



**CITY COUNCIL AGENDA
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET
WEDNESDAY, FEBRUARY 6, 2008, 7:00 P.M.**

Call to Order

Pledge of Allegiance

Citizen Comments

***** CONSENT CALENDAR ***[®]**

1. **Setting a Hearing on Amending the Code Regarding Industrial Pretreatment** [Attach 1](#)

The Federal Government made changes to the Code of Federal Regulations (CFR) which became effective in 2006. Those changes deal with Industrial Pretreatment Regulations. The EPA requires that our City Ordinance be as restrictive as the Federal Regulations. The Grand Junction Ordinance is being revised to incorporate the exact language of these changes.

Proposed Ordinance Amending a Portion of Article II of Chapter 38 of the Grand Junction Code of Ordinances to Incorporate Changes Made to the Federal Code of Regulations Related to Industrial Pretreatment Regulations

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

Staff presentation: John Shaver, City Attorney

*** Indicates New Item

[®] Requires Roll Call Vote

2. **Setting a Hearing for the Vacation of the North/South Alley between S. 8th and S. 9th Streets, North of Winters Avenue** [File #VR-2007-050] [Attach 2](#)

Request to vacate the north/south alley between S. 8th and S. 9th Streets, north of Winters Avenue. The applicant is requesting to vacate the alley in order to use the land with the properties located at 806 and 814 Winters Avenue for storage of construction and special event traffic control signs and equipment.

Proposed Ordinance Vacating North/South Right-of-Way for Alley Located Between South 8th and South 9th Streets, North of Winters Avenue

Action: Introduction of Proposed Ordinance and Set a Hearing for February 20, 2008

Staff presentation: Senta L. Costello, Associate Planner

3. **Setting a Hearing Zoning the Pinson-Herigstad Annexation, Located at 644 ½ 29 ½ Road** [File #ANX-2007-352] [Attach 3](#)

Request to zone the 3.02 acre Pinson-Herigstad Annexation, Located at 644 ½ 29 ½ Road, to R-4 (Residential 4 du/ac).

Proposed Ordinance Zoning the Pinson-Herigstad Annexation to R-4, Located at 644 ½ 29 ½ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for February 20, 2008

Staff presentation: Senta L. Costello, Associate Planner

4. **Setting a Hearing on the Below-Senatore-Stone Annexation, Located at 209 ½ and 221 Red Mesa Heights Road** [File #ANX-2007-373] [Attach 4](#)

Request to annex 2.95 acres, located at 209 ½ and 221 Red Mesa Heights Road. The Below-Senatore-Stone Annexation consists of 2 parcels, includes portions of Hwy 340 (Broadway) and Red Mesa Heights Road rights-of-way, and is a 2 part serial annexation.

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

Resolution No. 17-08—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, Below-Senatore-Stone Annexations #1 and #2, Located at 209 ½ and 221 Red Mesa Heights Road and Including Portions of Highway 340 and Red Mesa Heights Rights-of-Way

®Action: *Adopt Resolution No. 17-08*

b. Setting a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Below-Senatore-Stone Annexation No. 1, Approximately 0.43 acres, Located at 209 ½ Red Mesa Heights Road and Including Portions of Highway 340 and Red Mesa Heights Rights-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Below-Senatore-Stone Annexation No. 2, Approximately 2.52 acres, Located at 209 ½ and 221 Red Mesa Heights Road

Action: *Introduction of Proposed Ordinances and Set a Hearing for March 19, 2008*

Staff presentation: Senta L. Costello, Associate Planner

5. **Setting a Hearing on the Sage Hills Annexation, Located at 3115 ½ and 3117 D ½ Road and Two Unaddressed Parcels on D ½ Road** [File #ANX-2007-363]

[Attach 5](#)

Request to annex 14.55 acres, located at 3115 ½ and 3117 D ½ Road and two unaddressed parcels on D ½ Road. The Sage Hills Annexation consists of 4 parcels and is a two part serial annexation.

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

Resolution No. 18-08—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, Sage Hills Annexation NO. 1 and No. 2, Located at 3115 ½ and 3117 D ½ Road and Two Parcels with No Address on D ½ Road

®Action: *Adopt Resolution No. 18-08*

b. Setting a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Sage Hills Annexation No. 1, Approximately 4.92 acres, Located at 3115 ½ and 3117 D ½ Road and Two Parcels with No Address on D ½ Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Sage Hills Annexation No. 2, Approximately 9.63 acres, Located at 3115 ½ and 3117 D ½ Road and Two Parcels with No Address on D ½ Road

Action: *Introduction of Proposed Ordinances and Set a Hearing for March 19, 2008*

Staff presentation: Justin T. Kopfman, Associate Planner

6. **Setting a Hearing Zoning the Sura Annexation, Located at 405 25 Road** [File #ANX-2007-276] [Attach 6](#)

Request to zone the 1.45 acre Sura Annexation, located at 405 25 Road, to R-4 (Residential, 4 du per acre).

Proposed Ordinance Zoning the Sura Annexation to R-4 (Residential -4 du/ac), Located at 405 25 Road

Action: *Introduction of Proposed Ordinance and Set a Hearing for February 20, 2008*

Staff presentation: David Thornton, Principal Planner

7. **Setting a Hearing Zoning the Reigan/Patterson/TEK/Morario Annexation, Located at 2202, 2202 ½, 2204 H Road and 824 22 Road** [File #ANX-2007-279] [Attach 7](#)

Request to zone the 26.732 acre Reigan/Patterson/TEK/Morario Annexation, located at 2202, 2202 ½, 2204 H Road and 824 22 Road to City Mixed Use (MU).

Proposed Ordinance Zoning the Reigan/Patterson/TEK/Morario Annexation to Mixed Use Located at 2202, 2202 ½, 2204 H Road, and 824 22 Road

Action: *Introduction of Proposed Ordinance and Set a Hearing for February 20, 2008*

Staff presentation: David Thornton, Principal Planner

8. **Setting a Hearing on the Lusk Annexation, Located at 2105 South Broadway** [File #ANX-2007-368] [Attach 8](#)

Request to annex 8.53 acres, located at 2105 South Broadway. The Lusk Annexation consists of one parcel.

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

Resolution No. 19-08—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, Lusk Annexation, Located at 2105 South Broadway

®Action: *Adopt Resolution No. 19-08*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Lusk Annexation, Approximately 8.53 acres, Located at 2105 South Broadway

Action: *Introduction of Proposed Ordinance and Set a Hearing for March 19, 2008*

Staff presentation: David Thornton, Principal Planner

9. **Setting a Hearing on the Three Sisters Area Planned Development Outline Development Plan (ODP), Located at 2431 and 2475 Monument Road** [File #GPA-2007-262] [Attach 9](#)

Request for approval of an Outline Development Plan (ODP) to develop 148.3 acres as a Planned Development for properties located at 2431 and 2475 Monument Road in the Redlands and designating the R-2 Residential – 2 units/acre Zoning District as the default zone district.

Proposed Ordinance Zoning Approximately 148.3 Acres to PD, Planned Development, with R-2, Residential – 2 Units/Acre as the Default Zone District for

the Three Sisters Planned Development Located at 2431 and 2475 Monument Road

Action: Introduction of Proposed Ordinances and Set a Hearing for February 20, 2008

Staff presentation: Scott D. Peterson, Senior Planner

10. **Revocable Permit for the Fairway Villas Subdivision, Located at 2065 S. Broadway** [File #FP-2007-157] [Attach 10](#)

Request to allow construction of a landscaping berm for drainage purposes to be located on City owned property adjacent to the 10th fairway of the Tiara Rado Golf Course.

Resolution No. 20-08—A Resolution Concerning the Issuance of a Revocable Permit to Redlands Investment Properties, LLC

®Action: Adopt Resolution No. 20-08

Staff presentation: Scott D. Peterson, Senior Planner

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

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

11. **Public Hearing - Amendment to the Action Plan for 2001 and 2002 Community Development Block Grant (CDBG) Program Years and Subrecipient Contract for Project within the 2007 CDBG Program Year** [File #CDBG 2007-08 and 2007-10] [Attach 11](#)

Amend the City's Action Plans for the Community Development Block Grant (CDBG) Program Years 2001 and 2002 to reallocate unspent funds from previous years to a previously approved project within the 2007 CDBG Program Year. These amendments were anticipated and the funds from the previous projects included when the City approved the 2007 CDBG allocations. The Subrecipient Contract formalizes the City's award of \$110,000 to Rocky Mountain SER Head Start as allocated from the City's 2007 CDBG Program as previously approved by Council.

Action: Approve the Amendments to the City's CDBG Consolidated Plan 2001 and 2002 Action Plans to Reflect Reallocation of the Unspent Funds to the 2007

Program Year, Specifically Project 2007-10, Hale Avenue Sidewalk Improvements; and 2) Authorize the City Manager to Sign the Subrecipient Agreement with Rocky Mountain SER Head Start for the City's 2007 Program Year, CDBG Program
Staff presentation: Kathy Portner, Neighborhood Services Manager

12. **Public Hearing - Meens Annexation, Located at 2475 Monument Road** [File #GPA-2007-262] [Attach 12](#)

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

a. Acceptance Petition

Resolution No. 21-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Meens Annexation, Located at 2475 Monument Road Including Portions of the Monument Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4179—An 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: Adopt Resolution No. 21-08 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4179

Staff presentation: Scott D. Peterson, Senior Planner

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

14. **Other Business**

15. **Adjournment**

Attach 1
Code Change Regarding Industrial PreTreatment
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Amending the Code Regarding Industrial Pre-Treatment		
File #			
Meeting Day, Date	Wednesday, February 6, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	January 25, 2008		
Author Name & Title	Mike Shea, Industrial Pretreatment Supervisor		
Presenter Name & Title	John Shaver, City Attorney		

Summary: The Federal Government made changes to the Code of Federal Regulations (CFR) which became effective in 2006. Those changes deal with Industrial Pretreatment Regulations. The EPA requires that our City Ordinance be as restrictive as the Federal Regulations. The Grand Junction Ordinance is being revised to incorporate the exact language of these changes.

Budget: NA

Action Requested/Recommendation: Introduction of Proposed Ordinance and Set a Hearing for April 2, 2008.

Attachments

- Opinion Letter from City Attorney to USEPA
- Ordinance with proposed revisions showing ~~deletions~~ and additions

Background Information:

The current City Code, Sections 38-62 through 38-70, was written to reflect the Pretreatment Requirements in 40 CFR 403. The proposed changes update our Ordinance to the current CFR regulations. If The City adopts the same language as the Federal Regulations, the USEPA will not have to provide separate public notice of the changes.



CITY ATTORNEY

January 25, 2008

Al Garcia
USEPA Region VIII
999 18th St., Suite 500
Denver CO 80202-2466

Re: Industrial Pretreatment – 40 CFR 403

Dear Mr. Garcia:

Please accept this letter as a statement of my opinion that the proposed revisions to the Grand Junction Code of Ordinances (GJCO) conforming the GJCO to the Code of Federal Regulations (CFR) is in compliance with applicable law. Specifically it is my opinion that the proposed changes to the GJCO, Attachment 1, will positively affect the ability of the Persigo Wastewater Treatment Facility to carry out the responsibilities of the Grand Junction pretreatment program in accordance with all applicable federal and state statutory and regulatory requirements.

In accordance with the City Charter and the rights and responsibilities established therein, the City has the legal authority to adopt ordinances for the protection of the general health, safety and welfare of the citizens of Grand Junction. The content of Attachment 1 is such an ordinance. Specifically, conforming the GJCO to the CFR will presumptively further benefit and protect the health, safety and welfare of the citizens as the same has been determined by the EPA.

Following public notice and the required hearings on the proposed ordinance, the City Council will be duly authorized to adopt the ordinance. The professional staff of the City, including but not limited to the undersigned will recommend to the City Council that it approve the proposed ordinance as written. Approval of the proposed ordinance will enhance the commitment of Grand Junction to the IPT program and is consistent with the City's NPDES permit.

Should you have any questions or if I may otherwise be of assistance on this or any other matter, please let me know.

OFFICE OF THE CITY ATTORNEY

By:

John P. Shaver, City Attorney

250 NORTH 5TH STREET, GRAND JUNCTION, CO 81501 P [970] 244 1501 F [970] 244 1456 www.gjcity.org

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE AMENDING A PORTION OF ARTICLE II OF CHAPTER 38 OF THE GRAND JUNCTION CODE OF ORDINANCES TO INCORPORATE CHANGES MADE TO THE FEDERAL CODE OF REGULATIONS RELATED TO INDUSTRIAL PRETREATMENT REGULATIONS

Recitals:

The Federal Government has amended the Federal Code of Regulations (CFR) relating to industrial pretreatment regulations to further streamline the reporting processes to the United States Environmental Protection Agency (USEPA).

The USEPA requires that state and local law develop pretreatment programs that are consistent with federal law and not less stringent in their requirements than those set forth in the National Pretreatment Standards.

In compliance with USEPA requirements, City staff has made the required revisions relating to industrial pretreatment to the City Code of Ordinances and now request that the City Council approve the proposed changes to the Code of Ordinances.

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

Article II of Chapter 38 of the Code is amended as follows:

The following definitions in Section 38-63 are revised to read as follows:

38-63. Same—Definitions.

~~Authorized representative of an industrial user~~ includes: **Signatory Official** for required reports is defined as follows:

- (1) ~~A principal executive officer of at least the level of vice president having full actual authority to act on behalf of the corporation, if the industrial user is a corporation; A responsible corporate officer, if the industrial user is a corporation, means:~~

-
- (a) a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy-or decision-making functions for the corporation, or

- (b) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- (2) ~~A general partner or proprietor if the industrial user is a partnership or proprietorship, respectively; or~~ A general partner or proprietor if the Industrial User submitting the reports is a partnership or a sole proprietorship.
- (3) ~~A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of facilities from which any discharge originates.~~ A duly authorized representative of the individual designated in (1) and (2) of this section if:
- (a) the authorization is made in writing by the individual described in (1) or (2) of this section,
- (b) the authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the Industrial Discharge originates, such as the position of plant manager, operator of a well, or well field superintendent, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company; and
- (c) the written authorization is submitted to Control Authority.
- (4) If an authorization under (3) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for environmental matters for the company, a new authorization satisfying the requirements (3) of this section must be submitted to the Control Authority prior to or together with any reports to be signed by an authorized representative.

Significant noncompliance. An industrial user is in significant noncompliance if its violation meets one or more of the following criteria:

(1) Chronic violations of wastewater discharge limits, defined here as those in which 66 percent or more of all the measurements taken during a six-month period exceed (by any amount) the ~~daily~~ maximum limit for the same pollutant parameter; or

(2) Technical review criteria ("TRC") violations, defined here as those in which 33 percent or more of all the measurements for each pollutant parameter taken during a six-month period equal or exceed the product of the ~~daily~~ maximum limit or the average limit multiplied by the applicable TRC (TRC equals 1.4 for BOD, TSS, fats, oil and grease and 1.2 for all other pollutants except pH); or

(3) Any other violation of a pretreatment effluent limit (~~daily~~ maximum or longer term mean average) that the WWTW determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of WWTW personnel or the public; or

(4) No Changes

(5) No Changes

(6) Failure to provide, within ~~thirty~~ forty-five days after the date due, a required report such as a baseline monitoring report (BMR), a ninety-day compliance report, a periodic self-monitoring report or a report on compliance with compliance schedules; or

(7) No Changes

(8) No Changes

The remainder of Article II, Chapter 38, not specifically amended herein, shall remain in full force and effect.

INTRODUCED on this first reading this ____ day of _____ 2008.

James J. Doody
President of the Council

ATTEST:

Stephanie Tuin
City Clerk

Attach 2
Winters Avenue Alley Vacation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Vacation of the North/South Alley between S 8 th and S 9 th Streets, North of Winters Avenue		
File #	VR-2007-050		
Meeting Day, Date	Wednesday, February 6, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	January 11, 2008		
Author Name & Title	Senta L. Costello - Associate Planner		
Presenter Name & Title	Senta L. Costello - Associate Planner		

Summary: Request to vacate the north/south alley between S 8th and S 9th Streets, north of Winters Avenue. The applicant is requesting to vacate the alley in order to use the land with the properties located at 806 and 814 Winters Avenue for storage of construction and special event traffic control signs and equipment.

Budget: N/A

Action Requested/Recommendation: Introduce a Proposed Vacation Ordinance and Set a Public Hearing for February 20, 2008.

Attachments:

1. Staff Report
2. Site Location Map / Aerial Photo Map
3. Future Land Use Map / Existing City Zoning Map
4. Detailed Aerial
5. Correspondence from neighboring property owner
6. Draft minutes from the January 8, 2008 Planning Commission meeting
7. Proposed Ordinance
8. Right-of-way vacation exhibit

Background Information: See attached Staff report/Background information

BACKGROUND INFORMATION				
Location:		<i>North/South Alley between 814 and 830 Winters Avenue</i>		
Applicants:		Knowmoore LLC - Kirk Knowles		
Existing Land Use:		<i>Public Alley</i>		
Proposed Land Use:		<i>Outdoor Storage</i>		
Surrounding Land Use:	North	<i>Castings, Inc.</i>		
	South	<i>Orkin</i>		
	East	<i>Automotive Shop/Office</i>		
	West	<i>Knowmoore, LLC; Latino Anglo Alliance</i>		
Existing Zoning:		I-1 (Light Industrial)		
Proposed Zoning:		I-1 (Light Industrial)		
Surrounding Zoning:	North	I-2 (General Industrial)		
	South	I-1 (Light Industrial)		
	East	I-1 (Light Industrial)		
	West	I-1 (Light Industrial)		
Growth Plan Designation:		Commercial/Industrial		
Zoning within density range?		X	Yes	No

Staff Analysis:

1. Background

The subject property was annexed on November 12, 1912 and the Amended Plat for Benton Canon's First Subdivision was recorded in 1913. The north/south alley that the applicant is requesting be vacated was created as a condition of approval in 1972, as a part of a request to vacate the east/west alley that had historically continued east to S 9th Street. The west 1/2 of Lot 28 and the east 1/2 of Lot 29 were dedicated as right-of-way to create the north/south alley. The condition of the new north/south alley was

meant to create/maintain through circulation for the existing streets and alleys for the benefit of all property owners and traffic in the area.

The applicant is requesting to vacate the north/south alley, created in 1972, in order to use the land with the properties located at 806 and 814 Winters Avenue for storage of construction and special event traffic control signs and equipment.

Typically, when a right-of-way is vacated, the land reverts back to where it came from. Therefore, if this request is approved the right-of-way should be split and 1/2 returned to Lot 28 and 1/2 to Lot 29. The applicant has an agreement with Joa Stabolepsey, the property owner to the east, that Mr. Stabolepsey is willing to waive his right to the eastern half of the alley, if vacated.

The project was review by the Planning Commission at their January 8, 2008 meeting. The Commission listened to staff and applicant presentations. A discussion followed regarding how much, if any, the alley is currently used and the potential ability to use the east/west alley in the future if the north/south alley is vacated. John Bonella was not present to answer question regarding their usage of the alley and the letter received from Castings, Inc. was vague as to their objections and plans for their adjacent property. After asking questions of the applicant and staff to clarify what the request was and the potential impacts, the Planning Commission forwarded a recommendation of approval to the City Council.

2. Consistency with the Growth Plan

The request is not consistent with the Growth Plan Goal 24: To develop and maintain a street system which effectively moves traffic throughout the community.

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

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

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

Applicant's Response: The vacation will follow all of the criteria designate in the Growth Plan, major street plan and other plans for the future designated by the city. Knowmoore has an existing fence on its property line around 806 and 814 Winters Avenue. This fence line will be extended to include the proposed vacancy. The fence will not restrict any public facilities (Sewer, Drainage, and Fire & Rescue) and it will not change any future plans for the city.

Staff's Response: The request does not conform to the Goals of the Growth Plan as stated above and conflicts with the condition of the original request to vacate the east/west alley. It will require traffic circulation in the east/west alley to now either pull into the alley and back out or vice versa, thus hindering traffic circulation for the east/west alley. This movement requires circulation within the undeveloped S 8th Street right-of-way in order to use the alley, which is a violation of the TEDS (Transportation Engineering Design Standards) Manual 4.3. It does not conflict the other adopted plans and policies of the City.

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

Applicant's Response: This proposed vacation will not in any way land lock any properties adjacent to or nearing the allotted property in question.

Staff's Response: There will not be any parcels landlocked if this alley is vacated.

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.

Applicant's Response: All properties nearing the proposed vacation will be undisturbed and they will not be devalued in any monetary or physical way.

Staff's Response: I have received correspondence from the property owner to the north (see attached) stating their objections to the vacation request. Their concerns regard how the north/south alley was created and the intents of that creation and the limited ingress/egress to the rear of their property that would be created if this vacation is approved. Due to the concerns of the adjoining property owner, the request to vacate the alley cannot be supported.

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).

Applicant's Response: The general community will have no ill effect from the proposed vacation. All safety and public facilities will not be disturbed or changed in any fashion. The City and all emergency vehicles will have full access to the properties from the fenced gates and the alley running east and west parallel to Winters Avenue and Fourth Avenue.

Staff's Response: There is the potential for adverse impacts to the health, safety, and/or welfare of the properties in the area due to circulation movements

required in S. 8th Street, violating TEDS 4.3. S 8th Street is frequently used as a parking area for functions at the Latino Anglo Alliance property located to the west of Knowmoore, LLC's property. If the north/south alley is vacated and the S 8th Street right-of-way is being used for parking, access to the rear of the properties to the north is cut off for any potential traffic (i.e. emergency services, trash, business, etc.)

- 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.

Applicant's Response: All criteria for this Industrial zone (I-1) will be demonstrated and they will all meet the requirements of Chapter Six – Vacation of: Easement, ROW, and Plat. All adequate provisions will be and are met for all facilities.

Staff's Response: The provision of adequate services may be inhibited to the neighboring properties due to reduced ease of circulation if the alley is vacated. (See criterion "d" response for further detail.)

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

Applicant's Response: Knowmoore will manage all of the required maintenance and up keep of vegetation and other rising issues that may harm the City in any way. The proposed vacation will benefit the City because the City will not have to service the proposed vacant lot and spend tax dollars on property weed control. The proposed vacation does not tie together any major streets and this proposed vacation will not harm the flow of traffic in any way.

Staff's Response: The proposal will provide a public benefit in the elimination of the maintenance requirements (i.e. gravel, grading, etc.; weed maintenance is the responsibility of the adjoining property owners) for the alley. However, it will also require traffic circulation in the east/west alley to now either pull into the alley and back out or vice versa, thus deteriorating traffic circulation for the east/west alley.

FINDINGS OF FACT/CONCLUSIONS

After reviewing the Winters Avenue Alley Vacation application, VR-2007-050 for the vacation of a public right-of-way, I make the following findings of fact and conclusions:

1. The requested right-of-way vacation is not consistent with the Growth Plan.

2. The review criteria in Section 2.11.C of the Zoning and Development Code have not all been met.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission heard the request at their January 8, 2008 meeting and forwarded a recommendation of approval to the City Council.

Site Location Map

Figure 1



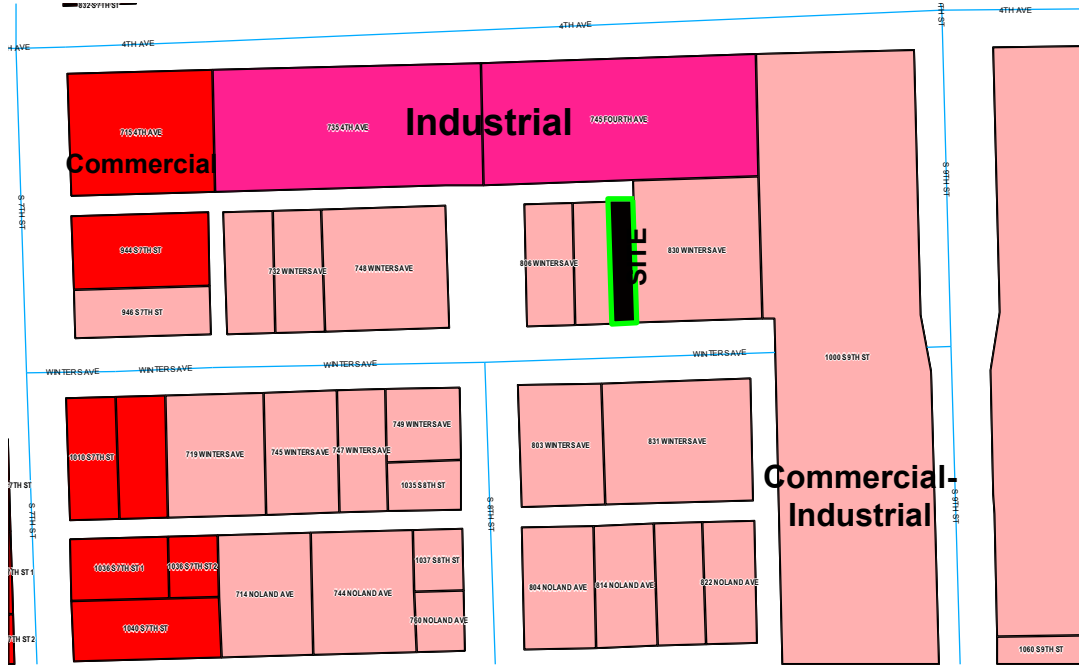
Aerial Photo Map

Figure 2



Future Land Use Map

Figure 3



Existing City Zoning Map

Figure 4





Detailed Aerial

CASTINGS INC.

860 4TH AVE. P.O. BOX 669 GRAND JUNCTION, COLORADO 81502 PH. (970) 243-2032 FAX: (970) 242-4962

March 29, 2007

Castings, Inc

East/West

City of Grand Junction
Community Development
250 North 5th Street
Grand Junction, CO 81501

**S 8th
Street**

**Knowmoor
e, LLC**

**SITE - Proposed
Alley Vacation**

**Joa
Stablepse
v**

ATTN: Senta Costello

Winters Avenue

REF: VR-2007-050 – Knowmoor, LLC
Alley east of 814 Winters Avenue

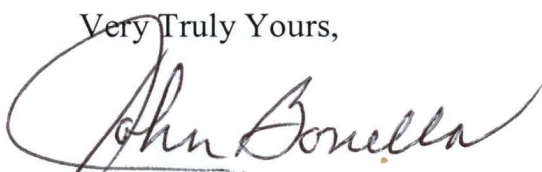
Dear M. Costello;

Please enter into your records that Castings Inc., the owners of the property north of the alley proposed to be the vacate object to the vacating of this alley for the following reasons:

1. At the time of the approval of vacating part of the alley behind the 830 Winters Avenue it was agreed to not vacate the alley between 814 & 830 Winters Ave. for ingress and egress from the east and west alley behind the 814 Winters Property and the 801-4th Avenue property.
2. When entering the alley to the east, the only way out is thru the alley between the 814 & 830 Winters property without backing the vehicles out to the west.

Thank you for your consideration.

Very Truly Yours,


 John Bonella,
 C.E.O.

**GRAND JUNCTION PLANNING COMMISSION
JANUARY 8, 2008 MINUTES (DRAFT)
6:00 p.m. to 9:18 p.m.**

The regularly scheduled Planning Commission hearing was called to order at 6:00 p.m. by Chairman Dibble. The public hearing was held in the City Hall Auditorium.

In attendance, representing the City Planning Commission, were Dr. Paul A. Dibble (Chairman), Roland Cole (Vice-Chairman), Lynn Pavelka-Zarkesh, Reggie Wall, Tom Lowrey, Bill Pitts and Patrick Carlow (1st Alternate). Commissioner William Putnam was absent.

In attendance, representing the City's Public Works and Planning Department – Planning Division, were Lisa Cox (Planning Manager), Scott Peterson (Senior Planner), Greg Moberg (Development Services Supervisor) and Senta Costello (Associate Planner).

Also present was Jamie Beard (Assistant City Attorney).

Lynn Singer was present to record the minutes.

There were 43 interested citizens present during the course of the hearing.

DISCUSSION

Commissioner Lowrey said that he agrees with amending the Growth Plan as it would benefit the college. Also, a Mixed Use in the area is needed to serve the Pear Park neighborhood. He said that he thinks the Growth Plan Amendment makes a lot of sense for this parcel.

Commissioner Pitts agreed that the Growth Plan Amendment is in order.

Chairman Dibble and Commissioner Wall also agreed.

MOTION: (Commissioner Lowrey) “Mr. Chairman, I move that we recommend approval of the requested Growth Plan Amendment for Mesa State, GPA-2007-081, with the findings and conclusions listed in the staff report.”

Commissioner Pitts seconded the motion. A vote was called and the motion passed unanimously by a vote of 7 - 0.

6. VR-2007-050 VACATION OF RIGHT-OF-WAY – Winters Avenue Alley

Vacation

Request approval to vacate the north/south alley between 814 and 830 Winters Avenue.

PETITIONER: Kirk Knowles, Knowmoore, LLC

LOCATION: East of 814 Winters Avenue

STAFF: Senta Costello, Associate Planner

STAFF'S PRESENTATION

Senta Costello gave a presentation of the request for an alley vacation. She stated that it is a north-south alley in the south downtown area between 8th and 9th Streets. Ms. Costello stated that the existing zoning on the surrounding properties to the east, west and south is I-1 and to the north is I-2. The surrounding Future Land Use is Commercial Industrial and Industrial to the north. She said that the alley was originally created in 1972 when the east-west alley which used to exist north of 830 Winters was vacated and as a condition of that approval, the north-south alley was created. Ms. Costello advised that since the staff report was written, staff has received verification from the property owner to the east of his agreement for the vacation request. She said that she does not believe it can meet all of the criteria of the Growth Plan as the main criteria is maintaining adequate circulation in neighborhoods and throughout the community. This would limit the access through this particular area as there would be no other way out of the alley besides backing out. A letter of objection from the property owner to the north, Castings, Inc., has been received due to the decreased circulation that this vacation would create as well as the original requirement that the alley be created when the east-west portion of the alley was vacated. She recommended that the Planning Commission forward to City Council a recommendation of denial.

QUESTIONS

Commissioner Carlow asked if a written statement from the property owner to the east has been received. Senta Costello stated that it has been received; however, they still do not have the quitclaim deed.

Commissioner Cole asked if it is being used as an alley now. Senta said that Castings, Inc. have stated that it is being used; however, it does not appear to be used on a regular basis.

Chairman Dibble asked if his understanding was correct – that this came into being because another alley was vacated and now they won't have any alley. Ms. Costello said that the alley would extend from the eastern edge of South 8th Street over to the western boundary of Mr. Stabolepsey's property.

PETITIONER'S PRESENTATION

Rocky Moore spoke on behalf of applicant in favor of the requested alley vacation. He stated that the alley is rarely used. He stated his willingness to maintain the property. He stated that in order for Mr. Bonella to use the alley, he would have to take off part of his building and the metal Quonset . Mr. Moore stated that the alley is very narrow.

QUESTIONS

Chairman Dibble asked if the alley was vacated if that property would be used for parking. Mr. Moore said that they would expand their fence to cover the alley and use it for equipment.

Commissioner Lowrey asked if Castings receives equipment in that alley. Rocky Moore said that Castings has never used that alley.

Commissioner Lowrey asked if on the Castings building if that was a solid wall. Mr. Moore said that there is a big bay door but it has never been opened. Additionally, he said that there is not enough room between their fence line and that door to back a large truck into.

Commissioner Cole asked if Mr. Moore knew if there were utilities in the alley. Mr. Moore said that there no utilities that he knows of. He said that all utilities go through the east-west alley.

Senta Costello said that if they had only the issue of backing out or only the issue of the neighbor's objection, staff thought that there could be a potential for recommendation of approval. However, combining the two, there is the original condition of approval to maintain circulation through the neighborhood combined with the fact that the neighbor is objecting.

Chairman Dibble stated that Mr. Bonella's letter does not state that they use the alley. Ms. Costello said that was based on verbal conversations with Mr. Bonella.

Commissioner Lowrey asked how many feet is it from the eastern edge to the corner of 8th and the east-west alley. Senta said that the total width is a little over 100 feet. Commissioner Lowrey stated that he does not see a problem with a truck backing up 100 feet because he's not backing up into a street that carries traffic. Ms. Costello said that based on the TEDS manual, it is not allowed without a TEDS exception to utilize public right-of-way for circulation or to be backing out or pulling in and then backing into a situation.

Commissioner Lowrey asked if the people who run the emergency vehicles object to this vacation. Ms. Costello said that they do not object. She further stated that the maximum distance for that particular situation is 150 feet.

Chairman Dibble asked if access to Castings' property would be limited by this vacation. Senta Costello said that in her opinion their access would not be limited. However, they could utilize that for circulation but the TEDS manual does not allow for backing into the right-of-way without a TEDS exception.

