new projects in 2008 that have been supported and approved. She suggested the fee stay the same on the commercial. The Chamber does not have a position on residential, but they do feel the same regarding office and industrial. The Chamber is willing to be at the table for additional discussion.

Rebecca Zeck, Zeck Homes, 1950 Highway 6 & 50, Fruita, said in looking ahead at 2008 she supported Ms. Schwenke's comments. She would also support a fee increase deferral on residential, particularly in light of the timing, and the lack of time to react.

Councilmember Thomason noted that with Plant Investment Fees (PIF) the increase did not affect development currently in the pipeline.

Don Pettygrove, 8 Moselle Court, was on the 2004 Task Force, and said the \$500 charged did not cover the improvements at that time, and there were also half-road improvements that were done resulting in no continuity or development coordination. The developer who was "first in" had to pay for the bulk of the improvements. They realized at the time that costs were increasing, but the study identified certain areas that needed improvements. The County has excess capacity on their road system which is why they want to hold the fee down. The application of those fees needs to be in those concentrated areas. The business development is what has the impact, but they also create revenue via sales tax. Mr. Pettygrove cautioned that the housing prices are already high, and any fee increment affects housing prices.

Councilmember Todd said that they should address the timing of when new impact fees are put into place as there are a lot of developments that are pre-sold with construction pricing, and are still 8 to 9 months out on construction. She said the Council needs to be aware that any change to the impact fee should be at least a six month lead time to allow for adjustment.

Jana Gerow, Development Consulting Services, 2350 G Road, suggested planning the fee for two or three years to provide some predictability for the future. Putting the role of building the improvements in the City's hand was a good move, and the City has done a good job with that.

Ted Munkres, 121 Chipeta, said he understands that this is a difficult task. He suggested that all the elements that home builders use need to be studied. Residential development does pay its own way, in addition to the contributions to the sales tax base made by the homebuyer for decorative items after the purchase. Mr. Munkres also spoke to affordable housing stating that fees really do affect the ability for affordable house building. He agreed that more study, and perhaps a task force be considered.

Councilmember Coons clarified with Mr. Munkres that he believes that impact fees should not be raised at this time. Mr. Munkres said yes, he would like the Council to take some time to evaluate and get more feedback from the community to see what the fee level needs should be for planning ahead.

City Manager Kadrich pointed out that no one has said the City's fees are too high. The fee increase being requested is only an inflationary adjustment. Large fee increases are difficult to plan for and by not approving a fee now, and then studying for another year the City will be placed further behind inflation. An option is to make a smaller increase now, and then develop a step plan for the future.

Councilmember Todd said that she could not recall the actual amount the fee should have been that was never reached over the years.

Ms. Kadrich replied that the fee from the study in 2002 that should have been \$4,200 was implemented instead at a lower rate of \$1,500. The request tonight is CDOT's inflationary costs related to construction materials from \$1,500 to today's market costs. Applying inflation to that number, she deferred to Interim Deputy City Manager Prall who said the number calculated to \$6,000. Applying the CDOT inflation to the \$3,000 fee today's number would be \$4,800 with the difference being the sales tax impact.

Councilmember Thomason expressed frustration that with each fee increase the City is still constantly playing catch-up. There should be a predictable number that can be plugged into a formula so that the City isn't so far behind the curve.

Councilmember Todd agreed that some fee increase is needed as long as those projects already in process get some consideration, but she is not sure where she stands on the commercial fees.

City Attorney Shaver advised there is flexibility as to how Council would like to proceed.

Councilmember Coons explained that she sits on affordable housing committees, but if the costs are shifted it still affects the cost of living in Grand Junction. She agreed that the residential fee needs to be increased and was supportive of special consideration for those in the pipeline. She supports leaving the commercial fee at the current level for at least a year and then work on other options such as project based impact fees.

Resolution No. 187-07–A Resolution Amending the Development Fee Schedule Modifying the Transportation Capacity Payment Schedule

Councilmember Hill moved to increase the residential Transportation Impact Fee to approximately \$2,554 without raising or affecting commercial or industrial fees with a July 1, 2008 implementation date. Councilmember Coons seconded.

Councilmember Palmer said he thinks the commercial fees also need to be increased, but the whole thing needs to be studied by Staff and stakeholders immediately to get a better handle on the numbers than what they currently have, and that is the reason he would vote no.

Councilmember Todd agreed with Councilmember Palmer that the City would have to look at commercial fees also.

Councilmember Beckstein asked who worked on the committee and recommendation with the Grand Valley Regional Transit Committee (GJRTC). Interim Deputy City Manager Prall said it was mostly the GVRTC and Regional Transportation Planning Office (RTPO) Staff. The CDOT inflation amount was brought to the table as being more realistic.

Councilmember Beckstein supported the Staff recommendation.

Councilmember Hill clarified the reason for his motion, looking at a 2002 rate was never increased to the recommended amount, and the TABOR implications have not been taken into account. The motion was an attempt to move forward, but he would like to add another motion that in one year the rate goes to \$3,300, and a year from July 2008 the commercial rate moves too.

City Attorney Shaver proposed procedural changes to the resolution based on Councilmember Hill's motion if passed, by amending the far right hand column identified as a 2008 fee based on CDOT construction be amended to say 2008 fee, and the far right column relative to residential remain as written, but the current fee of 2007 would be shifted over to the 2008 column.

The roll was called on amended Resolution No. 187-07. Motion carried with Councilmember Palmer, Councilmember Todd, and Council President Doody voting NO.

Councilmember Hill moved to increase commercial and industrial rates at the same proportional rate of the increase proposed for July 1, 2008 implemented January 1, 2009. Motion carried by roll call vote.

Councilmember Beckstein reviewed that the intent of the motion is to strongly encourage Council to look at these fees, and have a discussion prior to the implementation of the Resolution.

Council President Doody called a recess at 8:52 p.m.

The meeting reconvened at 9:09 p.m.

Contract Extension for Colorado Avenue Reconstruction

The City and the Downtown Development Authority plan to reconstruct Colorado Avenue in 2008 between 2nd Street and 7th Street. Mays Concrete was the low bidder for the 7th Street/Main Street Reconstruction Project earlier this year. Mays Concrete has proposed to complete the Colorado Avenue improvements, which are very similar to 7th Street/Main Street, for the same unit costs. Council will consider execution of a contract extension for the 7th Street/Main Street contract with Mays Concrete for the reconstruction of Colorado Avenue.

Councilmember Hill recused himself saying he has intentionally not attended any of the meetings related to this project as his business is located on Colorado Avenue. He then left the meeting.

Tim Moore, Public Works and Planning Director, reviewed this item. He explained that bids were accepted for the 7th Street improvement projects. Mays Concrete was the low bid and has finished the 7th Street Project. Mays Concrete offered to extend their unit prices to the Colorado Avenue project. A contract extension would then allow the Colorado Avenue project to come in under budget. The time frame was planned to begin in January 2008. Mr. Moore listed the benefits to extending the existing Mays Concrete contract. Due to the increase in cost for asphalt, 7th Street was constructed in concrete as will be done with Colorado Avenue, so it really is a concrete contractor job.

Mr. Moore said he has met with other contractors and contractors' associations regarding the City's intent. There may be those in attendance that wish to speak. Councilmember Coons asked why Mays Concrete is able to keep their prices the same. Mr. Moore said that they were able to finish 7th Street and meet their profit margins successfully plus this is a major project for them to do in January 2008.

Councilmember Thomason asked about the City's policy on extending such contracts.

Jay Valentine, Assistant Financial Operations Manager, said the policy says the City can consider awarding without competition when certain findings are made, and those have been made. Mays Concrete was the low bidder, and he did not think the City would get lower bids.

Mr. Moore said the landscaping bid will be bid separately, there will be electric costs with Xcel Energy, and that will come back to City Council. Mays Concrete will just be doing the hardscape.

Councilmember Todd asked if in the conversations with the two associations did Mr. Moore get the impression that no one else wanted to bid on this project. Mr. Moore said not necessarily; there even may be contractors from out of the area that would want to bid. However, they might have to partner with a contractor here. United Companies did express some concern that would not want the City to move away from the competitive bid process.

Councilmember Todd said she has concerns the City is moving away from the bid process.

Councilmember Coons said this is somewhat unique as the City is acting as an agent for the Downtown Development Authority (DDA), and asked what happens if the project is bid out and no one is within the budget.

Mr. Moore agreed there is a finite amount of resources, and if the bids were too high there would be discussions on how to fund the additional amount. The DDA was supportive of extending the contract with Mays Concrete. He also pointed out that these two projects are side by side and so similar in nature.

Councilmember Palmer pointed out that they had also considered extending the contract for Phase II of the Ranchman's Ditch project, but didn't, and the new bids received were better for the City. He thinks it is better to bid overall.

David Meyers, Associated Builders and Contractors (ABC), 2501 Blichmann Avenue, feels that competitive bidding is always the best way to go, but in this case it is the best fiscal decision to go with the change order. He identified the various reasons. The bottom line is the City would probably save over \$600,000.

Councilmember Coons asked if it was his organization's opinion exclusively. Mr. Meyers said that the members were polled and the consensus was that the members were supportive.

Councilmember Palmer said he understands the reason for Staff to ask to extend the contract, and hears there may be monetary savings, but there are no guarantees. He still prefers to bid it out.

Councilmember Thomason thought this project is different from the Ranchman's Ditch project so he favors the extension and the savings.

Councilmember Coons said she respects policies and agrees that bidding is usually best. The Council needs to do what is in the best interest for the taxpayers and the City. The budget was set by DDA, and the Council needs to honor that and the public process of what needs to go into that corridor. If the City can stay within the budget, and the building community agrees with that discussion, she supports the contract extension.

Councilmember Beckstein said she was comforted that policy does address this option and she appreciated ABC's letter. The DDA's funds are more restricted. The City taxpayers will benefit from the cost savings, and the City Council is in charge of getting the best bang for the buck. This is a unique situation, and the City Council should be able to address unique situations where the taxpayers benefit, so she is in support.

Councilmember Todd disagrees as there is no guarantee that there is a proven cost savings. She opposed the extension, and believes that the process of bidding out should be followed, especially with a project in upwards of the million dollar range.

Council President Doody said he does not want to take a chance on a large bid amount when they have the opportunity, and the support of the industry, to extend this contract.

Councilmember Coons moved to authorize the City Manager to negotiate and execute a contract extension to the 7th Street Corridor Project – Schedule B with Mays Concrete for the reconstruction of Colorado Avenue between 2nd Street and 7th Street.

Councilmember Beckstein seconded. Motion carried with Councilmembers Palmer and Todd voting NO.

Councilmember Hill returned to the dais.

Construction Contract for Ranchmen's Ditch Flood Control Project Phase II

Phase II of the Ranchmen's Ditch Flood Control Project (Big Pipe) will construct stormwater improvements along Patterson Road between 25 ½ Road and 26 Road. The work will consist of additional stormwater pipe as well as lining the existing pipe at 1st Street and Patterson. Also included in this contract are a few large concrete junction boxes and utility relocations that will help accelerate Phase III construction in late 2008-2009.

Tim Moore, Public Works and Planning Director, reviewed this item. He identified the low bidder, and explained the scope of the project. He noted the timing constraints due to the ditch water supply in the spring.

Councilmember Beckstein asked about the scope of Phase III. Mr. Moore said that it will start fall 2008, and finish over next winter.

Councilmember Palmer moved to authorize the City Manager to sign a construction contract for Ranchmen's Ditch Flood Control Project Phase II with Mendez, Inc., in the amount of \$2,449,231.25. Councilmember Hill seconded. Motion carried.

Pinnacle Ridge Subdivision [File #PP-2005-226]

The City Planning Commission approved the Pinnacle Ridge Subdivision Preliminary Plan on November 13, 2007. As part of that approval there are certain approvals needed for the Preliminary Plan that under City codes and regulations require City Council action.

David Thornton, Principal Planner, reviewed this item. He noted that the Planning Commission approved the Preliminary Plan on November 13, 2007, and as part of the approval the following items need City Council action.

