



**CITY COUNCIL AGENDA  
CITY HALL AUDITORIUM, 250 NORTH 5<sup>TH</sup> STREET  
WEDNESDAY, FEBRUARY 20, 2008, 7:00 P.M.**

**Call to Order**

Pledge of Allegiance  
Invocation—Leslie McAnich, Christ Center

**Appointment**

Alternate Board Member to the Forestry Board

**Citizen Comments**

**\*\*\* CONSENT CALENDAR \*\*\*®**

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

*Action: Approve the Minutes of the February 4, 2008 and February 6, 2008 Regular Meetings*

2. **Construction Contract for 23 Road Sewer Improvement District Project** [Attach 2](#)

The Mesa County Commissioners are scheduled to create the 23 Road Sewer Improvement District February 25, 2008. The 23 Road Sewer Improvement District project will allow for the elimination of septic systems by installing a 10" and 6" sanitary sewer line along 23 Road, Hwy 340, and South Broadway.

*Action: Authorize the City Manager to Execute a Construction Contract for the 23 Road Sewer Improvement District with M.A. Concrete Construction Inc., in the*

\*\*\* Indicates New Item

® Requires Roll Call Vote

*Amount of \$411,610.98 Contingent on the Formation of the Sewer Improvement District by Mesa County Commissioners on February 25, 2008*

Staff presentation: Tim Moore, Public Works and Planning Director

3. **Setting a Hearing on the Holbrook Annexation, Located at 2525 D Road** [File #ANX-2007-361] [Attach 3](#)

Request to annex 14.29 acres, located at 2525 D Road. The Holbrook Annexation consists of 1 parcel, includes portions of the Monument Road and D Road rights-of-way, and is a 4 part serial annexation.

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

Resolution No. 16-08—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, Holbrook Annexations No. 1, 2, 3, and 4, Located at 2525 D Road and Including Portions of the Monument Road and D Road Rights-of-Way

®Action: *Adopt Resolution No. 16-08*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Holbrook Annexation No. 1, Approximately 0.01 Acres, Located Within the Monument Road and D Road Rights-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Holbrook Annexation No. 2, Approximately 0.02 Acres, Located Within the D Road Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Holbrook Annexation No. 3, Approximately 0.58 Acres, Located at 2525 D Road and Including a Portion of the D Road Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Holbrook Annexation No. 4, Approximately 13.68 Acres, Located at 2525 D Road

Action: *Introduction of Proposed Ordinances and Set a Hearing for March 31, 2008*

Staff presentation: Senta L. Costello, Associate Planner

4. **Setting a Hearing on the Ford Annexation, Located at 2036 Broadway** [File #ANX-2007-375] [Attach 4](#)

Request to annex 4.06 acres, located at 2036 Broadway. The Ford Annexation consists of 1 parcel of land.

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

Resolution No. 22-08—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, Ford Annexation, Located at 2036 Broadway Including Portions of the Broadway (Highway 340) Right-of-Way

®Action: *Adopt Resolution No. 22-08*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Ford Annexation, Approximately 4.06 Acres, Located at 2036 Broadway Including Portions of the Broadway (Highway 340) Right-of-Way

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

Staff presentation: Scott D. Peterson, Senior Planner

5. **Setting a Hearing on Rezoning Properties Located at the Southeast Corner of 28 ¼ Road and Grand Falls Drive** [File #PP-2006-251] [Attach 5](#)

A request to rezone 10.3 acres located at the southeast corner of 28 ¼ Road and Grand Falls Drive from PD, Planned Development, to R-8, Residential – 8 units/acre Zoning District.

Proposed Ordinance Rezoning an Area of Land from PD, Planned Development, to R-8, Residential – 8 Units/Acre Zoning District, Located at the Southeast Corner of 28 ¼ Road and Grand Falls Drive

Action: *Introduction of Proposed Ordinance and Set a Hearing for March 5, 2008*

Staff presentation: Scott D. Peterson, Senior Planner

6. **GOCO Grant Application for Canyon View Park** [Attach 6](#)

The City of Grand Junction is prepared to apply for the \$200,000 GOCO Local Parks and Outdoor Recreation Grant for Canyon View Park. The resolution 1) authorizes the submittal of the application and 2) indicates property ownership and the willingness to accept the maintenance responsibilities for the development.