Chairman Dibble asked if they could apply for a TEDS exception in this particular instance. Ms. Costello said that if they chose to they could apply for one.

DISCUSSION

Commissioner Pitts said that it is in the old layout of original Grand Junction and for a good number of years the alley has not been used, he would be in favor of granting the vacation.

Commissioner Lowrey said that he too is in favor of granting it.

Commissioner Cole agreed.

Chairman Dibble said that he would have given more weight to Mr. Bonella's letter if he said that he uses the alley. He would be in favor of allowing it.

Commissioner Carlow said that he was reluctant to eliminate an option that a future owner may utilize someday.

MOTION: (Commissioner Pitts) "Mr. Chairman, on Winters Avenue Alley right-of-way vacation application, #VR-2007-050, I move that the Planning Commission forward a recommendation of approval."

Commissioner Lowrey seconded the motion. A vote was called and the motion passed by a vote of 6 – 1 with Commissioner Carlow objecting.

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE VACATING NORTH/SOUTH RIGHT-OF-WAY FOR ALLEY
LOCATED BETWEEN SOUTH 8TH AND SOUTH 9TH STREETS, NORTH OF
WINTERS AVENUE**

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:

The West half of Lot 28 and the East half of Lot 29, Block 3, as shown on the Amended Plat of Benton's First Subdivision, as recorded in Plat Book 4, Page 24, an alley right-of-way being 25 feet wide, as described in Book 995, Page 888, Mesa County records, to be vacated and being more particularly described as follows:

COMMENCING at the City Survey Marker at the intersection of South 8th Street and Winters Avenue, whence the City Survey Marker at the intersection of South 9th Street and Winters Avenue bears South 89 degrees 58 minutes 13 seconds East, a distance of 481.91 feet, for a basis of bearings, with all bearings contained herein relative thereto; thence South 89 degrees 58 minutes 13 seconds East, a distance of 147.93

feet, along said City Survey line; thence North 00 degrees 03 minutes 02 seconds West, a distance of 20.00 feet, to a point on the North right-of-way line of Winters Avenue, the POINT OF BEGINNING; thence North 00 degrees 03 minutes 02 seconds West, a distance of 124.18 feet, along the West line of said 25 foot wide alley; thence North 89 degrees 56 minutes 58 seconds East, a distance of 25.12 feet, along the North right-of-way line of said alley; thence South 00 degrees 03 minutes 02 seconds East, a distance of 124.21 feet, along the East right-of-way line of said alley; thence North 89 degrees 58 minutes 13 seconds West, a distance of 25.12 feet, along the South right-of-way line of said alley, being the North right-of-way line of said Winters Avenue, to the POINT OF BEGINNING.

Said parcel containing an area of 0.072 acres, as described.

INTRODUCED for first reading on this _____ day of _____, 2008

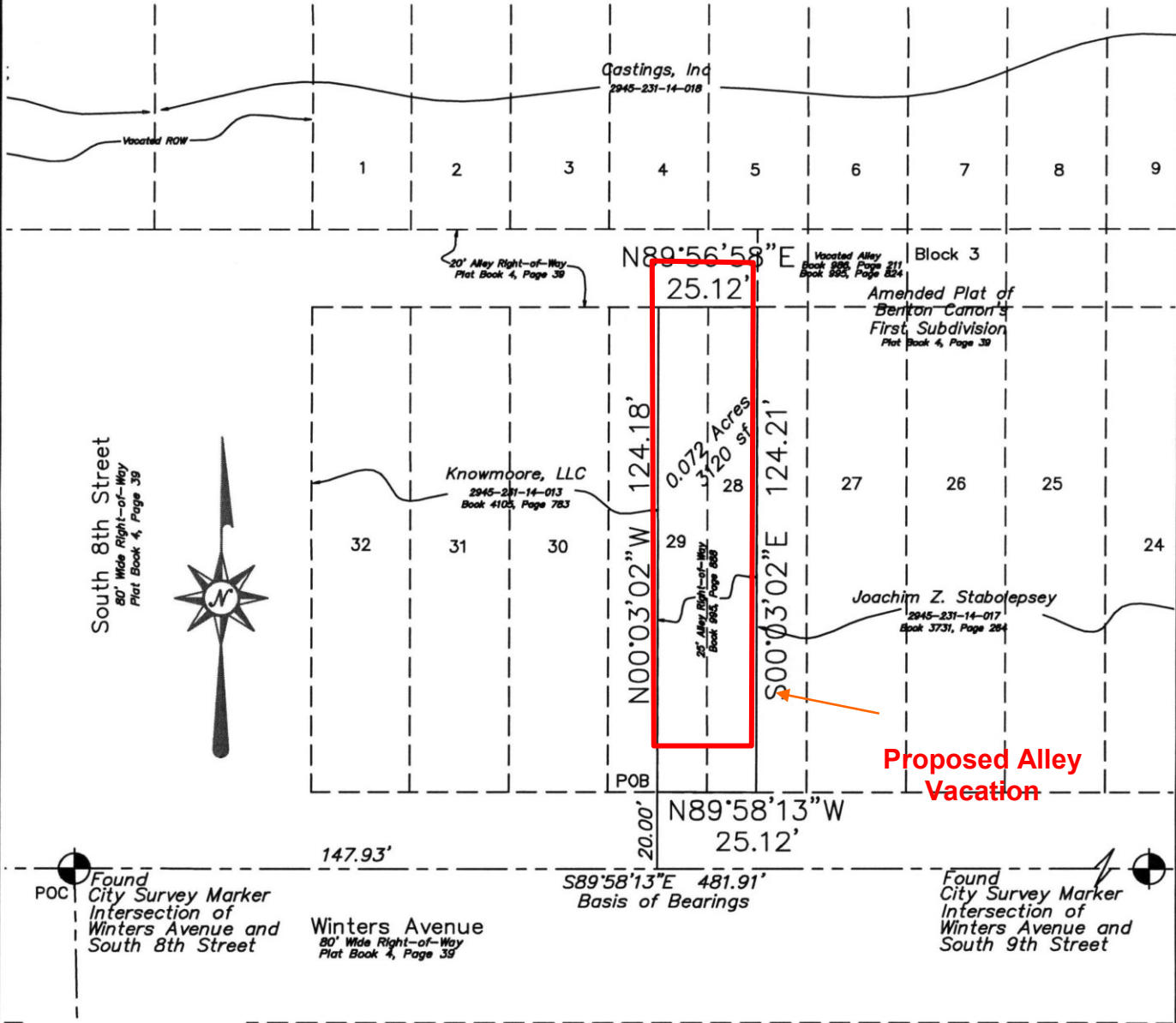
PASSED and **ADOPTED** this _____ day of _____, 2008

ATTEST:

President of City Council

City Clerk

EXHIBIT A ALLEY RIGHT-OF-WAY TO BE VACATED



South 8th Street
80' Wide Right-of-Way
Plat Book 4, Page 39



POC Found City Survey Marker
Intersection of
Winters Avenue and
South 8th Street

Winters Avenue
80' Wide Right-of-Way
Plat Book 4, Page 39

Found City Survey Marker
Intersection of
Winters Avenue and
South 9th Street

High Desert Surveying, LLC

2591 B3/4 Road
Grand Junction, Colorado 81503
Tele: 970-254-8649 Fax: 970-240-0451

SCALE: 1" = 40'



PROJ. NO. 06-155	Surveyed	Drawn	APP'D	SHEET	OF
DATE: 9-22-2006	DJ/DK	rsk	skw	1	1

**Attach 3
Zoning Pinson-Herigstad**

CITY OF GRAND JUNCTION

<i>CITY COUNCIL AGENDA</i>			
Subject	Zoning the Pinson-Herigstad Annexation - Located at 644 1/2 29 1/2 Road.		
File #	ANX-2007-352		
Meeting Day, Date	February 6, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	January 3, 2008		
Author Name & Title	Senta L. Costello - Associate Planner		
Presenter Name & Title	Senta L. Costello - Associate Planner		

Summary: Request to zone the 3.02 acre Pinson-Herigstad Annexation, located at 644 1/2 29 1/2 Road, to R-4 (Residential 4 du/ac).

Budget: N/A

Action Requested/Recommendation: Introduce a Proposed Ordinance and Set a Public Hearing for February 20, 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:		<i>644 1/2 29 1/2 Road</i>		
Applicants:		Danny Pinson, Tina Pinson, Perry and Carolyn Herigstad		
Existing Land Use:		<i>Vacant</i>		
Proposed Land Use:		<i>Residential</i>		
Surrounding Land Use:	North	<i>Church</i>		
	South	Single Family Residential		
	East	Single Family Residential		
	West	Single Family Residential		
Existing Zoning:		RSF-4		
Proposed Zoning:		R-4 (Residential 4 du/ac)		
Surrounding Zoning:	North	<i>County RSF-4</i>		
	South	County RSF-4		
	East	County RMF-5		
	West	<i>City R-8 (Residential 8 du/ac)</i>		
Growth Plan Designation:		Residential Medium 4-8 du/ac		
Zoning within density range?	X	Yes		No

Staff Analysis:

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

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

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

Response: The proposed R-4 zone district is compatible with the surrounding neighborhoods and meets the goals, policies, plans and regulation of the Zoning and Development Code and City of Grand Junction.

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

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

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

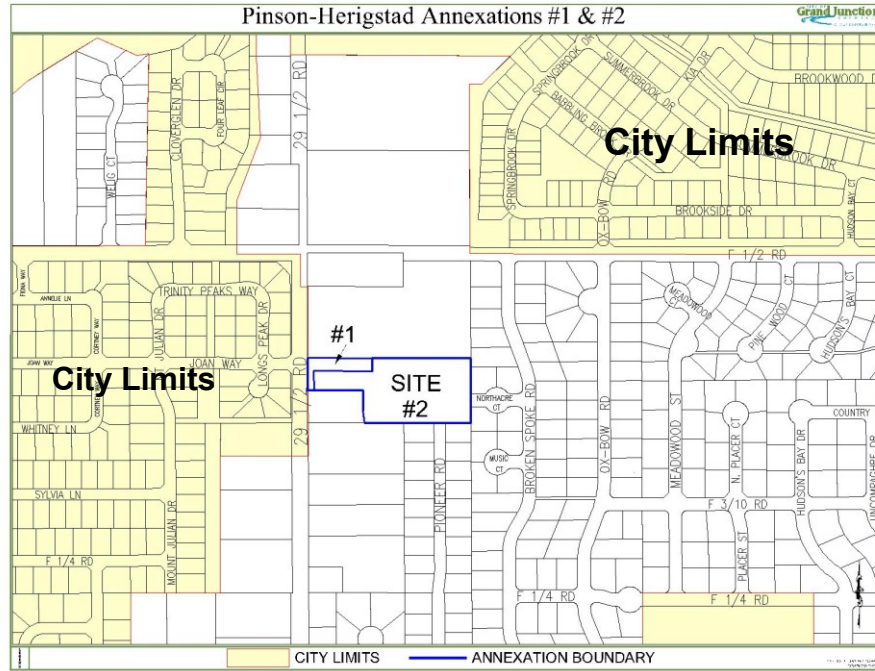
- a. R-5
- b. R-8

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

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

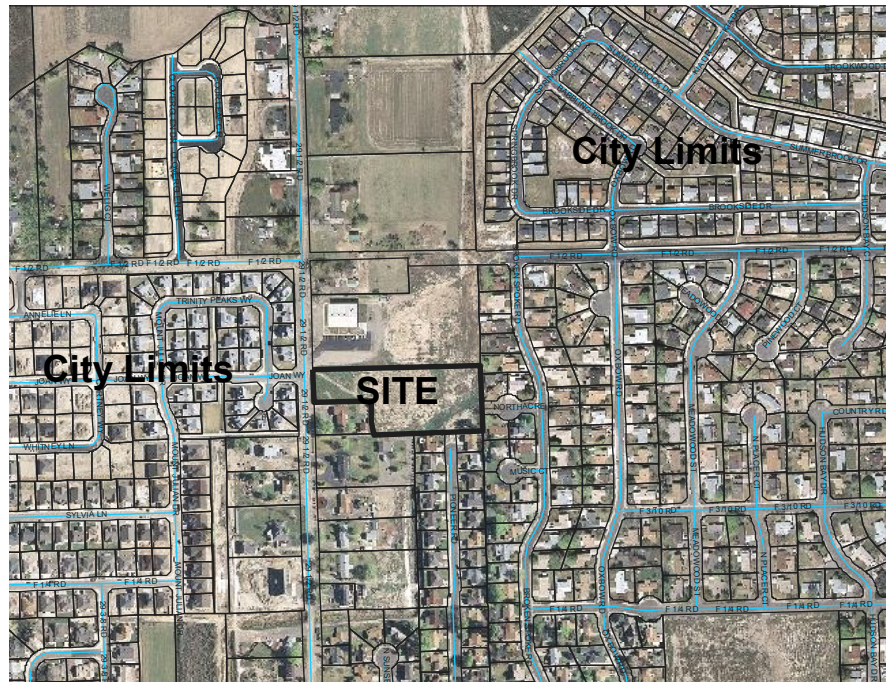
Site Location Map

Figure 1



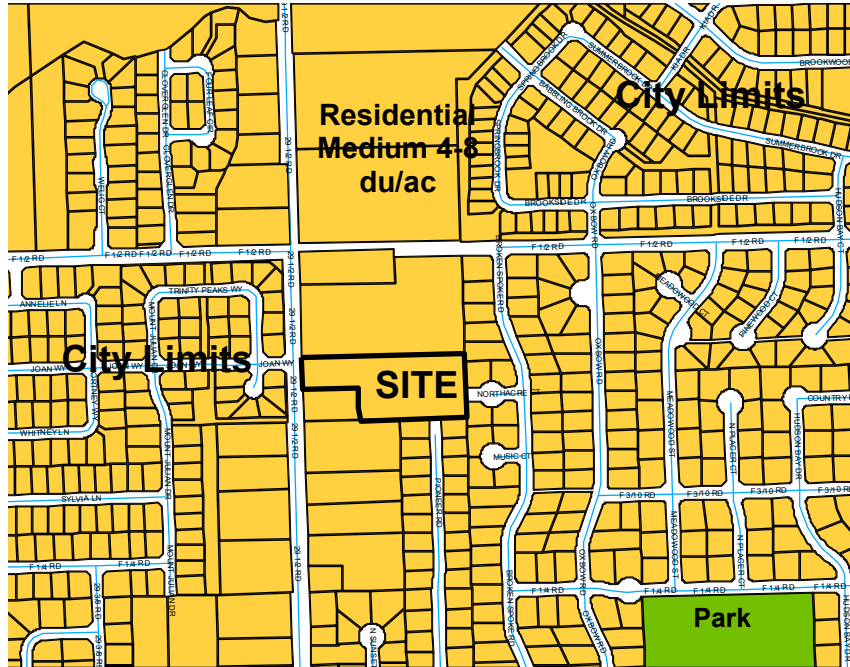
Aerial Photo Map

Figure 2



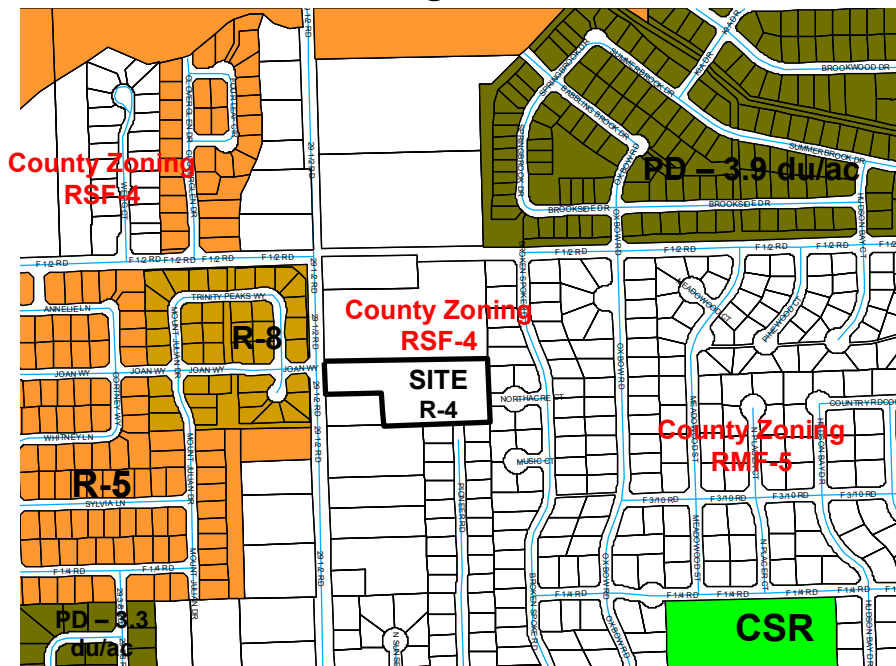
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



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

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE PINSON-HERIGSTAD ANNEXATION TO
R-4**

LOCATED AT 644 1/2 29 1/2 ROAD

Recitals:

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Pinson-Herigstad Annexation to the R-4 zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

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

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

The following property be zoned R-4 (Residential 4 du/ac).

A certain parcel of land located in the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 5, Township One South, Range One East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Beginning at the Northwest corner of Lot 1 of Day Subdivision described in Book 4353, Page 491 public records of Mesa County, Colorado, thence S89°44'29"E along the North line of said Lot 1 of Day Subdivision, a distance of 250.00 feet; thence S00°12'10"E a distance of 50.00 feet; thence N89°44'29"W a distance of 225.00 feet; thence S00°12'10"E a distance of 75.79 feet; thence N89°50'34"W a distance of 25.00 feet to the Southwest corner of said Lot 1 of Day Subdivision; thence N00°12'10"W along a line being 30.00 feet East of and parallel with, the East line of the NE 1/4 SW 1/4 of said Section 5, said line also being the East line of Summit View Estates

Annexation, City of Grand Junction, Ordinance No. 3611, a distance of 125.84 feet to the Point of Beginning.

Said parcel contains 0.33 acres (14,395.13 sq. ft.), more or less, as described.

And also, a certain parcel of land located in the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 5, Township One South, Range One East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Commencing at the Northwest corner of Lot 1 of Day Subdivision described in Book 4353, Page 491 public records of Mesa County, Colorado; thence S89°44'29"E along the North line of said Lot 1 of Day Subdivision, a distance of 250.00 feet to the Point of Beginning; thence S89°44'29"E along the North line said of Lot 1 of Day Subdivision, a distance of 381.12 feet to the Northeast corner of said Day Subdivision, said point also being on the West line of Ox-Bow Subdivision Filing Four described in Plat Book 11, Page 355 public records of Mesa County, Colorado; thence S00°11'35"W along the West line of said Ox-Bow Subdivision Filing Four, a distance of 250.72 feet to the Southeast corner of said Lot 1 of Day Subdivision; thence N89°50'34"W along the South line of said Lot 1 of Day Subdivision, a distance of 411.42 feet; thence N05°42'44"W a distance of 47.46 feet; thence N00°12'29"W a distance of 78.79 feet; thence N89°50'34"W a distance of 190.09 feet; thence N00°12'10"W a distance of 75.79 feet; thence S89°44'29"E a distance of 225.00 feet; thence N00°12'10"W a distance of 50.00 feet to the Point of Beginning.

Said parcel contains 2.69 acres (116,972.39 sq. ft.), 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 4
Below-Senatore-Stone Annexation
CITY OF GRAND JUNCTION

<i>CITY COUNCIL AGENDA</i>			
Subject	Below-Senatore-Stone Annexation - Located at 209 1/2 and 221 Red Mesa Heights Road		
File #	ANX-2007-373		
Meeting Day, Date	Wednesday, February 6, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	January 11, 2008		
Author Name & Title	Senta L. Costello - Associate Planner		
Presenter Name & Title	Senta L. Costello - Associate Planner		

Summary: Request to annex 2.95 acres, located at 209 1/2 and 221 Red Mesa Heights Road. The Below-Senatore-Stone Annexation consists of 2 parcels, and includes portions of Hwy 340 (Broadway) and Red Mesa Heights Road rights-of-way, and is a 2 part serial annexation.

Budget: N/A

Action Requested/Recommendation: Adopt a Resolution Referring the Petition for the Below-Senatore-Stone Annexation and Introduce the Proposed Ordinance and Set a Hearing for March 19, 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. Resolution Referring Petition
5. Annexation Ordinance

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION

Location:		<i>209 1/2 and 221 Red Mesa Heights Road</i>		
Applicants:		Owners: Steve R. Below, Adrienne L. Senatore, Sherrill J. Stone; Representative: Independent Survey, Inc. – Vince Popish		
Existing Land Use:		<i>Single family residential</i>		
Proposed Land Use:		<i>Single family residential</i>		
Surrounding Land Use:	North	Single family residential		
	South	Single family residential		
	East	Single family residential		
	West	Single family residential		
Existing Zoning:		County RSF-4		
Proposed Zoning:		City R-2 (Residential 2 du/ac)		
Surrounding Zoning:	North	County RSF-4		
	South	County RSF-4		
	East	County RSF-4		
	West	County RSF-4		
Growth Plan Designation:		Residential Medium Low 2-4 du/ac		
Zoning within density range?		X	Yes	No

Staff Analysis:

ANNEXATION:

This annexation area consists of 2.95 acres of land and is comprised of 2 parcels. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

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

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;

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

The following annexation and zoning schedule is being proposed.

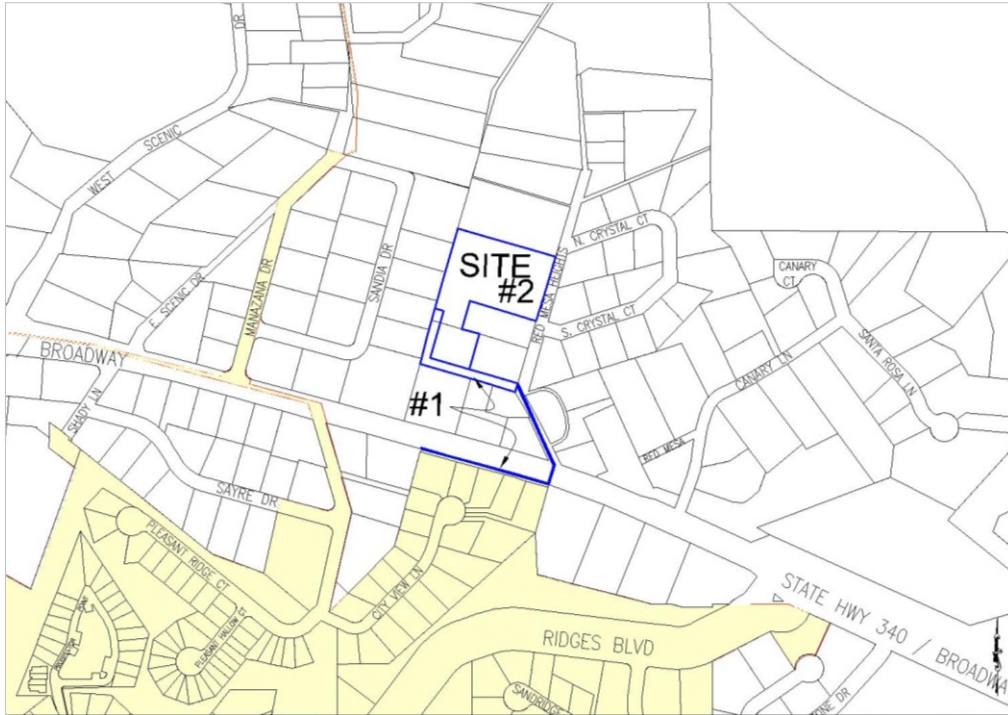
<i>ANNEXATION SCHEDULE</i>	
February 6, 2008	Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use
February 26, 2008	Planning Commission considers Zone of Annexation
March 5, 2008	Introduction of a proposed Ordinance on Zoning by City Council
March 19, 2008	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
April 20, 2008	Effective date of Annexation and Zoning

BELOW-SENATORE-STONE ANNEXATION SUMMARY

File Number:	ANX-2007-373
Location:	209 1/2 and 221 Red Mesa Heights Road
Tax ID Number:	2945-163-00-259 and 2945-163-27-002
Parcels:	2
Estimated Population:	4
# of Parcels (owner occupied):	1
# of Dwelling Units:	3
Acres land annexed:	2.95 acres
Developable Acres Remaining:	1.00 acre
Right-of-way in Annexation:	Portions of Hwy 340 (Broadway) and Red Mesa Heights Road rights-of-way
Previous County Zoning:	RSF-4
Proposed City Zoning:	R-2 (Residential 2 du/ac)
Current Land Use:	Single family residential
Future Land Use:	Single family residential
Values:	Assessed: = \$37,710
	Actual: = \$417,400
Address Ranges:	209 ½ and 213-221 Red Mesa Heights Road (odd only)
Special Districts:	Water: Ute Water
	Sewer: City of Grand Junction
	Fire: Grand Junction Rural
	Irrigation: Redlands Water & Power
	School: Mesa County Dist #51
	Pest: Grand River Mosquito

Annexation/Site Location Map

Figure 1



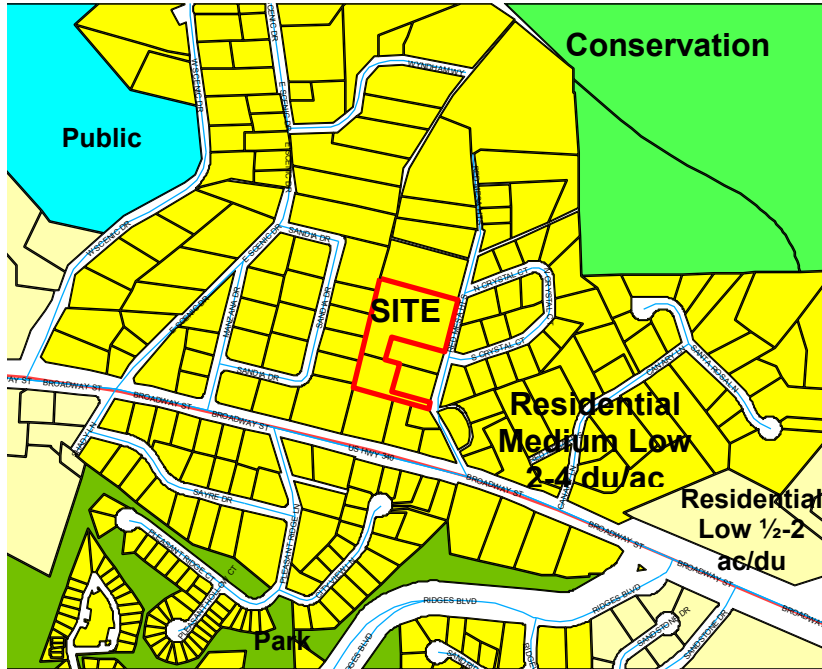
Aerial Photo Map

Figure 2



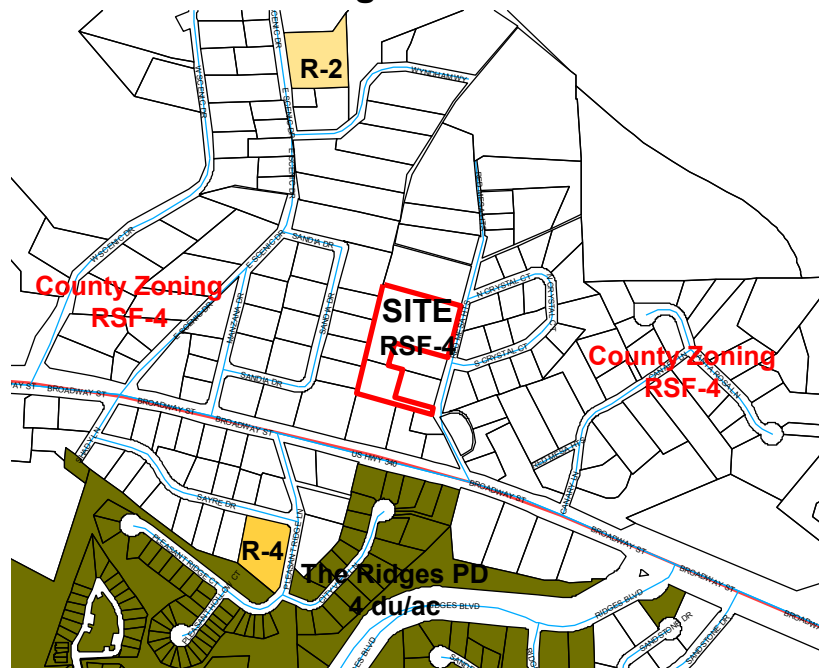
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



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

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

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 6th of February, 2008, the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

A RESOLUTION

**REFERRING A PETITION TO THE CITY COUNCIL
FOR THE ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO,
SETTING A HEARING ON SUCH ANNEXATION,**

AND EXERCISING LAND USE CONTROL

BELOW-SENATORE-STONE ANNEXATIONS #1 AND #2

*LOCATED AT 209 1/2 AND 221 RED MESA HEIGHTS ROAD AND INCLUDING
PORTIONS OF HIGHWAY 340 AND RED MESA HEIGHTS RIGHTS-OF-WAY*

WHEREAS, on the 6th day of February, 2008, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

BELOW/SENATORE/STONE ANNEXATION NO. 1

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

Beginning at the Northwest corner of Ridges Majority Annexation No. 3, Ordinance No. 2569, City of Grand Junction, also being the Northwest corner of Lot 8B, The Ridges Filing No. 1, as same as recorded in Plat Book 11, Page 268, public records of Mesa County, Colorado; thence N15°30'53"E a distance of 4.00 feet; thence S74°34'07"E along a line 4.00 feet North and parallel to the North line of said Ridges Filing No. 1, a distance of 324.09 feet; thence 133.93 feet along the arc of a 2829.00 foot radius curve, concave Southwest, having a central angle of 02°42'45" and a chord bearing S73°12'44"E a distance of 133.91 feet; thence N16°11'49"E a distance of 67.59 feet; thence N24°22'46"W a distance of 307.81 feet to a point on the East line of Lot 2 of William Carpenter Subdivision, as recorded in Plat Book 12, Page 258 of the Mesa County, Colorado public records; thence S16°27'07"W along the East line of Lot 2 of

said William Carpenter Subdivision, a distance of 23.94 feet; thence N73°32'53"W along the South line of Lot 2 of said William Carpenter Subdivision, a distance of 344.51 feet to a point on the East line of Lot 3 of Hermosa Subdivision as recorded in Plat Book 9, Page 191 of the Mesa County, Colorado public records; thence N15°37'47"E along the East line of said Hermosa Subdivision, a distance of 200.00 feet; thence S73°32'53"E a distance of 30.00 feet; thence S15°37'47"W a distance of 170.03 feet; thence S73°32'53"E a distance of 315.02 to the Northeast corner of Lot 2 of said William Carpenter Subdivision; thence S24°22'46"E a distance of 313.79 feet; thence S16°11'52"W a distance of 73.21 feet to the Northeast corner of said Ridges Majority Annexation No. 3; thence 137.87 feet along the arc of a 2825.00 foot radius curve, concave Southwest, having a central angle of 02°47'47" and a chord bearing N73°10'13"W a distance of 137.86 feet, said line also being the North line of said Ridges Majority Annexation No. 3; thence N74°34'07"W along the said North line of Ridges Majority Annexation No. 3 a distance of 324.10 feet to the Point of Beginning.

CONTAINING 0.43 Acres or 18,795 Square Feet, more or less

BELOW/SENATORE/STONE ANNEXATION NO. 2

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

Commencing at the Southwest corner of Lot 2 of William Carpenter Subdivision as recorded in Plat Book 12, Page 258 of the Mesa County, Colorado public records; thence N15°37'47"E along the East line of Hermosa Subdivision as recorded in Plat Book 9, Page 191 of the Mesa County, Colorado public records, a distance of 200.00 feet to the Point of Beginning; thence N15°37'47"E along the East line of said Hermosa Subdivision, a distance of 291.98 feet; thence S73°32'51"E a distance of 355.85 feet; thence S17°06'51"W a distance of 233.98 feet; thence N73°12'52"W a distance of 240.14 feet; thence S17°06'51"W a distance of 101.40 feet to a point on the North line of Lot 2 of said William Carpenter Subdivision; thence S73°32'53"E along the North line of Lot 2 of said William Carpenter Subdivision, a distance of 63.47 feet to the Northwest corner of Lot 1 of said William Carpenter Subdivision; thence S16°14'07"W along the West line of Lot 1 of said William Carpenter Subdivision, a distance of 128.00 feet; thence N73°32'53"W a distance of 139.16 feet; thence N15°37'47"E a distance of 170.03 feet; thence N73°32'53"W a distance of 30.00 feet to the Point of Beginning.