1. Proposed private streets;
2. Vehicular routes traversing greater than 30% slopes;
3. The acquisition of City property for necessary right-of-way for access to Mariposa Drive; and
4. The granting of a sewer easement across property owned by the Ridges Metropolitan District.

There are a couple of private streets that come off the public streets. Private streets under City regulations require Council approval. The proposal is for pedestrian sidewalk access on one side of the private drives, and there is an additional pedestrian path that winds throughout the interior of the project that provides additional access as well as being a nice amenity.

The next section deals with vehicular routes traversing greater than 30% slopes. There is a fairly steep street on the west side of the development that has places greater than

30% slope which will require Council approval. In addition, there is a road section that is at 13% grade, but has been approved by the TEDS committee. Additional criteria deals with engineering measures, stormwater, and hillside impacts which the applicant will address in the final design.

The acquisition of City property for necessary right-of-way for access to Mariposa Drive is needed. An appraisal was performed on the small piece of property and the value was calculated at \$224.86.

The granting of a sewer easement across property owned by the Ridges Metropolitan District (RMD) is also being requested. The property will remain in the ownership of the City in the Ridges Metropolitan District name, but will allow the subdivision to hook onto the Persigo Wastewater Treatment Plant.

Councilmember Palmer asked about the size difference between a private street and a standard City street. Mr. Thornton said the pavement for a private street would only be 25 feet rather than the City standard requirement of 28 feet. The Fire Department has approved the narrower street noting that fire access will need to be maintained even if on-street parking is allowed.

Councilmember Coons asked about safety on the 13% grade. Mr. Thornton said it is only a short section so the engineers do not see a problem.

Council President Doody asked who maintains private streets. Mr. Thornton said the HOA would be responsible, and that would be set forth in an agreement.

Councilmember Palmer asked about erosion factors. Mr. Thornton said that will be looked at for Final Plat, and the engineers will review that.

Council President Doody asked why the City Council acts as the Ridges Metropolitan District Board. City Attorney Shaver said when the annexation occurred all assets were transferred to the City and as long as there is outstanding debt the City Council will continue to act as the Ridges Metropolitan District Board.

Robert Jones II, Vortex Engineering, 255 Vista Drive in Fruita, stated that Staff did a good job presenting. The total size for the slopes greater than 30% is 1.2 acres, a small percentage. The requests are consistent with the intent of the Zoning and Development Code.

Councilmember Hill asked for confirmation that the City sells the developer the right-of-way, but once the road is built it becomes a City-owned right-of-way. City Attorney Shaver responded affirmatively.

Resolution No. 188-07—A Resolution Approving Designation of City Owned Land in the Ridges as Right-of-Way

Resolution No. 189-07—A Resolution of The Ridges Metropolitan District Authorizing the Conveyance of a Sewer Easement to the City of Grand Junction

Councilmember Todd moved to approve the proposed private streets and vehicular routes traversing greater than 30% slopes, and adopt Resolution Nos. 188-07 and 189-07. Councilmember Palmer seconded the motion. Motion carried by roll call vote.

Public Hearing—Sura Growth Plan Amendment [File #GPA-2007-276]

A request to amend the Growth Plan, changing the Future Land Use designation from "Residential Low" (Residential, 0.5 to 2 acres per lot) to "Residential Medium Low" (Residential, 2 to 4 units per acre) for 1.032 acres, located at 405 25 Road.

The public hearing opened at 10:02 p.m.

David Thornton, Principal Planner, reviewed this item. He explained the request is to further subdivide the property for two to three lots. The surrounding parcels are less than ½ acre in size. Mr. Thornton stated that he feels that Criteria A, an error in designation, for the Growth Plan Amendment has been met.

Matt Sura, 405 25 Road, the applicant, stated the process has given him a new perspective and that the process was a positive experience. He lauded Staff's assistance.

There were no public comments.

The public hearing was closed at 10:09 p.m.

Councilmember Palmer asked about the neighborhood opposition. Mr. Thornton clarified that there were some concerns that other adjacent lots would go through the same process, and that would mean additional density.

Councilmember Hill stated that Mr. Thornton did an excellent job showing that the designation was in error, and the transition makes sense. He agreed Criteria A was met.

Resolution No. 190-07—A Resolution Amending the Growth Plan of the City of Grand Junction to Designate Approximately 1.032 Acres Located at 405 25 Road, from "Residential Low" to "Residential Medium Low" (Sura)

Councilmember Thomason moved to adopt Resolution No. 190-07. Councilmember Palmer seconded the motion. Motion carried by roll call vote.

Public Hearing—Reigan Growth Plan Amendment [File #GPA-2007-279]

A request to amend the Growth Plan, changing the Future Land Use designation from "Rural" (one unit per 5 to 35 acres) to "Mixed Use" for 26.443 acres, located at 2202, 2202 ½, 2204 H Road, and 824 22 Road.

The public hearing opened at 10:14 p.m.

David Thornton, Principal Planner, reviewed this item. He described the location and reminded the City Council that this area was recently added to the Persigo 201 boundary area. He described the current uses and that the established industrial uses to the south and the areas to the west have recently been redesignated on the Growth Plan as Commercial/Industrial.

The proposal is to go from rural use to a mixed use. Looking at the Future Land Use Map and the need to protect the existing residential homes, and through discussions with the owners, it was believed that mixed use zoning for industrial and commercial to the west and south was the best transition to residential to the north.

Mr. Thornton then reviewed the criteria:

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

Mr. Thornton said obviously there was no error.

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

With the decision to add this area to the Persigo 201 boundary on August 2, 2007 the City Council and Mesa County Board of Commissioners have in effect established this area for some type of urban intensity land use.

- c. The character and/or condition of the area have changed enough that the amendment is acceptable.

The character of this neighborhood has been and continues to be developing with urban land uses; specifically industrial uses that bring with them noise and traffic. The interface with these industrial uses and the existing residential uses has become an ongoing problem for area residents. The need for a transitional area between these two contrasting land uses is desirable and being requested with this Growth Plan Amendment request to Mixed Use. Mixed Use will become that transition.

- d. The change is consistent with the goals and policies of the plan, including

applicable special area, neighborhood and corridor plans.

The amendment is consistent with the goals and policies of the Growth Plan. It is important to ensure that the Future Land Use Map designates sufficient land in appropriate locations to accommodate anticipated demand for each residential land use category in particular for this neighborhood to help accommodate the transition from industrial impacts to single family residential impacts.

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

Adequate public facilities are currently available or can be made available and can address the impacts of any development consistent with a Mixed Use designation.

- f. An inadequate supply of suitably designated land is available in the proposed land use.

There are areas in the Grand Junction City limits that have a large supply of available Mixed Use lands, however in this area the desire to create a transition between industrial and residential is very important and establishing a Mixed Use area can accomplish that.

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

The community as a whole will benefit by allowing for a transition from the industrial to the residential areas by establishing a Mixed Use area. If the Growth Plan is not changed to reflect a Mixed Use designation, the area requesting the Mixed Use will continue to experience the high impacts from the industrial land uses, which will only increase as additional industrial is planned and developed to the west and south. Such impacts will continue to be heavy on the residents residing at this 22 Road and H Road location.

Mr. Thornton therefore recommended approval as it meets the criteria, b through g. Robert and Marie Reigan, 2204 H Road, two of the applicants, said Mr. Thornton presented the application well. They added that the noise is a huge factor and the mixed use will act as buffer to the residential to the north and allow for uses or compatibility with the activity in the area.

Glenn Morrison, 2202 ½ H Road, said he bought the property originally to build a house, but changed his mind with all the traffic and noise. He favors the change.

There were no other public comments.

The public hearing was closed at 10:25 p.m.

Councilmember Hill said Mr. Thornton did a good job going through the criteria.

Resolution No. 191-07—A Resolution Amending the Growth Plan of the City of Grand Junction to Designate 26.443 Acres, Located at 2202, 2202 ½, 2204 H Road, and 824 22 Road, from “Rural” to “Mixed Use” (Reigan)

Councilmember Palmer moved to adopt Resolution No. 191-07. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Public Hearing—Belford Triplex Growth Plan Amendment [File #GPA-2007-264]

A request to amend the Growth Plan, changing the Future Land Use Designation from "Residential Medium (4-8 du/acre) to "Residential High" (12+du/acre) for 0.432 acres, located at 1005, 1011, 1013, and 1015 Belford Avenue.

The public hearing was opened at 10:26 p.m.

David Thornton, Principal Planner, reviewed this item. He described the site and the location. He described the surrounding uses and Growth Plan designations. The Growth Plan designations on the same block are Residential Medium High (RMH), and Residential High (RH) and the zoning is R-24.

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

There was no error at the time of the adoption of the Growth Plan in 1996. The land use category at that time reflected existing land use on the properties. These three parcels on Belford Avenue were zoned Residential, 24 du/ac in 2000 (R-24), and would be brought into conformance with the Growth Plan with the proposed change to Residential High.

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

With the conscious decision to rezone these three properties to R-24 in 2000, it contradicted the original premise that Residential Medium (RM) was the appropriate land use category for this area on the Future Land Use Map. In 2000 it was anticipated that the land use category would be amended to reflect the R-24 zone district.

- c. The character and/or condition of the area have changed enough that the amendment is acceptable.

The character of this neighborhood has been and continues to be developing as higher density residential with numerous apartments and multi-family dwellings that afford many college students at Mesa State College and other residents of the community housing. With a change in the Future Land Use Map for these three parcels, additional multi-family housing will be possible. It will also allow the property owners to bring their properties into conformance with zoning and to develop their property to the intended intensity of the current zoning.

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

The amendment is consistent with the goals and policies of the Growth Plan. Zoning for this site was established as R-24 to allow for high density development near Mesa State College and to reflect existing conditions in the neighborhood.

It is important to ensure that the Future Land Use Map designates sufficient land in appropriate locations to accommodate anticipated demand for each residential land use category in particular for this neighborhood to help accommodate the anticipated growth of students at Mesa State College in the years to come. In addition, development of additional units on these properties will further promote infill in a neighborhood that has opportunities for redevelopment.

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

Adequate public facilities are currently available and can address the impacts of any development consistent with a RH designation.

- f. An inadequate supply of suitably designated land is available in the proposed land use.

There is a limited supply of R-24 zoned land within the community and in this case these three parcels are unable to develop at R-24 densities due to the conflict with the adopted land use category designation. This current nonconformity actually limits development on these three parcels to existing nonconforming uses (densities much lower than allowed under the current R-24 zoning). A change to the RH land use category will allow for better infill development opportunity in this area.

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

The community as a whole will benefit by allowing for increased housing density in an area that has been planned for and zoned accordingly in 2000. If the Growth Plan is not changed to reflect a RH designation, the R-24 zone district will continue to be nonconforming and not allow for infill residential high density development to occur on these three parcels.

Caleb Boutilier, 921 Catalpa, Fruita, the applicant, commended Staff and stated his reason for the request.

There were no public comments.

The public hearing was closed at 10:33 p.m.

Councilmember Hill commended Mr. Thornton on his presentation.

Resolution No. 192-07—A Resolution Amending the Growth Plan of the City of Grand Junction to Designate 0.432 Acres, Located at 1005, 1011, 1013, and 1015 Belford Avenue, from “Residential Medium” to “Residential High” (Belford Triplex)

Councilmember Coons moved to adopt Resolution No. 192-07. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

Public Hearing—Create Alley Improvement District 2008

Successful petitions have been submitted requesting an Alley Improvement District be created to reconstruct three alleys.

The public hearing was opened at 10:35 p.m.

Tim Moore, Public Works and Planning Director, reviewed this item. Petitions were received for three alleys. There is \$200,000 in the 2008 budget. The property owners are paying about 13% of the cost. Those percentages will be reviewed in the next few months.

There were no public comments.

The public hearing was closed at 10:37 p.m.

Resolution No. 193-07—A Resolution Creating and Establishing Alley Improvement District No. ST-08 Within the Corporate Limits of the City of Grand Junction, Colorado, Authorizing the Reconstruction of Certain Alleys, Adopting Details, Plans and Specifications for the Paving Thereon and Providing for the Payment Thereof

Councilmember Hill moved to adopt Resolution No. 193-07. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

The City Council wished everyone Happy Holidays, Merry Christmas, and Happy New Year.