Resolution No. 23-08—A Resolution Supporting and Authorizing the Submittal of a Grant Application between Great Outdoors Colorado (GOCO) and the City of Grand Junction for the Continuation of the Development of Canyon View Park

®Action: *Adopt Resolution No. 23-08*

Staff presentation: Joe Stevens, Parks and Recreation Director

7. **Contract for Water Slide Replacement at Lincoln Park-Moyer Pool** [Attach 7](#)

This approval request is for the award of a contract for the design and installation of the replacement slide flume at Lincoln Park-Moyer Swimming Pool.

Action: *Authorize the City Purchasing Division to Enter into a Contract with Churchich Recreation, LLC to Complete the Design and Installation of a New Water Slide at Lincoln Park-Moyer Swimming Pool in the Amount of \$371,608*

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

8. **Contract for Enterprise Network Switch Equipment** [Attach 8](#)

Purchase network switching equipment and related professional services as part of the City's ongoing network equipment maintenance program. The proposed replacement equipment will upgrade the network backbone switching equipment to high speed, intelligent capacity.

*Action: Authorize the City Purchasing Division to Sole Source Network Switching Equipment and Professional Installation Services from Information Systems Consulting, Inc. (ISC) Located in Centennial, CO for a Total Price of \$437,130.70*

Staff presentation: Jim Finlayson, Information Systems Manager

9. **Setting a Hearing on Amending the City Parking Code** [Attach 9](#)

Amendments are needed to the Parking Code to prohibit parking in planting strips and outside designated spaces.

Proposed Ordinance Adopting Amendments to Chapter 36, Sections 36-17 and 36-33 of the City of Grand Junction Code of Ordinances Relating to the Parking Code as well as Adopting a New Section 36-38

*Action: Introduction of Proposed Ordinance and Set a Hearing for March 5, 2008*

Staff presentation: John Shaver, City Attorney

10. **Setting a Hearing on Amending the City Code Regarding Municipal Court Jurisdiction Over Theft Crimes of Less than \$1,000** [Attach 10](#)

Pursuant to a change in state law, a municipal court is authorized to take jurisdiction over theft crimes involving items less than \$1,000. The current City ordinance (GJCO §24-7) authorizes the Grand Junction Municipal Court jurisdiction over theft in an amount of \$300 or less. The proposed amendment will increase jurisdiction to \$1,000 or less.

Proposed Ordinance Amending Chapter 24, Section 7 of the City of Grand Junction Code of Ordinances Relating to Theft

*Action: Introduction of Proposed Ordinance and Set a Hearing for March 5, 2008*

Staff presentation: John Shaver, City Attorney

11. **Contract Study for Retail Recruitment and Retention** [Attach 11](#)

The City of Grand Junction would like to enter into a contract with the firm Buxton, in order to evaluate potential retail business for Orchard Mesa, Downtown/North Avenue, and Clifton areas and take the initiative to help recruit and retain retail to sustain the economy in the Valley.

*Action: Authorize the City Manager to Enter into a Contract with Buxton in the Amount of \$72,000 (a Portion to be Reimbursed by the Other Partners)*

Staff presentation: Laurie Kadrach, City Manager

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

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

12. **Purchase of Eleven Police Patrol Vehicles** [Attach 12](#)

This purchase is for eleven police patrol vehicles, six are replacements and five are expansions to the fleet. The patrol units being replaced include one 1999, three 2003 and two 2004 models as identified by the annual review of the Fleet Replacement Committee. The expansion vehicles will be used to replace vehicles currently being used by School Resource and two Commanders on a "non-accrual" basis. These eleven sedans are E 85 OEM Bi Fuel (flex fuel) compatible.