CONTAINING 2.52 Acres or 109,853 Square Feet, more or less

WHEREAS, the Council has found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a hearing should

be held to determine whether or not the lands should be annexed to the City by Ordinance;

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

1. That a hearing will be held on the 19th day of March, 2008, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Public Works and Planning Department of the City.

ADOPTED the _____ day of _____, 2008.

Attest:

President of the Council

City Clerk

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

City Clerk

<i>DATES PUBLISHED</i>
February 8, 2008
February 15, 2008
February 22, 2008
February 29, 2008

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

BELOW/SENATORE/STONE ANNEXATION #1

APPROXIMATELY 0.43 ACRES

**LOCATED AT 209 1/2 RED MESA HEIGHTS ROAD AND INCLUDING PORTIONS OF
HIGHWAY 340 AND RED MESA HEIGHTS RIGHTS-OF-WAY**

WHEREAS, on the 6th day of February, 2008, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 19th day of March, 2008; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

BELOW/SENATORE/STONE ANNEXATION NO. 1

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

Beginning at the Northwest corner of Ridges Majority Annexation No. 3, Ordinance No. 2569, City of Grand Junction, also being the Northwest corner of Lot 8B, The Ridges Filing No. 1, as same as recorded in Plat Book 11, Page 268, public records of Mesa County, Colorado; thence N15°30'53"E a distance of 4.00 feet; thence S74°34'07"E

along a line 4.00 feet North and parallel to the North line of said Ridges Filing No. 1, a distance of 324.09 feet; thence 133.93 feet along the arc of a 2829.00 foot radius curve, concave Southwest, having a central angle of 02°42'45" and a chord bearing S73°12'44"E a distance of 133.91 feet; thence N16°11'49"E a distance of 67.59 feet; thence N24°22'46"W a distance of 307.81 feet to a point on the East line of Lot 2 of William Carpenter Subdivision, as recorded in Plat Book 12, Page 258 of the Mesa County, Colorado public records; thence S16°27'07"W along the East line of Lot 2 of said William Carpenter Subdivision, a distance of 23.94 feet; thence N73°32'53"W along the South line of Lot 2 of said William Carpenter Subdivision, a distance of 344.51 feet to a point on the East line of Lot 3 of Hermosa Subdivision as recorded in Plat Book 9, Page 191 of the Mesa County, Colorado public records; thence N15°37'47"E along the East line of said Hermosa Subdivision, a distance of 200.00 feet; thence S73°32'53"E a distance of 30.00 feet; thence S15°37'47"W a distance of 170.03 feet; thence S73°32'53"E a distance of 315.02 to the Northeast corner of Lot 2 of said William Carpenter Subdivision; thence S24°22'46"E a distance of 313.79 feet; thence S16°11'52"W a distance of 73.21 feet to the Northeast corner of said Ridges Majority Annexation No. 3; thence 137.87 feet along the arc of a 2825.00 foot radius curve, concave Southwest, having a central angle of 02°47'47" and a chord bearing N73°10'13"W a distance of 137.86 feet, said line also being the North line of said Ridges Majority Annexation No. 3; thence N74°34'07"W along the said North line of Ridges Majority Annexation No. 3 a distance of 324.10 feet to the Point of Beginning.

CONTAINING 0.43 Acres or 18,795 Square Feet, more or less

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

INTRODUCED on first reading on the ____ day of _____, 2008 and ordered published.

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

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

BELOW/SENATORE/STONE ANNEXATION #2

APPROXIMATELY 2.52 ACRES

LOCATED AT 209 1/2 AND 221 RED MESA HEIGHTS ROAD

WHEREAS, on the 6th day of February, 2008, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 19th day of March, 2008; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

BELOW/SENATORE/STONE ANNEXATION NO. 2

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

Commencing at the Southwest corner of Lot 2 of William Carpenter Subdivision as recorded in Plat Book 12, Page 258 of the Mesa County, Colorado public records; thence N15°37'47"E along the East line of Hermosa Subdivision as recorded in Plat Book 9, Page 191 of the Mesa County, Colorado public records, a distance of 200.00 feet to the Point of Beginning; thence N15°37'47"E along the East line of said Hermosa

Subdivision, a distance of 291.98 feet; thence S73°32'51"E a distance of 355.85 feet; thence S17°06'51"W a distance of 233.98 feet; thence N73°12'52"W a distance of 240.14 feet; thence S17°06'51"W a distance of 101.40 feet to a point on the North line of Lot 2 of said William Carpenter Subdivision; thence S73°32'53"E along the North line of Lot 2 of said William Carpenter Subdivision, a distance of 63.47 feet to the Northwest corner of Lot 1 of said William Carpenter Subdivision; thence S16°14'07"W along the West line of Lot 1 of said William Carpenter Subdivision, a distance of 128.00 feet; thence N73°32'53"W a distance of 139.16 feet; thence N15°37'47"E a distance of 170.03 feet; thence N73°32'53"W a distance of 30.00 feet to the Point of Beginning.

CONTAINING 2.52 Acres or 109,853 Square Feet, more or less

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

INTRODUCED on first reading on the ____ day of _____, 2008 and ordered published.

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

Attest:

President of the Council

City Clerk

**Attach 5
Sage Hills Annexation**

CITY OF GRAND JUNCTION

<i>CITY COUNCIL AGENDA</i>			
Subject	Sage Hills Annexation - Located at 3115 ½ and 3117 D ½ Road and Two Unaddressed Parcels on D ½ Road		
File #	ANX-2007-363		
Meeting Day, Date	Wednesday, February 6, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	December 20, 2007		
Author Name & Title	Justin T. Kopfman – Associate Planner		
Presenter Name & Title	Justin T. Kopfman – Associate Planner		

Summary: Request to annex 14.55 acres, located at 3115 ½ and 3117 D ½ Road and two unaddressed parcels along D ½ Road. The Sage Hills Annexation consists of 4 parcels and is a two-part serial annexation.

Action Requested/Recommendation: Adopt a Resolution Referring the Petition for the Sage Hills Annexation and Introduce the Proposed Ordinance and Set a Hearing for March 19, 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. Resolution Referring Petition
5. Annexation Ordinance

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION

Location:		<i>3115 ½ & 3117 D ½ & 2 Parcels with no addresses</i>		
Applicants: < Prop owner, developer, representative>		Owner: Sage Hills of GJ, LLC (Mark Fenn) Representative: Ciavonne Roberts (Keith Ehlers)		
Existing Land Use:		<i>Residential and Agricultural</i>		
Proposed Land Use:		<i>Residential</i>		
Surrounding Land Use:	North	<i>Residential</i>		
	South	<i>Agricultural</i>		
	East	<i>Agricultural</i>		
	West	<i>Agricultural</i>		
Existing Zoning:		County RSF-R (Residential Single Family Rural)		
Proposed Zoning:		City R-5 (Residential 5 du/ac)		
Surrounding Zoning:	North	<i>County RSF-4 (Residential Single Family 4-du/ac)</i>		
	South	<i>County RSF-R (Residential Single Family Rural)</i>		
	East	<i>County RSF-R (Residential Single Family Rural)</i>		
	West	<i>County RSF-R (Residential Single Family Rural)</i>		
Growth Plan Designation:		Residential Medium 4-8 du/ac		
Zoning within density range?		X	Yes	No

Staff Analysis:

ANNEXATION:

This annexation area consists of 14.55 acres of land and is comprised of 4 parcels. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

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

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

The following annexation and zoning schedule is being proposed.

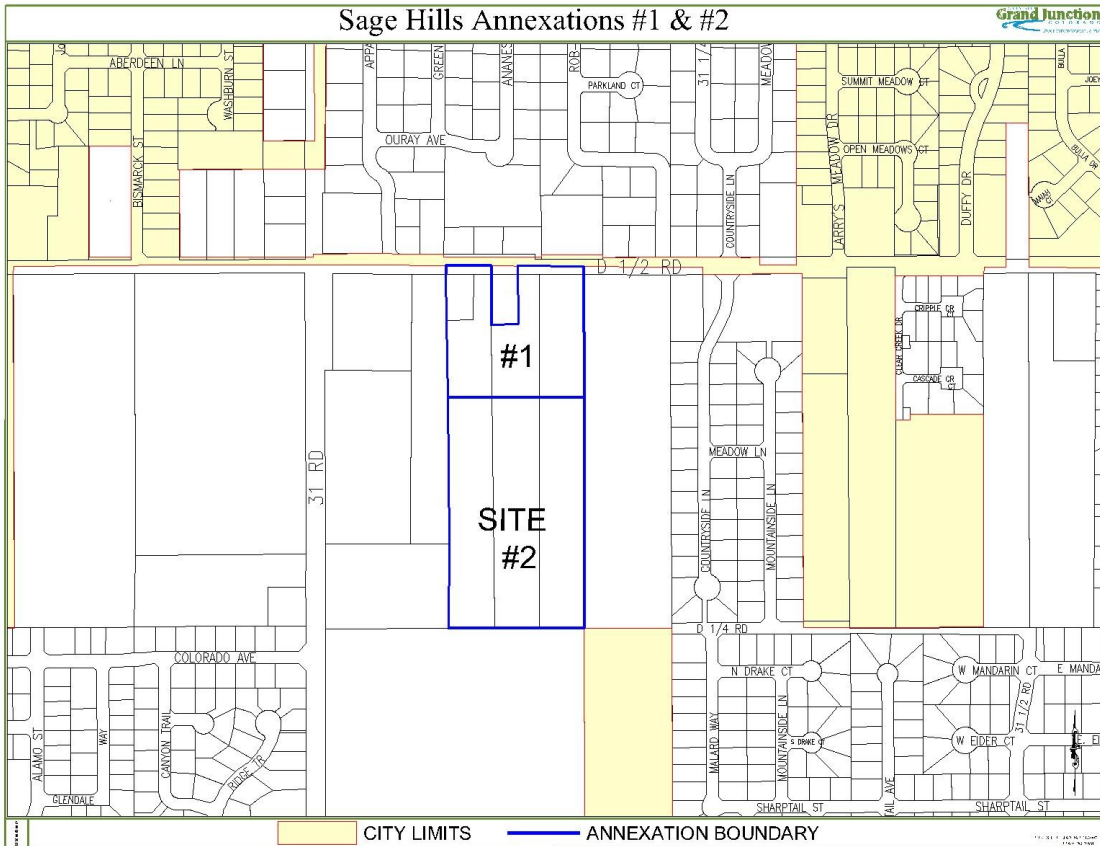
<i>ANNEXATION SCHEDULE</i>	
February 6, 2008	Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use
February 26, 2008	Planning Commission considers Zone of Annexation
March 5, 2008	Introduction of a proposed Ordinance on Zoning by City Council
March 19, 2008	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
April 20, 2008	Effective date of Annexation and Zoning

SAGE HILLS ANNEXATION SUMMARY

File Number:	ANX-2007-363	
Location:	3115 ½, 3117 D ½ Road and two unaddressed parcels	
Tax ID Number:	2943-153-00-667; 2943-153-00-131; 2943-153-00-150; 2943-153-00-151	
Parcels:	4	
Estimated Population:	6	
# of Parcels (owner occupied):	4	
# of Dwelling Units:	3	
Acres land annexed:	14.55	
Developable Acres Remaining:	14.55	
Right-of-way in Annexation:	0	
Previous County Zoning:	RSF-R (Residential Single Family Rural)	
Proposed City Zoning:	City R-5 (Residential 5 du/ac)	
Current Land Use:	Residential/Agricultural	
Future Land Use:	Residential Medium 4-8 du/ac	
Values:	Assessed:	\$32,010
	Actual:	\$153,900
Address Ranges:	3115 D ½ - 3119 D ½ (Odd Only)	
Special Districts:	Water:	Clifton Water
	Sewer:	Central Grand Valley Sanitation
	Fire:	Clifton Fire
	Irrigation/ Drainage:	Grand Valley Irrigation
	School:	District 51
	Pest:	Upper Grand Valley Pest/Grand River Mosquito

Site Location Map

Figure 1



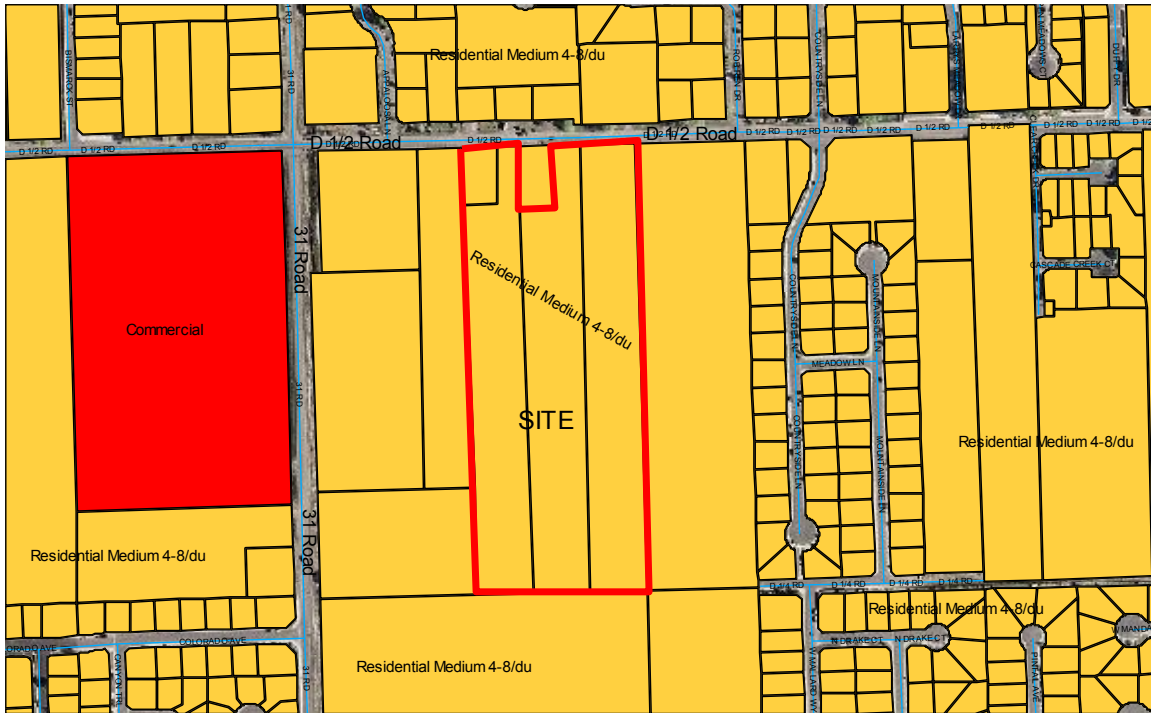
Aerial Photo Map

Figure 2



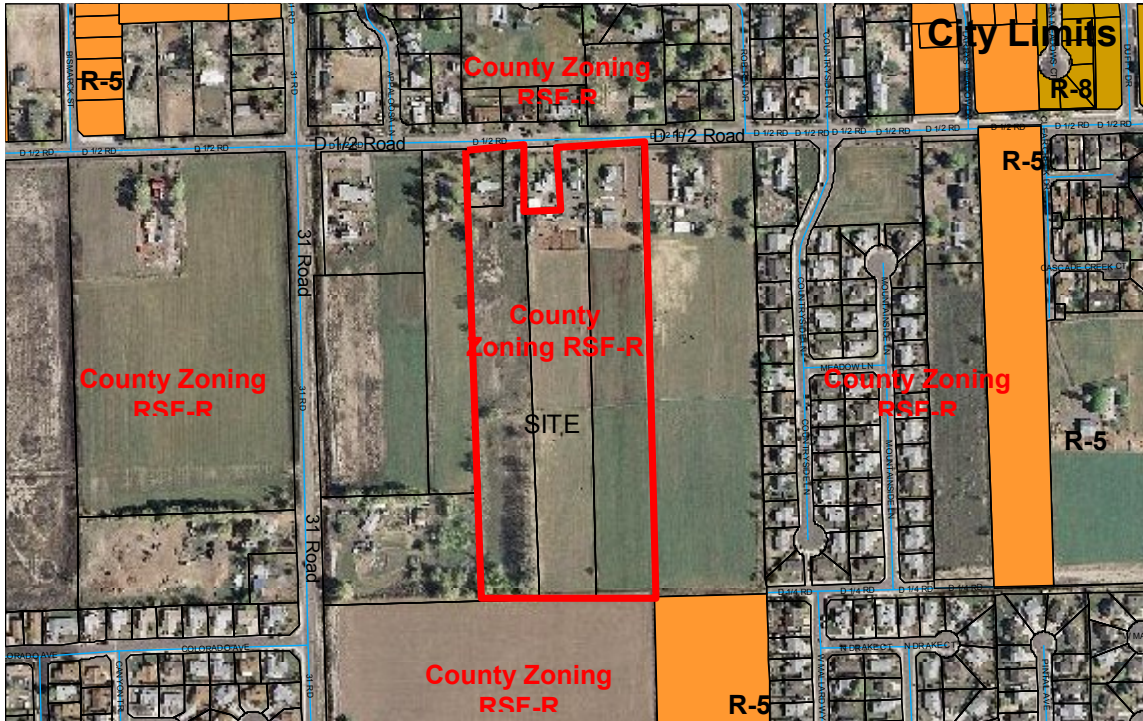
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



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

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 6th of February, 2008, the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. _____

**A RESOLUTION
REFERRING A PETITION TO THE CITY COUNCIL
FOR THE ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO,
SETTING A HEARING ON SUCH ANNEXATION,
AND EXERCISING LAND USE CONTROL**

SAGE HILLS ANNEXATION #1 and #2

**LOCATED AT 3115 ½ & 3117 D ½ ROAD AND
TWO PARCELS WITH NO ADDRESS ON D ½ ROAD**

WHEREAS, on the 6th day of February, 2008, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

SAGE HILLS ANNEXATION NO. 1

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

Commencing at the Northwest corner of the NW 1/4 SW 1/4 of said Section 15 and assuming the North line of the NW 1/4 SW 1/4 of said Section 15 to bear S89°53'59"E with all bearings contained herein relative thereto; thence S89° 53'59"E along the North line of the NW 1/4 SW 1/4 of said Section 15 also being the South line of Summit View Meadows Annexation No. 3, City of Grand Junction Ordinance No. 3360, a distance of 485.55 feet to the Point of Beginning; thence S89°53'59"E along the North line of the NW 1/4 SW 1/4 of said Section 15, a distance of 165.00 feet; thence S00°01'01"W along the West line of that certain Parcel of land described in Book 3783, Page 756, public records of Mesa county, Colorado, a distance of 217.80 feet; thence S89°53'59"E along the South line of that said Parcel of land described in Book 3783, Page 756, public records of Mesa county, Colorado, a distance of 100.00 feet; thence N00°01'01"E along the East line of that said Parcel of land described in Book 3783, Page 756, public records of Mesa county, Colorado, a distance of 217.80 feet; thence S89°53'59"E along the North line of the NW 1/4 SW 1/4 of said Section 15, a distance

of 231.84 feet; thence S00°01'43"W a distance of 475.00 feet; thence N89°53'59"W a distance of 496.74 feet; thence N00°01'01"E a distance of 475.00 feet to the Point of Beginning.

Said parcel contains 4.92 acres (14,395.13 sq. ft.), more or less, as described.

SAGE HILLS ANNEXATION NO. 2

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

Commencing at the Northwest corner of the NW 1/4 SW 1/4 of said Section 15 and assuming the North line of the NW 1/4 SW 1/4 of said Section 15 to bear S89°53'59"E with all bearings contained herein relative thereto; thence S89°53'59"E along the North line of the NW 1/4 SW 1/4 of said Section 15 also being the South line of Summit View Meadows Annexation No. 3, City of Grand Junction Ordinance No. 3460, a distance of 485.55 feet; thence S00°01'01"W a distance of 475.00 feet to the to the Point of Beginning; thence S89°53'59"E a distance of 496.74 feet; thence S00°01'43"W a distance of 844.58 feet to a point on the South line of the NW 1/4 SW 1/4 of said Section 15; thence N89°56'55"W along the South line of the NW 1/4 SW 1/4 of said Section 15, a distance of 496.57 feet; thence N00°01'01"E a distance of 845.00 feet to the Point of Beginning.

Said parcel contains 9.63 acres (419,569.44 sq. ft.), more or less, as described.

WHEREAS, the Council has found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

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

1. That a hearing will be held on the 19th day of March, 2008, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single

ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.

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

ADOPTED the _____ day of _____, 2008.

Attest:

President of the Council

City Clerk

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

City Clerk

<i>DATES PUBLISHED</i>
February 8, 2008
February 15, 2008
February 22, 2008
February 29, 2008

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

SAGE HILLS ANNEXATION NO. 1

APPROXIMATELY 4.92 ACRES

**LOCATED AT 3115 ½ & 3117 D ½ ROAD & TWO PARCELS WITH NO ADDRESS
ON D ½ ROAD**

WHEREAS, on the 6th day of February, 2008, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 19th day of March, 2008; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situates in Mesa County, Colorado, and described to wit:

SAGE HILLS ANNEXATION NO. 1

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

Commencing at the Northwest corner of the NW 1/4 SW 1/4 of said Section 15 and assuming the North line of the NW 1/4 SW 1/4 of said Section 15 to bear S89°53'59"E with all bearings contained herein relative thereto; thence S89° 53'59"E along the North line of the NW 1/4 SW 1/4 of said Section 15 also being the South line of Summit View

Meadows Annexation No. 3, City of Grand Junction Ordinance No. 3360, a distance of 485.55 feet to the Point of Beginning; thence S89°53'59"E along the North line of the NW 1/4 SW 1/4 of said Section 15, a distance of 165.00 feet; thence S00°01'01"W along the West line of that certain Parcel of land described in Book 3783, Page 756, public records of Mesa county, Colorado, a distance of 217.80 feet; thence S89°53'59"E along the South line of that said Parcel of land described in Book 3783, Page 756, public records of Mesa county, Colorado, a distance of 100.00 feet; thence

N00°01'01"E along the East line of that said Parcel of land described in Book 3783, Page 756, public records of Mesa county, Colorado, a distance of 217.80 feet; thence S89°53'59"E along the North line of the NW 1/4 SW 1/4 of said Section 15, a distance of 231.84 feet; thence S00°01'43"W a distance of 475.00 feet; thence N89°53'59"W a distance of 496.74 feet; thence N00°01'01"E a distance of 475.00 feet to the P point of Beginning.

CONTAINING said parcel contains 4.92 acres (14,395.13 sq. ft.), more or less, as described.

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

INTRODUCED on first reading on the ____ day of _____, 2008 and ordered published.

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

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

SAGE HILLS ANNEXATION NO. 2

APPROXIMATELY 9.63 ACRES

**LOCATED AT 3115 1/2 & 3117 D 1/2 ROAD AND
TWO PARCELS WITH NO ADDRESS ON D 1/2 ROAD**

WHEREAS, on the 6th day of February, 2008, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 6th day of February, 2008; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situates in Mesa County, Colorado, and described to wit:

SAGE HILLS ANNEXATION NO. 2

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

Commencing at the Northwest corner of the NW 1/4 SW 1/4 of said Section 15 and assuming the North line of the NW 1/4 SW 1/4 of said Section 15 to bear S89°53'59"E with all bearings contained herein relative thereto; thence S89°53'59"E along the North

line of the NW 1/4 SW 1/4 of said Section 15 also being the South line of Summit View Meadows Annexation No. 3, City of Grand Junction Ordinance No. 3460, a distance of 485.55 feet; thence S00°01'01"W a distance of 475.00 feet to the to the Point of Beginning; thence S89°53'59"E a distance of 496.74 feet; thence S00°01'43"W a distance of 844.58 feet to a point on the South line of the NW 1/4 SW 1/4 of said Section 15; thence N89°56'55"W along the South line of the NW 1/4 SW 1/4 of said Section 15, a distance of 496.57 feet; thence N00°01'01"E a distance of 845.00 feet to the Point of Beginning.

CONTAINING said parcel contains 9.63 acres (419,569.44 sq. ft.), more or less, as described.

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

INTRODUCED on first reading on the ____ day of _____, 2008 and ordered published.

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

Attest:

President of the Council

City Clerk

**Attach 6
Zoning Sura Annexation**

CITY OF GRAND JUNCTION

<i>CITY COUNCIL AGENDA</i>			
Subject	Zoning the Sura Annexation - Located at 405 25 Road		
File #	ANX-2007-276		
Meeting Day, Date	Wednesday, February 6, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	January 25, 2008		
Author Name & Title	David Thornton, Principal Planner		
Presenter Name & Title	David Thornton, Principal Planner		

Summary: Request to zone the 1.45 acre Sura Annexation, located at 405 25 Road, to R - 4 (Residential, 4 du per acre).

Budget: N/A

Action Requested/Recommendation: Introduce a Proposed Ordinance and Set a Public Hearing for February 20, 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. August 29, 2007 Neighborhood Meeting notes
5. Petitioner's General Project Report
6. Zoning Ordinance

Background Information: See attached Staff Report/Background Information

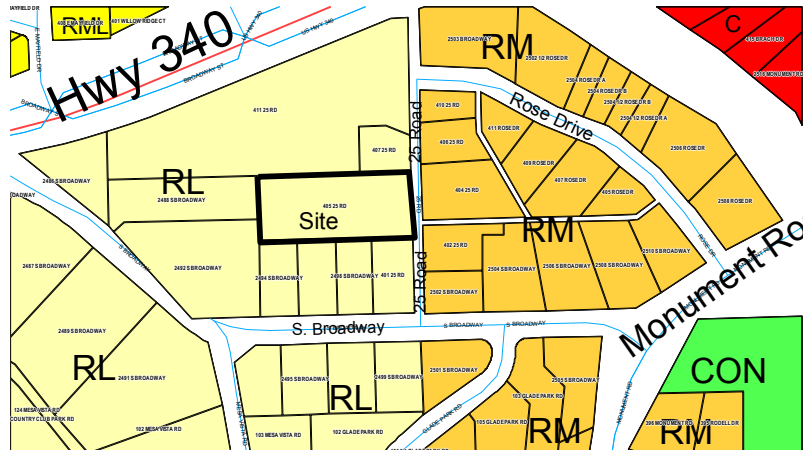
STAFF REPORT / BACKGROUND INFORMATION

Location:		405 25 Road	
Applicants: < Prop owner, developer, representative>		Matthew M. Sura	
Existing Land Use:		<i>Residential</i>	
Proposed Land Use:		<i>Residential</i>	
Surrounding Land Use:	North	<i>Residential and vacant</i>	
	South	Residential	
	East	Residential	
	West	Residential	
Existing Zoning:		Mesa County RSF-4	
Proposed Zoning:		City R-4 (Residential 4 du/ac)	
Surrounding Zoning:	North	<i>Mesa County RSF-4</i>	
	South	<i>Mesa County RSF-4</i>	
	East	<i>Mesa County RSF-4</i>	
	West	<i>Mesa County RSF-4</i>	
Growth Plan Designation:		Residential Medium Low (2 to 4 du/ac)	
Zoning within density range?	X	Yes	No

Staff Analysis:

1. Background:

The 1.45 acre Sura Annexation consists of one parcel located at 405 25 Road. The property owners have requested annexation into the City to allow

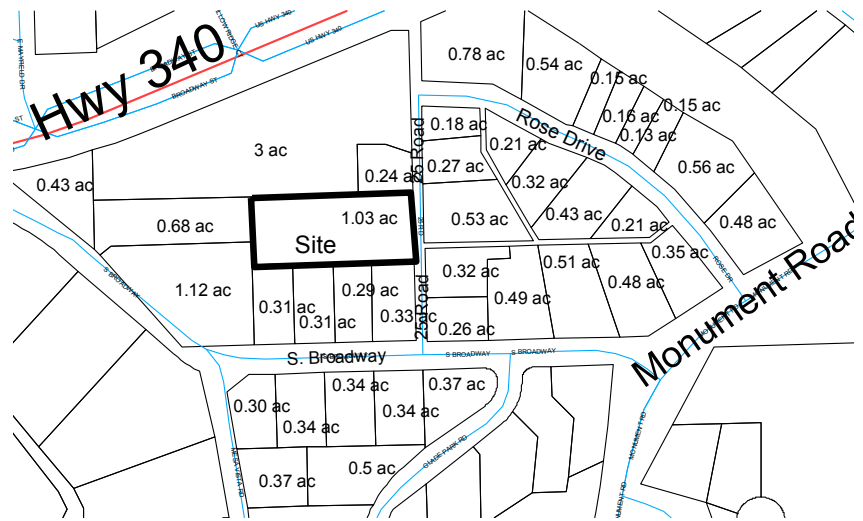


for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.



This annexation and zoning of the Sura Annexation has been reviewed under file number ANX-2007-276 which file is incorporated herein by this reference as if fully set forth.

There is currently one single family detached dwelling on this property. This property is 1.032 acres in size. On the block including this property there are 10 parcels with 5 of them at 1/3 or less of an acre in size.



The property owners are asking for R-4 to match the existing Mesa County Zoning and be in conformance with existing parcels on this block that were developed at such density. This zone district is also being requested to allow them to further subdivide their approximately 1 acre lot into 2 or 3 total lots creating lot sizes that are compatible with the R-4 zone district and similar in size with 5 of the

10 parcels on their block.

A neighborhood meeting was held on August



29, 2007 and attended by ten people, a copy of the meeting notes is included with this staff report as an attachment.

2. Consistency with the Growth Plan:

The requested zone district is consistent with the Future Land Use designation of Residential Medium Low (RML).

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

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

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

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

Response: The R – 4 Zone District implements the Residential Medium Low Land Use Classification of the Growth Plan. It also furthers Policy 1.7: The City and County will use zoning to establish the appropriate scale, type, location and intensity for development. This area is also identified as residential in the Redlands Neighborhood Plan.

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

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

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

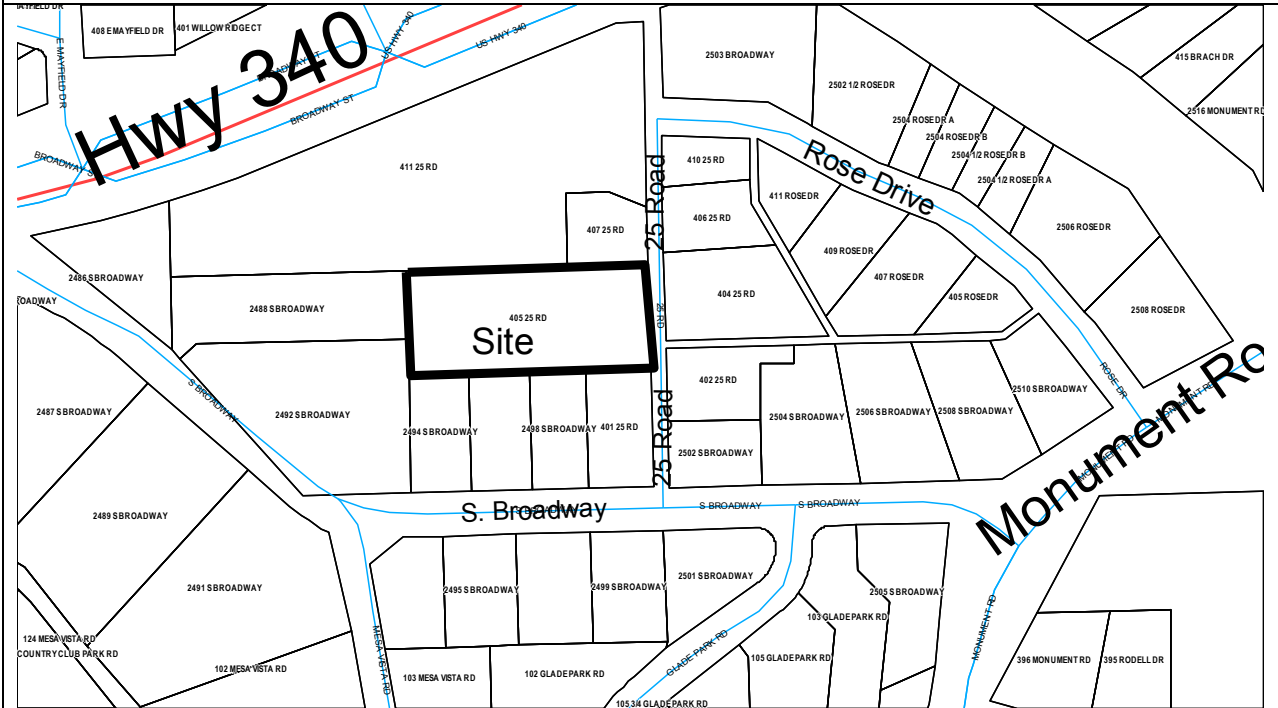
c. R-2

If the City Council chooses to approve this 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 district to be consistent with the Growth Plan and Sections 2.6 and 2.14 of the Zoning and Development Code.