Adjournment

The meeting adjourned at 10:38 p.m.

Stephanie Tuin, MMC
City Clerk

GRAND JUNCTION CITY COUNCIL

SPECIAL SESSION MINUTES

DECEMBER 17, 2007

The City Council of the City of Grand Junction, Colorado met in Special Session on Monday, December 17, 2007 at 5:00 p.m. in the Administration Conference Room, 2nd Floor, City Hall, 250 N. 5th Street. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Bruce Hill, Gregg Palmer, Doug Thomason, Linda Romer Todd, and President of the Council Jim Doody. Staff present was City Attorney John Shaver.

Council President Doody called the meeting to order.

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

The City Council convened into executive session at 5:16 p.m.

Stephanie Tuin, MMC
City Clerk

Attach 2
Meeting Schedule and Posting of Notices
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Meeting Schedule and Posting of Notices		
File #			
Meeting Day, Date	Wednesday, January 2, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	December 27, 2007		
Author Name & Title	Stephanie Tuin, City Clerk		
Presenter Name & Title	Stephanie Tuin, City Clerk		

Summary: State Law requires an annual designation of the City's official location for the posting of meeting notices. The City's Code of Ordinances, Sec. 2-26, requires the meeting schedule and the procedure for calling special meetings be determined annually by resolution.

Budget: None

Action Requested/Recommendation: Adopt resolution.

Attachments: Resolution

Background Information: In 1991, the Open Meetings Law was amended to include a provision that requires that a "local public body" annually designate the location of the public place or places for posting notice of meetings and such designation shall occur at the first regular meeting of each calendar year (24-6-402(2)(c) C.R.S.). The location designated is to be the glassed-in bulletin board outside the auditorium lobby at 250 N. 5th Street.

As of 1994, the revised City Code of Ordinances includes a provision whereby the City Council determines annually the City Council meeting schedule and the procedure for calling a special meeting.

In 2007, Resolution No. 137-07 adopted the new meeting schedule that regular meetings are the first and third Wednesday of each month, at the hour of 7:00 p.m., and the Monday preceding those Wednesdays, also at the hour of 7:00 p.m. which the exception of Mondays which are City holidays.

In 2008, two City holidays will affect Monday regular meetings; Monday, February 18th is Presidents Day and Monday, September 1st is Labor Day.

CITY OF GRAND JUNCTION

RESOLUTION NO. -08

A RESOLUTION OF THE CITY OF GRAND JUNCTION
DESIGNATING THE LOCATION FOR THE POSTING OF THE NOTICE OF MEETINGS,
ESTABLISHING THE CITY COUNCIL MEETING SCHEDULE, AND
ESTABLISHING THE PROCEDURE FOR CALLING OF SPECIAL MEETINGS
FOR THE CITY COUNCIL

Recitals.

The City Council of the City of Grand Junction is a "local public body" as defined in C.R.S. §24-6-402 (1)(a).

The City Council holds meetings to discuss public business.

The C.R.S. §24-6-402 (2)(c) provides that "Any meetings at which the adoption of any proposed policy, position, resolution, rule, regulation, or formal action occurs or at which a majority or quorum of the body is in attendance, or is expected to be in attendance, shall be held only after full and timely notice to the public. In addition to any other means of full and timely notice, a local public body shall be deemed to have given full and timely notice if the notice of the meeting is posted in a designated public place within the boundaries of the local public body no less than 24 hours prior to the holding of the meeting. The public place or places for posting of such notice shall be designated annually at the local public body's first regular meeting of each calendar year".

The Grand Junction Code of Ordinances, Section 2-26, provides that the meeting schedule and the procedure for calling of special meetings of the City Council shall be established by resolution annually.

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

1. The Notice of Meetings for the local public body shall be posted on the glassed-in exterior notice board at 250 N. 5th Street, City Hall.
2. The meeting schedule for the regular meetings of the City Council is the first and third Wednesday of each month, at the hour of 7:00 p.m. and the Monday preceding those Wednesdays, also at the hour of 7:00 p.m. which the exception of Mondays which are City holidays. In 2008, there are two city holidays that will affect city council meetings, Monday February 18, 2008 and Monday, September 1, 2008.

3. Additional special meetings may be called by the President of the City Council for any purpose and notification of such meeting shall be posted twenty-four hours prior to the meeting. Each and every member of City Council shall be notified of any special meeting at least twenty-four hours in advance.

Read and approved this ____ day of _____, 2008.

President of the Council

ATTEST:

City Clerk

Attach 3
Alternate Position for the Forestry Board
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Alternate Position for the Forestry Board		
File #			
Meeting Day, Date	Wednesday, January 2, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	December 19, 2007		
Author Name & Title	Stephanie Tuin, City Clerk		
Presenter Name & Title	Stephanie Tuin, City Clerk		

Summary: An amendment to the Code of Ordinances to allow for an alternate member to the five-member Grand Junction Forestry Board.

Budget: No budget impacts.

Action Requested/Recommendation: Introduction of a Proposed Ordinance and Set a Hearing for January 16, 2008

Attachments: Proposed ordinance

Background Information: The Forestry Board was established to act as a reviewing body for the purpose of determining professional qualifications and competence to engage in the business of cutting, trimming, pruning, spraying or removing trees. Competency is determined through written, oral and practical license examinations. Because the Board has only five members and therefore occasionally has difficulty having a full board for meetings, an alternate would provide an additional member who could serve as a regular member during those times when a member is unavailable.

**CITY OF GRAND JUNCTION
ORDINANCE NO.**

**AN ORDINANCE AMENDING THE COMPOSITION OF THE GRAND JUNCTION
FORESTRY BOARD TO ALLOW FOR AN ALTERNATE POSITION**

RECITALS.

The Grand Junction Forestry Board ("Board") was established in 1981 to act as a reviewing body for the purpose of determining professional qualifications and competence to engage in the business of cutting, trimming, pruning, spraying or removing trees by giving written, oral and practical license examinations. The Board shall recommend to the City Council adoption of rules and regulations pertaining to the tree service business in the city, and it may hear complaints from any citizen of the city, including any of its own members, relating to the tree service business.

The Board is composed of five members who are appointed by the City Council. A quorum is three members. In order to help ensure that a quorum is available for the regular meetings, the City Council hereby finds that it is prudent to appoint an alternate member who can serve in the place of a regular member when a member is absent.

NOW THEREFORE BE IT ORDAINED THAT:

Chapter 40, Vegetation, Section 26 (a) of the Municipal Code of Ordinances, is hereby amended to read as follows. Amendments are show with underlined type.

Sec. 40-26. Created; composition; terms; officers.

(a) There is hereby created a board to be known as the forestry board. The board shall be composed of five members and one alternate member who shall be appointed by the city council. The board shall include three persons selected from the following categories: a professional arborist, a nursery person, a landscape designer, a pesticide applicator and a representative of the state forest service. The other two members of the board may be lay persons. The alternate member shall otherwise have the qualification of other members of the Board. Each alternate member shall attend all meetings and shall serve during the temporary unavailability, including recusal, of any regular Board member as may be necessary or required. The alternate member, in addition to other duties prescribed by this Code, shall be allowed to vote in the absence of a regular member. Terms of service shall be three years. When a regular member resigns, is removed or is no longer eligible to hold a seat on the Board, the alternate may fill the vacancy if the alternate meets the same qualifications as the member to be replaced. The City Council shall then name a replacement alternate. A chairperson and a vice-chairperson shall be

elected each year and vacancies owing to death or resignation shall be filled by appointment for the unexpired term.

Introduced on first reading this _____ day of _____, 2008.

Passed, adopted and ordered published this _____ day of _____, 2008.

President of the Council

ATTEST:

City Clerk

Attach 4
Zoning the DeHerrera Annexation, Located at 359 29 5/8 Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Zoning the DeHerrera Annexation - Located at 359 29 5/8 Road.		
File #	ANX-2007-300		
Meeting Day, Date	Wednesday, January 2, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	December 14, 2007		
Author Name & Title	Justin Kopfman – Associate Planner		
Presenter Name & Title	Justin Kopfman – Associate Planner		

Summary: Request to zone the 15.52 acre Annexation, located at 359 29 5/8 Road, to R-4 (Residential 4-du/ac).

Action Requested/Recommendation: Introduce a proposed Ordinance and set a public hearing for January 16, 2008.

Attachments:

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

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION			
Location:	359 29 5/8 Road		
Applicants: < Prop owner, developer, representative>	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	Agricultural and Vacant	
	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 1 du/5ac)	
Growth Plan Designation:	Residential Medium Low		
Zoning within density range?	X	Yes	No

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the R-4 (Residential 4 du/ac) zone district is consistent with the Growth Plan designation of Residential Medium Low. The existing County zoning is County 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.

- 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 district would also be consistent with the Growth Plan designation for the subject property.

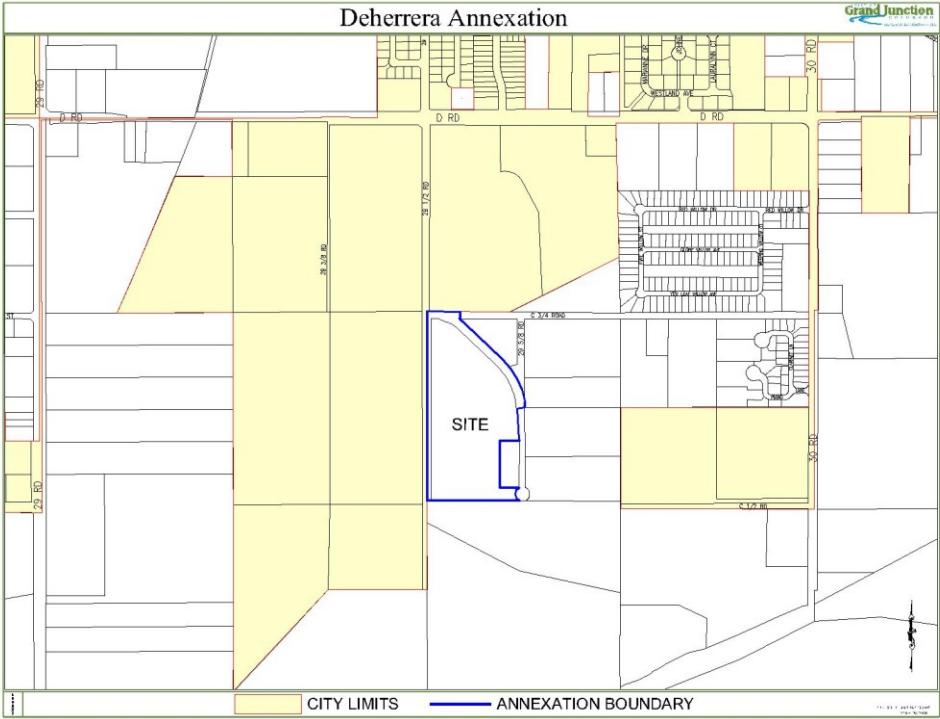
- a. R-2 (Residential Single Family 2 du/ac)