*Action: Authorize the City Purchasing Division to Purchase Eleven 2008 Ford Crown Victoria "Police Interceptors", from Lakewood Fordland, Located in Lakewood, CO in the Amount of \$247,861*

Staff presentation: Jay Valentine, Assistant Financial Operations Manager  
Bob Russell, Police Commander

13. **Change Order No. 2 for 7<sup>th</sup> Street Corridor Project** [Attach 13](#)

This Change Order includes extra work totaling \$146,000 required during construction of the recently completed 7<sup>th</sup> Street Corridor Project. Extra work included removal of old concrete pavement beneath the asphalt pavement; additional aggregate base course required to stabilize subgrade soils under the roadway; additional asphalt paving needed to transition from existing asphalt pavement to new concrete pavement; and additional trenching required for installation of conduits for the street lighting system.

*Action: Authorize the City Manager to Approve Change Order No. 2 in the Amount of \$146,000 for the 7<sup>th</sup> Street Corridor Improvement Project*

Staff presentation: Tim Moore, Public Works and Planning Director

14. **Public Hearing—Mersman Annexation, Located at 3037 D Road** [File #ANX-2007-356] – **Request to Continue to May 5, 2008** [Attach 14](#)

Request a continuance to annex 1.45 acres, located at 3037 D Road. The Mersman Annexation consists of 1 parcel.

*Action:* Request a Continuance to Adopt Resolution Accepting the Petition and the Public Hearing on the Annexation Ordinance for the Mersman Annexation to May 5, 2008

Staff presentation: Justin Kopfman, Associate Planner

15. **Public Hearing—Vacation of the North/South Alley between S. 8<sup>th</sup> and S. 9<sup>th</sup> Streets, North of Winters Avenue** [File #VR-2007-050] [Attach 15](#)

Consideration of a proposed ordinance to vacate the north/south alley between S. 8<sup>th</sup> and S. 9<sup>th</sup> 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.

Ordinance No. 4180—An Ordinance Vacating North/South Right-of-Way for Alley Located Between South 8<sup>th</sup> and South 9<sup>th</sup> Streets, North of Winters Avenue

*®Action:* Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4180

Staff presentation: Senta L. Costello, Associate Planner

16. **Public Hearing—Pinson-Hergistad Annexation and Zoning, Located at 644 ½ 29 ½ Road** [File #ANX-2007-352] [Attach 16](#)

Request to annex and zone 3.02 acres, located at 644 ½ 29 ½ Road, to R-4 (Residential 4 du/ac). The Pinson-Hergistad Annexation consists of one parcel and is a 2 part serial annexation.

**a. Accepting Petition**

Resolution No. 24-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Pinson-Hergistad Annexation, Located at 644 ½ 29 ½ Road is Eligible for Annexation

**b. Annexation Ordinances**

Ordinance No. 4181—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Pinson-Hergistad Annexation No. 1, Approximately 0.33 acres, Located at 644 ½ 29 ½ Road

Ordinance No. 4182—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Pinson-Hergistad Annexation No. 2, Approximately 2.69 acres, Located at 644 ½ 29 ½ Road

**c. Zoning Ordinance**

Ordinance No. 4183—An Ordinance Zoning the Pinson-Herigstad Annexation to R-4, Located at 644 ½ 29 ½ Road

*®Action: Adopt Resolution No. 24-08 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 4181, 4182, and 4183*

Staff presentation: Senta L. Costello, Associate Planner

17. **Public Hearing—Rezoning the John H. Hoffman Subdivision, Located at 3043 D Road** [File #PP-2007-267] [Attach 17](#)

A request to rezone 8.02 acres, located at 3043 D Road, from R-5 (Residential 5 du/ac) to R-8 (Residential 8 du/ac).