Site Location Map

Figure 1



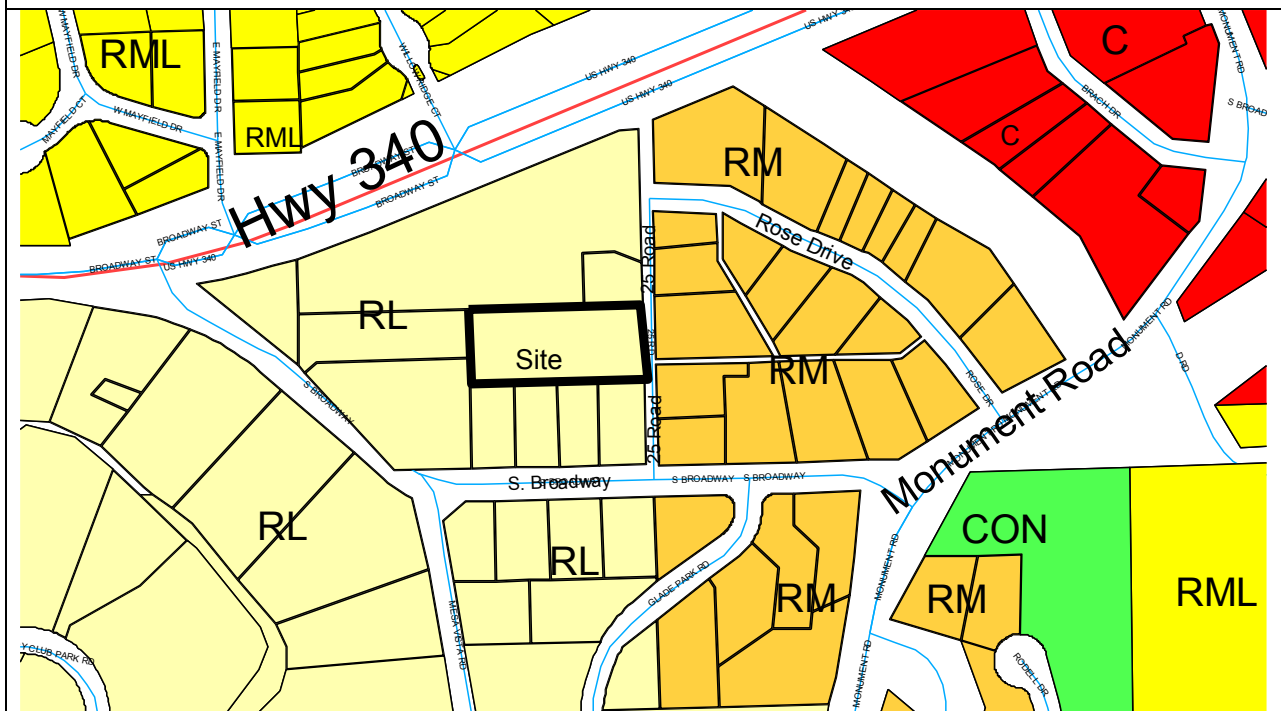
Aerial Photo Map

Figure 2



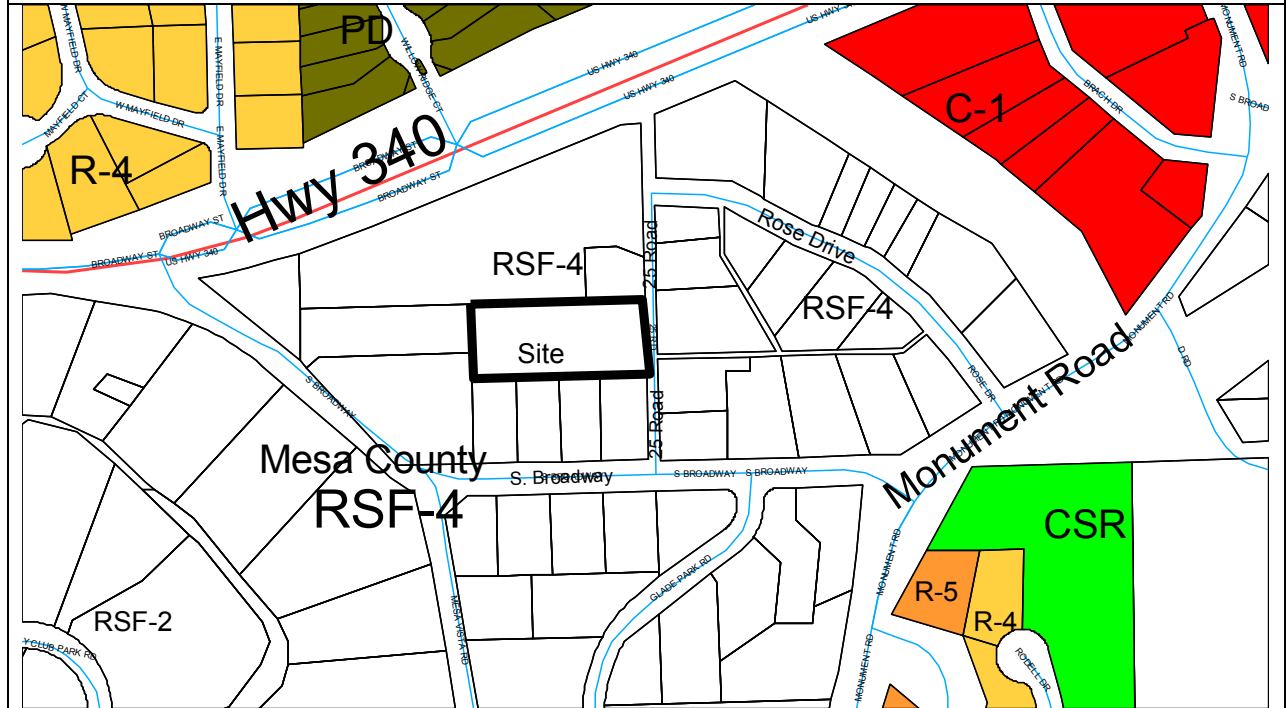
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



**Notes from the NEIGHBORHOOD MEETING
For the Sura Annexation and Growth Plan Amendment**

**Meeting was held: Riverside Multicultural Community Center (Old Riverside School)
552 West Main St, August 29, 2007 from 7:00 – 8:00 PM**

In attendance: were nine neighbors and City Planner Dave Thornton (see attached sign-in)

Meeting minutes:

Matt Sura (applicant) thanked the neighbors for coming and gave a brief description of what his plans are for the property. He handed out maps and a description of the R-2 and R-4 designations from the Growth Plan.

Matt stated that the request for the growth plan amendment was necessary because of the requirement that an R-2 you must have 50 feet of street frontage for every property and in R-4 you only need 20 feet. Because of the shape of the lot, the 50 foot requirement would take up a large portion of the front yard of the existing residence.

There were a number of questions about this requirement and they were ably handled by Dave Thornton.

Lois asked why the applicant had to annex into the City at all. Dave responded with a quick description of the Persigo Wash agreement.

The applicant mentioned that he believed that the growth plan designation was in error since most of the properties on our side of the street were less than a half acre and the other side of the street was considered R-8. Having one side of the street R-8 and the other R-2 seemed arbitrary at best.

There was some general discussion about neighborhood issues unrelated to the application such as drug use, police response and disagreement among the people in attendance whether or not annexation was a good thing for the neighborhood.

Jeff Smith who lives across the street from the property commented that he had no problem with one additional house on the property but opposed more than that. His concerns were storm water run-off onto his property from additional paving of two residences, only a 25 ft right of way for the road, increased traffic and headlights shining into his window.

Wayne Allen mentioned that he was concerned that the changes in density would change the character of the neighborhood. Was opposed to two additional homes but could deal with one.

Ric Gaines who lives immediately to the North of the property thought changing the density would change the character of the neighborhood, was concerned about the safety of the streets for his children, and was concerned about his privacy since the new driveway is proposed next to his property. Ric did not want to see more than one new house.

Dale Lucero was opposed to any new homes because they might limit his view of the Bookcliffs and "put him in a hole".

Sally Crum was concerned about her privacy, additional noise and stated that she only would support one additional home on the property.

Dave Thornton mentioned that the zoning given for 405 25 rd would probably set a precedent for the neighborhood. People responded by stating that their real concern was the development of a three-acre parcel at the end of the street owned by Butch Jarvis. They did not want to see 14 new homes there.

Dave reminded the crowd that the area, if it was in the city already, would probably be eventually zoned at R-4 anyway given the existing lot sizes.

Matt Sura, the applicant, stated that given the concerns about rezoning he wanted to do a simple land division in the current R-2 but ask for a variance for the 50 foot street frontage.

Dave told him that a variance would not likely be granted because the applicant had to prove a "hardship" and "extreme circumstances".

The meeting adjourned at 8:10 PM.

GENERAL PROJECT REPORT For the Sura Annexation and Growth Plan Amendment

8-30-2007

PROJECT DESCRIPTION:

The project is located at 405 25 Rd, Grand Junction, CO. The parcel is approximately 1.01 acre in size. The current use is residential with one 100 year-old farm house. The applicant is living in the residence. The proposal is to change the Growth Plan designation from R-2 to R-4 to eventually allow for a split of the property. Because the property is within the Persigo Wash service area it must be annexed before any change in use or development could occur.

PUBLIC BENEFIT

The public benefit is providing additional infill housing, near the City of Grand Junction, in compliance with the goals outlined in the Growth Plan and the Redlands Neighborhood Plan. The highest and best use for the property is infill development in keeping with lot sizes in the neighborhood.

NEIGHBORHOOD MEETING was held on August 29, 2007 at the Riverside Multicultural Community Center (Old Riverside School) 552 West Main St, from 7:00 – 8:00 PM. The sign-in sheet is attached.

PROJECT COMPLIANCE, COMPATIBILITY, AND IMPACT

The project is in full compliance with the Growth Plan and the Redlands Neighborhood Plan. It is clear that the existing zoning was in error. Of the ten parcels in our block, five of them are a 1/3 of an acre or less. The block on the other side of the 25 Road is zoned R-8. As you can see from the attached map, one or two more units (the most we have ever considered) would not change the character of the neighborhood in the slightest.

Another issue that should be considered is that since the Growth Plan was completed the neighborhood of the property in question has been hooked up to the Persigo Wash waste water treatment plant and Ute Water is in the process of replacing the Bruner water system to serve the area. Ute has also added fire hydrants to the neighborhood.

The property is well within the Urban Growth Boundary.

Given the existing density and lot sizes in the area, the addition of new infrastructure to serve the area, and its close proximity to the City of Grand Junction, this lot's highest and best use is infill development.

GROWTH PLAN COMPLIANCE

V. 20 Growth Plan

Goal 4: To coordinate the timing, location and intensity of growth with the provision of adequate public facilities.

Policy 4.1: The City and County will place different priorities on growth, depending on where proposed growth is located within the Joint Planning Area, as shown in Exhibit V.3. The City and County will limit urban development in the Joint Planning Area to locations within the Urban Growth Boundary with adequate public facilities as defined in the City and County Codes.

Policy 4.6: The City will develop and maintain a supply of water and a distribution system that will meet existing and future domestic and fire protection demands throughout the City's water service area.

Comment: Given that Ute water is now (or will soon be) providing reliable water to the area, and the area has been hooked up to City Sewer for the last four years, this area is now more able to accept development.

V. 41 Growth Plan

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

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

Policy 28.3: The City's elected officials and leadership will consistently advocate and promote the planning, fiscal, and quality of life advantages and benefits achievable through infill and redevelopment.

Comment: The area in question is within the Urban Growth Boundary and 1.8 miles drive (Google maps) from GJ City Hall. Splitting of the property into two parcels or even three will create density that is consistent with the adjacent properties.

LAND USE CODE COMPLIANCE

3.1 PURPOSE

The City is zoned into areas referred to as zones or districts. The purpose of establishing zones is to:

- A. Implement the Growth Plan;
- B. Encourage the most appropriate use of land throughout the City and to ensure logical and orderly growth and development of the physical elements of the City;
- C. Prevent scattered, haphazard growth and guide orderly transition of urban areas;
- D. Conserve and enhance economic, social and aesthetic values;
- E. Protect and maintain the integrity and character of established neighborhoods;
- F. Facilitate provision of adequate public facilities and services, such as transportation, water, sewerage, schools and parks;
- G. Promote the development of convenient and beneficial clusters of uses, including business and shopping facilities where satisfactory proof is made that the same are reasonably necessary and desirable for the public convenience and welfare;
- H. Provide for adequate light and clean air;
- I. Aid in preventing traffic congestion in the streets and public ways of the City;
- J. Prevent unduly noisome and/or injurious substances, conditions and operations;
- K. Secure safety from fire, panic and other dangers; and
- L. Promote the public health, safety and welfare.

Comment: The changing of this parcel from R-2 to R-4 helps achieve all of the above objectives. It is "logical and orderly growth" - it provides "orderly transition of urban areas". Rather than jumping from R-8 to R-2 our neighborhood will now have some transitional R-4 zoning. The "character of the neighborhood" is R-4 although it is zoned R-2. An R-4 designation will be in keeping with the densities and uses that are already there.

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

LOCATED AT 405 25 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 Sura Annexation to the Residential – 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 Residential – 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).

SURA ANNEXATION

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

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

Road as described in Book 980, Page 88 of the Mesa County, Colorado public records; thence N00°11'28"E along said Westerly right of way of 25 Road and the northerly projection thereof a distance of 566.23 feet; thence S69°14'28"W a distance of 207.00 feet; thence S65°38'58"W a distance of 368.76 feet; thence N24°21'02 "W a distance of 2.00 feet to a point on the Southerly line of High Pointe Estates Annexation, Ordinance No. 3221, City of Grand Junction; thence N65°38'58"E along the Southerly line of said High Pointe Estates Annexation the following three courses: (1) N65°38'58"E a distance of 368.82 feet; (2) N69°14'28"E a distance of 180.64 feet; (3) N02°15'02"W a distance of 10.55 feet; thence N69°14'28"E a distance of 41.06 feet returning to the East line of the SE 1/4 SE 1/4 of said Section 16; thence S00°11'28"W along the East line of the SE 1/4 SE 1/4 of said Section 16 a distance of 55.32 feet; thence S55°58'32"E a distance of 14.45 feet to a point on the Easterly right of way of 25 Road as shown on the Plat of Franchini Subdivision, recorded in Plat Book 6, Page 25 of the Mesa County, Colorado public records; thence S00°11'28"W along a line being 12.00 feet East of and parallel with the East line of the SE 1/4 SE 1/4 of said Section 16 and also being the Easterly right of way of 25 Road a distance of 657.00; thence N89°48'32"W a distance of 12.00 feet to the Point of Beginning.

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

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 7
Zoning Reigan/Patterson/TEK/Morario Annexation
CITY OF GRAND JUNCTION

<i>CITY COUNCIL AGENDA</i>			
Subject	Zoning the Reigan/Patterson/TEK/Morario Annexation - Located at 2202, 2202 ½, 2204 H Road and 824 22 Road		
File #	ANX-2007-279		
Meeting Day, Date	Wednesday, February 6, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	January 25, 2008		
Author Name & Title	David Thornton, Principal Planner		
Presenter Name & Title	David Thornton, Principal Planner		

Summary: Request to zone the 26.732 acre Reigan/Patterson/TEK/Morario Annexation, located at 2202, 2202 ½, 2204 H Road and 824 22 Road, to City Mixed Use (MU).

Budget: N/A

Action Requested/Recommendation: Introduce a Proposed Ordinance and Set a Public Hearing for February 20, 2008.

Attachments:

1. Site Location Map/Aerial Photo Map
2. Future Land Use Map/Existing City & County Zoning Map
3. August 28, 2007 Neighborhood Mtg. notes
4. Petitioner's General Project Report
5. Letter from Lyn Street neighbors
6. Zoning Ordinance

Background Information: See attached Staff Report/Background Information

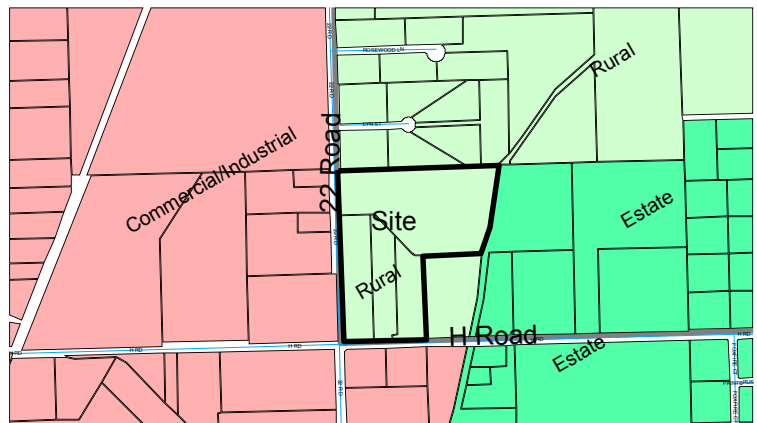
STAFF REPORT / BACKGROUND INFORMATION

Location:		<i>2202, 2202 ½, 2204 H Road & 824 22 Road</i>	
Applicants: < Prop owner, developer, representative>		Jerry D. Patterson, owner of 2202 H Road TEK Leasing LLC, owner of 2202 ½ Road Robert & Marie Reigan, Owners of 2204 H Road Leah Morario, owner of 824 22 Road	
Existing Land Use:		<i>Residential and vacant (3 dwellings on 4 parcels)</i>	
Proposed Land Use:		<i>Mixed Use (MU)</i>	
Surrounding Land Use:	North	<i>Residential</i>	
	South	Industrial	
	East	Residential	
	West	Residential	
Existing Zoning:		Mesa County AFT and Estate	
Proposed Zoning:		City Mixed Use (MU)	
Surrounding Zoning:	North	<i>Mesa County AFT and PD Residential</i>	
	South	<i>Mesa County PD Industrial</i>	
	East	<i>Mesa County AFT</i>	
	West	<i>I-1 (Light Industrial) and County RSF-R</i>	
Growth Plan Designation:		Mixed Use	
Zoning within density range?	X	Yes	No

Staff Analysis:

2. Background:

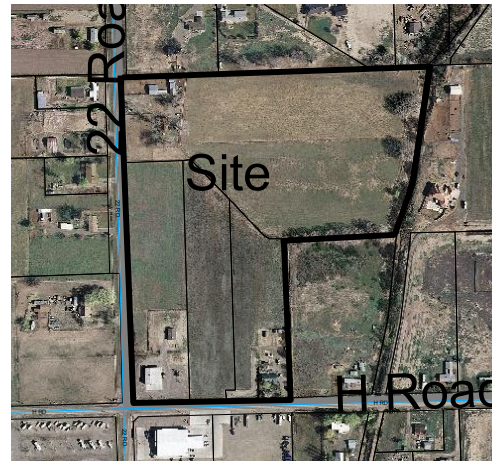
A Growth Plan Amendment (GPA) to Mixed Use (MU) was approved December 19, 2007 by City Council



for these four properties. The request to annex this area was considered under file number ANX-2007-279 which file is incorporated herein by this reference as if fully set forth.

The applicants are asking for a Mixed Use (MU) zoning designation for four parcels located at 2202, 2202 1/2, 2204 H Road and 824 22 Road collectively (referred to as “the property”). The property, currently zoned Agricultural Forestry Transitional (AFT) and Estate in Mesa County, was part of a change to the Persigo 201 sewer service boundary (“201 Boundary”) adopted on August 2, 2007, adding five parcels in this area to the 201 Boundary. Discussion at the August Persigo meeting included noise and other impacts on these parcels from the industrial uses on the south side of H Road. This Zone of Annexation application affords an opportunity to consider what intensity of development should occur in this urbanizing area.

There are currently three single family detached dwellings on the four parcels. To the north is a residential subdivision *(Lyn Street Subdivision) that was rezoned to Planned Development (PD) and approved by Mesa County in the 1990’s. To the east there is large lot residential. To the south there are various industrial businesses. To the west, across 22 Road is currently agricultural, but this area was include in the H Road/Northwest Area Plan and the future land use has changed to Commercial/Industrial. This area is already transitioning, as is evidenced by the recent I-1 zone of annexation for the 44 acre Younger property located at 2172 and 2176 H Road and the I-1 zone of Annexation for the Ute Water Property at 823 and 825 22 Road to the west.



The H Road/Northwest Area Plan designates the adjacent area to the west and south as Commercial/Industrial. These changes create a need for a transitional area between the present and future intense industrial development to the west and south and the present and future residential land uses to the north and east. The requested MU zone district creates just that transition. Likely uses for an area with this designation include, but are not limited to single family attached and/or multi-family residential, medical office, parks, professional office, health clubs, limited retail, repair and manufacturing.

A neighborhood meeting was held on August 15, 2007 and attended by thirteen people, a copy of the meeting notes in included with this staff report as an attachment.

The property owners requested annexation into the City to allow for the change in the Growth Plan for these four properties. Under the 1998 Persigo Agreement all proposed

development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

2. Consistency with the Growth Plan:

The requested zone district is consistent with the Future Land Use designation of Mixed Use (MU). The Mixed Use designation was adopted by City Council on December 19, 2007 as part of the Applicant's Growth Plan Amendment request.

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

Zone of Annexation: The requested zone of annexation to the Mixed Use district is consistent with the Growth Plan intensity and implements the Mixed Use Land Use designation. The existing County zoning is AFT and Estate. Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

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

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

Response: The Mixed Use Zone District implements the Mixed Use Land Use Classification of the Growth Plan. It also furthers Policy 1.7: The City and County will use zoning to establish the appropriate scale, type, location and intensity for development.

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

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

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

- d. There are no other zone districts other than a Planned Development (PD) that could be made consistent with the MU Designation.

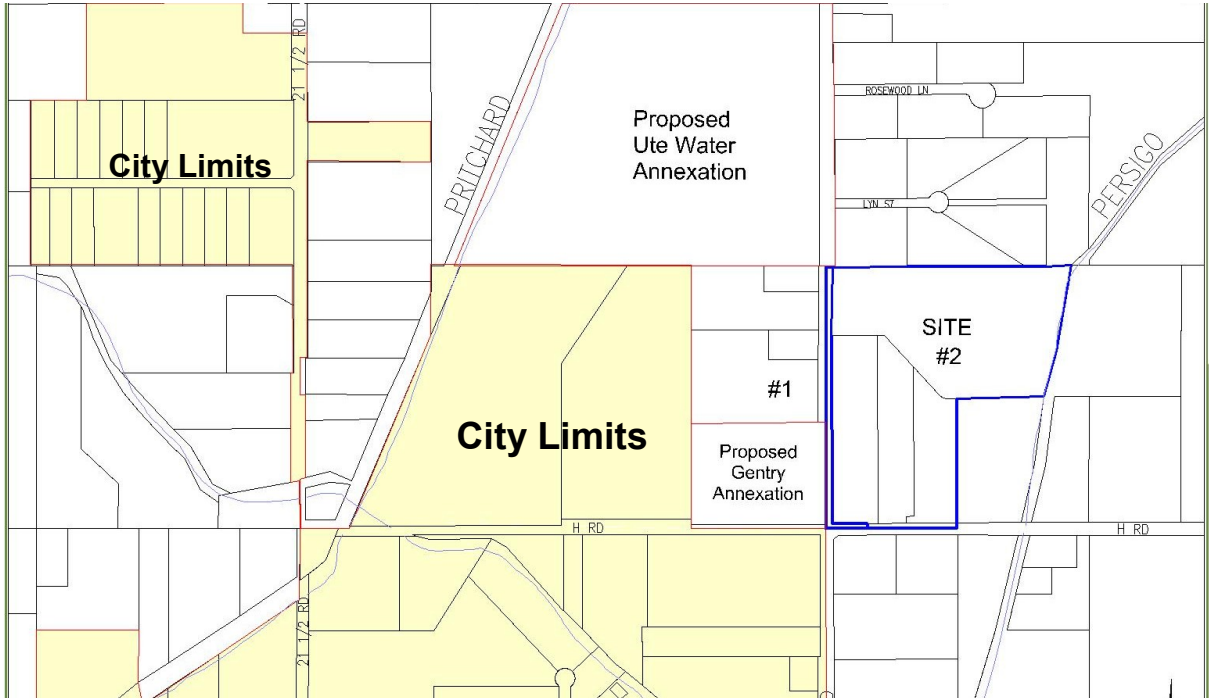
If the City Council chooses to approve an alternative zone designation, specific alternative findings must be made.

PLANNING COMMISSION RECOMMENDATION:

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

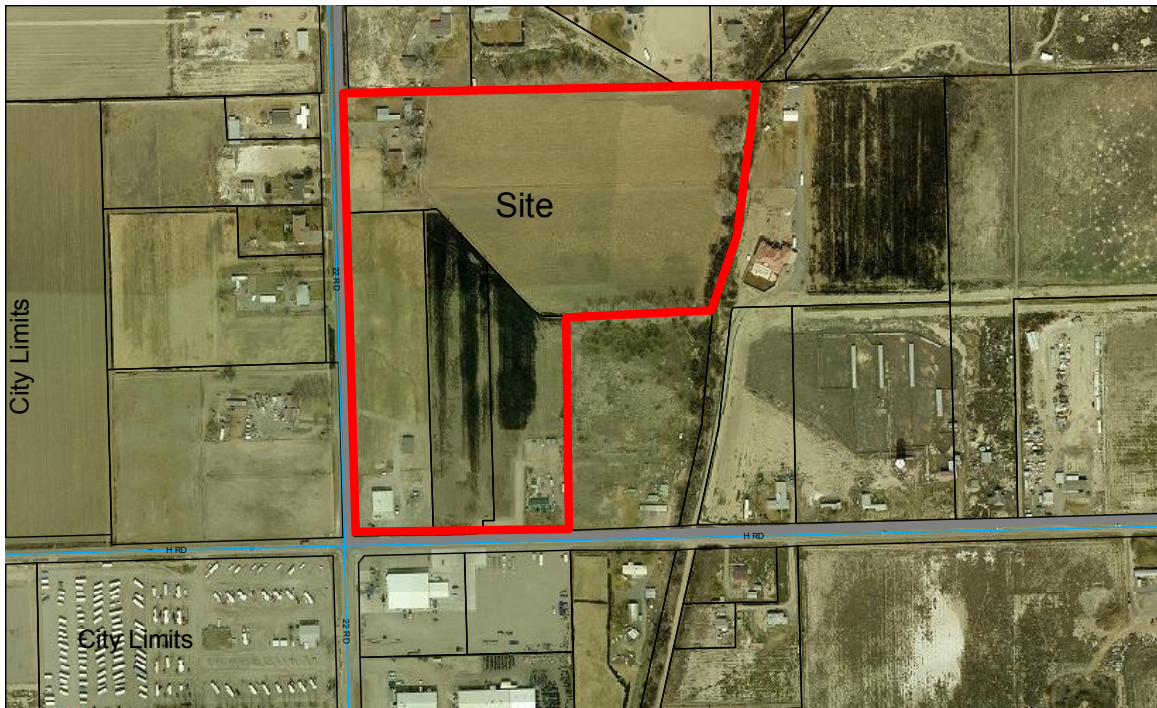
Annexation / Site Location Map

Figure 1



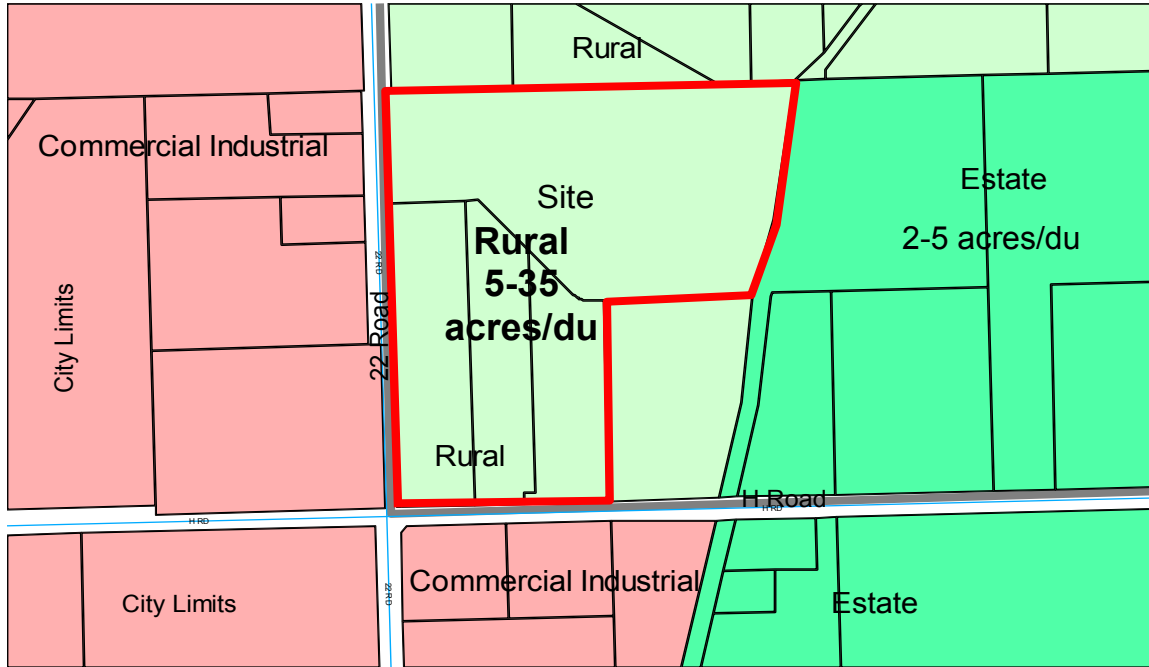
Aerial Photo Map

Figure 2



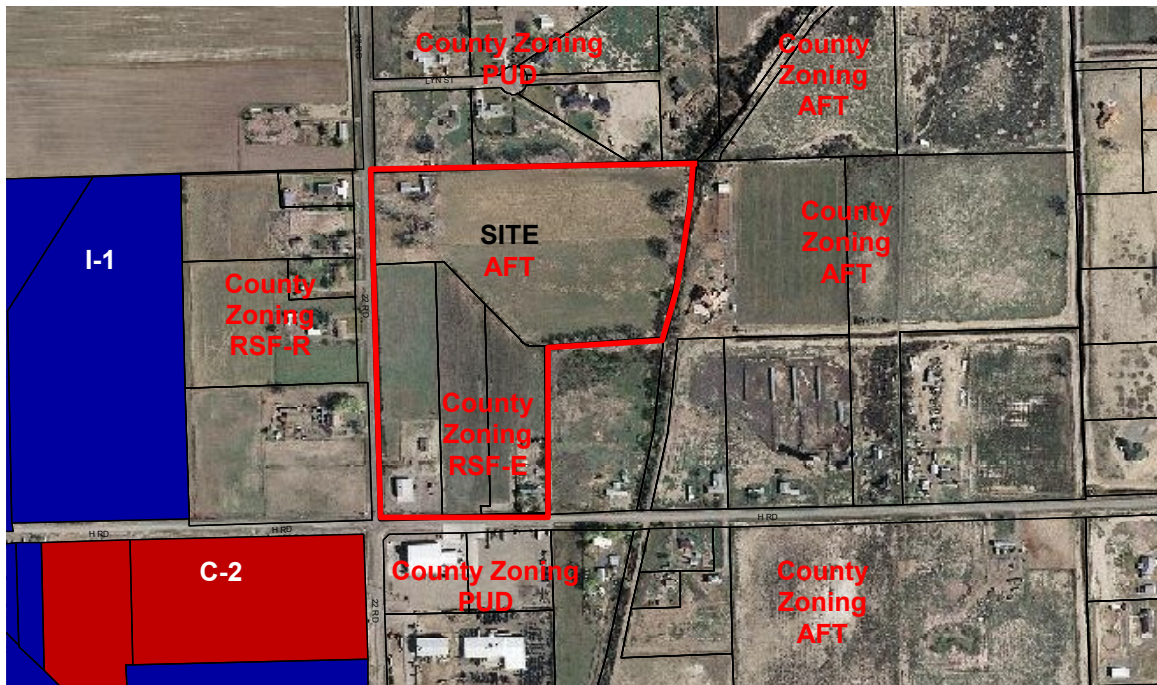
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



August 28, 2007 6:00pm

NEIGHBORHOOD MEETING FOR:

REIGAN/PATTERSON/TEK/MORARIO/ANNEXATION

ATTENDANCE SHEET

Maureen Johnson 2202 H Road
Aleen Loran 2202 1/2 H Road
Judy Patterson 2202 H Road
ROBERT REIGAN 2204 H ROAD
Marie Reigan 2204 H Road
* Wayne Fiede 2208 Lynn St. (Keep up dated)
Jackie Pinkham 2224 H Rd. Thank you!
Dennis Pinkham 2224 H Rd.
DAVE THORNTON City of GJ
Doreen Cramford 811-22 Rd
* Doreen Cramford 241-0905
Lilah Morario 2503708
Mari L. Garland 793 22 Road bldg heights,
Junction West RV density
(970)245-8531

Minutes of the Neighborhood Meeting
August 28, 2007 6:00 P.M.
2202 H. Road

The meeting was called to order at 6:12 P.M. Tuesday August 28, 2007

Robert Reigan was the speaker for the evening; Dave Thornton of the City of Grand Junction was also in attendance and addressed specific questions from the public regarding codes and regulations for Multi Use properties, as well as current traffic issues.