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

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

Annexation/Site Location Map

Figure 1



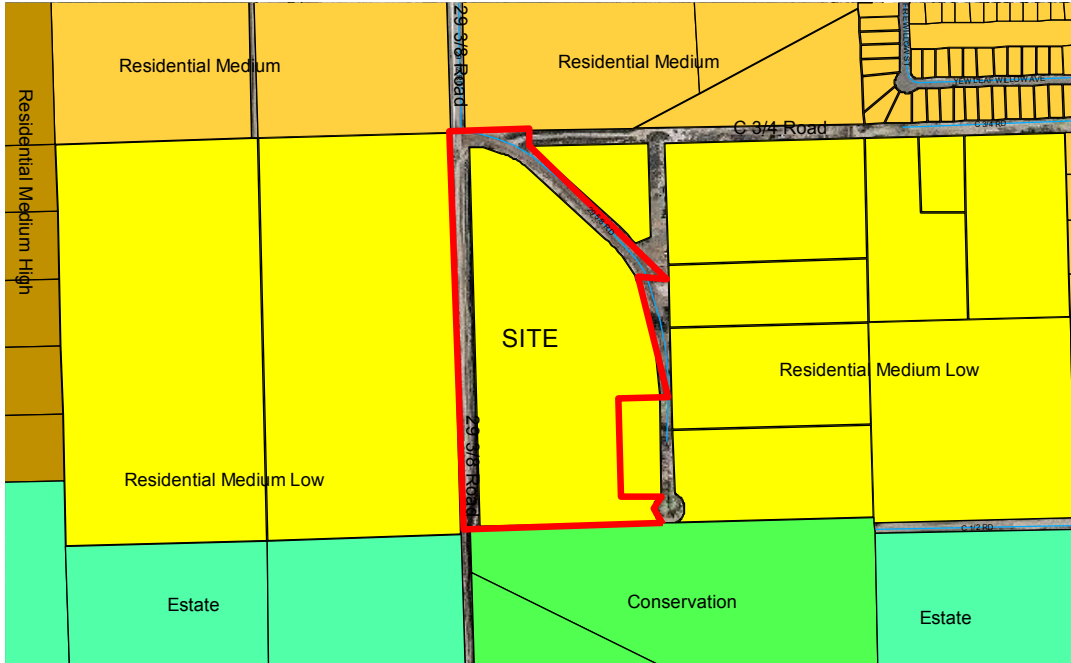
Aerial Photo Map

Figure 2



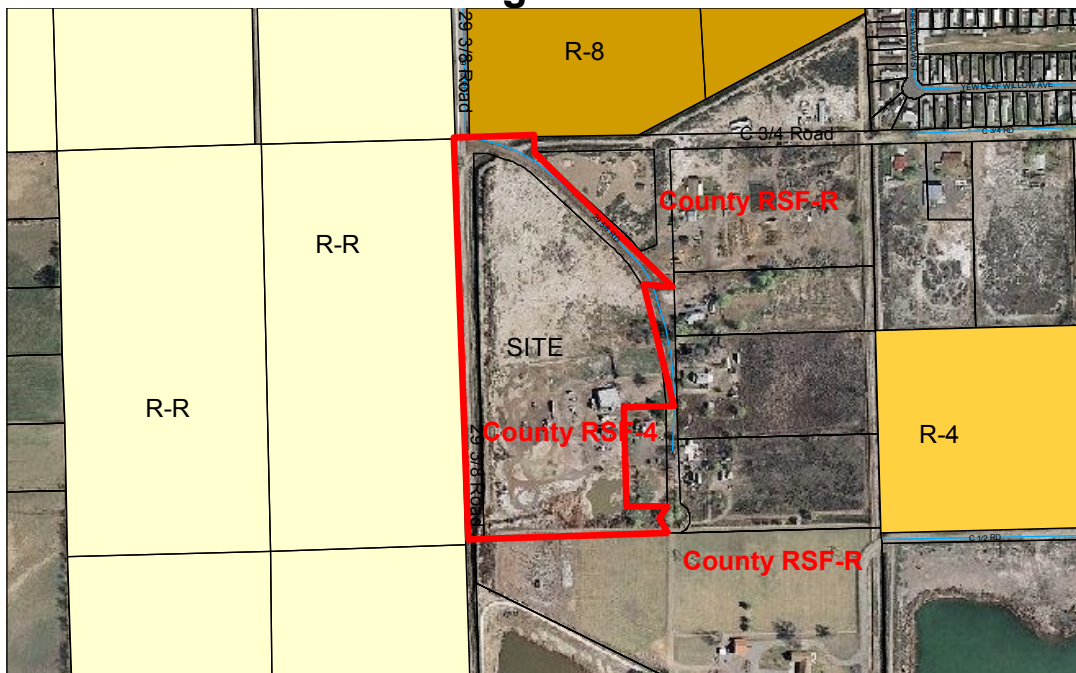
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE DEHERRERA ANNEXATION TO
R-4 (RESIDENTIAL 4 DU/AC)**

LOCATED AT 359 29 5/8 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 DeHerrera Annexation to the R-4 (Residential 4 du/ac) 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 (Residential 4 du/ac) 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 du/ac).

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:

COMMENCING 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 Commencement, S 00°00'44" W along the West line of the SW 1/4 NE 1/4 of said Section 20, a distance of 50.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, being the Northwest corner of that certain parcel of land described in Book 3121, Page 581, Public Records of Mesa County, Colorado, N 89°58'03" E along the South right of way for C-3/4 Road, a distance of 75.75 feet; thence along the Southerly and Westerly right of way for 29-5/8 Road the following

seven (7) courses: 1.) S 70°52'07" E a distance of 64.85 feet, 2.) Southeasterly 93.59 feet along the arc of a 220.00 foot radius curve, concave Southwest, through a central angle of 24°22'31", whose long chord bears S 58°40'53" E, a distance of 92.89 feet,

3.) S 46°29'39" E a distance of 345.91 feet, 4.) Southeasterly 346.75 feet along the arc of a 470.00 foot radius curve, concave Southwest, through a central angle of 42°16'15", whose long chord bears 25°21'31" E a distance of 338.94 feet, 5.) N 85°46'36" E a distance of 5.00 feet, 6.) S 04°34'23" E a distance of 210.13 feet, 7.) 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 1241.55 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 the ____ day of _____, 2008 and ordered published.

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

ATTEST:

President of the Council

City Clerk

Attach 5

**Zoning the Sipes Annexation, Located at 416 ½ 30 Road and 413, 415 30 ¼ Road
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
Subject	Zoning the Sipes Annexation - Located at 416½ 30 Road, 413, 415 30¼ Road.		
File #	ANX-2007-313		
Meeting Day, Date	January 2, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	December 17, 2007		
Author Name & Title	Justin T. Kopfman – Associate Planner		
Presenter Name & Title	Justin T. Kopfman – Associate Planner		

Summary: Request to zone the 3.54 acre Sipes Annexation, located at 416 ½ 30 Road, 413, 415 30 ¼ Road, to R-8 (Residential 8-du/ac).

Action Requested/Recommendation: Introduce a proposed ordinance and set a public hearing for January 16, 2008.

Attachments:

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

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION			
Location:		416 ½ 30 Road, 413, 415 30 ¼ Road	
Applicants: < Prop owner, developer, representative>		Owner: Larry Sipes Representative: DCS, Inc. – Mike Markus	
Existing Land Use:		County RSF-R (Residential Single Family Rural)	
Proposed Land Use:		R-8 (Residential 8-du/ac)	
Surrounding Land Use:	North	Residential	
	South	Residential and Vacant	
	East	Residential and Agricultural	
	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:

Zone of Annexation: The requested zone of annexation to the R-8 (Residential 8-du/ac) zone district is consistent with the Growth Plan designation of Residential Medium. The existing County zoning is County RSF-R and County PUD. 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.
- 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 district would also be consistent with the Growth Plan designation for the subject property.

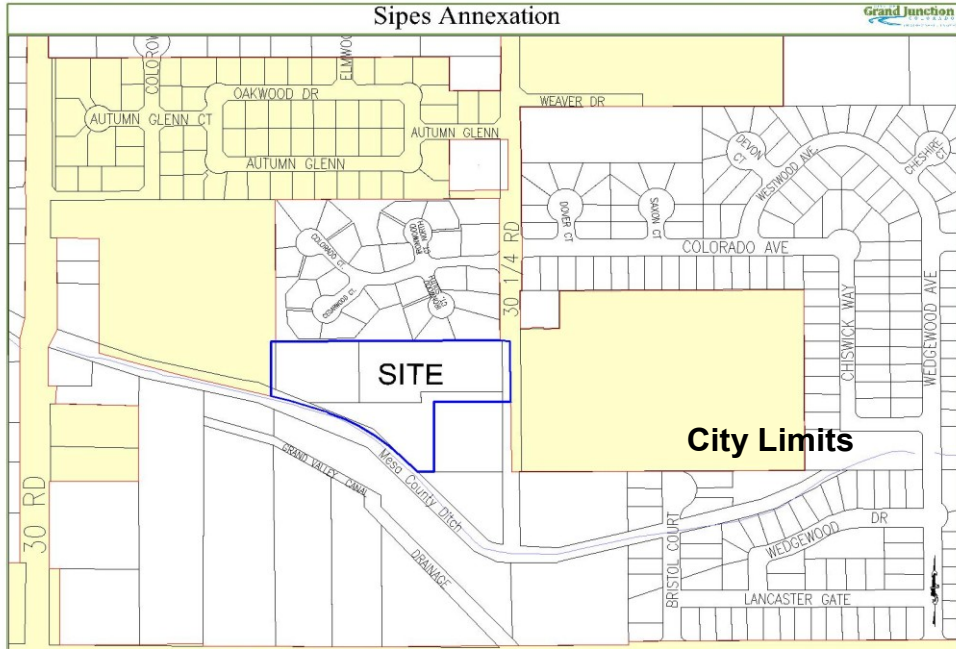
b. **R-4 (Residential 4-du/ac)**

If the City Council chooses to recommend the alternative zone designation, 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-8 (Residential 8-du/ac) district to be consistent with the Growth Plan, County RSF-R and County PUD and Sections 2.6 and 2.14 of the Zoning and Development Code.