Ordinance No. 4184—An Ordinance Rezoning the Property Known as the John H. Hoffman Subdivision Rezone to R-8, Residential 8 Units Per Acre, Located at 3043 D Road

*®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4184*

Staff presentation: Adam Olsen, Senior Planner

18. **Public Hearing—Zoning the Sura Annexation, Located at 405 25 Road** [File #ANX-2007-276] [Attach 18](#)

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



Ordinance No. 4185—An Ordinance Zoning the Sura Annexation to R-4 (Residential -4 du/ac), Located at 405 25 Road

*®Action:* Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4185

Staff presentation: David Thornton, Principal Planner

19. **Public 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 19](#)

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).

Ordinance No. 4186—An Ordinance Zoning the Reigan/Patterson/TEK/Morario Annexation to Mixed Use Located at 2202, 2202 ½, 2204 H Road, and 824 22 Road

*®Action:* Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4186

Staff presentation: David Thornton, Principal Planner

20. **Public Hearing—Growth Plan Amendment and Planned Development Outline Development Plan (ODP) for the Three Sisters Area, Located at 2431 and 2475 Monument Road** [File #GPA-2007-262]

[Attach 20](#)

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.

Resolution No. 25-08—A Resolution Amending the Growth Plan of the City of Grand Junction to Designate Approximately 101.7 Acres for a Portion of Property Located at 2431 Monument Road from Conservation to Residential Low (1/2 – 2 Ac./Du.)

Ordinance No. 4187—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

*®Action: Hold a Public Hearing to Consider Adoption of Resolution No. 25-08 and Consider Final Passage and Final Publication of Ordinance No. 4187*

Staff presentation: Scott D. Peterson, Senior Planner

21. **Non-Scheduled Citizens & Visitors**
22. **Other Business**
23. **Adjournment**

**Attach 1  
Minutes from Previous Meetings**

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

**February 4, 2008**

The City Council of the City of Grand Junction convened into regular session on the 4<sup>th</sup> day of February 2008 at 7:04 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Bruce Hill, Gregg Palmer, Doug Thomason, Linda Romer Todd, and Council President Jim Doody. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Doody called the meeting to order. Councilmember Hill led in the Pledge of Allegiance. The audience remained standing for the invocation by Mike MacFarlane, New Day Ministries.

**Proclamation**

Proclaiming February 10, 2008 as “College Goal Sunday” in the City of Grand Junction

**Council Comments**

There were none.

**Citizen Comments**

Randy Stouder, 303 E. Dakota Drive, stated he has emailed some items to the City Council, and listed some of the many good things about Grand Junction. He was concerned about some of the decisions recently made by Planning Commission and the City Council. He read a general statement about development, particularly in the Redlands, and the expansion of the Sewer Service Boundary. He then referred to Red Rocks Valley Subdivision having too many street lights, which is counter to the Redlands Plan, which encourages dark night sky. He was concerned about decreased set backs and the increased density. When asked, he said he is a Real Estate Broker.

**CONSENT CALENDAR**

Councilmember Beckstein read the items on the Consent Calendar. Councilmember Hill moved to approve the Consent Calendar. It was seconded by Councilmember Todd, and carried by roll call vote to approve Consent Items #1 through #10.

1. **Minutes of Previous Meetings**

*Action: Approve the Minutes of the January 14, 2008 Special Session and the Minutes of the January 14, 2008 and January 16, 2008 Regular Meetings*

2. **Purchase Seven 4x4 Utility Carts**

This purchase is for seven motorized utility carts, four are replacements and three are additions to the fleet. Persigo Waste Water Treatment Plant's Wash Division is replacing two 1992 Kawasaki Mule utility carts, and one 1998 Kawasaki 4-wheel cart. The Parks and Recreation Cemetery Division is replacing one 2001 Kawasaki Mule utility cart. One new utility cart will be added to the Parks and Recreation Riverfront Trail Project and two new utility carts will be added to the Parks and Recreation's Forestry/Horticulture Division.