Purpose for the Meeting

Explain to the attendees the vision we have for our properties and how a M.U. zoning would accomplish that vision. To express our desire to see our properties act as "transitional properties" to be both a visual and sound buffer between existing commercial-industrial and rural residential properties. To ask for input from those in attendance hoping that any concerns could be answered and or considered.

Present:

Marcie Johnson, Glenn Larson, Jerry Patterson, Robert Reigan, Marie Reigan, Wayne

Tiede, Jackie Pinkham, Dennis Pinkham, Dave Thornton, Dan Allen, Doreen Crawford,

Leah Morario, Mari L. Garland

Robert advised participants of the new 201 Sewer boundary changes, the areas current zonings and foreseeable zoning changes. He also addressed how the present CI zonings were currently affecting residents in the area, and how future changes could help negate or contribute to the problems homeowners were experiencing. Robert stated that the proposed M.U. zoning of the four petitioner's properties would create a buffer zone between CI properties and the Residents in the area. He also gave the City of Grand Junction's web address, gcity.org so that attendees could further investigate what an M.U. zoning could mean for the area. A City of Grand Junction GIS Growth Plan Map of the area was provided to all attendees.

Existing Uses and zoning of properties surrounding 22/H roads

Commercial Residential Agriculture Industrial

Attendees had an opportunity to speak and ask questions about the affects of the zoning and annexation changes and there were some concerns about the following:

Traffic issues, road conditions, building appearance, landscaping, future rezoning and uses of the properties.

Dave Thornton addressed traffic issues and road conditions informing the attendees that CDOT was studying the idea of moving business traffic west on H road away from residential areas and out onto HWY 6&50 at 21 1/2 road. Dave informed those in attendance that the future buildings exteriors would have to visually conform to the residential character of the area, and that there were landscaping requirements that would have to be met.

Robert Reigan read from the City's USE/ZONE MATRIX the "Allowed" uses for a M.U. zoning. He also addressed the concerns about future rezoning of the properties to commercial or industrial after being zoned M.U; he stated that with the current problems caused by CI properties being adjacent to rural residential properties, he thought it highly unlikely that the City and County would approve any future changes that would place them back into the position they currently are trying to remedy.

There were also concerns about current traffic and noise problems from existing businesses in the area. Robert advised attendees to contact the county in order to file complaints about current noise and traffic problems.

Although there were concerns about the M.U. zoning most in attendance understood why we were pursuing annexation and an M.U. rezone, and many wished us well and appreciated the fact that we were not requesting a commercial or industrial zoning.

No further meetings were addressed

The neighborhood meeting ended at 7:22 P.M.

GENERAL PROJECT REPORT AND OUTLINE

A. Project Description:

1. Location: 824 22 RD, Parcel #2701-303-00-514, Acres-14.245
2202 H RD, Parcel #2701-303-00-524, Acres-5.208
2202 ½ H RD, Parcel #2701-303-12-001, Acres-3.61
2204 H RD, Parcel #2701-303-12-002, Acres-3.38

2. Total Acreage: 26.443

3. Proposed use: Multi-Use

B. Public Benefit: It provides a much needed increase of suitable properties for business growth in the Grand Valley. The development of these properties as M.U. would allow for controlled business expansion in an area in need of transitional properties to separate CI and Rural-residential properties.

C. Neighborhood Meeting: See attached minutes of meeting.

D. Project Compliance, Compatibility, and Impact:

1. Adopted plans and/or policies (for rezones, variances, conditional and special use, revocable permits, and vacations, discuss the circumstances that justify the request, as required by the Zoning and Development Code: Citing the Zoning and Development Code **3.1 PURPOSE**

A. Implement the Growth Plan;

B. Encourage the most appropriate use of the land throughout the City and to ensure logical and orderly growth and development of the physical elements of the City;

C. Prevent scattered, haphazard growth and guide orderly transition of urban areas;

D. Conserve and enhance economic, social and aesthetic values;

E. Protect and maintain the integrity and character of established neighborhoods;

J. Prevent unduly noisome and/or injurious substances, conditions and operations;

L. Promote the public health, safety and welfare;

Please note the attached **Approval and Review Criteria Responses for Annexation and the Growth Plan Amendment** which directly address Project Compliance, Compatibility, and Impact.

2. Land use in the surrounding area: Land use in this area is comprised of commercial, industrial, and rural residential.
3. Site access and traffic patterns: CDOT has recently begun to study and address the traffic flow in this area with an eye on the expansion of businesses to the west and north of our properties. Traffic along H Road and parts of 22 Road would be routed to the west on H Road through an area envisioned for business expansion; this moves traffic away from rural residential properties to the north and east of our project.
4. Availability of utilities, including proximity of fire hydrants: Utilities are present on or at the property line of all parcels involved with the nearest fire hydrant at the SW corner of 22 & H Road.
5. Special or unusual demands on utilities: With an M.U. zoning we would not expect any unusual demands on utilities or their infrastructures.
6. Effect on public facilities: With the varied uses allowed by an M.U. zoning it would be pure speculation on our part as to what the effect of this zoning would be on public facilities. However we do know that business growth funds the capital costs for which it is directly responsible. Businesses add tremendously to the tax base of a community which directly funds and supports necessary public facilities.
7. Site soils and geology: The NRCS shows two predominant soil types on the properties, (BcS) and (Bc). This information is cited from "**REPORT OF GEOLOGICAL HAZARDS INVESTIGATION**" pages 3-4. Prepared for Robert and Marie Reigan, July 30, 2002 by David W. Schaer Consulting Geologist.
8. Impact of project on site geology and geological hazards if any: "Geological Hazards at this property are very minimal." Citing page 7 from "**REPORT OF GEOLOGICAL HAZARDS INVESTIGATION**" prepared by David W. Schaer Consulting Geologist for Robert and Marie Reigan, dated July 30, 2002.

Lyn Street Subdivision
2209 Lyn St.
Grand Junction, Co. 81505

November 21, 2007

Public Works & Planning Department
250 North 5th Street
Grand Junction, Co. 81501

To David Thornton,

We are writing this letter in regards to The Reigan Growth Plan Amendment. Once again the planning department of Grand Junction has in no way considered the effect this change of zoning will have on our country side and especially our neighborhood. We have in the past attempted to stop the zoning changes (directly across the street from our neighborhood), from agricultural to commercial /Industrial to no avail. We were devastated to see how the City of Grand Junction and Mesa County, steam rolled over any argument we had against the change. And in fact we felt invisible at the public hearing. So this time around , we know not to go to all the trouble of petitioning the surrounding neighborhoods or have meetings organizing together to let the city and county know what we want to see happen with the changing country side surrounding our homes. We have learned that this is a big waste of time and energy, so here is what we propose.

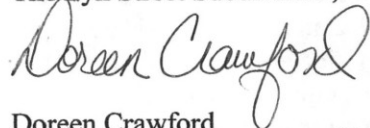
Understandably with the horrific ear deafening noise of the air compressor industry and the ridiculously bright lights of the Fedex freight business, not to mention the awakening beep-beep-beep of the forklifts backing up at 3:45a.m. every morning, we can understand why our neighbors at 2202, 2202 ½, and 2204 H. Road want to move and get away from this terrible situation. Grand Junction and the county has allowed to happen right across the street from their homes. Of course no one in their right mind would ever buy such a property for their residence, so what is there to do but change their zoning to mix use. We are not happy about this, but we can understand it.

As you know the property at 824 22 Road borders four of the seven properties in the Lyn Street Subdivision. We are requesting that this property remains agricultural

and serve as a buffer zone to keep the commercial properties out of our backyards. Please understand that the owner of 824 22 Road bought it for investment purposes and have no interest in the well being of our neighborhood. Their present renter are more than happy to continue renting indefinitely, and don't want to see this horse property taken over with businesses of any kind either.

We believe that the planning department is not aware of the beautiful properties and custom homes in the Lyn Street Subdivision. We plead that you tour the properties in person so you can understand for your selves how important this buffer property is to our neighborhood. This change in the amendment would allow us to have a little country left to our otherwise commercially infested area. We were here first, please be reasonable.

Thank you,
The Lyn Street Subdivision,



Doreen Crawford
Sec/Tres. 970-241-0905

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE REIGAN/PATTERSON/TEK/MORARIO ANNEXATION
TO
MIXED USE**

LOCATED AT 2202, 2202 1/2, 2204 H ROAD, AND 824 22 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 Reigan/Patterson/TEK/Morario Annexation to the Mixed Use 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 Mixed Use zone district is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

The following properties be zoned Mixed Use (MU).

REIGAN/PATTERSON/TEK/MORARIO ANNEXATION NO. 1

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

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

REIGAN/PATTERSON/TEK/MORARIO ANNEXATION NO. 2

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

Commencing at the Southwest corner of said 30, and assuming the West line of said SW1/4 SW1/4 to bear N00°03'11"E" with all bearings contained here in relative there to; thence N89°59'49", along the South line of said SW1/4 SW1/4, a distance of 210.00 feet to the POINT OF BEGINNING; thence along the boundary of the Reigan/Patterson/TEK/Morario Annexation No. 1 the following three (3) courses: 1) N00°00'11"W a distance of 30.00 feet; 2) S89°59'49"W a distance of 179.97 feet; 3) N00°03'11" a distance of 1,209.09 feet; thence S89°59'30"E, along the North line of said SW1/4 SW1/4, a distance of 1,201.25 feet to the centerline of the Persigo Wash, also being the west line of Turner Simple Subdivision as recorded in Plat Book 17, Page 372, Public Records, Mesa County, Colorado; thence along the centerline of Persigo Wash, said centerline also being the west line of said Turner Simple Subdivision, the following three courses: 1) S09°19'W" a distance of 435.34 feet; 2) S15°34'10"W a distance of 237.80 feet; 3) S07°27'10"W a distance of 6.07 feet; thence S89°56'10"W a distance of 440.40 feet to the Northeast corner of Lot 2, Ram's Subdivision as recorded in Book 4056, Page 462, Public Records, Mesa County, Colorado; thence S00°24'19"W, along the east line of said Ram's Subdivision, a distance of 674.52 feet to the South line of said SW1/4 SW1/4; thence S89°59'49"W, along the South line of the said SW1/4 SW ¼, a distance of 442.33 feet, more or less, to the Point of Beginning.

CONTAINING 26.732 Acres (1,208,131.92 Sq. Ft.), 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 8
Lusk Annexation**

CITY OF GRAND JUNCTION

<i>CITY COUNCIL AGENDA</i>			
Subject	Lusk Annexation – Located at 2105 South Broadway		
File #	ANX-2007-368		
Meeting Day, Date	Wednesday, February 6, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	January 21, 2008		
Author Name & Title	David Thornton, Principal Planner		
Presenter Name & Title	David Thornton, Principal Planner		

Summary: Request to annex 8.53 acres, located at 2105 South Broadway. The Lusk Annexation consists of one parcel.

Budget: N/A

Action Requested/Recommendation: Adopt a Resolution Referring the Petition for the Lusk Annexation and Introduce the Proposed Ordinance and Set a Hearing for March 19, 2008.

Attachments:

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

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION

Location:		2105 South Broadway			
Applicants:		Owner: Sierra Lusk Representative: Tom Volkmann.			
Existing Land Use:		Residential			
Proposed Land Use:		Residential			
Surrounding Land Use:	North	Rural			
	South	Rural			
	East	Rural			
	West	Rural			
Existing Zoning:		County RSF-4 (Residential Single Family-4 du/ac)			
Proposed Zoning:		City Residential Estate (Residential 2-to 5 ac/du)			
Surrounding Zoning:	North	County RSF-4 (Residential Single Family-4 du/ac)			
	South	County RSF-4 (Residential Single Family-4 du/ac)			
	East	County RSF-4 (Residential Single Family-4 du/ac)			
	West	County RSF-4 (Residential Single Family-4 du/ac)			
Growth Plan Designation:		Proposed Estate			
Zoning within density range?			Yes	X	No

Staff Analysis:

ANNEXATION:

This annexation area consists of 8.53 acres of land and is comprised of one parcel. The property owners have requested annexation into the City to allow for the consideration of a Growth Plan amendment and development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City. The Growth Plan amendment will be heard separately by City Council at a later date.

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

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

The following annexation and zoning schedule is being proposed:

ANNEXATION SCHEDULE	
February 6, 2008	Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use
TBD	Planning Commission considers Zone of Annexation
TBD	Introduction of a proposed Ordinance on Zoning by City Council
March 19, 2008	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
April 20, 2008	Effective date of Annexation.

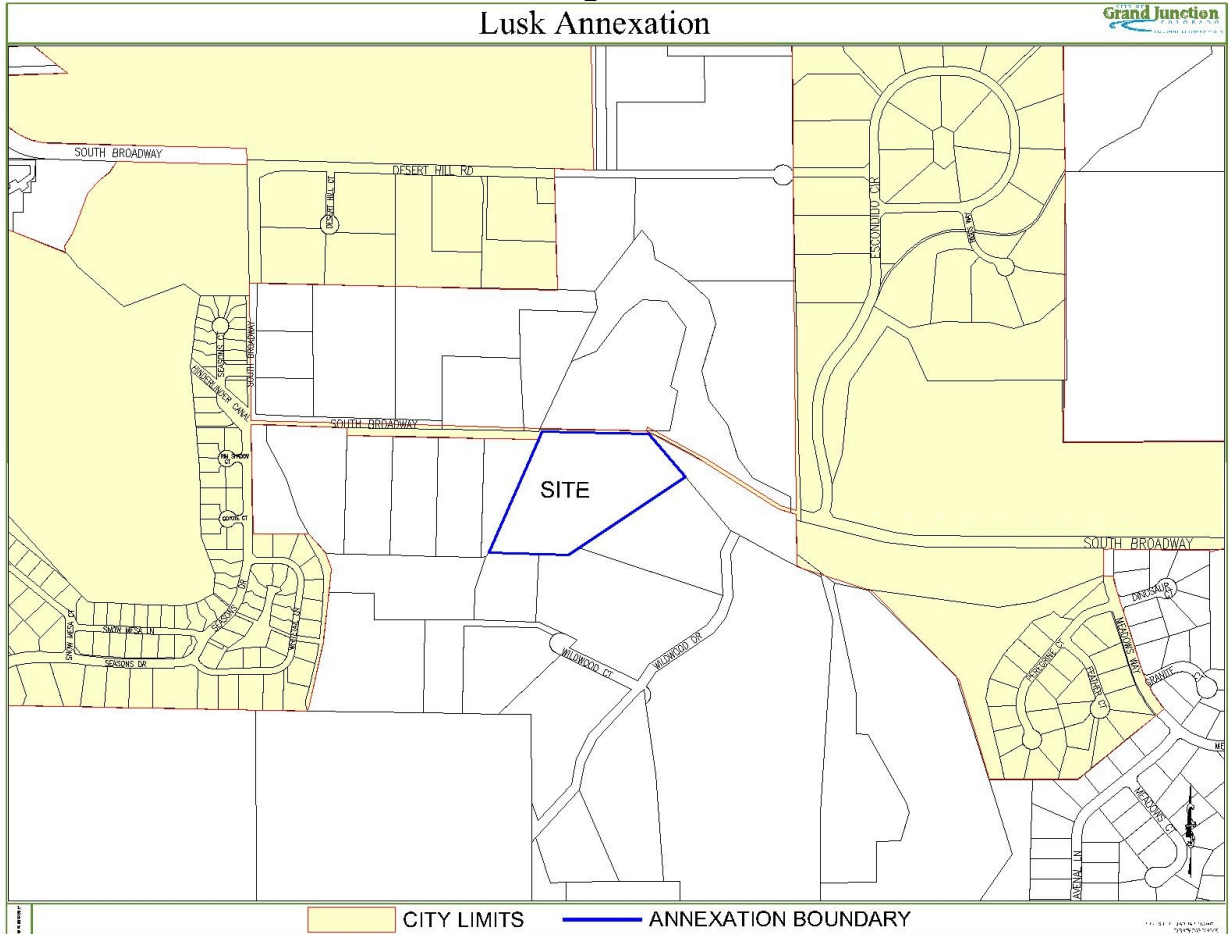
LUSK ANNEXATION SUMMARY

File Number:		ANX-2007-368
Location:		2105 South Broadway
Tax ID Number:		2947-262-00-034
Parcels:		1
Estimated Population:		2
# of Parcels (owner occupied):		1
# of Dwelling Units:		1
Acres land annexed:		8.53 (371,669 sq ft)
Developable Acres Remaining:		Approximately 5 acres
Right-of-way in Annexation:		none
Previous County Zoning:		County RSF-4 (Residential Single Family 4 du/ac)
Proposed City Zoning:		<i>City Residential Estate (Residential 2-to 5 ac/du)</i>
Current Land Use:		Rural
Future Land Use:		Proposed Estate
Values:	Assessed:	\$41,720
	Actual:	\$508,310
Address Ranges:		2103 - 2119 (Odd Only) South Broadway
Special Districts:	Water:	Ute Water
	Sewer:	Persigo
	Fire:	Grand Junction Rural
	Irrigation/ Drainage:	Redlands Water and Power
	School:	District 51
	Pest:	N/A

Annexation/Site Location Map

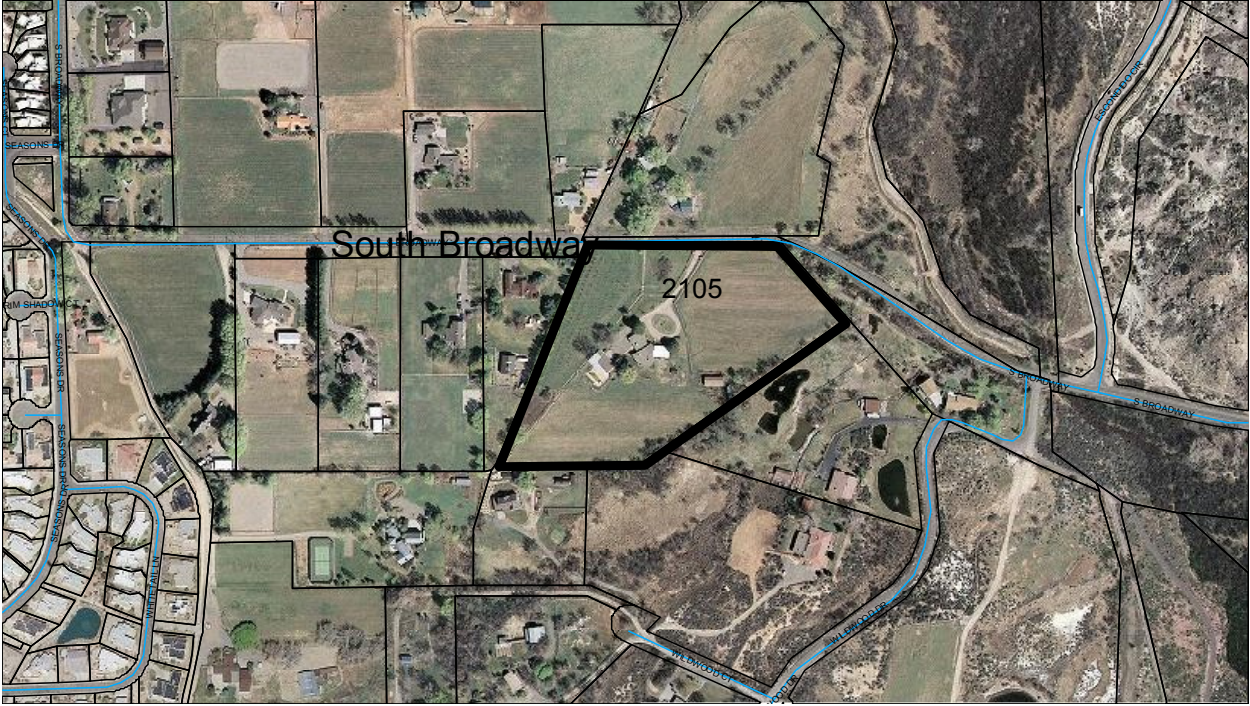
Figure 1

Lusk Annexation



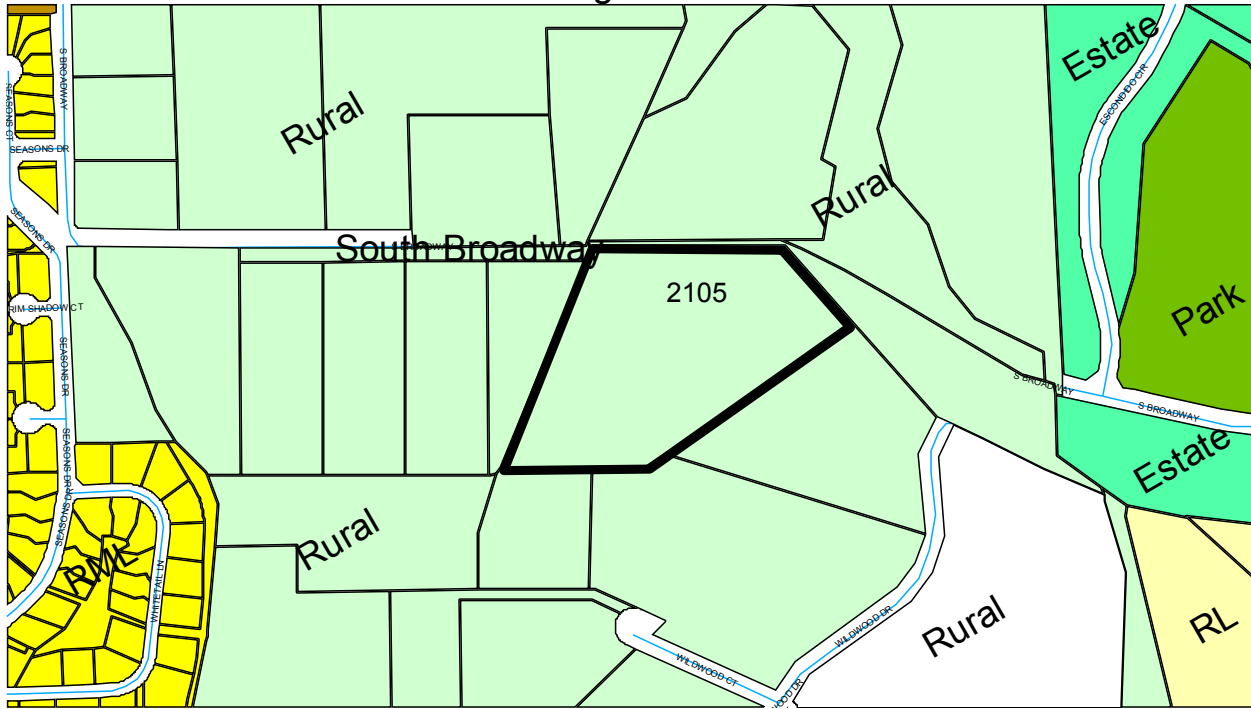
Aerial Photo Map

Figure 2



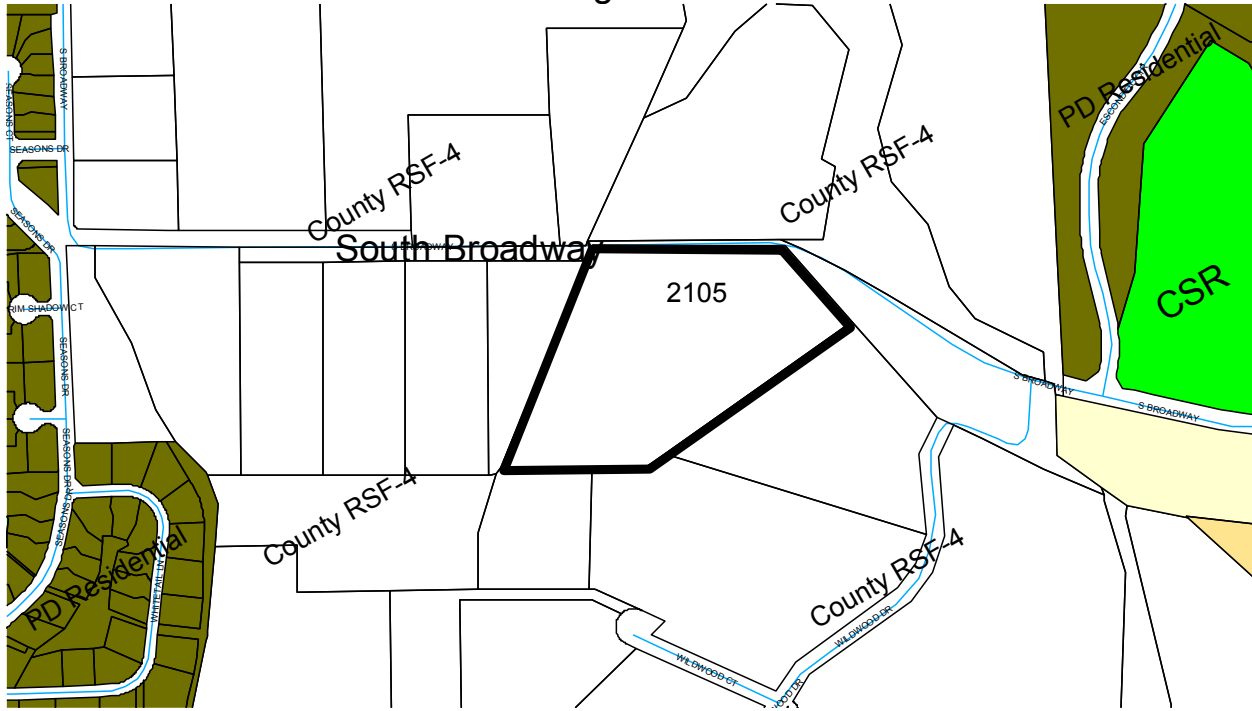
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



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

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 6th of February, 2008, the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

**A RESOLUTION
REFERRING A PETITION TO THE CITY COUNCIL
FOR THE ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO,
SETTING A HEARING ON SUCH ANNEXATION,
AND EXERCISING LAND USE CONTROL**

LUSK ANNEXATION

LOCATED AT 2105 SOUTH BROADWAY

WHEREAS, on the 6th day of February, 2008, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

LUSK ANNEXATION

A certain parcel of land located in the Northwest 1/4 of Section 26 and the Northeast 1/4 of Section 27, Township Eleven South, Range One Hundred One West of the Sixth Principal Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Beginning at the Northeast corner of Hacienda Acres Subdivision, as recorded in Plat Book 11, Page 154 Public Records of Mesa County, Colorado and assuming the East line of said Hacienda Acres Subdivision bears N 23°43'22" E with all other bearings contained herein are relative thereto; thence from said Point of Beginning, S88°53'14"E along a line being the South line of South Camp Annexation Parcel No. 3, City of Grand Junction, Ordinance No. 2759, a distance of 524.35 feet; thence S40°16'37"E a distance of 276.30 feet; thence S55°59'15"W a distance of 690.17 feet to a point on the North line of Wildwood Subdivision, as recorded in Plat Book 11, Page 141 Public Records of Mesa County, Colorado; thence N88°21'54"W a distance of 392.78 feet to a point on the East line of Lot 4 of said Hacienda Acres Subdivision; thence N23°43'22"E along the East line of Lot 4 of said Hacienda Acres Subdivision, a distance of 650.83 feet to the Point of Beginning.

CONTAINING 8.53 Acres or 371,669 Square Feet, more or less, as described.

WHEREAS, the Council has found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

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

1. That a hearing will be held on the 19th day of March, 2008, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Public Works and Planning Department of the City.

ADOPTED the _____ day of _____, 2008.

Attest:

President of the Council

City Clerk

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

City Clerk

<i>DATES PUBLISHED</i>
February 8, 2008
February 15, 2008
February 22, 2008
February 29, 2008

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

**LUSK ANNEXATION
APPROXIMATELY 8.53 ACRES
LOCATED AT 2105 SOUTH BROADWAY**

WHEREAS, on the 6th day of February, 2008, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 19th day of March, 2008; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situates in Mesa County, Colorado, and described to wit:

LUSK ANNEXATION

A certain parcel of land located in the Northwest 1/4 of Section 26 and the Northeast 1/4 of Section 27, Township Eleven South, Range One Hundred One West of the Sixth Principal Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Beginning at the Northeast corner of Hacienda Acres Subdivision, as recorded in Plat Book 11, Page 154 Public Records of Mesa County, Colorado and assuming the East line of said Hacienda Acres Subdivision bears N 23°43'22" E with all other bearings contained herein are relative thereto; thence from said Point of Beginning, S88°53'14"E along a line being the South line of South Camp Annexation Parcel No. 3, City of Grand Junction, Ordinance No. 2759, a distance of 524.35 feet; thence S40°16'37"E a distance of 276.30 feet; thence S55°59'15"W a distance of 690.17 feet to a point on the North line of Wildwood Subdivision, as recorded in Plat Book 11, Page 141 Public

Records of Mesa County, Colorado; thence N88°21'54"W a distance of 392.78 feet to a point on the East line of Lot 4 of said Hacienda Acres Subdivision; thence N23°43'22"E along the East line of Lot 4 of said Hacienda Acres Subdivision, a distance of 650.83 feet to the Point of Beginning.

CONTAINING 8.53 Acres or 371,669 Square Feet, more or less, as described.

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

INTRODUCED on first reading on the ____ day of _____, 2008 and ordered published.

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

Attest:

President of the Council

City Clerk

Attach 9
Three Sisters Outline Development Plan
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Three Sisters Area Planned Development Outline Development Plan (ODP)– Located at 2431 and 2475 Monument Road		
File #	GPA-2007-262		
Meeting Day, Date	Wednesday, February 6, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	January 24, 2008		
Author Name & Title	Scott D. Peterson, Senior Planner		
Presenter Name & Title	Scott D. Peterson, Senior Planner		

Summary: Request for approval of an Outline Development Plan (ODP) to develop 148.3 acres as a Planned Development for properties located at 2431 and 2475 Monument Road in the Redlands and designating the R-2, Residential – 2 units/acre Zoning District as the default zone district.

Budget: N/A.

Action Requested/Recommendation: Introduction of a Proposed Ordinance Zoning the epThree Sisters Planned Development to PD, Planned Development and Set a Hearing for February 20, 2008.

Attachments:

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

BACKGROUND INFORMATION				
Location:		<i>2431 and 2475 Monument Road</i>		
Applicant:		Conquest Developments LLC and Robert F. Meens, Owners		
Existing Land Use:		<i>Vacant land</i>		
Proposed Land Use:		<i>Residential subdivision</i>		
Surrounding Land Use:	North	<i>Vacant land and single-family residential</i>		
	South	Vacant land		
	East	Vacant land and single-family residential		
	West	Vacant land		
Existing Zoning:		RSF-4, Residential Single-Family – 4 units/acre (County)		
Proposed Zoning:		To be determined. Applicant is going through Growth Plan Amendment and Outline Development Plan process		
Surrounding Zoning:	North	RSF-4, Residential Single-Family – 4 units/acre (County)		
	South	AFT, Agricultural, Forestry, Transitional (County)		
	East	RSF-4, Residential Single-Family – 4 units/acre (County)		
	West	CSR, Community Services and Recreation (City)		
Growth Plan Designation:		Conservation and Residential Low (1/2 – Ac./DU)		
Zoning within density range?		X	Yes	No

ANALYSIS:

1. **Background:**

Outline Development Plan – 2431 and 2475 Monument Road:

The applicant is requesting that the City Council review the proposed Outline Development Plan with an overall density of 0.92 dwelling units per acre (1.31 dwelling units per acre net) in accordance with Section 2.5 B. 2. of the Zoning and Development Code which allows a Growth Plan Amendment to be reviewed concurrently with the Planned Development request.