Annexation-Site Location Map

Figure 1



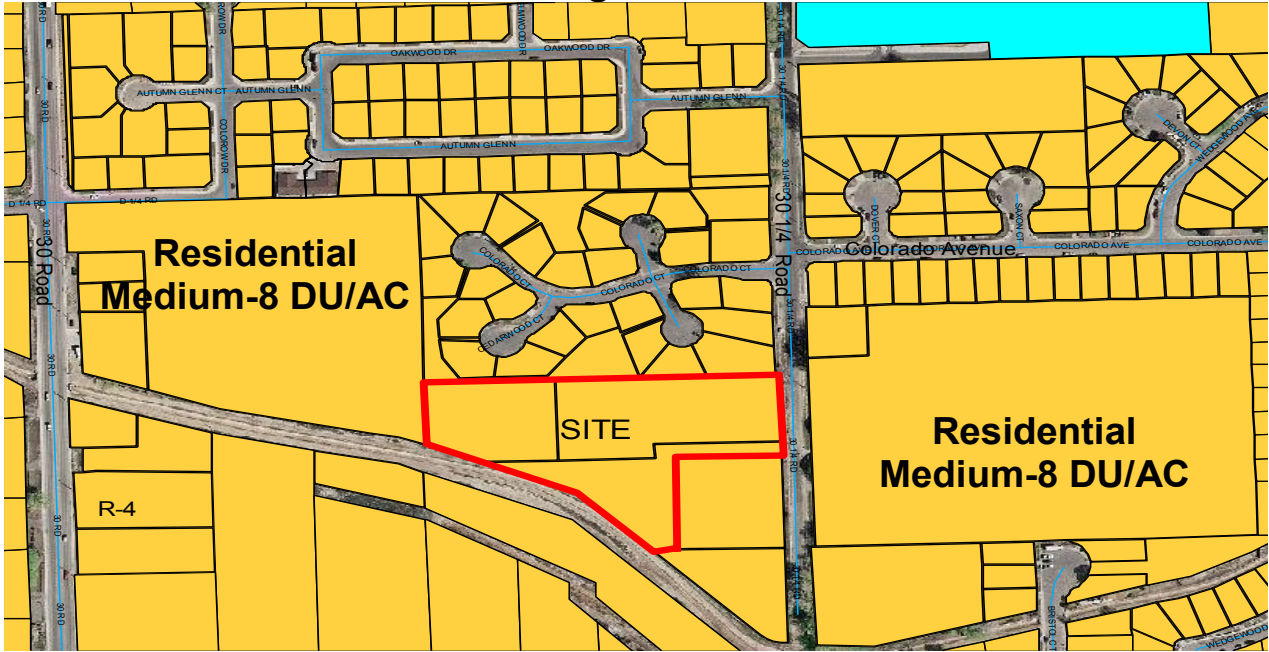
Aerial Photo Map

Figure 2



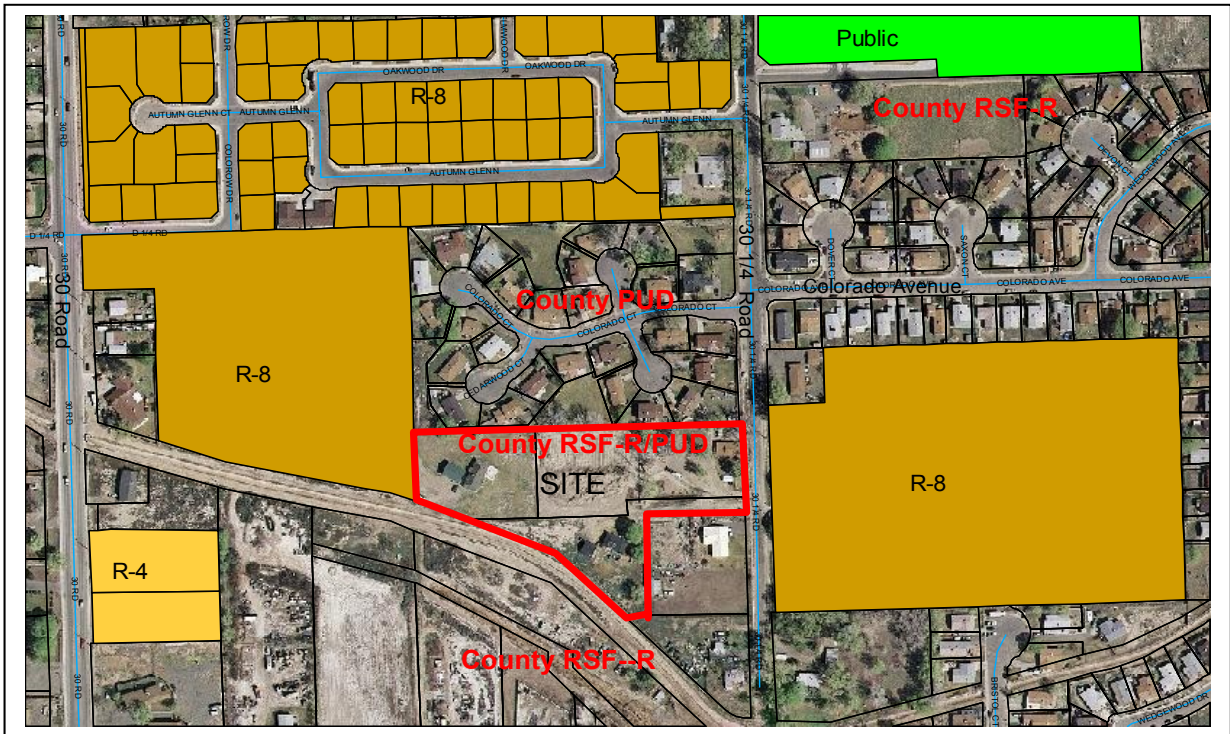
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE SIPES ANNEXATION TO
R-8 (RESIDENTIAL 8-DU/AC)**

LOCATED AT 416 ½ 30 ROAD, 413, 415 30 ¼ 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 Sipes Annexation to the R-8 (Residential 8-du/ac) 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-8 (Residential 8-du/ac) 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-8 (Residential 8-du/ac).

SIPES ANNEXATION

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 the ____ day of _____, 2008 and ordered published.

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

ATTEST:

President of the Council

City Clerk

Attach 6

**Construction Contract for River Road Sewer Interceptor Rehabilitation Project
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
Subject	Award Construction Contract for River Road Sewer Interceptor Rehabilitation Project					
Meeting Date	Wednesday, January 2, 2008					
Date Prepared	December 20, 2007				File #	
Author	D. Paul Jagim			Project Engineer		
Presenter Name	Tim Moore			Public Works and Planning Director		
Report results back to Council	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When	
Citizen Presentation	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No	Name	
<input type="checkbox"/>	Workshop	<input checked="" type="checkbox"/>	Formal Agenda	<input type="checkbox"/>	Consent	<input checked="" type="checkbox"/> Individual Consideration

Summary: The River Road Sewer Interceptor Rehabilitation Project will perform necessary maintenance on 11,500 feet of existing 54 inch diameter concrete sewer pipe located under River Road between the City Shops facilities and 24 Road. The rehabilitation will consist of a cured-in-place pipe liner (CIPP) inserted into the existing concrete sewer pipe that becomes a new, fully structural, pipe-within-a-pipe.

Budget: Project No.: 904-F10117

Project costs:

Construction contract (low bid)	\$ 3,169,439.00
Design	\$ 14,405.00
Construction Inspection and Administration (est.)	\$ 20,500.00
Total Project Costs	\$ 3,204,344.00

Project funding:

Fund 904-F10100	
2007 Revised Budget	\$ 4,255,000.00
This Contract	\$ (3,204,344.00)
Other Projects (Riverside Parkway sewer, etc.)	\$ 616,380.00
Remaining Balance 904-F10100	\$ 434,276.00

Action Requested/Recommendation: Authorize the City Manager to enter into a construction contract with Insituform Technologies, Inc., in the amount of \$3,169,439.00.

Background Information: The River Road Sewer Interceptor is the main sanitary sewer line carrying flows to Persigo Wastewater Treatment Plant. This section of the Interceptor is a 54” reinforced concrete pipe, installed in the late 1970’s and early 1980’s. Over time, the corrosive nature of the sewer gases has weakened the inside of the concrete pipe and the concrete has begun to erode. This erosion results in a roughening of the surface and reduces the flow capacity of the pipe and can also damage the pipe to the point where groundwater infiltrates the pipe, increasing the volume of water that must be treated at the wastewater treatment plant. If left to deteriorate, the concrete pipe wall will continue to thin, eventually causing the pipe to lose its structural integrity which could result in a collapse.

This type of pipe rehabilitation does not damage the street because the cured-in-place pipe is inserted through existing manholes and does not require excavation. The cured-in-place pipe method has been in use for over 35 years and has successfully rehabilitated thousands of miles of sanitary sewer pipes worldwide. The CIPP pipe has the full structural strength of a new “stand alone” pipe, restores a smooth interior pipe surface, seals the pipe from infiltrating groundwater, is resistant to corrosion by sewer gases, and is intended to have a 50 year design life.

The winter and spring of 2008 is the ideal time to perform this rehabilitation work. This section of River Road is currently closed to through traffic as part of Phase Two of the Riverside Parkway project, making it possible to save money in traffic control and bypass pumping costs. Also, performing the majority of the sewer rehabilitation project during the cold winter months will not conflict with remaining Riverside Parkway construction or cause any delay in the opening of the Parkway.

The construction is scheduled to begin on January 10, 2008 and be completed by June 22, 2008.

The following bids were received for this project:

Insituform Technologies, Inc.	\$3,169,439.00
Wildcat Construction Company, Inc.	\$4,287,494.00
Western Slope Utilities	\$4,349,964.00
Lanzo Lining Services, Inc.	\$4,396,976.00
Spiniello Companies	\$4,585,403.00
Engineer’s Estimate	\$3,540,455.00

Attachments: None

**Attach 7
Construction Inspection Fees**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	2008 Construction Inspection Fees		
File #			
Meeting Day, Date	Wednesday, January 2, 2008		
Placement on the Agenda	Consent		Individual X
Date Prepared	December 11, 2007		
Author Name & Title	Tim Moore, Public Works & Planning Director		
Presenter Name & Title	Tim Moore, Public Works & Planning Director		

Summary: Staff proposes to modify the method of collecting inspection fees for new development in 2008. Based on discussions with the development community, the City Construction Inspection Fees are recommended to be flat rates for 2008. This is an effort to simplify the determination of construction inspection costs and allow the developer to better plan for and predict inspection costs associated with their project. The proposed 2008 rates would be charged to the developer at time of plat recordation. The fees are generally based on an average of actual fees charged on development projects completed between 2003-2006 and the projected development activity for 2008.

Budget: The 2008 budget includes \$75,000 in revenue from construction inspection fees. The proposed flat rate structure is estimated to generate approximately \$77,000 in fees for 2008.

Action Requested/Recommendation: Adopt Resolution establishing Flat Fees for Development Construction Inspections for 2008.

CATEGORY	2008 PROPOSED
RESIDENTIAL SUBDIVISIONS	\$90/LOT
COMMERCIAL/INDUSTRIAL LESS THAN 1 ACRE	\$450/ACRE
COMMERCIAL/INDUSTRIAL BETWEEN 1 & 5 ACRES	\$260/ACRE
COMMERCIAL/INDUSTRIAL GREATER THAN 5 ACRES	\$100/ACRE
COMMERCIAL/INDUSTRIAL SUBDIVISIONS	\$100/ACRE

Attachments: N/A

Background Information: Historically, the City invoiced Developers for construction inspection of new developments based on the total hours spent at the site times the construction inspectors gross hourly salary. These bills are sent out quarterly and challenges were presented when the developer requested an itemization of the number of hours and details of what was inspected at the development site. Gathering this information is cumbersome, time consuming and requires researching each timesheet of the Development Inspector, and at times requires going through handwritten notebooks to search for information pertaining to the particular development site.

Two years ago the Public Works and Utilities Department purchased an asset management system called GBA that provides one system for all of the Public Works and Utilities Divisions to inventory and manage the City's infrastructure assets. In 2008, the Construction Inspection Services Division is scheduled to include the GBA system in their daily activities. The GBA system will allow the Development Inspector to enter notes via computer regarding development inspection in the field; therefore, information regarding the inspection will be available electronically and more readily accessible than handwritten notes. This system will be tested during 2008. Council and staff can discuss the fee structure again during the 2009 budget process where a decision could be made by Council to either stay with a flat fee structure or implement an hourly rate with an itemized bill.

Staff of the Public Works & Planning Department have researched the costs of development inspections from 2003 through 2006 and determined **average** development inspection charges. Additionally, during 2007 15 residential subdivisions were annexed, zoned and received Preliminary Plan approval containing approximately 733 lots. Staff assumes that all 733 lots will receive Final Plan approval and begin construction in 2008. Additionally, approximately 20 acres of commercial/industrial development in the 1 to 5 acre category and 40.46 acres in the greater than 5 acres category received Preliminary Plan approval in 2007 and staff assumes these projects will receive Final Plan approval and move into the construction phase in 2008. The table below summarizes the data.

CATEGORY	Average LOTS / ACRES 2003-06	2003-06 Average Fee	Estimated LOTS / ACRES 2008	2008 Proposed Fee per LOT/ACRE	Estimated Revenue with Proposed Rates
RESIDENTIAL SUBDIVISIONS (LOTS)	406	\$96/Lot	733	\$90	\$65,970
COMMERCIAL/INDUSTRIAL LESS THAN 1 ACRE	.65	\$632/Acre	.65	\$450*	\$292
COMMERCIAL/INDUSTRIAL BETWEEN 1 & 5 ACRES	2.34	\$275/Acre	20.69	\$260	\$5,379

COMMERCIAL/INDUSTRIAL GREATER THAN 5 ACRES	10.51	\$94/Acre	40.46	\$100	\$4,064
COMMERCIAL/INDUSTRIAL SUBDIVISIONS (ACRES)	14.57	\$124/Acre	14.57	\$100	\$1,457

Total Estimated Fees \$77,138

* This sample size was small (4 projects/year) and had a large deviation between assessed fee's so the proposed fee was adjusted down to reflect the median value.

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO.

A RESOLUTION ESTABLISHING FLAT RATE DEVELOPMENT INSPECTION FEES

Recitals:

The City of Grand Junction (“City”) presently charges Development Inspection Fees on an hourly basis. That approach has been difficult for both the City and owners to anticipate costs, track the time and costs incurred and to bill.

The City staff has considered a revision to the method of charging inspection fees and has recommended a flat fee system. The flat fee system is based on acreage and the type of development project. After review and consideration, it has been determined that fees as established in this Resolution are reasonable and should be assessed for development inspections.

The City has a legitimate governmental interest in assuring that development does not cause the public problems of inadequate, unsafe and inefficient public facilities and to that end has determined that there is a reasonable, demonstrable connection between the fees charged and the public benefit and protection of the public health, safety and welfare that is had by imposing the same on new growth and development.

The fees stated and described herein have been found to be in an amount bearing a reasonable relationship to the cost of providing services, protecting the public and their facilities from degradation and/or exacerbation of public problems due to growth.