An Outline Development Plan is an optional, but encouraged first step prior to an application for a Preliminary Development (Subdivision) Plan for a parcel of land that is at least 20 acres in size. The two (2) properties located at 2431 and 2475 Monument Road together contains 148.3 +/- acres. The purpose of the ODP is to demonstrate conformance with the Growth Plan, compatibility of land use and coordination of improvements within and among individually platted parcels, sections or phases of a development prior to the submittal of a Preliminary Plan. Through this process a general pattern of development is established with a range of densities assigned to individual “pods” that will be the subject of future, more detailed planning. Following approval of an ODP, a Preliminary Plan approval and subsequent Final Plan approval shall be required before any development activity can occur.

The property located at 2475 Monument Road is currently in the process of being annexed into the City limits.

The applicant was required to submit a Site Analysis of the property per Section 6.1 of the Zoning and Development Code. A Site Analysis identifies major constraints, sensitive environmental areas, or the potential for expensive infrastructure installation, operation or maintenance costs. The proposed application shall be based on the site analysis and avoid constrained or sensitive areas identified in the site analysis. I have reviewed the submitted Site Analysis and find that the proposed Outline Development Plan generally avoids areas of 30% slope or greater and other areas of potential impacts. The Site Analysis does reveal areas of expansive soils and rock primarily along Monument Road, but prior to any residential development being approved, a Geotechnical Report would be required that would need to address the suitability of the site for development and to determine any special design considerations.

The attached PD Ordinance will establish the default zoning and maximum and minimum number of dwelling units that are to be located within each “pod” or parcel as defined on the submitted ODP. It also shows areas of proposed open space/common areas and trail system, points of access and possible street network.

Proposed Three Sisters development:

Pod 1 – Range of development to be between 18 and 23 dwelling units on 11.9 acres with a maximum density of 1.93 dwelling units/acre. Access to be provided from Monument Road. Pod 1 to be reviewed and approved by the year 2010.

Pod 2 – Range of development to be between 28 and 35 dwelling units on 16.2 acres with a maximum density of 2.16 dwelling units/acre. Access to be provided from Monument Road. Pod 2 to be reviewed and approved by the year 2012.

Pod 3 – Range of development to be between 6 and 8 dwelling units on 9.8 acres with a maximum density of 0.81 dwelling units/acre. Access to be provided from Monument Road and Random Hills Lane. Pod 3 to be reviewed and approved by the year 2014.

Pod 4 – Range of development to be between 13 and 17 dwelling units on 9.7 acres with a maximum density of 1.75 dwelling units/acre. Access to be provided from Monument Road. Pod 4 to be reviewed and approved by the year 2016.

Pod 5 – Range of development to be between 12 and 22 dwelling units on 17.50 acres with a maximum density of 1.25 dwelling units/acre. Access to be provided from Monument Road. Pod 5 to be reviewed and approved by the year 2018.

Pod 6 – Range of development to be between 22 and 32 dwelling units on 24.5 acres with a maximum density of 1.30 dwelling units/acre. Access to be provided from Monument Road with a secondary access to be provided from Mira Monte that would also serve Pods 3, 4 and 5. Pod 6 to be reviewed and approved by the year 2020.

The overall residential density for the development would be 0.92 dwelling units per acre (1.31 dwelling units per acre net developable land area). The residential development is proposing 44.1 +/- acres of open space and common areas.

The proposed zoning of PD, Planned Development will allow this property to be developed with a significant community benefit that may not occur under the proposed R-2 Zoning District that would include recreational amenities like hiking trails and open space that would be dedicated for public use.

2. Consistency with the Growth Plan: The Future Land Use Map designates these two (2) properties as Conservation and Residential Low (1/2 – 2 Ac./DU). The applicant is requesting a Growth Plan Amendment change for the property located at 2431 Monument Road that has the current designation of Conservation to the Residential Low category with this application. The proposed Outline Development Plan indicates that the density for the residential subdivision falls within the minimum and maximum densities allowed by the Residential Low category (provided the GPA request would be approved). In addition, the applicant and Project Manager feel that the following Goals and Policies from the Growth Plan support this application:

Policy 1.4: “.....Clustering of dwellings on a portion of a site should be encouraged so that the remainder of the site is reserved for usable open space or agricultural land.”

The applicant states that the gross density of the projects falls within the allowed range of the Residential Low category. Proposed clustering of the development and single-family homes will preserve a significant amount of open space and retain many of the topographical features of the site, thus meeting this policy.

Policy 4.1: “.....The City and County will limit urban development in the Joint Planning Area to locations within the Urban Growth Boundary with adequate public facilities as defined in the City and County Codes.”

These two (2) properties are located inside the Urban Growth Boundary. Adequate public facilities that include water and sewer services either exist or will be made available to the site that can serve the proposed development.

Policy 5.3: “.....Development in areas which have adequate public facilities in place or which provide needed connections of facilities between urban development areas will be encouraged. Development that is separate from existing urban services (“leap-frog” development) will be discouraged.”

Development of this property will result in a logical extension of public facilities that will not only provide service to this development but also provide the opportunity for additional properties to access sewer and water.

The applicant has also stated in their General Project Report that Policies 11.1, 20.7, and 26.3 are also applicable for this development which include utilizing unique site characteristics as a buffer to adjacent properties through the use of creative design, separation and screening. The project as proposed will also have limited development on steep slopes, ridgelines, natural draw areas and drainages will be retained in their natural state, as well as the larger open space areas, thus meeting the requirements and policies of the Growth Plan.

Redlands Area Plan:

In my review, I find that the proposed Growth Plan Amendment and Outline Development Plan conforms to the adopted Redlands Area Plan in the following areas: the achievement of a high quality development in the Redlands in terms of public improvements, site planning and architectural design. Park, Recreation and Open Space policies of the Plan are also provided by the opportunity to integrate on-site biking and hiking trails with those existing on the adjacent City property, as well as

along Monument Road, as identified on the adopted Urban Trail Master Plan, thus meeting the requirements and policies of the Redlands Area Plan.

3. Section 2.12 B. 2. of the Zoning and Development Code:

Requests for an Outline Development Plan (ODP) for property zoned Planned Development (PD) must demonstrate conformance with all of the following:

- a. The Growth Plan, Major street plan and other adopted plans and policies.

In their review of the proposed ODP, the Planning Commission felt that the proposed ODP is consistent with the Growth Plan and Redlands Area Plan. Access to the properties is from Monument Road which is classified as a Minor Arterial on the Grand Valley Circulation Plan.

- b. The rezoning criteria provided in Section 2.6 of the Zoning and Development Code.

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

This criterion does not apply to this application. The applicant has submitted a Growth Plan Amendment request for the Residential Low (1/2 – 2 Ac./DU) category for a portion of the property located at 2431 Monument Road with this application which will determine the applicable maximum residential density requirements for the proposed subdivision.

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

The character of the neighborhood has changed in recent years with the continued expansion of the Redlands Mesa Golf Course Community located to the northwest of this site. Also, Mariposa Drive has been extended and paved to Monument Road. Additional residential developments in the area are currently under review by the City that includes Ridges Mesa and Pinnacle Ridge. Monument Road has also been improved with widened pavement width that includes four foot (4') shoulders on each side. All these factors taken together indicate that this area is showing growth potential due to the increased availability of public infrastructure improvements.

- 3) The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems,

water, air or noise pollution, excessive nighttime lighting, or other nuisances.

The proposed zoning to PD is within the allowable density range recommended by the Growth Plan (provided GPA request is approved). This criterion must be considered in conjunction with criterion 5 which requires that public facilities and services are available when the impacts of any proposed development are realized. City Staff has determined that public infrastructure can address the impacts of any development consistent with the PD zone district, therefore this criterion is met.

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

This project conforms with and furthers the goals and policies of the Growth Plan (provided GPA request is approved), Redlands Area Plan and the policies, requirements of the Zoning and Development and other City regulations and guidelines.

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

Adequate public facilities are currently available or will be made available concurrent with the development and can address the impacts of development consistent with the PD zone district.

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

While it is true that the majority of the surrounding area is designated as Residential Low on the Future Land Use Map, there are several existing large parcels of vacant land that are presently under development consideration (Ridges Mesa and Pinnacle Ridge) with the exception of the area adjacent to the northside of Monument Road. Other existing large parcels of land in the area are presently developed with single-family residences.

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

The proposed zoning of PD, Planned Development will allow this property to be developed with significant community benefits that might not occur under a straight R-2

Zoning District including recreational amenities like hiking trails, open space and creative design for the subdivision. The PD zoning guarantees an additional community benefit that would not be required with a straight zoning district.

- c. The planned development requirements of Chapter Five of the Zoning and Development Code.

The applicant and Project Manager have provided that the development standards found in Section 5.4 of the Zoning and Development Code are consistent with all applicable requirements of this section.

1. Residential density: The proposed residential density of 1.31 dwelling units per acre of net developable land area is consistent with the Growth Plan designation of Residential Low (1/2 – 2 Ac./DU), provided the Growth Plan Amendment request would be approved.

2. Minimum District Size: The total project is approximately 148 acres in size, which is larger than the required minimum of five (5) acres. By developing such a large land area under one development application, it give the City an opportunity to Master Plan this proposed residential community.

3. Development Standards: Compliance with all development standards will be discussed with the Preliminary Development (Subdivision) Plan submittal.

4. Deviation from Development Default Standards: The applicant is proposing to use the R-2, Residential – 2 units/acre Zoning District as the default zone. Any deviation from this district's development standards will be identified on the Preliminary Development (Subdivision) Plan submittal provided that the applicant can justify the deviations by providing a community amenity as described in Section 5.4 G. of the Zoning and Development Code.

- d. The applicable corridor guidelines and other overlay districts in Chapter Seven.

Chapter Seven addresses hillside developments and ridgeline protection areas, which these properties are both subject to. The submitted Site Analysis has addressed existing topography, soils, slopes, geologic hazards, drainage and vegetation and potential impacts to wildlife. As required, the areas of greater than 30% slopes with an elevation change of 20' or greater are reserved and prohibit development. Upon Preliminary Development (Subdivision) Plan submittal, each phase or "pod" of the ODP will identify lot sizes consistent with the requirements of Table 7.2 A. of the Zoning and Development Code (Hillside Development Standards). These properties are also located within the boundaries of the Redlands Area Plan. The Redlands Area Plan and submitted Site Analysis from the applicant does show these properties as having

expansive soils and rock, rockfall and landslide deposits. At the time of Preliminary Development (Subdivision) Plan submittal, the applicant will need to address these geologic hazards within the context of the proposed residential development.

- e. Adequate public services and facilities shall be provided concurrent with the projected impacts of the development.

As with all development, adequate public services and facilities will be provided concurrent with the proposed residential subdivision. More detailed infrastructure plans will be reviewed at the time of Preliminary and Final Plan submittals. All platted lots will need to have access to water, sewer and other utilities.

- f. Adequate circulation and access shall be provided to serve all development pods/areas to be developed.

The proposed Outline Development Plan provides general areas of where access and internal circulation for the development may occur. I have reviewed the proposed circulation and access points for the street network and find them to be acceptable and adequate. Detailed access and circulation points will be identified on the Preliminary Development (Subdivision) Plan as the proposed development moves forward within the review process as well as Fire Department requirements for the maximum allowable amount of development that is allowable with a single access point.

- g. Appropriate screening and buffering of adjacent property and uses shall be provided.

All adjacent properties are single-family residential which does not trigger any required or additional screening and buffering measures per the Zoning and Development Code.

- h. An appropriate range of density for the entire property or for each development pod/area to be developed.

The applicant is proposing an appropriate range of density for the development. The net developable land area for the development provides a residential density of 1.31 dwelling units per acre which is consistent with the Growth Plan designation of Residential Low (1/2 – 2 Ac./DU), provided the Growth Plan Amendment request would be approved. The overall residential density for the development would be 0.92 dwelling units per acre.

- i. An appropriate set of “default” or minimum standards for the entire property or for each development pod/area to be developed.

The applicant is requesting the default zone of R-2, Residential – 2 units/acre Zoning District which is an appropriate standard that is in accordance with the Growth Plan

Future Land Use Map (if GPA would be approved). The final development standards will be identified with the review and approval of the Preliminary Development (Subdivision) Plan by the Planning Commission and City Council. Since this will be a Planned Development, an Ordinance will accompany the approval of the Preliminary Development (Subdivision) Plan.

- j. An appropriate phasing or development schedule for the entire property or for each development pod/area to be developed.

The applicant is proposing an appropriate phasing and development schedule. Six (6) "pods" are represented on the ODP with each representing a planned phase. The applicant intends to begin development of the properties soon after approval of the Preliminary and Final Plans with the areas adjacent to Monument Road as the first phases, then additional phases in the future developing furthest from Monument Road.

The proposed PD Ordinance is proposing to incorporate a two (2) year time window for each planned phase, which would calculate a build out of the development by the year 2020. The following phasing schedule is proposed; Pod 1 to be reviewed and approved by the year 2010, Pod 2 to be reviewed and approved by the year 2012, Pod 3 to be reviewed and approved by the year 2014, Pod 4 to be reviewed and approved by the year 2016, Pod 5 to be reviewed and approved by the year 2018 and finally Pod 6 to be reviewed and approved by the year 2020.

- k. The property is at least twenty (20) acres in size.

The two (2) properties total 148.3 acres in size, therefore meeting this criterion.

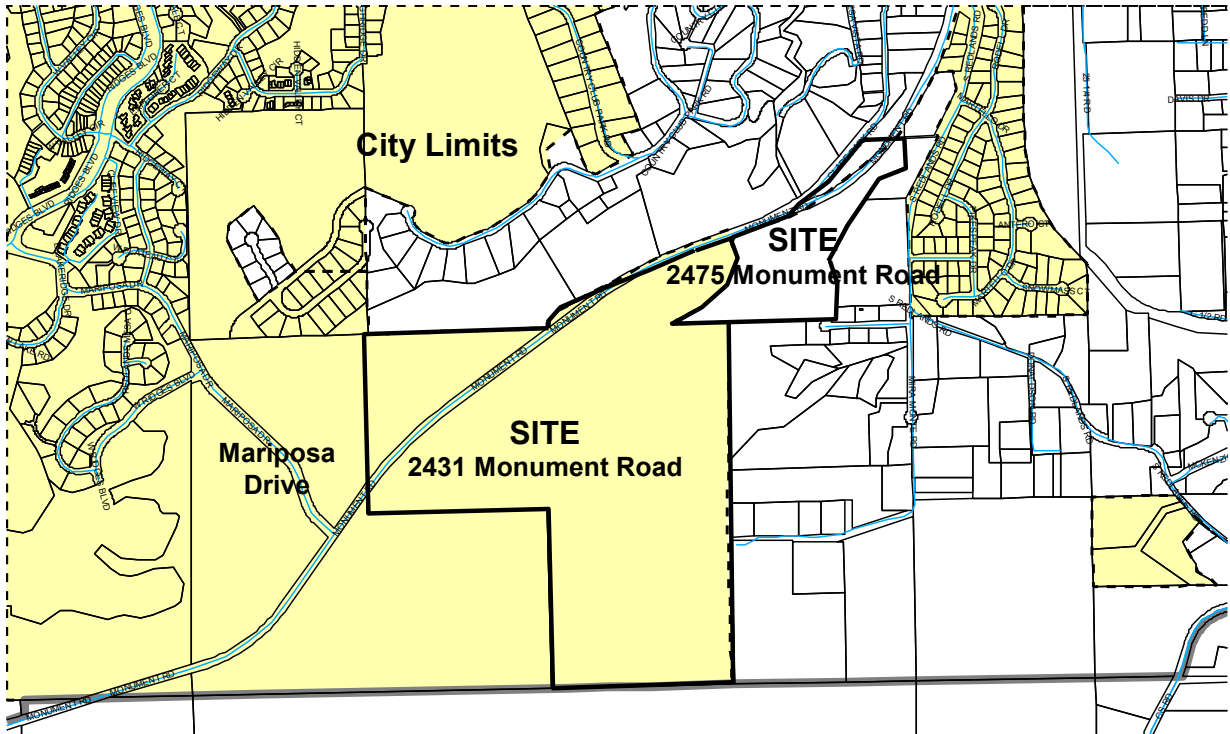
FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Three Sisters application, GPA-2007-262 for a Planned Development and Outline Development Plan, the Planning Commission makes the following findings of fact and conclusions:

- 3. The proposed Outline Development Plan is consistent with the purpose and intent of the Growth Plan and Redlands Area Plan.
- 4. The review criteria in Section 2.12 B. 2. of the Zoning and Development Code have all been met.

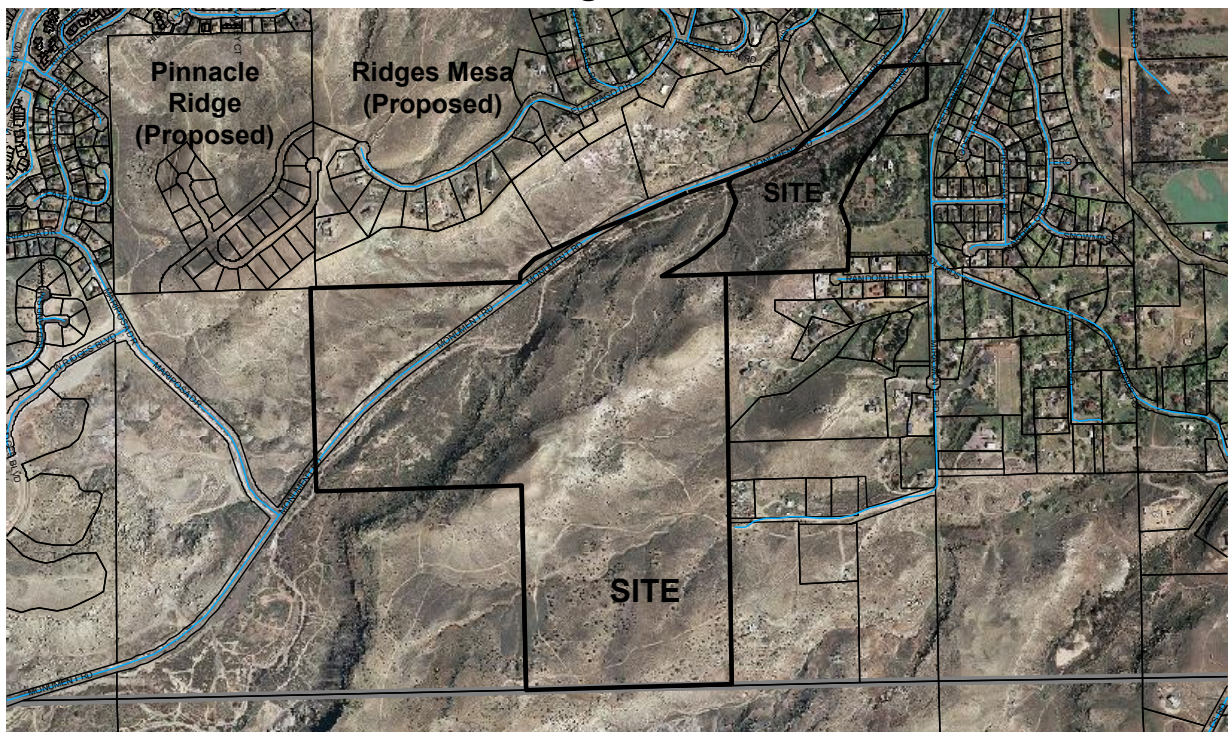
Site Location Map – 3 Sisters Area

Figure 1



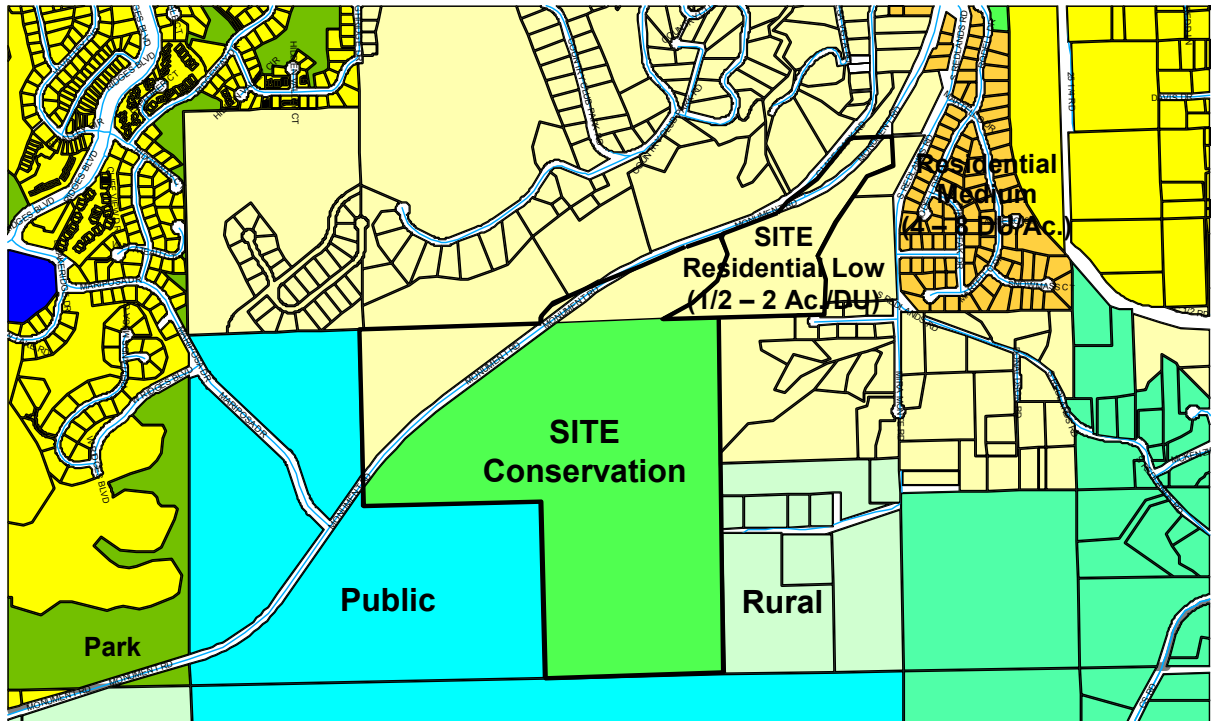
Aerial Photo Map – 3 Sisters Area

Figure 2



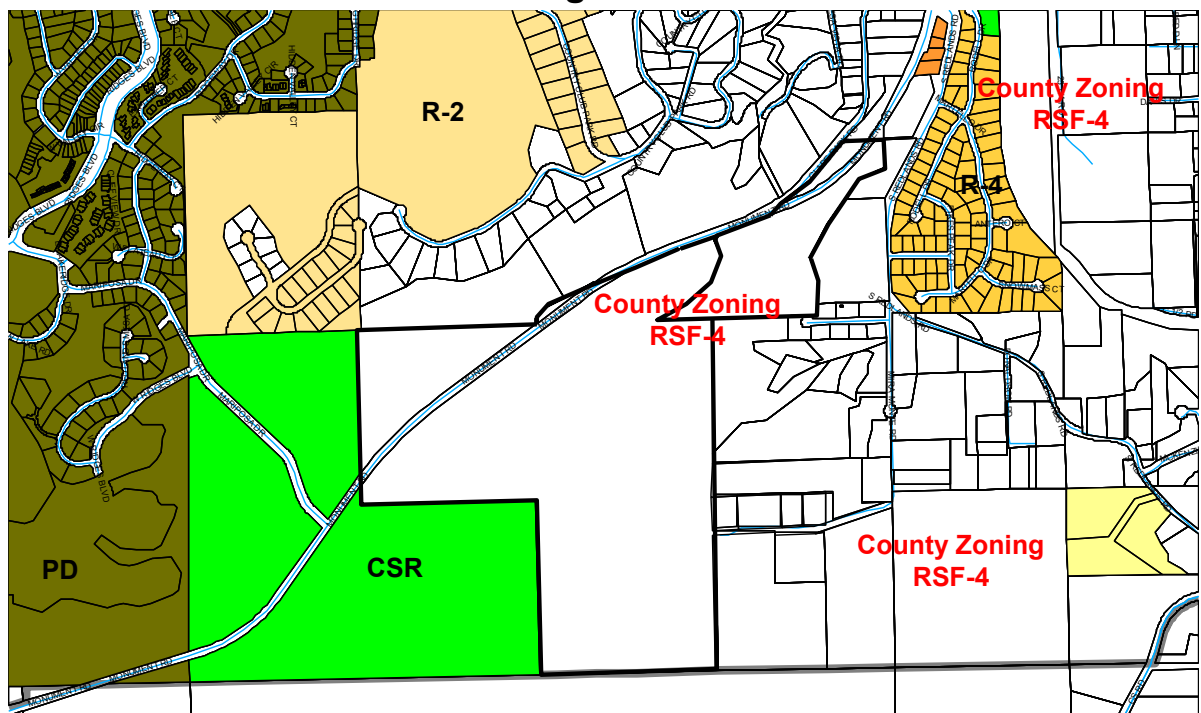
Future Land Use Map – 3 Sisters

Figure 3



Existing City and County Zoning

Figure 4



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

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE ZONING APPROXIMATELY 148.3 ACRES TO
PD, PLANNED DEVELOPMENT, WITH R-2, RESIDENTIAL – 2 UNITS/ACRE AS THE
DEFAULT ZONE DISTRICT**

**FOR THE THREE SISTERS PLANNED DEVELOPMENT LOCATED AT
2431 AND 2475 MONUMENT ROAD**

Recitals:

A request for Zoning and Outline Development Plan approval has been submitted in accordance with the Zoning and Development Code. The applicant has requested that approximately 148.3 acres located at 2431 and 2475 Monument Road be zoned PD, Planned Development with the R-2, Residential – 2 units/acre Zone District as the default zoning.

The attached ODP shows approximate areas of proposed open space and areas of slopes greater than 30%. General street and roadway connections and trails are also indicated. Deviations from the R-2 bulk standards, specific design standards and entrance signage details shall be established with the Preliminary Development (Subdivision) Plan.

In a Public Hearing, the City Council reviewed the request for the proposed Rezone to PD, Planned Development and Outline Development Plan, and determined that they satisfied the criteria as set forth and established in Section 2.12 B. 2. of the Zoning and Development Code, and the proposed PD, Planned Development Zoning and Outline Development Plan are consistent with the purpose and intent of the Growth Plan and Redlands Area Plan.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
GRAND JUNCTION THAT THE AREA DESCRIBED BELOW IS ZONED PD,
PLANNED DEVELOPMENT WITH AN R-2, RESIDENTIAL – 2 UNITS/ACRE
DEFAULT ZONING DISTRICT:**

Parcel Numbers 2945-214-00-071 and 2945-211-00-072
Located at 2431 and 2475 Monument Road

A parcel of land situated in the south half of the northeast quarter, the west half of the southeast quarter, and the northeast quarter of the southwest quarter of Section 21, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at Mesa County Survey Marker #843 for the center-east sixteenth corner of said Section 21;

Thence along the east line of the northwest quarter of the southeast quarter of said Section 21 South $00^{\circ}23'51''$ West, a distance of 1324.30 feet to a #6 rebar with aluminum cap marked "LS 12085" for the southeast sixteenth corner of said Section 21;

Thence along the east line of the southwest quarter of the southeast quarter of Section 21 South $00^{\circ}30'54''$ West, a distance of 1312.52 feet to a BLM standard monument for the east sixteenth corner on the south line of said Section 21;

Thence along the south line of said Section 21 North $89^{\circ}37'12''$ West, a distance of 1211.24 feet to a BLM standard monument for the corner common to Government Lots 2 and 3 of Section 28, an angle point of the south line of said Section 21;

Thence continuing along the south line of said Section 21 North $89^{\circ}40'20''$ West, a distance of 95.65 feet to a BLM standard monument for the south quarter corner of said Section 21;

Thence along the west line of the southwest quarter of the southeast quarter of said Section 21 North $00^{\circ}14'19''$ East, a distance of 1304.80 feet to a #6 rebar with aluminum cap marked "LS 12085" for the center-south sixteenth corner of said Section 21;

Thence along the south line of the northeast quarter of the southwest quarter North $89^{\circ}56'17''$ West, a distance of 1313.19 feet to a #6 rebar with aluminum cap marked "LS 12085" for the southwest sixteenth corner of said Section 21;

Thence along the west line of the northeast quarter of the southwest quarter of said Section 21 North $00^{\circ}31'23''$ East, a distance of 1286.89 feet to Mesa County Survey Marker #842 for the center-west sixteenth corner of said Section 21;

Thence along the north line of the northeast quarter of the southwest quarter of said Section 21 North $89^{\circ}14'00''$ East, a distance of 1312.04 feet to the center quarter corner of said Section 21;

North $00^{\circ}21'50''$ East, a distance of 44.94 feet to the center line of an old county road as described in Book 649 at Page 30;

Thence along said centerline the following four (4) courses:

1. North $44^{\circ}28'50''$ East, a distance of 120.31 feet;
2. North $64^{\circ}12'50''$ East, a distance of 722.26 feet;
3. North $70^{\circ}57'50''$ East, a distance of 818.34 feet;
4. North $64^{\circ}32'50''$ East, a distance of 367.32 feet to the boundary of a right-of-way for Glade Park Highway as dedicated on the plat of Mesa Vista Subdivision, recorded January 1913 at Plat Book 5 Page 17;

Thence along said right-of-way the following three (3) courses:

1. South $25^{\circ}19'17''$ East, a distance of 13.96 feet to the beginning of a 736.13 foot radius curve concave to the northwest radial to said line;

2. northeasterly 294.40 feet along the arc of said curve, through a central angle of $22^{\circ}54'51''$, with a chord bearing North $53^{\circ}13'18''$ East, a distance of 292.44 feet;
3. North $41^{\circ}45'43''$ East, a distance of 381.00 feet to the north line of the southeast quarter of the northeast quarter of said Section 21;

Thence along said north line North $89^{\circ}16'43''$ East, a distance of 304.00 feet to Mesa County Survey Marker for the north sixteenth corner on the east line of said Section 21;
Thence along the east line of the southeast quarter of the northeast quarter of said Section 21 South $00^{\circ}05'29''$ East, a distance of 216.02 feet;
Thence South $68^{\circ}39'23''$ West, a distance of 207.07 feet;
Thence South $36^{\circ}49'52''$ West, a distance of 411.11 feet;
Thence South $28^{\circ}24'55''$ West, a distance of 285.27 feet;
Thence South $16^{\circ}43'55''$ East, a distance of 182.53 feet;
Thence South $03^{\circ}41'40''$ West, a distance of 260.11 feet to the south line of the southeast quarter of the northeast quarter of said Section 21;
Thence along said south line North $89^{\circ}46'48''$ West, a distance of 17.07 feet;
Thence 141.27 feet along the arc of a 45.00 foot radius non-tangent curve to the left, through a central angle of $179^{\circ}52'19''$, with a chord bearing North $89^{\circ}46'48''$ West, a distance of 90.00 feet to the south line of the southeast quarter of the northeast quarter of said Section 21;
Thence along said south line North $89^{\circ}46'48''$ West, a distance of 680.21 feet to the Point of Beginning.

Containing 148.334 acres (6,461,429 sq. ft.) more or less as described.

PD Phases:

See attached Exhibit A, Outline Development Plan. Each Phase is proposed to be developed within a two (2) year time window. Therefore, this PD Ordinance shall expire in 2020 for the six (6) Phases, unless an extension is granted.

Pod 1 – Range of development to be between 18 and 23 dwelling units on 11.9 acres with a maximum density of 1.93 dwelling units/acre. Access to be provided from Monument Road. Pod 1 to be reviewed and approved by the year 2010.

Pod 2 – Range of development to be between 28 and 35 dwelling units on 16.2 acres with a maximum density of 2.16 dwelling units/acre. Access to be provided from Monument Road. Pod 2 to be reviewed and approved by the year 2012.

Pod 3 – Range of development to be between 6 and 8 dwelling units on 9.8 acres with a maximum density of 0.81 dwelling units/acre. Access to be provided from Monument Road and Random Hills Lane. Pod 3 to be reviewed and approved by the year 2014.

Pod 4 – Range of development to be between 13 and 17 dwelling units on 9.7 acres with a maximum density of 1.75 dwelling units/acre. Access to be provided from Monument Road. Pod 4 to be reviewed and approved by the year 2016.

Pod 5 – Range of development to be between 12 and 22 dwelling units on 17.50 acres with a maximum density of 1.25 dwelling units/acre. Access to be provided from Monument Road. Pod 5 to be reviewed and approved by the year 2018.

Pod 6 – Range of development to be between 22 and 32 dwelling units on 24.5 acres with a maximum density of 1.30 dwelling units/acre. Access to be provided from Monument Road with a secondary access to be provided from Mira Monte that would also serve Pods 3, 4 and 5. Pod 6 to be reviewed and approved by the year 2020.