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

The following schedule of inspection fees is hereby adopted:

CATEGORY	2008 FLAT FEE
RESIDENTIAL SUBDIVISIONS	\$90/LOT
COMMERCIAL/INDUSTRIAL LESS THAN 1 ACRE	\$450/ACRE
COMMERCIAL/INDUSTRIAL BETWEEN 1 & 5 ACRES	\$260/ACRE
COMMERCIAL/INDUSTRIAL FOR EACH ACRE GREATER THAN 5	\$100/ACRE

COMMERCIAL/INDUSTRIAL SUBDIVISIONS	\$100/ACRE
---------------------------------------	------------

PASSED and ADOPTED this 2nd day of January, 2008.

ATTEST:

Jim Doody, Mayor

ATTEST:

Stephanie Tuin
City Clerk

Attach 8
Public Hearing - Rezoning the Pepper Ridge Townhomes
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Pepper Ridge Townhomes Rezone – Located at the South end of W. Indian Creek Drive		
File #	PP-2007-303		
Meeting Day, Date	Wednesday, January 2, 2008		
Placement on the Agenda	Consent		Individual x
Date Prepared	December 27, 2007		
Author Name & Title	Adam Olsen, Senior Planner		
Presenter Name & Title	Adam Olsen, Senior Planner		

Summary: A request to rezone 3.32 acres, located at the south end of W. Indian Creek Drive, from PD (Planned Development) to R-8 (Residential 8 du/ac).

Budget: N/A

Action Requested/Recommendation: Hold a public hearing and consider final passage of the ordinance rezoning 3.32 acres, located at the south end of W. Indian Creek Drive from PD (Planned Development) to R-8 (Residential 8 du/ac).

Background Information: See attached report.

Attachments:

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

BACKGROUND INFORMATION			
Location:	South end of W. Indian Creek Drive		
Applicants:	Steve Kesler-Owner The Kesler Group-Developer Paul Johnson-Representative		
Existing Land Use:	Vacant		
Proposed Land Use:	Residential		
Surrounding Land Use:	North	Residential	
	South	Residential	
	East	Residential	
	West	Residential	
Existing Zoning:	PD (Planned Development)		
Proposed Zoning:	R-8 (Residential 8 du/ac)		
Surrounding Zoning:	North	PD (Planned Development)	
	South	PD (Planned Development)	
	East	R-8 (Residential 8 du/ac)	
	West	R-8 (Residential 8 du/ac)	
Growth Plan Designation:	Residential Medium High (8-12 du/ac)		
Zoning within density range?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/> No

PROJECT DESCRIPTION: A request to rezone 3.32 acres, located at the south end of W. Indian Creek Drive, from PD (Planned Development) to R-8 (Residential 8 du/ac).

RECOMMENDATION: Approval of the request to rezone to the R-8 zone district.

Staff Analysis:

1. Background

This area consists of 3.32 acres and was platted as Lot 6, Filing 4, Pepper Tree Subdivision, for future development. The property was originally zoned PR-20 (Planned Residential 20 du/ac), subsequently zoned PD (Planned Development) in 2000. The existing Pepper Tree Subdivision, zoned PD, has a density of 11.25 du/ac. This property (3.32 acres) never had an associated preliminary subdivision plan. The

applicant has submitted a preliminary subdivision plan that is running concurrent with this rezone request. The applicant originally requested a zone district of PD, to match the Pepper Tree Subdivision; however a PD must also provide a community benefit. The applicant originally stated that the community benefit would be affordable housing but was informed that this could not be considered a community benefit unless the units were deed restricted. The applicant was not in favor of having the units deed restricted. After discussing the issue, the applicant agreed to pursue the R-8 zone as it would provide the bulk requirements and density that is being requested with the preliminary subdivision plan.

2. Consistency with the Growth Plan

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

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

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

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

Response: The existing zoning was not in error at the time of adoption. The property was a part of the Pepper Tree Subdivision, which previous to 2000 had a zone designation of PR-20 (Planned Residential 20 du/ac).

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

Response: The properties to the east and west are zoned and developed at R-8 densities. To the north is the existing Pepper Tree Subdivision, with a density of 11.25 du/ac. The R-8 zone district allows the applicant to develop the property at a density that will match the surrounding densities while providing the bulk requirements of the R-8 zone district.

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

Response: The R-8 zone district is compatible with the neighborhood and will not create adverse impacts. The Future Land Use Map designates the surrounding properties as RMH (Residential Medium High 8-12 du/ac).

The R-8 zone district is in conformance 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 will encourage development that uses existing facilities and is compatible with existing development.

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

Goal 11: To promote stable neighborhoods and land use compatibility throughout the community.

Goal 15: To achieve a mix of compatible housing types and densities dispersed throughout the community.

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

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

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

Response: This area of the City is mostly built out. The Future Land Use Map designates this area as Residential Medium High (8-12 du/ac) and surrounding areas as Residential Medium (4-8 du/ac). Any lands comparably zoned have been developed. This area represents an in-fill location that can be developed to match surrounding densities.

6. The community will benefit from the proposed zone.

Response: The community will benefit from the proposed zone it will allow needed density to be added to an area of the City which is almost built out. This parcel can be considered an in-fill development, matching the densities of the properties surrounding it.

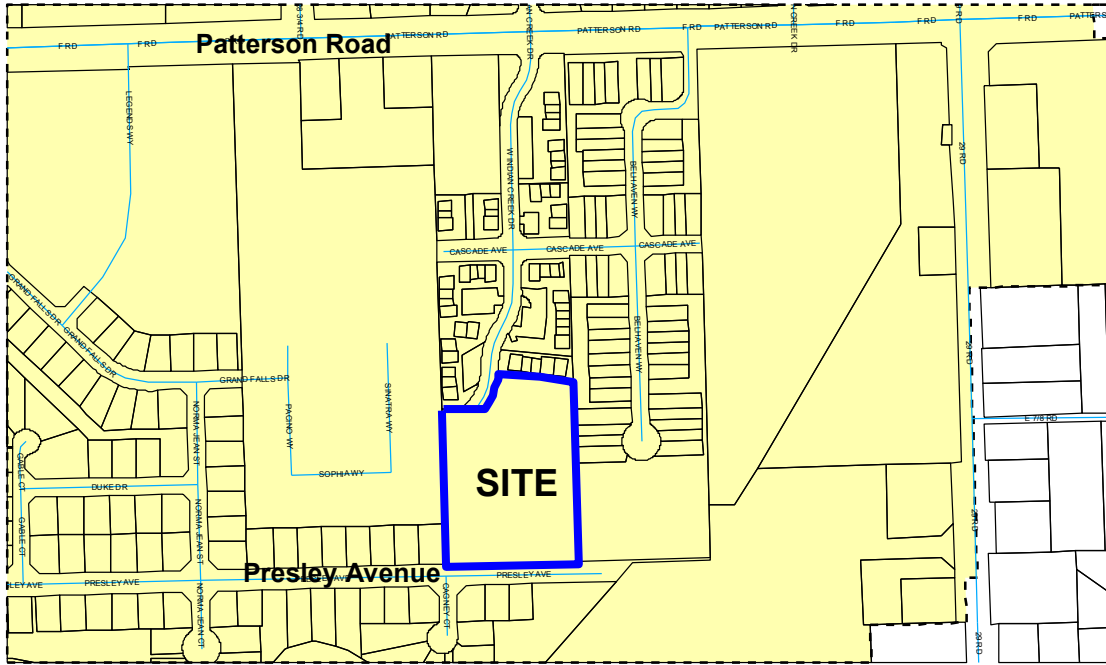
PLANNING COMMISSION RECOMMENDATION:

The Planning Commission recommended approval of the requested rezone, PP-2007-303, to the City Council with the following findings of fact and conclusions:

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

Site Location Map

Figure 1



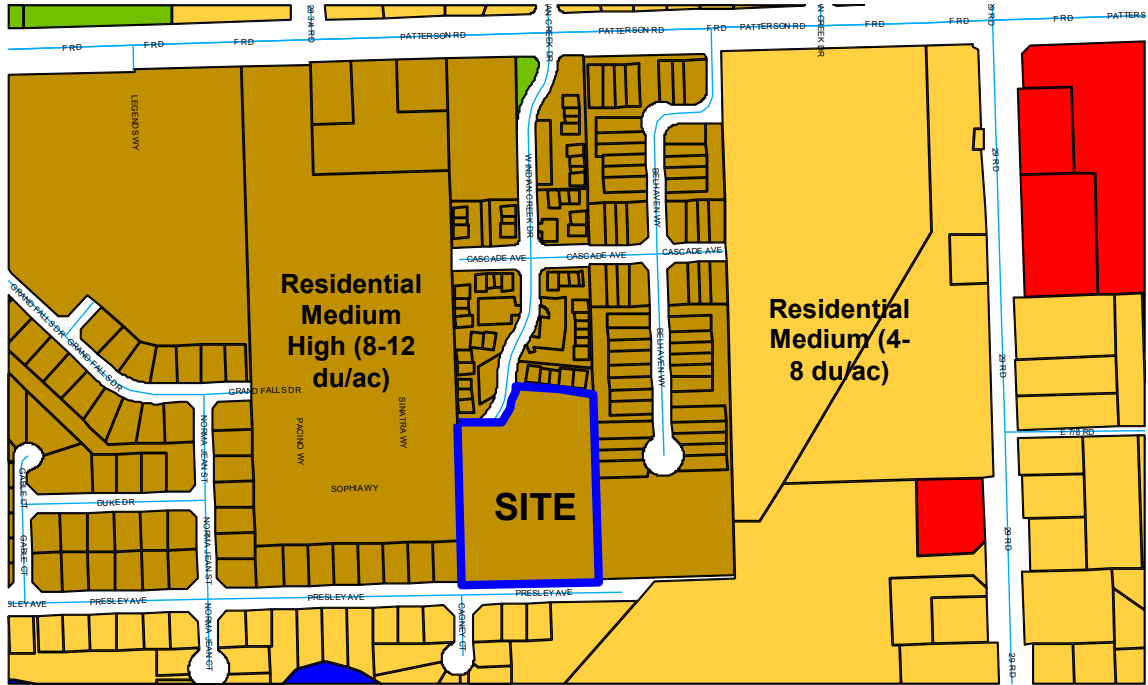
Aerial Photo Map

Figure 2



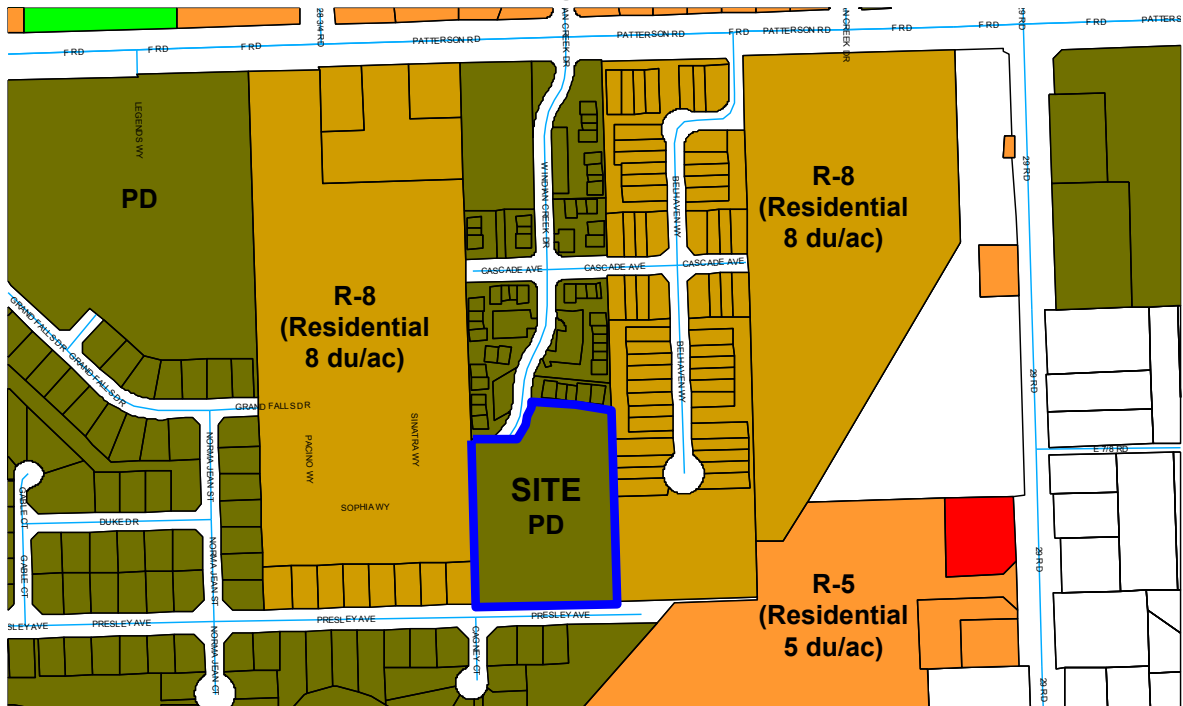
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE REZONING THE PROPERTY KNOWN AS THE
PEPPER RIDGE TOWNHOMES TO
R-8, RESIDENTIAL 8 UNITS PER ACRE**

LOCATED AT THE SOUTH END OF WEST INDIAN CREEK DRIVE

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended approval of rezoning the Pepper Ridge Townhomes to the R-8, Residential 8 Units/Acre Zone District finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning & Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the R-8, Residential 8 Units/Acre Zone District is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning & Development Code.