The overall residential density for the development would be 0.92 dwelling units per acre (1.31 dwelling units per acre net developable land area). The residential development is proposing 44.1 +/- acres of open space and common areas that provide a significant community benefit that may not occur under a straight zoning district that would include recreational amenities like hiking trails and open space that would be dedicated for public use.

INTRODUCED on first reading on the _____ day of _____, 2008 and ordered published.

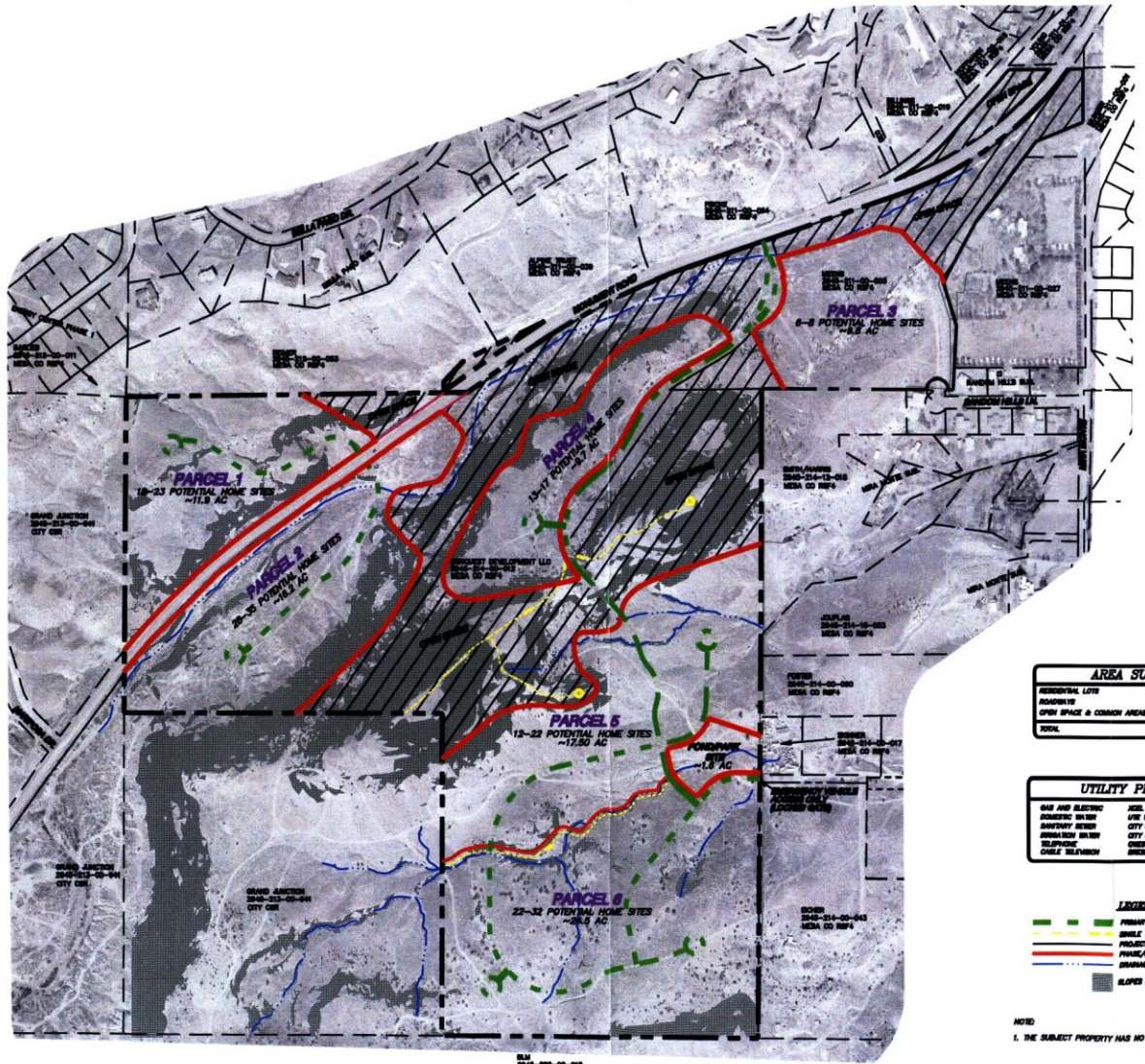
ADOPTED on second reading this _____ day of _____, 2008

ATTEST:

President of Council

City Clerk

EXHIBIT A



AREA SUMMARY	
RESIDENTIAL LOTS	50.0
ROADWAYS	14.8
OPEN SPACE & COMMON AREAS	44.1
TOTAL	108.9

UTILITY PROVIDED	
GAS AND ELECTRIC	WEL ENERGY
SEWER	WEL ENERGY
WATER	CITY OF GRAND
STORMWATER	CITY OF GRAND
TELEPHONE	QUEST
CABLE TELEVISION	WIRELESS COMM

LEGEND	
[Green dashed line]	PRIMARY WETLANDS
[Yellow dashed line]	SINGLE TRACK WETLANDS
[Red solid line]	PROJECT BOUNDARY
[Blue solid line]	PARCEL/DEVELOPMENT BOUNDARIES
[Black dashed line]	DRAINAGES
[Grey hatched area]	SLOPES 30% OR STEEPER

NOTE:
1. THE SUBJECT PROPERTY HAS NO PREVIOUS

BLA 204-22-02-018
MSA CO APT

Attach 10
Fairway Villas Revocable Permit
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Revocable Permit for the Fairway Villas Subdivision - Located at 2065 S. Broadway		
File #	FP-2007-157		
Meeting Day, Date	Wednesday, February 6, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	January 18, 2008		
Author Name & Title	Scott D. Peterson, Senior Planner		
Presenter Name & Title	Scott D. Peterson, Senior Planner		

Summary: Request to allow construction of a landscaping berm for drainage purposes to be located on City owned property adjacent to the 10th fairway of the Tiara Rado Golf Course.

Budget: N/A.

Action Requested/Recommendation: Approval and Acceptance of the Resolution issuing the Revocable Permit.

Attachments:

1. Staff Report / Background Information
2. Site Location Map / Aerial Photo Map
3. Resolution
4. Revocable Permit
5. Agreement

Background Information: See attached Staff Report/Background Information

BACKGROUND INFORMATION					
Location:		10 th fairway of the Tiara Rado Golf Course			
Applicant:		GJ Development LLC			
Existing Land Use:		Proposed residential subdivision (Fairway Villas) adjacent to the 10 th fairway of the Tiara Rado Golf Course			
Proposed Land Use:		Landscaping berm			
Surrounding Land Use:	North	Tiara Rado driving range			
	South	Single-family residential			
	East	Single-family residential			
	West	Single-family residential and The Beach			
Existing Zoning:		PD, Planned Development and CSR, Community Services and Recreation			
Proposed Zoning:		N/A			
Surrounding Zoning:	North	CSR, Community Services and Recreation			
	South	CSR, Community Services and Recreation and PD, Planned Development			
	East	R-E, Residential - Estate			
	West	CSR, Community Services and Recreation			
Growth Plan Designation:		Residential Medium High (8 – 12 DU/Ac.) and Park			
Zoning within density range?		X	Yes		No

Staff Analysis:

1. Background:

The applicant, GJ Development LLC, is proposing to develop a 46 lot residential subdivision (Fairway Villas Subdivision) that is to be located adjacent to the 10th fairway of the Tiara Rado Golf Course. As part of the infrastructure development for this subdivision, the applicant is required to construct a landscaping berm for drainage purposes that is to be located on City owned property (Tiara Rado Golf Course). The construction of this landscaping berm will benefit the City by allowing drainage from the golf course to be discharged in a controlled fashion through the residential subdivision.

Section 2.17 of the Zoning and Development Code states that review and approval of Revocable Permits for irrigation and landscaping in the rights-of-way can be reviewed and approved at the staff level, however the City Council is required to approve Revocable Permits for all other encroachments in the City rights-of-way or City owned property (non-right-of-way).

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

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

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

The proposal is to construct a landscaping berm for drainage purposes as part of the infrastructure development for this subdivision. The construction of this landscaping berm will benefit the City by allowing drainage from the golf course to be discharged in a controlled fashion through the residential subdivision rather than having existing drainage from the golf course impacting the proposed subdivision in a negative way if no improvements were to be made.

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

There is a community need for the private development use proposed for the City property since the construction of this landscaping berm will benefit the City by allowing drainage from the golf course to be discharged in a controlled fashion through the residential subdivision.

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

No other or conflicting uses are anticipated by the City in the area of the proposed landscaping berm installation.

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

The proposed landscaping berm is compatible with the adjacent land uses of the golf course and the residential development.

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

There are no negative impacts anticipated by the installation of this landscaping berm on City property, but will improve the overall drainage situation for the City and the proposed residential subdivision.

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

The applicant's request not only meets with the goals and policies of the Growth Plan and other adopted plans and policies of the City but also enhances and improves the drainage situation for the City owned property and the applicant's property.

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

The applicant has complied with all applicable City codes and requirements.

FINDINGS OF FACT/CONCLUSIONS

After reviewing the Fairway Villas Subdivision application, FP-2007-157 for the issuance of a Revocable Permit for the installation of a landscaping berm on City owned property, I make the following findings of fact and conclusions:

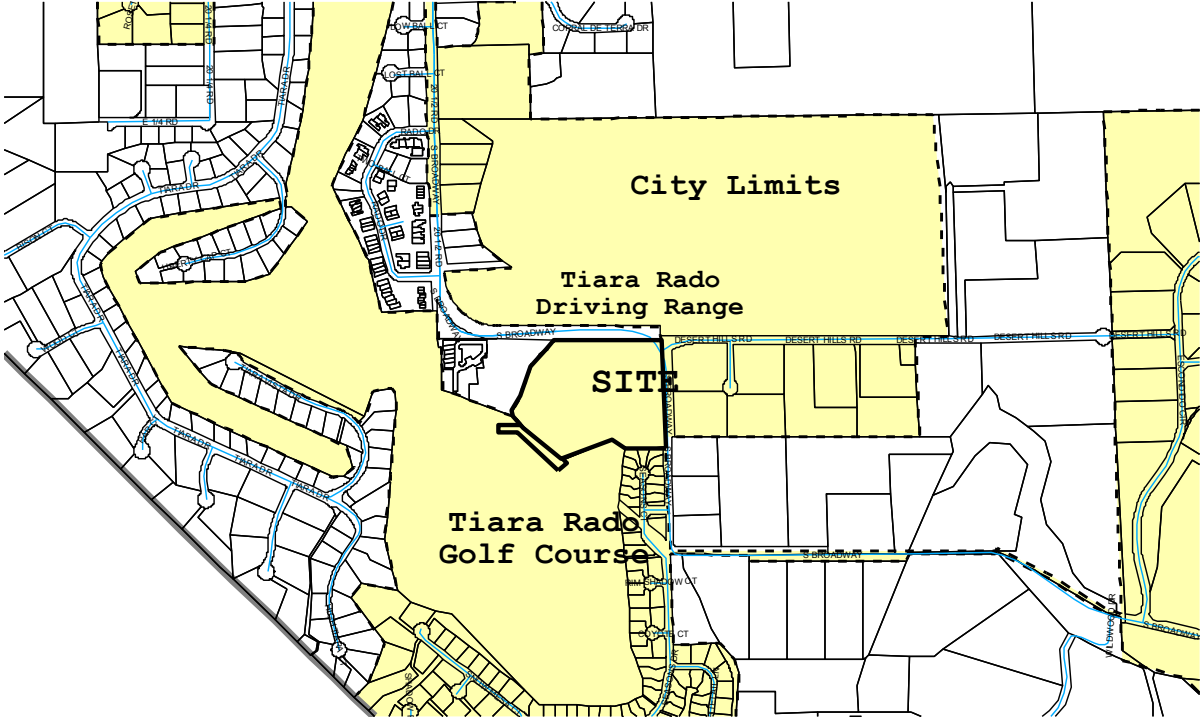
- 5. The review criteria in Section 2.17 C. of the Zoning and Development Code have all been met.

STAFF RECOMMENDATION:

I recommend that the City Council approve the requested Revocable Permit for the installation of a landscaping berm on City owned property, FP-2007-157.

Site Location Map – Fairway Villas Subd.

Figure 1



Aerial Photo Map – Fairway Villas Subd.

Figure 2



CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. _____

**A RESOLUTION CONCERNING THE ISSUANCE OF A REVOCABLE PERMIT
TO REDLANDS INVESTMENT PROPERTIES, LLC**

Recitals:

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

All that portion of the NW ¼ NE ¼ of Section 27, Township 11 South, Range 101 West of the Sixth Principle Meridian in the City of Grand Junction, County of Mesa, State of Colorado, bounded on the south by The Seasons at Tiara Rado Filing No. 1, on the south and southwest by Tiara Rado Golf Course, and on the west by the Redlands Water and Power Second Lift Canal, said portion being more particularly described by the following perimeter:

Commencing at an alloy cap, marked PLS 22580, for the N ¼ Corner of said Section 27, whence an alloy cap, marked PLS 12770, for the E 1/16 Corner on the northerly line of said Section 27 bears S88°19'50"E for a distance of 1329.33 feet; thence S88°19'50"E for a distance of 682.79 feet to the Point of Beginning; thence S88°19'50"E for a distance of 646.54 feet to the E 1/16 Corner of said Section 27; thence S00°46'52"E, on the easterly line of the NW ¼ NE ¼ of said Section 27 for a distance of 641.86 feet to the northeast corner of The Seasons at Tiara Rado Filing No.1, a subdivision recorded in Plat Book 13 at Page 469, Reception Number 1541184, in the Office of the Mesa County Clerk and Recorder; thence, running on and along the northerly line of said subdivision, N89°56'49"W for a distance of 174.77 feet to an angle point; thence N89°37'08"W for a distance of 66.91 feet to an angle point on the boundary line of the Tiara Rado Golf Course, as described in a deed recorded on February 10, 1975, in Book 1031 at Page 20 in the Office of the Mesa County Clerk and Recorder; thence, running on and along said Tiara Rado Golf Course boundary line the following four courses and distances:

1. N55°53'59"W for a distance of 98.70 feet;
2. S69°40'05"W for a distance of 315.09 feet;
3. N48°53'40"W for a distance of 301.91 feet;
4. N37°32'41"W for a distance of 58.90 feet to a point on the centerline of the Redlands Water and Power Second Lift Canal;

Thence, departing said Tiara Rado Golf Course boundary line, running northerly and northeasterly on and along the centerline of said Canal, the following twenty-three courses and distances:

1. N32°14'14"W for a distance of 4.50 feet;
2. N18°20'24"W for a distance of 17.59 feet to a point of curvature;
3. 6.43 feet on the arc of a 20.00 foot radius curve to the right, the central angle of which is 18°25'30" and the chord of which bears N09°07'39"W 6.40 feet;
4. N00°05'05"E for a distance of 13.57 feet to a point of curvature;
5. 9.67 feet on the arc of a 30.00 foot radius curve to the right, the central angle of which is 18°28'32" and the chord of which bears N09°19'22"E 9.63 feet;
6. N18°33'38"E for a distance of 32.34 feet to a point of curvature;
7. 3.94 feet on the arc of 50.00 foot radius curve to the right, the central angle of which is 4°31'00" and the chord of which bears N20°49'08"E 3.94 feet;
8. N23°04'38"E for a distance of 35.45 feet;
9. N23°49'52"E for a distance of 115.73 feet to a point of curvature;
10. 3.63 feet on the arc of 100.00 foot radius curve to the right, the central angle of which is 02°04'53" and the chord of which bears N24°52'19"E 3.63 feet;
11. N25°54'45"E for a distance of 35.54 feet to a point of curvature;
12. 13.92 feet on the arc of a 200.00 foot radius curve to the right, the central angle of which is 03°59'14" and the chord of which bears N27°54'22"E 13.92 feet;
13. N29°53'59"E for a distance of 32.78 feet to a point of curvature;
14. 15.07 feet on the arc of a 125.00 foot radius curve to the right, the central angle of which is 06°54'27" and the chord of which bears N33°21'12"E 15.06 feet;
15. N36°48'26"E for a distance of 28.54 feet to a point of curvature;
16. 12.91 feet on the arc of a 240.00 foot radius curve to the right, the central angle of which is 03°04'57" and the chord of which bears N38°20'54"E 12.91 feet;
17. N39°53'23"E for a distance of 73.37 feet to a point of curvature;
18. 14.45 feet on the arc of a 240.00 foot radius curve to the left, the central angle of which is 03°27'01" and the chord of which bears N38°09'52"E 14.45 feet;
19. N36°26'22"E for a distance of 18.10 feet to a point of curvature;
20. 9.49 feet on the arc of a 75.00 foot radius curve to the left, the central angle of which is 07°15'06" and the chord of which bears N32°48'49"E 9.49 feet;
21. N29°11'16"E for a distance of 23.17 feet to a point of curvature;
22. 8.84 feet on the arc of a 50.00 foot radius curve to the left, the central angle of which is 10°07'36" and the chord of which bears N24°07'28"E 8.83 feet;
23. N19°03'40"E for a distance of 6.62 feet to the intersection with the northerly line of said Section 27 and the point of beginning.

(containing 11.82 acres, more or less)

This description was prepared by Richard Mason for Rolland Engineering, 405 Ridges Blvd., Grand Junction, CO.

and identified by Mesa County Tax Schedule Number 2947-271-00-028.

B. The Petitioner has requested that the City Council of the City of Grand Junction issue a Revocable Permit to allow the Petitioner to install, maintain and repair a landscaping berm for drainage purposes within the following described public owned property:

All that portion of the Tiara Rado Golf Course situate in the NE1/4 of Section 27 in Township 11 South, Range 101 West of the Sixth Principal Meridian in the City of Grand Junction, Mesa County, Colorado, described by the following perimeter:

Commencing at the N1/4 Corner of said Section 27 whence the E1/16 Corner of said Section 27 bears S88°19'50"E a distance of 1329.33 feet; thence S42°31'23"E for a distance of 726.70 feet to the Point of Beginning; thence the following:

1. S48°53'40"E for a distance of 301.91 feet;
2. S48°53'40"E for a distance of 30.00 feet;
3. S41°06'20"W for a distance of 40.00 feet;
4. N48°53'40"W for a distance of 291.64 feet;
5. N83°53'40"W for a distance of 163.14 feet;
6. N06°06'20"E for a distance of 40.00 feet;
7. S83°53'40"E for a distance of 142.00 feet;
8. N41°06'20"E for a distance of 19.36 feet to the beginning.

(containing approximately 18,963 square feet, more or less.)

This description was prepared by Richard Mason for Rolland Engineering, 405 Ridges Blvd., Grand Junction, CO 81503.

C. Relying on the information supplied by the Petitioner and contained in File No. FP-2007-157 in the office of the City's Public Works and Planning Department, the City Council has determined that such action would not at this time be detrimental to the inhabitants of the City of Grand Junction.

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

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

PASSED and ADOPTED this _____ day of _____, 2008.

Attest:

President of the City Council

City Clerk

REVOCABLE PERMIT

Recitals:

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

All that portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, Township 11 South, Range 101 West of the Sixth Principle Meridian in the City of Grand Junction, County of Mesa, State of Colorado, bounded on the south by The Seasons at Tiara Rado Filing No. 1, on the south and southwest by Tiara Rado Golf Course, and on the west by the Redlands Water and Power Second Lift Canal, said portion being more particularly described by the following perimeter:

Commencing at an alloy cap, marked PLS 22580, for the N $\frac{1}{4}$ Corner of said Section 27, whence an alloy cap, marked PLS 12770, for the E $\frac{1}{16}$ Corner on the northerly line of said Section 27 bears S88°19'50"E for a distance of 1329.33 feet; thence S88°19'50"E for a distance of 682.79 feet to the Point of Beginning; thence S88°19'50"E for a distance of 646.54 feet to the E $\frac{1}{16}$ Corner of said Section 27; thence S00°46'52"E, on the easterly line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 27 for a distance of 641.86 feet to the northeast corner of The Seasons at Tiara Rado Filing No.1, a subdivision recorded in Plat Book 13 at Page 469, Reception Number 1541184, in the Office of the Mesa County Clerk and Recorder; thence, running on and along the northerly line of said subdivision, N89°56'49"W for a distance of 174.77 feet to an angle point; thence N89°37'08"W for a distance of 66.91 feet to an angle point on the boundary line of the Tiara Rado Golf Course, as described in a deed recorded on February 10, 1975, in Book 1031 at Page 20 in the Office of the Mesa County Clerk and Recorder; thence, running on and along said Tiara Rado Golf Course boundary line the following four courses and distances:

5. N55°53'59"W for a distance of 98.70 feet;
6. S69°40'05"W for a distance of 315.09 feet;
7. N48°53'40"W for a distance of 301.91 feet;
8. N37°32'41"W for a distance of 58.90 feet to a point on the centerline of the Redlands Water and Power Second Lift Canal;

Thence, departing said Tiara Rado Golf Course boundary line, running northerly and northeasterly on and along the centerline of said Canal, the following twenty-three courses and distances:

24. N32°14'14"W for a distance of 4.50 feet;
25. N18°20'24"W for a distance of 17.59 feet to a point of curvature;
26. 6.43 feet on the arc of a 20.00 foot radius curve to the right, the central angle of which is 18°25'30" and the chord of which bears N09°07'39"W 6.40 feet;
27. N00°05'05"E for a distance of 13.57 feet to a point of curvature;

28. 9.67 feet on the arc of a 30.00 foot radius curve to the right, the central angle of which is 18°28'32" and the chord of which bears N09°19'22"E 9.63 feet;
29. N18°33'38"E for a distance of 32.34 feet to a point of curvature;
30. 3.94 feet on the arc of 50.00 foot radius curve to the right, the central angle of which is 4°31'00" and the chord of which bears N20°49'08"E 3.94 feet;
31. N23°04'38"E for a distance of 35.45 feet;
32. N23°49'52"E for a distance of 115.73 feet to a point of curvature;
33. 3.63 feet on the arc of 100.00 foot radius curve to the right, the central angle of which is 02°04'53" and the chord of which bears N24°52'19"E 3.63 feet;
34. N25°54'45"E for a distance of 35.54 feet to a point of curvature;
35. 13.92 feet on the arc of a 200.00 foot radius curve to the right, the central angle of which is 03°59'14" and the chord of which bears N27°54'22"E 13.92 feet;
36. N29°53'59"E for a distance of 32.78 feet to a point of curvature;
37. 15.07 feet on the arc of a 125.00 foot radius curve to the right, the central angle of which is 06°54'27" and the chord of which bears N33°21'12"E 15.06 feet;
38. N36°48'26"E for a distance of 28.54 feet to a point of curvature;
39. 12.91 feet on the arc of a 240.00 foot radius curve to the right, the central angle of which is 03°04'57" and the chord of which bears N38°20'54"E 12.91 feet;
40. N39°53'23"E for a distance of 73.37 feet to a point of curvature;
41. 14.45 feet on the arc of a 240.00 foot radius curve to the left, the central angle of which is 03°27'01" and the chord of which bears N38°09'52"E 14.45 feet;
42. N36°26'22"E for a distance of 18.10 feet to a point of curvature;
43. 9.49 feet on the arc of a 75.00 foot radius curve to the left, the central angle of which is 07°15'06" and the chord of which bears N32°48'49"E 9.49 feet;
44. N29°11'16"E for a distance of 23.17 feet to a point of curvature;
45. 8.84 feet on the arc of a 50.00 foot radius curve to the left, the central angle of which is 10°07'36" and the chord of which bears N24°07'28"E 8.83 feet;
46. N19°03'40"E for a distance of 6.62 feet to the intersection with the northerly line of said Section 27 and the point of beginning.

(containing 11.82 acres, more or less)

This description was prepared by Richard Mason for Rolland Engineering, 405 Ridges Blvd., Grand Junction, CO.

and identified by Mesa County Tax Schedule Number 2947-271-00-028.

B. The Petitioner has requested that the City Council of the City of Grand Junction issue a Revocable Permit to allow the Petitioner to install, maintain and repair a

landscaping berm for drainage purposes within the following described public owned property:

All that portion of the Tiara Rado Golf Course situate in the NE1/4 of Section 27 in Township 11 South, Range 101 West of the Sixth Principal Meridian in the City of Grand Junction, Mesa County, Colorado, described by the following perimeter:

Commencing at the N1/4 Corner of said Section 27 whence the E1/16 Corner of said Section 27 bears S88°19'50"E a distance of 1329.33 feet; thence S42°31'23"E for a distance of 726.70 feet to the Point of Beginning; thence the following:

9. S48°53'40"E for a distance of 301.91 feet;
10. S48°53'40"E for a distance of 30.00 feet;
11. S41°06'20"W for a distance of 40.00 feet;
12. N48°53'40"W for a distance of 291.64 feet;
13. N83°53'40"W for a distance of 163.14 feet;
14. N06°06'20"E for a distance of 40.00 feet;
15. S83°53'40"E for a distance of 142.00 feet;
16. N41°06'20"E for a distance of 19.36 feet to the beginning.

(containing approximately 18,963 square feet, more or less.)

This description was prepared by Richard Mason for Rolland Engineering, 405 Ridges Blvd., Grand Junction, CO 81503.

C. Relying on the information supplied by the Petitioner and contained in File No. FP-2007-157 in the office of the City's Public Works and Planning Department, the City Council has determined that such action would not at this time be detrimental to the inhabitants of the City of Grand Junction.

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

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

1. The Petitioner's use and occupancy of the public owned property as authorized pursuant to this Permit shall be performed with due care or any other higher standard of care as may be required to avoid creating hazardous or dangerous situations and to avoid damaging public improvements and public utilities or any other facilities presently existing or which may in the future exist in said public owned property.

2. The City hereby reserves and retains a perpetual right to utilize all or any portion of the aforescribed public owned property for any purpose whatsoever. The City further reserves and retains the right to revoke this Permit at any time and for any reason.

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

4. The Petitioner agrees that it shall at all times keep the above described public owned property in good condition and repair.

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

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

Dated this _____ day of _____, 2008.

The City of Grand Junction,
a Colorado home rule municipality

City Manager

Attest:

City Clerk

Acceptance by the Petitioner:

GJ Development, LLC

AGREEMENT

GJ Development, LLC, for itself and for its successors and assigns, does hereby agree to:

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

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

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

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

Dated this _____ day of _____, 2008.

GJ Development, LLC

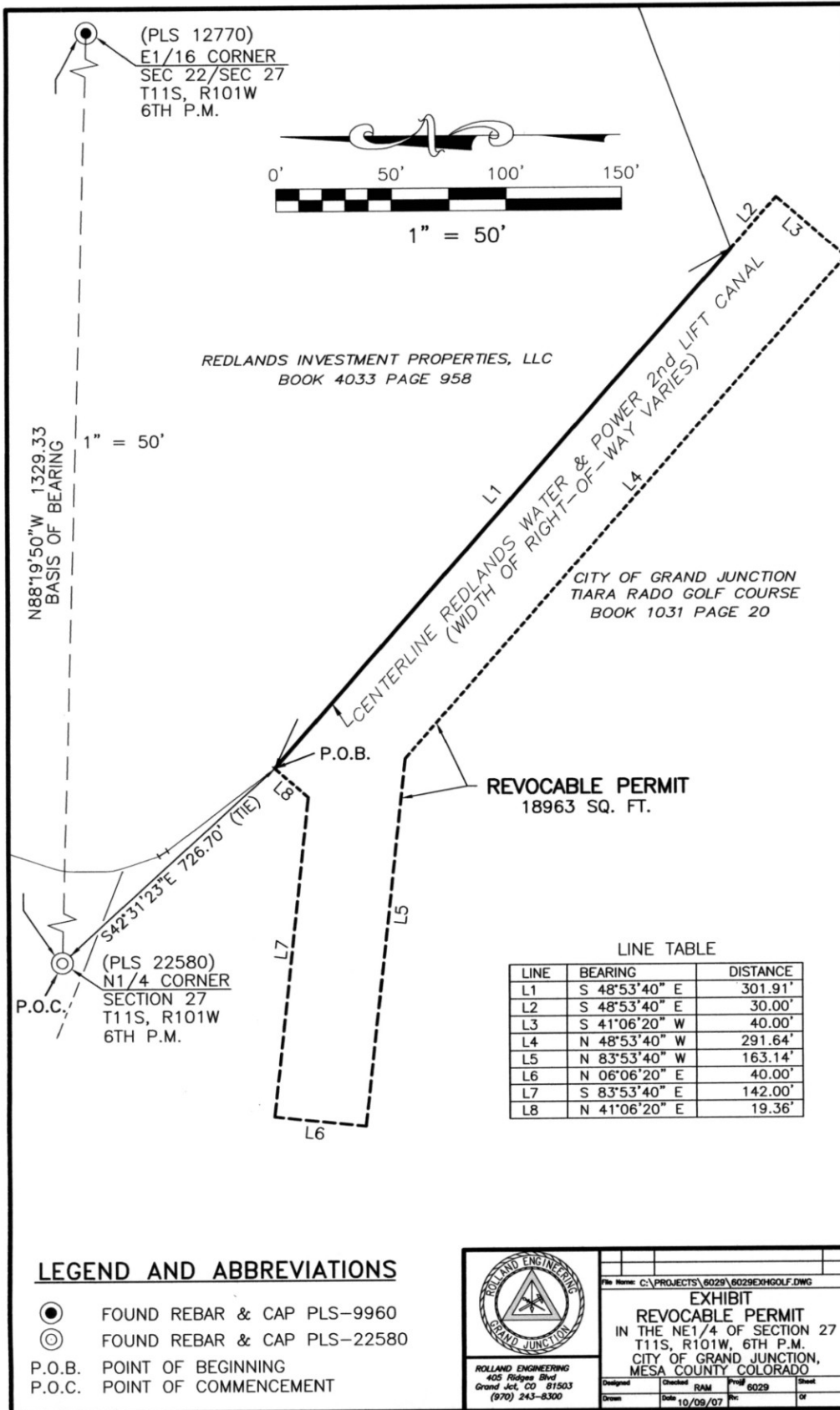
By: _____
Teresa K. Anson, Member

State of Colorado)
County of Mesa)

The foregoing Agreement was acknowledged before me this ___ day of _____, 2008, by Teresa K. Anson, Member of GJ Development, LLC.

My Commission expires: _____
Witness my hand and official seal.

Notary Public



REDLANDS INVESTMENT PROPERTIES, LLC
BOOK 4033 PAGE 958

CITY OF GRAND JUNCTION
TIARA RADO GOLF COURSE
BOOK 1031 PAGE 20

REVOCABLE PERMIT
18963 SQ. FT.

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 48°53'40" E	301.91'
L2	S 48°53'40" E	30.00'
L3	S 41°06'20" W	40.00'
L4	N 48°53'40" W	291.64'
L5	N 83°53'40" W	163.14'
L6	N 06°06'20" E	40.00'
L7	S 83°53'40" E	142.00'
L8	N 41°06'20" E	19.36'

LEGEND AND ABBREVIATIONS

- FOUND REBAR & CAP PLS-9960
- FOUND REBAR & CAP PLS-22580
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT

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

File Name: C:\PROJECTS\6029\6029EXHGOLF.DWG

EXHIBIT
REVOCABLE PERMIT
IN THE NE1/4 OF SECTION 27
T11S, R101W, 6TH P.M.
CITY OF GRAND JUNCTION,
MESA COUNTY COLORADO

Designed	Checked	RAM	Proj	6029	Sheet
Drawn	Date	10/09/07	By		Of

I:\TAZZ2\C\PROJECTS\6029\6029EXHGOLF.DWG, 8X14, MORPHEOUS, 12/16/2007, 1:21:15 / AM

**Attach 11
CDBG Amendments to Action Plan
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
Subject	Amendment to the Action Plan for 2001 and 2002 Community Development Block Grant (CDBG) Program Years and Subrecipient Contract for Project within the 2007 CDBG Program Year		
File #	CDBG 2007-08 and 2007-10		
Meeting Day, Date	Wednesday, February 6, 2008		
Placement on the Agenda	Consent	<input type="checkbox"/>	Individual X
Date Prepared	January 30, 2008		
Author Name & Title	Kristen Ashbeck, Senior Planner		
Presenter Name & Title	Kathy Portner, Neighborhood Services Manager		

Summary: 1) Amend the City's Action Plans for the Community Development Block Grant (CDBG) Program Years 2001 and 2002 to reallocate unspent funds from previous years to a previously approved project within the 2007 CDBG Program Year. These amendments were anticipated and the funds from the previous projects included when the City approved the 2007 CDBG allocations.

2) The Subrecipient Contract formalizes the City's award of \$110,000 to Rocky Mountain SER Head Start as allocated from the City's 2007 CDBG Program previously approved by Council.