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

The following property be zoned R-8, Residential 8 Units/Acre

Lot 6 Pepper Tree Filing No 4 Sec 7 1S 1E

Said parcel contains 3.32 acres more or less.

Introduced on first reading this 17th day of December and ordered published.

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

ATTEST:

President of the Council

City Clerk

**Attach 9
Public Hearing - Vacating Public Right-of-Way for Portions of Palmer Street and Dominguez Avenue**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Vacation of Public Right-of-Way for portions of Palmer Street and Dominguez Avenue, Alpine Bank Subdivision – Located at 2675 Highway 50		
File #	PP-2007-317		
Meeting Day, Date	Wednesday, January 2, 2008		
Placement on the Agenda	Consent	<input type="checkbox"/>	Individual <input checked="" type="checkbox"/>
Date Prepared	December 27, 2007		
Author Name & Title	Adam Olsen, Senior Planner		
Presenter Name & Title	Adam Olsen, Senior Planner		

Summary: The applicant, Alpine Bank, is proposing to subdivide this parcel into a major subdivision containing both commercial and residential lots. At the northwest corner of the property are the existing rights-of-way for Palmer Street and Dominguez Avenue. These rights-of-way are in excess of what is needed and required for access to the proposed subdivision. Therefore, a vacation request is proposed for these portions of right-of-way.

Budget: N/A

Action Requested/Recommendation: Hold a public hearing and consider final passage of the Ordinance vacating portions of Palmer Street and Dominguez Avenue.

Background Information: See attached report.

Attachments:

1. Site Location Map/Aerial Photo Map
2. Future Land Use Map/Existing City and County Zoning Map
3. Vacation Ordinance
4. Right-of-Way Vacation Illustration

BACKGROUND INFORMATION				
Location:		2675 Highway 50		
Applicants:		Alpine Bank-Owner Peter Icenogle-Representative		
Existing Land Use:		Agriculture		
Proposed Land Use:		Commercial		
Surrounding Land Use:	North	Commercial/Residential		
	South	Public (Elementary School)		
	East	Commercial		
	West	Commercial		
Existing Zoning:		C-1 (Light Commercial)		
Proposed Zoning:		n/a		
Surrounding Zoning:	North	C-1 (Light Commercial)		
	South	R-4 (Residential 4 du/ac)		
	East	C-1 (Light Commercial)		
	West	C-1 (Light Commercial)		
Growth Plan Designation:		Commercial		
Zoning within density range?		<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/> No

PROJECT DESCRIPTION: The applicant, Alpine Bank, is proposing to subdivide this parcel into a major subdivision containing both commercial and residential lots. At the northwest corner of the property are the existing rights-of-way for Palmer Street and Dominguez Avenue. These rights-of-way are in excess of what is needed and required for access to the proposed subdivision. Therefore, a vacation request is proposed for these portions of right-of-way.

RECOMMENDATION: Approval of the request to vacate portions of the rights-of-way for Palmer Street and Dominguez Avenue.

Staff Analysis:

1. Background

This property was annexed into the City with two annexations. The first one, annexing the northern portion which contains the rights-of-way was annexed into the City in 1973

under the “Central Orchard Mesa Annexation.” The southern portion of the property was annexed in 2003 under the “Carville Annexation.”

The rights-of-way have never been developed as streets. Palmer Street will be developed as the main entrance into the proposed subdivision from Highway 50. Right-of-way for Dominguez Avenue extends east from the Palmer Street right-of-way, intersecting Highway 50, but as stated above, was never developed. The applicant is requesting that ten feet (10’) at the eastern portion of the existing Palmer Street right-of-way and the Dominguez Avenue right-of-way east of Palmer Street be vacated. A total of 7,470 square feet is proposed for vacation.

These rights-of-way are in excess of what is needed and required for access into the proposed subdivision. Processing the vacation request at this time allows the applicant to design the future road, built to the Collector street standard, into the development. The area included in the vacation will then be a part of the lots in the proposed subdivision.

2. Consistency with the Growth Plan

The Future Land Use Map designates this area as Commercial. Palmer Street will be constructed to a “Collector” street standard which is adequate to serve both the residential and commercial components of the proposed subdivision.

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.

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

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

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

Palmer Street is not classified on the major street plan but will be constructed to the standards of a Collector street. The vacation request is

not in conflict with the Growth Plan, Major Street Plan or other adopted plans and policies of the City.

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

The vacation of portions of rights-of-way for Palmer Street and Dominguez Avenue will not cause any parcel to be landlocked.

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

Access to parcels will not be restricted to the point where it is unreasonable, economically prohibitive or will reduce or devalue the adjacent parcels. Palmer Street will be constructed into the proposed subdivision, offering a street built to a Collector standard.

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

There will be no adverse impacts to the health, safety, and/or welfare of the general community. The quality of public facilities and services will be enhanced by the construction of Palmer Street.

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

The provision of adequate public facilities and services will not be inhibited to any of the adjacent parcels.

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

The portion of Dominguez Avenue that is to be vacated does not serve to improve traffic circulation or access any parcels of land. By vacating the portion of Palmer Avenue that is not required for access into the proposed subdivision, the City shall have the benefit of reduced maintenance on Palmer Street. Palmer Street, when constructed and built to a Collector standard will improve traffic circulation in the immediate area.

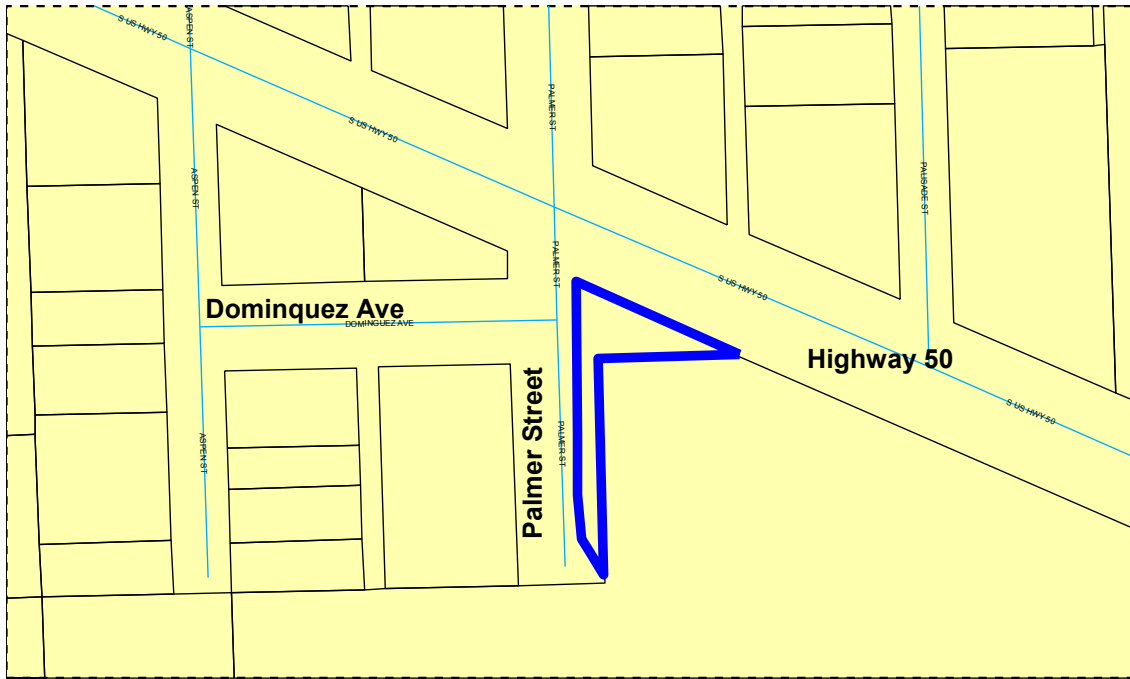
PLANNING COMMISSION RECOMMENDATION

The Planning Commission recommended approval of the request to vacate portions of the rights-of-way for Palmer Street and Dominguez Avenue with the following findings of fact and conclusions.

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

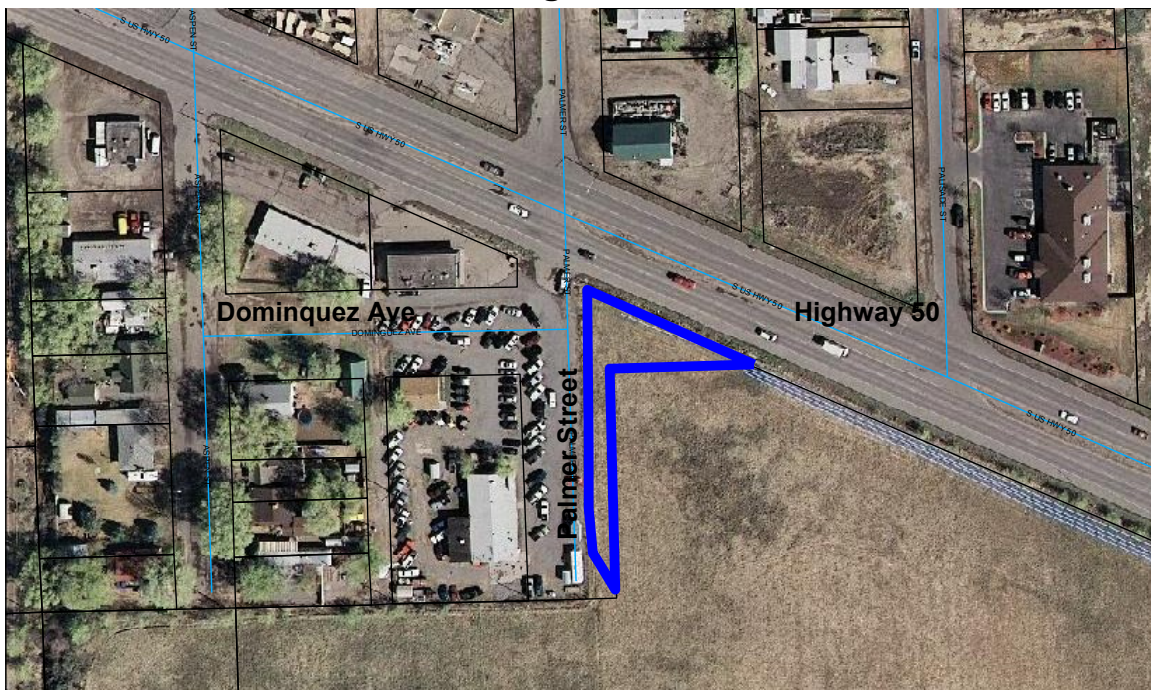
Site Location Map

Figure 1



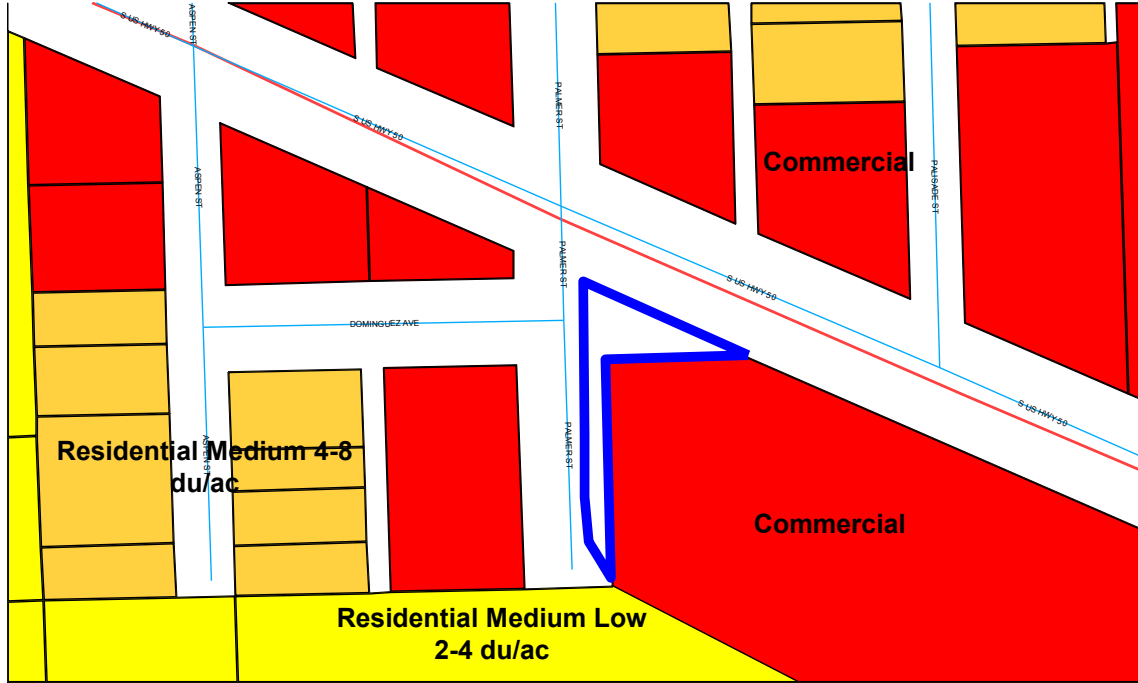
Aerial Photo Map

Figure 2



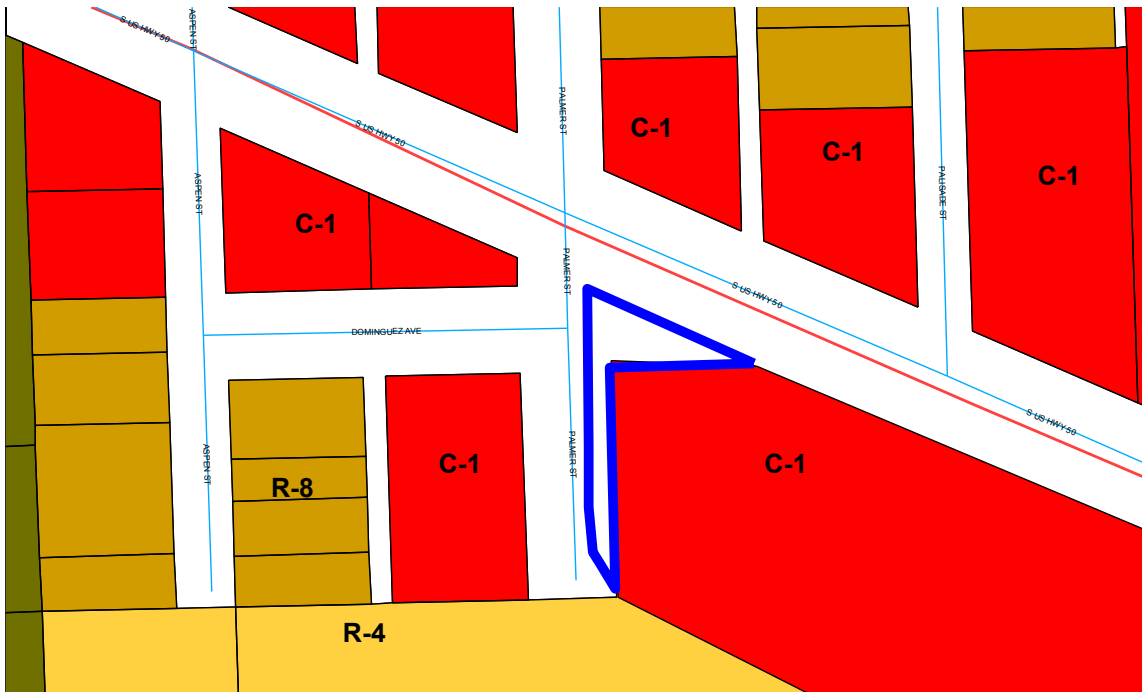
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE VACATING RIGHT-OF-WAY FOR PORTIONS OF
PALMER STREET AND DOMINGUEZ AVENUE
LOCATED AT 2675 HIGHWAY 50**

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.

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. 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" as part of this vacation of description.

Dedicated right-of-way to be vacated:

A portion of the easterly right-of-way of Palmer Street and a portion of the right-of-way of Dominguez Avenue situate in the NW1/4NE1/4 of section 26 in Township One South, Range One West of the Ute Meridian in the City of Grand Junction, Mesa County, Colorado, said portion being more particularly described as follows:

Commencing at a #5 rebar for the Center-East 1/16 Corner of said Section 26; thence N00°05'41"W for a distance of 1321.24 feet to a "P.K." nail for the NE1/16 Corner of said Section 26; thence N74°54'25"W for a distance of 819.38 feet to the intersection of the southerly right-of-way line of Dominguez Avenue with the easterly right-of-way line of Palmer Street and the Point of Beginning; thence the following:

1. S00°18'14"E, on said easterly right-of-way line, for a distance of 193.89 feet;

2. Departing said easterly right-of-way line, northwesterly 73.71 feet on the arc of a non-tangent 270.00-foot radius curve to the right subtended by a central angle of 15°38'33" and having a chord which bears N08°07'30"W a distance of 73.48 feet;
3. N00°18'14"W, parallel with said easterly right-of-way line, for a distance of 194.41 feet to the southerly right-of-way line of U.S. Highway 50;
4. S65°00'43"E, on said southerly right-of-way line, for a distance of 174.34 feet to the intersection with the southerly right-of-way line of Dominguez Avenue;
5. Departing said Highway 50, N89°51'07"W for a distance of 147.63 feet to the Point of Beginning.

Containing approximately 7,470 square feet, more or less

Introduced for first reading on this 17th day of December, 2007

PASSED and ADOPTED this _____ day of _____, 2008.

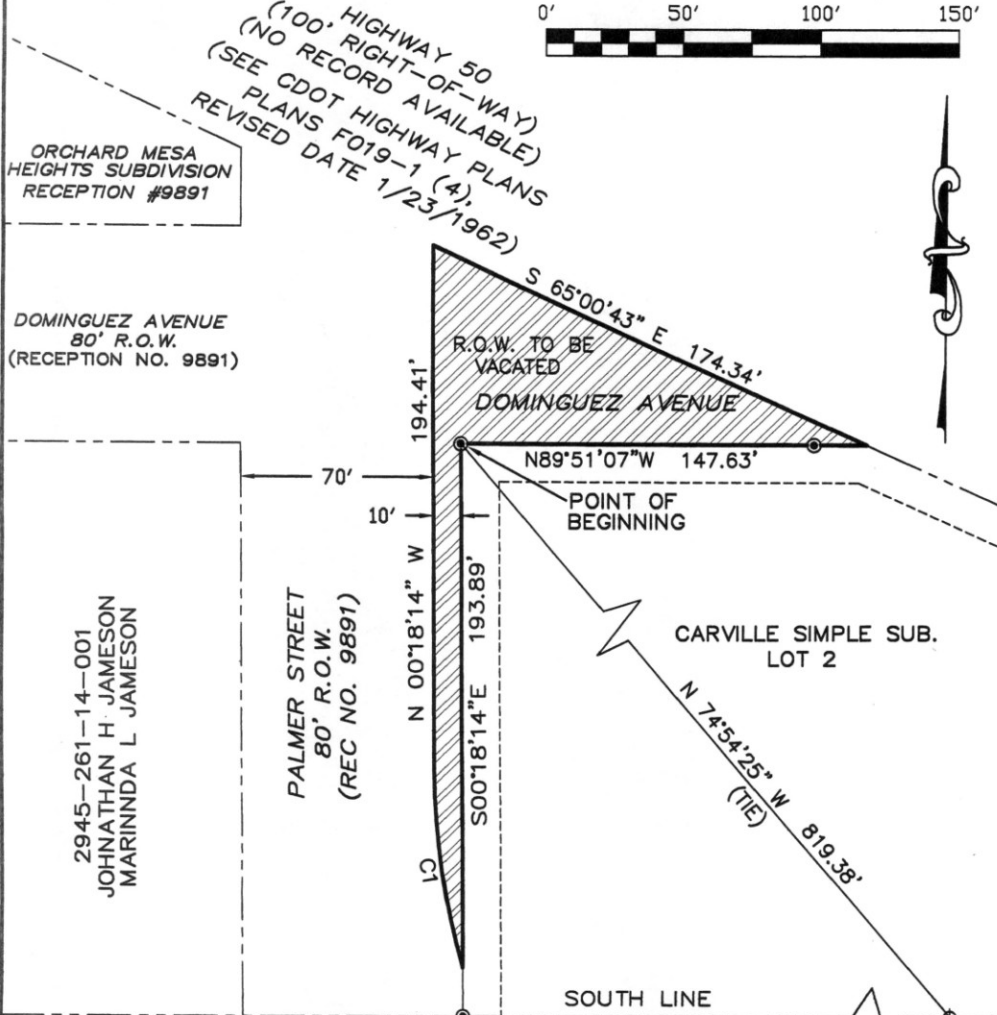
ATTEST:

President of City Council

City Clerk

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	270.00'	73.71'	73.48'	N 08°07'30" W	15°38'33"

NON-TANGENT



BASIS OF BEARINGS STATEMENT:
 Bearings are based on grid north of the Mesa County Local Coordinate System, locally determined by GPS observations on the #5 rebar at the center-east one-sixteenth corner of Section 26, and the PK Nail at the northeast one-sixteenth corner of Section 26. The measured bearing of this line is N00°05'41"W.

NORTHEAST 1/16 CORNER SECTION 26 FOUND PK NAIL

CENTER-EAST 1/16 CORNER SECTION 26 #5 REBAR IN RANGEBOX POINT OF COMMENCEMENT

BASIS OF BEARINGS
 N 00°05'41" W
 1321.24'

2945-261-14-001
 JOHNATHAN H. JAMESON
 MARINNA L. JAMESON

PALMER STREET
 80' R.O.W.
 (REC NO. 9891)

DOMINGUEZ AVENUE
 80' R.O.W.
 (RECEPTION NO. 9891)

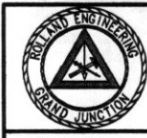
ORCHARD MESA
 HEIGHTS SUBDIVISION
 RECEPTION #9891

(100' HIGHWAY 50
 (NO RECORD AVAILABLE)
 (SEE CDOT HIGHWAY PLANS
 PLANS F019-1 (4),
 REVISED DATE 1/23/1962)



Richard A. Wilson

THIS IS NOT A SURVEY PLAT



ROLLAND ENGINEERING
 405 Ridge Blvd
 Grand Jct, CO 81503
 (970) 243-8300

File Name: C:\6051\6051ROWVAC.DWG			
PALMER STREET R.O.W. VACATION			
IN THE NW1/4 NE1/4 SECTION 26 T1S, R1W OF THE UTE MERIDIAN IN THE CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO.			
Designed	Checked	Proj	Sheet
JLG	RAB	6051	1
Drawn	Date	By	Of
JLG	8/13/07	Rn	1