Budget: For item 1 above, the City will reallocate a total of \$64,166 CDBG funds from previous program years and include it as part of the allocation for 2007 CDBG project 2007-10, Hale Avenue Sidewalk Improvements. Total allocation to the Hale Avenue project will be \$99,130, the balance made up with previously-approved 2007 CDBG funds.

For item 2 above, this was part of the 2007 CDBG allocation.

Action Requested/Recommendation: 1) Approve the amendments to the City's CDBG Consolidated Plan 2001 and 2002 Action Plans to reflect reallocation of the unspent funds to the 2007 Program Year, specifically project 2007-10, Hale Avenue Sidewalk Improvements; and 2) authorize the City Manager to sign the Subrecipient Contract with Rocky Mountain SER Head Start for the City's 2007 Program Year, CDBG Program.

Attachments:

1. Amendments as Advertised for Public Comment
2. Hale Avenue Sidewalk Location Map
3. Exhibit A, Subrecipient Contract – Rocky Mountain SER Head Start
4. Riverside Head Start Map and Photo

Background Information:Plan Amendments:

The City developed a Consolidated Plan and 2001 and 2002 Action Plans as part of the requirements for use of CDBG funds under its status as an entitlement city. The Action Plan allocated funds for the 2001 and 2002 Program Years to specific projects each year.

The 2001 Action Plan included a project that was to earmark \$39,000 to be used for construction of infrastructure improvements within the proposed Camelot Gardens Subdivision II located at 2843 Elm Avenue (CDBG 2001-03). That project was ultimately constructed with private funds instead of using the CDBG funds. Habitat for Humanity has agreed to release the funds which will be used towards a project identified in the 2007 Program Year Action Plan to construct sidewalk along Hale Avenue in the Riverside neighborhood (CDBG 2007-10).

The 2002 Action Plan included a project to upgrade Duck Pond Park, located in the Orchard Mesa neighborhood (CDBG 2002-08) to include new sidewalks and installation of a bridge in the park. The City has been unable to negotiate reasonably-priced contracts to complete the park improvements. The funds (\$25,166) earmarked for that project will also be used towards a project identified in the 2007 Program Year Action Plan to construct sidewalk along Hale Avenue in the Riverside neighborhood (CDBG 2007-10).

These amendments were anticipated and the funds were included in the total amount of funds available at the time the City approved 2007 CDBG allocations.

Subrecipient Contract:

The property at 134 West Avenue in the Riverside neighborhood is owned by the City of Grand Junction. The property is currently leased to Head Start for a daycare/family center. The City awarded a grant of \$110,000 to Head Start from the City's 2007 Community Development Block Grant funds to add a classroom to the facility.

There are two existing buildings on the site, one a storage building (old house moved to the site in the 1960s) and one the new Center constructed with 2000 Program Year CDBG funds. The two existing buildings are to be retained and the new classroom will be constructed as a free-standing modular structure.

Other improvements to the site include additional parking spaces and landscaping per City of Grand Junction Zoning and Development Code requirements. This project will allow for an additional 30-34 children of low and moderate income families entering the workforce to receive daycare services at the center.

Rocky Mountain SER Head Start is considered a “subrecipient” to the City. The City will “pass through” a portion of its 2007 Program Year CDBG funds to Head Start but the City remains responsible for the use of these funds. The contract with Rocky Mountain SER Head Start outlines the duties and responsibilities of each party/program and is used to ensure that Head Start will comply with all Federal rules and regulations governing the use of these funds. The contract must be approved before the subrecipient may spend any of these Federal funds. Exhibit A of the contract (attached) contains the specific of the project and how the money will be used by Rocky Mountain SER Head Start.

**USER PROJECT
2001-03**

ORIGINAL PROJECT

Project Title Camelot Gardens II Subdivision Infrastructure

Description Habitat for Humanity will construct a 10-lot single family residential subdivision for affordable housing. CDBG funding will be used towards construction of the public infrastructure for the project.

Project ID --
Local ID 2001-03

Activity Capital Construction project for an Affordable Housing Project

Funding

Community Development (CDBG)	\$39,000
Homeless (ESG)	\$ 0
Housing (HOME)	\$ 0
HIV/AIDS (HOPWA)	\$ 0
Other Funding	\$ Unknown Sources - Habitat for Humanity
TOTAL	\$39,000

Prior Funding \$ 0

Eligibility

Type of Recipient Private Non-Profit

Performance Completion and acceptance of public infrastructure improvements within single family affordable housing project

Location Type Address
2843 Elm Avenue

USER PROJECT ORIGINAL PROJECT 2002-08

Project Title Duck Pond Park Improvements

Description The City will utilize the balance of the CDBG funds set aside for the Bass Street project (2002-07) for improvements to Duck Pond Park in the Orchard Mesa neighborhood to include new sidewalks and a new pedestrian bridge within the park.

Project ID --

Local ID 2002-08

Activity Capital Construction

Funding

Community Development (CDBG) \$ 25,166.19

Homeless (ESG) \$ 0

Housing (HOME) \$ 0

HIV/AIDS (HOPWA) \$ 0

Other Funding \$ 0

TOTAL \$25,166.19

Prior Funding \$ 0

Eligibility

Type of Recipient Local Government

Performance Completion of proposed park improvements

Location Type Address

UnawEEP Avenue and State Highway 50

**USER PROJECT
2007-10**

AMENDED PROJECT

Project Title Hale Avenue Sidewalk Improvements

Description The project will install 1,110 linear feet of curb, gutter and sidewalk along the north side of Hale Avenue from Park Avenue to Lawrence Avenue in the Riverside Neighborhood.

Project ID --
Local ID 2007-10

Activity Rehabilitation/Capital Construction/Improvement Project for a Neighborhood Community Facility

Funding
Community Development (CDBG) \$99,130 (includes transferred funds)
Homeless (ESG) \$ 0
Housing (HOME) \$ 0
HIV/AIDS (HOPWA) \$ 0
Other Funding \$ 0
TOTAL \$99,130

Prior Funding 0

Eligibility
Type of Recipient Local Government

Performance Completion of sidewalk improvements along Hale Avenue located in the Riverside Neighborhood

Location Type Address
Hale Avenue



CDBG PROJECT 2007-10 HALE AVENUE SIDEWALK IMPROVEMENTS

**2007 SUBRECIPIENT CONTRACT FOR
CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS
WITH
ROCKY MOUNTAIN SER WESTERN SLOPE HEAD START PROGRAM**

**EXHIBIT "A"
SCOPE OF SERVICES**

1. The City agrees to pay to the Rocky Mountain SER Western Slope Head Start Program (Head Start) \$110,000 from its 2007 Program Year CDBG Entitlement Funds for construction of an additional classroom at the Riverside Head Start/Family Center (Center) located at 134 West Avenue, Grand Junction, Colorado. The general purpose of the Center is to provide community action programs including early childhood education and social services to low-income families.
2. The Rocky Mountain SER Western Slope Head Start Program certifies that it will meet the CDBG National Objective of low/moderate limited clientele benefit (570.208(a)(2)). It shall meet this objective by providing the above-referenced services to low/moderate income families in Grand Junction, Colorado.
3. The entire project consists of classroom construction (which may include a modular structure) site/foundation preparation, and site improvements to include parking and landscaping. The site and existing building are owned by the City of Grand Junction and leased to the Rocky Mountain SER Western Slope Head Start Program, which will continue to operate the expanded Center. It is understood that the City's grant of \$110,000 in CDBG funds shall be used only for the construction of the items listed above. Costs associated with the other elements of the project or costs over the \$110,000 grant amount will be paid for by other funding sources obtained by the Rocky Mountain SER Western Slope Head Start Program.
4. This project shall commence upon the full and proper execution of the 2007 Subrecipient Agreement and the completion of any appropriate land use and environmental review and amendment of the land lease with the City. The project shall be completed on or before December 31, 2009.
6. Head Start estimates that it will provide services to 30-34 more children when the additional classroom project is completed and in full operation.

_____ Head Start
_____ City of Grand Junction

7. The City of Grand Junction shall monitor and evaluate the progress and performance of Head Start to assure that the terms of this agreement are being satisfactorily met in accordance with City and other applicable monitoring and evaluating criteria and standards. Head Start shall cooperate with the City relating to such monitoring and evaluation.
8. Head Start shall provide quarterly financial and performance reports to the City. Reports shall describe the progress of the project, what activities have occurred, what activities are still planned, financial status, compliance with National Objectives and other information as may be required by the City. A final report shall also be submitted once the project is completed.
9. During a period of five (5) years following the date of completion of the project the use or planned use of the property improved may not change unless 1) the City determines the new use meets one of the National Objectives of the CDBG Program, and 2) Head Start provides affected citizens with reasonable notice and an opportunity to comment on any proposed changes. If Head Start decides, after consultation with affected citizens that it is appropriate to change the use of the property to a use which the City determines does not qualify in meeting a CDBG National Objective, Head Start must reimburse the City a prorated share of the City's \$110,000 CDBG contribution. At the end of the five-year period following the project closeout date and thereafter, the only City restrictions on use of the property shall be as stated in a lease between Head Start and the City.
10. Head Start understands that the funds described in the Agreement are received by the City of Grand Junction from the US Department of Housing and Urban Development under the Community Development Block Grant Program. Head Start shall meet all City of Grand Junction and federal requirements for receiving Community Development Block Grant funds, whether or not such requirements are specifically listed in this Agreement. Head Start shall provide the City of Grand Junction with documentation establishing that all local and federal CDBG requirements have been met.
11. A blanket fidelity bond equal to cash advances as referenced in Paragraph V.(E) will not be required as long as no cash advances are made and payment is on a reimbursement basis.

12. A formal project notice will be sent to Head Start once all funds are expended and a final report is received.

_____ Head Start
_____ City of Grand Junction



Aerial Photograph Site Map
CDBG 2007-08 648 W Colorado Avenue Grand Junction



Existing Head Start Facility to be Expanded
Constructed 2002 with CDBG Funds

**Attach 12
Meens Annexation**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Meens Annexation - Located at 2475 Monument Road		
File #	GPA-2007-262		
Meeting Day, Date	Wednesday, February 6, 2008		
Placement on the Agenda	Consent		Individual X
Date Prepared	January 25, 2008		
Author Name & Title	Scott D. Peterson, Senior Planner		
Presenter Name & Title	Scott D. Peterson, Senior Planner		

Summary: Request to annex 19.39 acres, located at 2475 Monument Road in the Redlands. The Meens Annexation consists of 1 parcel of land and associated right-of-way of Monument Road.

Budget: N/A

Action Requested/Recommendation: Adopt a Resolution Accepting the Petition for the Meens Annexation and Hold a Public Hearing and Consider Final Passage of the Annexation Ordinance.

Attachments:

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

Background Information: See attached Staff Report/Background Information.

STAFF REPORT / BACKGROUND INFORMATION

Location:		2475 Monument Road		
Applicants:		Robert F. and Jacqueline L. Meens, Owners Darren A. Caldwell, Representative		
Existing Land Use:		Vacant land		
Proposed Land Use:		Residential subdivision		
Surrounding Land Use:	North	Single-family residential		
	South	Single-family residential		
	East	Single-family residential		
	West	Vacant land		
Existing Zoning:		RSF-4, Residential Single-Family – 4 units/acre (County)		
Proposed Zoning:		To be determined. Applicant has filed a Growth Plan Amendment		
Surrounding Zoning:	North	RSF-4, Residential Single-Family – 4 units/acre (County)		
	South	RSF-4, Residential Single-Family – 4 units/acre (County)		
	East	RSF-4, Residential Single-Family – 4 units/acre (County)		
	West	To be determined (City). Applicant has filed a Growth Plan Amendment		
Growth Plan Designation:		Residential Low (1/2 – 2 Ac./DU)		
Zoning within density range?		N/A	Yes	No

Staff Analysis:

ANNEXATION:

This annexation area consists of 19.39 acres of land and is comprised of 1 parcel of land and associated right-of-way of Monument Road. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

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

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

The following annexation and zoning schedule is being proposed.

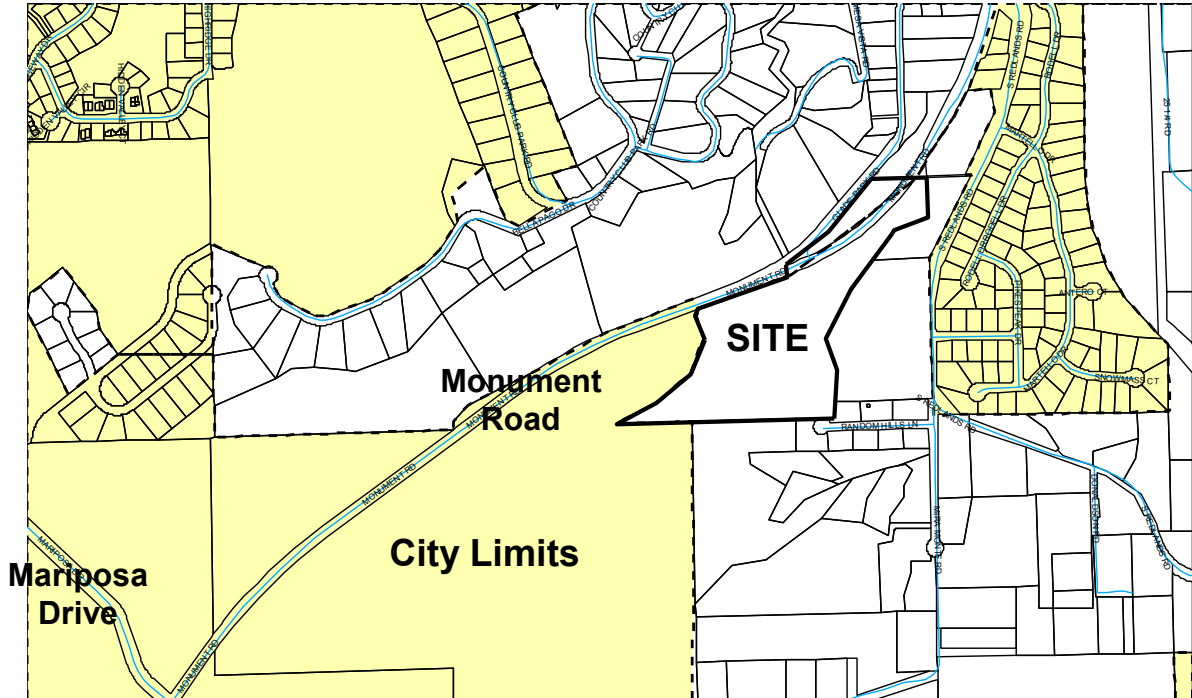
<u>ANNEXATION SCHEDULE</u>	
December 19, 2007	Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use
To be scheduled	Planning Commission considers Zone of Annexation
To be scheduled	Introduction of a proposed Ordinance on Zoning by City Council
February 6, 2008	Acceptance of Petition and Public Hearing on Annexation by City Council
March 9, 2008	Effective date of Annexation

MEENS ANNEXATION SUMMARY

File Number:		GPA-2007-262
Location:		2475 Monument Road
Tax ID Number:		2945-211-00-072
Parcels:		1
Estimated Population:		0
# of Parcels (owner occupied):		0
# of Dwelling Units:		0
Acres land annexed:		19.39
Developable Acres Remaining:		17.72
Right-of-way in Annexation:		1.67
Previous County Zoning:		RSF-4, Residential Single-Family – 4 units/acre
Proposed City Zoning:		To be determined
Current Land Use:		Vacant land
Future Land Use:		Residential Low (1/2 – 2 Ac./DU)
Values:	Assessed:	\$14,980
	Actual:	\$149,580
Address Ranges:		2475 Monument Road
Special Districts:	Water:	Ute Water Conservancy District
	Sewer:	City of Grand Junction
	Fire:	Grand Junction Rural Fire
	Irrigation/ Drainage:	Redlands Water and Power
	School:	District 51
	Pest:	N/A

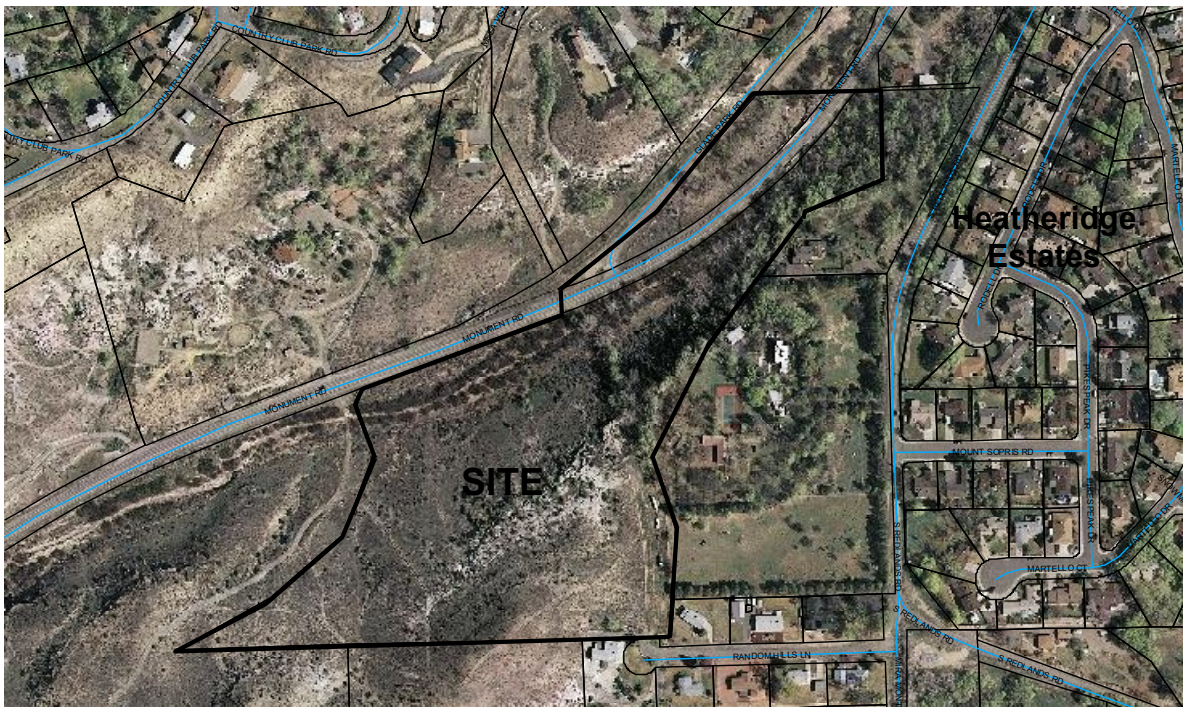
Site Location Map – Meens Annexation

Figure 1



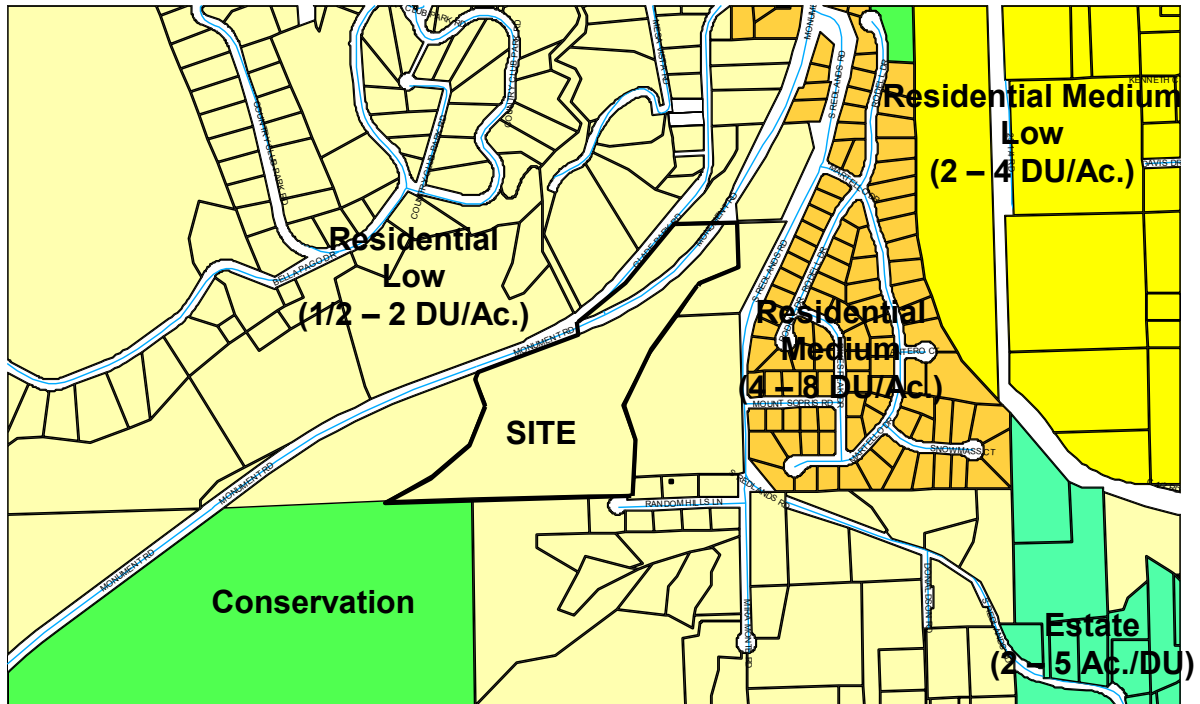
Aerial Photo Map – Meens Annexation

Figure 2



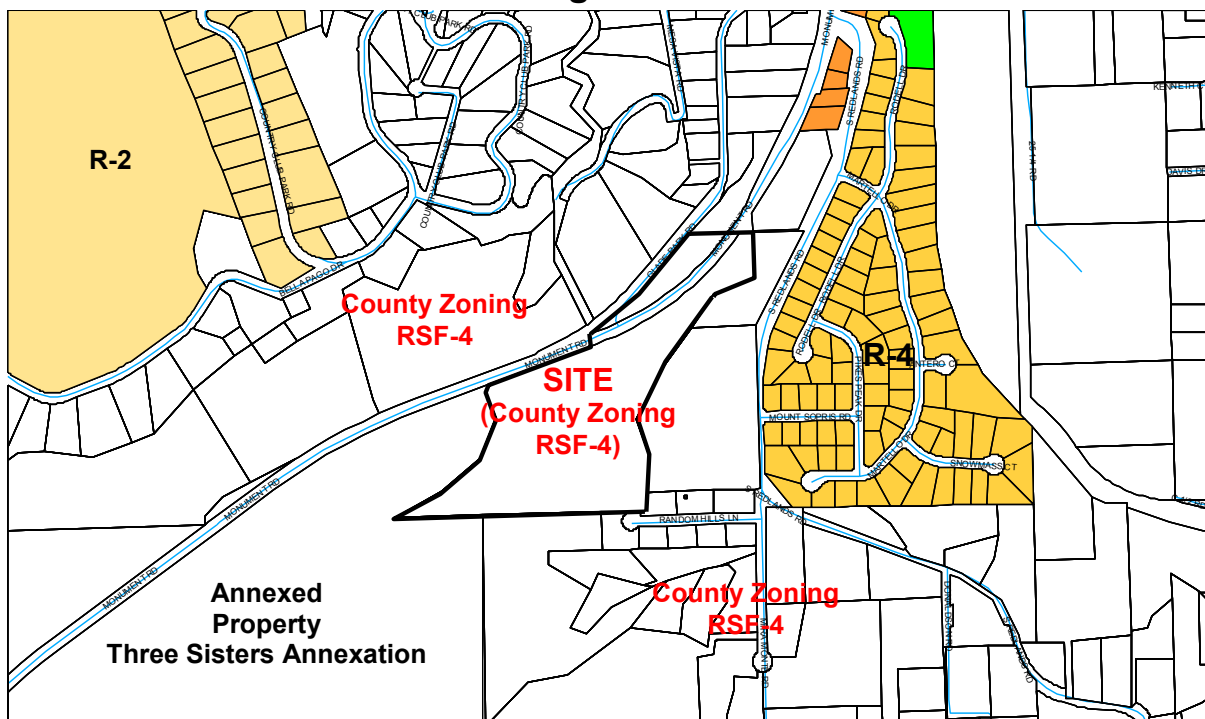
Future Land Use Map – Meens Annex.

Figure 3



Existing City and County Zoning

Figure 4



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

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

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

MEENS ANNEXATION

**LOCATED AT 2475 MONUMENT ROAD
INCLUDING PORTIONS OF THE MONUMENT ROAD RIGHT-OF-WAY**

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 19th day of December, 2007, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

MEENS ANNEXATION

A certain parcel of land lying in the South Half of the Northeast Quarter (S 1/2 NE 1/4) of Section 21, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southwest corner of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 21 and assuming the South line of the Southwest Quarter of the Northeast (SW 1/4 NE 1/4) bears S89°13'42"W with all other bearings contained herein being relative thereto; thence S89°13'42"W along the South line of the SW 1/4 NE 1/4 of said Section 21 a distance of 411.88 feet to a point on the Easterly boundary of Three Sisters Annexation, Ordinance No. 4087, City of Grand Junction; thence along the Easterly boundary of said Three Sisters Annexation the following eight (8) courses: (1) 18.92 feet along the arc of a 158.00 foot radius curve concave Southeast, having a central angle of 06°51'41" and a chord bearing N59°29'16"E a distance of 18.91; (2) N62°55'09"E a distance of 241.04 feet; (3) 183.03 feet along the arc of a 417.00 foot radius curve concave Northwest, having a central angle of 25°08'52" and a chord bearing N50°20'43"E a distance of 181.56 feet; (4) 56.86 feet along the arc of a 128.00 foot radius curve concave Southeast, having a central angle of 25°27'01" and a chord bearing N50°29'46"E a distance of 56.39 feet; (5) 224.26 feet along the arc of a 156.50 foot radius curve concave Northwest, having a central angle of 82°06'13" and a chord bearing N22°10'12"E a distance of 205.56 feet; (6) N18°52'51"W a distance of 128.01 feet; (7) N26°07'09"E a distance of 42.43 feet; (8)

N19°02'28"W a distance of 29.45 feet more or less to the centerline of an old county road as described in Book 649, Page 30 of the Mesa County, Colorado public records; thence along said centerline the following two (2) courses: (1) N71°07'15"E a distance of 157.58 feet; (2) N64°29'57"E a distance of 367.32 feet to a point on the right of way of Glade Park Road as dedicated on the plat of Mesa Vista Subdivision, recorded in Plat Book 5, Page 17 of the Mesa County, Colorado public records; thence along said right of way of Glade Park Road the following three (3) courses: (1) S26°19'30"E a distance of 12.47 feet; (2) thence 294.13 feet along the arc of a 736.13 foot radius curve concave Northwest, having a central angle of 22°53'34" and a chord bearing N53°30'34"E a distance of 292.17 feet; (3) N41°45'43"E a distance of 380.99 feet to a point on the North line of the SE 1/4 NE 1/4 of said Section 21; thence N89°16'39"E along the North line of the SE 1/4 NE 1/4 of said Section 21 a distance of 304.01 feet to the Northeast corner of the SE 1/4 NE 1/4 of said Section 21; thence S00°05'14"E along the East line of the SE 1/4 NE 1/4 of said Section 21 a distance of 216.05 feet; thence S68°39'32"W a distance of 207.07 feet; thence S36°50'01"W a distance of 411.11 feet; thence S28°25'04"W a distance of 285.27 feet; thence S16°43'46"E a distance of 182.53 feet; thence S03°41'49"W a distance of 260.11 feet to a point on the South line of the SE 1/4 NE 1/4 of said Section 21; thence N89°46'39"W along the South line of the SE 1/4 NE 1/4 of said Section 21 a distance of 17.07 feet; thence 141.37 feet along the arc of a 45.00 foot radius curve concave South, having a central angle of 180°00'00" and a chord bearing N89°46'39"W a distance of 90.00 feet returning to a point on the South line of the SE 1/4 NE 1/4 of said Section 21; thence N89°46'39"W along the South line of the SE 1/4 NE 1/4 of said Section 21 a distance of 680.28 feet to the Point of Beginning.

Except that certain 1.00 strip of land lying North of and adjacent to the Southerly right of way line of Monument Road as recorded in Book 947, Page 530 of the Mesa County, Colorado public records, lying within the Painted Bowl Annexation No. 1, Ordinance No. 2490, City of Grand Junction.

Said parcel contains 19.39 acres (844,672 square feet), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 6th day of February, 2008; and

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

in excess of two hundred thousand dollars is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

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

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

ADOPTED the _____ day of _____, 2008.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

MEENS ANNEXATION

APPROXIMATELY 19.39 ACRES

**LOCATED AT 2475 MONUMENT ROAD
INCLUDING PORTIONS OF THE MONUMENT ROAD RIGHT-OF-WAY**

WHEREAS, on the 19th day of December, 2007, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 6th day of February, 2008; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

MEENS ANNEXATION

A certain parcel of land lying in the South Half of the Northeast Quarter (S 1/2 NE 1/4) of Section 21, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southwest corner of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 21 and assuming the South line of the Southwest Quarter of the Northeast (SW 1/4 NE 1/4) bears S89°13'42"W with all other bearings

contained herein being relative thereto; thence S89°13'42"W along the South line of the SW 1/4 NE 1/4 of said Section 21 a distance of 411.88 feet to a point on the Easterly boundary of Three Sisters Annexation, Ordinance No. 4087, City of Grand Junction; thence along the Easterly boundary of said Three Sisters Annexation the following eight (8) courses: (1) 18.92 feet along the arc of a 158.00 foot radius curve concave Southeast, having a central angle of 06°51'41" and a chord bearing N59°29'16"E a distance of 18.91; (2) N62°55'09"E a distance of 241.04 feet; (3) 183.03 feet along the arc of a 417.00 foot radius curve concave Northwest, having a central angle of 25°08'52" and a chord bearing N50°20'43"E a distance of 181.56 feet; (4) 56.86 feet along the arc of a 128.00 foot radius curve concave Southeast, having a central angle of 25°27'01" and a chord bearing N50°29'46"E a distance of 56.39 feet; (5) 224.26 feet along the arc of a 156.50 foot radius curve concave Northwest, having a central angle of 82°06'13" and a chord bearing N22°10'12"E a distance of 205.56 feet; (6) N18°52'51"W a distance of 128.01 feet; (7) N26°07'09"E a distance of 42.43 feet; (8) N19°02'28"W a distance of 29.45 feet more or less to the centerline of an old county road as described in Book 649, Page 30 of the Mesa County, Colorado public records; thence along said centerline the following two (2) courses: (1) N71°07'15"E a distance of 157.58 feet; (2) N64°29'57"E a distance of 367.32 feet to a point on the right of way of Glade Park Road as dedicated on the plat of Mesa Vista Subdivision, recorded in Plat Book 5, Page 17 of the Mesa County, Colorado public records; thence along said right of way of Glade Park Road the following three (3) courses: (1) S26°19'30"E a distance of 12.47 feet; (2) thence 294.13 feet along the arc of a 736.13 foot radius curve concave Northwest, having a central angle of 22°53'34" and a chord bearing N53°30'34"E a distance of 292.17 feet; (3) N41°45'43"E a distance of 380.99 feet to a point on the North line of the SE 1/4 NE 1/4 of said Section 21; thence N89°16'39"E along the North line of the SE 1/4 NE 1/4 of said Section 21 a distance of 304.01 feet to the Northeast corner of the SE 1/4 NE 1/4 of said Section 21; thence S00°05'14"E along the East line of the SE 1/4 NE 1/4 of said Section 21 a distance of 216.05 feet; thence S68°39'32"W a distance of 207.07 feet; thence S36°50'01"W a distance of 411.11 feet; thence S28°25'04"W a distance of 285.27 feet; thence S16°43'46"E a distance of 182.53 feet; thence S03°41'49"W a distance of 260.11 feet to a point on the South line of the SE 1/4 NE 1/4 of said Section 21; thence N89°46'39"W along the South line of the SE 1/4 NE 1/4 of said Section 21 a distance of 17.07 feet; thence 141.37 feet along the arc of a 45.00 foot radius curve concave South, having a central angle of 180°00'00" and a chord bearing N89°46'39"W a distance of 90.00 feet returning to a point on the South line of the SE 1/4 NE 1/4 of said Section 21; thence N89°46'39"W along the South line of the SE 1/4 NE 1/4 of said Section 21 a distance of 680.28 feet to the Point of Beginning.

Except that certain 1.00 strip of land lying North of and adjacent to the Southerly right of way line of Monument Road as recorded in Book 947, Page 530 of the Mesa County, Colorado public records, lying within the Painted Bowl Annexation No. 1, Ordinance No. 2490, City of Grand Junction.

Said parcel contains 19.39 acres (844,672 square feet), more or less, as described.

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

INTRODUCED on first reading on the 19th day of December, 2007 and ordered published.

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

Attest:

President of the Council

City Clerk