*Action: Authorize the City Purchasing Division to Purchase Seven 2008 John Deere HPX Gas 4 x 4 Gators from Delta Implement Company, in the Amount of \$60,829.93*

3. **Fire Station #5 Building Addition**

This approval request is for the award of a construction contract, for the building addition at Fire Station #5.

*Action: Authorize the City Purchasing Division to Enter into a Contract in the Amount of \$127,053 with PNCI Construction, Inc. for the Completion of the Building Addition at Fire Station No. 5*

4. **Duck Pond Park and Sherwood Park Restroom Shelters**

This approval request is for the award of a construction contract to Tusca II, Inc. for two new restroom shelters; one will be at Duck Pond Park and the other at Sherwood Park.

*Action: Authorize the City Purchasing Division to Enter into a Contract, in the Amount of \$298,700 with Tusca II, Inc. for the Completion of the Restroom Shelters at Duck Pond Park and Sherwood Park*

5. **Canyon View Park Phase III Design Services**

Contract with the professional design firms Winston Associates/Ciavonne Roberts and Associates to complete design services for Canyon View Park, Phase III.

*Action: Authorize the Purchasing Division to Enter into a Contract with Winston Associates/Ciavonne Roberts and Associates to Complete the Design Services for Phase III of Canyon View Park in the Amount of \$134,275*

6. **Fleet Building Addition Design and Construction Management Services**

Contract with the professional design and planning firm, Johnson-Carter Architects to design and provide construction management for the Fleet Building addition.

*Action: Authorize the Purchasing Division to Enter into a Contract with Johnson-Carter Architects for Design and Construction Management Services for the Fleet Building Addition in the Amount of \$56,150*

7. **CDOT Maintenance Contracts for Traffic Control Devices and Highway Maintenance**

Authorizing the City Manager to sign contracts with Colorado Department of Transportation for (1) maintenance and operations of signs, signals, striping and markings on State Highways within the City limits and (2) snow removal and pavement maintenance on State Highways within the City limits.

Resolution No. 10-08—A Resolution Authorizing an Agreement between the City of Grand Junction and the Colorado Department of Transportation (CDOT) to Perform Traffic Maintenance Services on State Highways

Resolution No. 11-08—A Resolution Authorizing an Agreement between the City of Grand Junction and the Colorado Department of Transportation (CDOT) to Perform Highway Maintenance Services on State Highways

*Action: Adopt Resolution Nos. 10-08 and 11-08*

8. **Setting a Hearing on the John H. Hoffman Subdivision Rezone, Located at 3043 D Road** [File #PP-2007-267]

A request to rezone 8.02 acres, located at 3043 D Road, from R-5 (Residential 5 du/ac) to R-8 (Residential 8 du/ac).

Proposed Ordinance Rezoning the Property Known as the John H. Hoffman Subdivision Rezone to R-8, Residential 8 Units Per Acre, Located at 3043 D Road

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

9. **Setting a Hearing for the Apple Glen Annexation, Located at 2366 H Road**  
[File #ANX-2007-306]

Request to annex 16.24 acres, located at 2366 H Road. The Apple Glen Annexation consists of 1 parcel.

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

Resolution No. 12-08—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, Apple Glen Annexation, Located at 2366 H Road and Including Portions of the H Road Right of Way

*Action: Adopt Resolution No. 12-08*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Apple Glen Annexation No. 1, Approximately .34 Acres, Located at 2366 H Road and a Portion of the H Road Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Apple Glen Annexation No. 2, Approximately .66 Acres, Located within the H Road Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Apple Glen Annexation No. 3, Approximately 15.24 Acres, Located at 2366 H Road

*Action: Introduction of Proposed Ordinances and Set a Hearing for March 17, 2008*

10. **Open Space Requirements in the Ridges Filings No. One through Six**

A resolution that sets forth the policy that new development of the lands included within Ridges Filings No. One through No. Six need not provide open space dedications nor the open space fees in lieu of the dedications pursuant to Section 6.3.B of the Zoning and Development Code.

Resolution No. 13-08—A Resolution Establishing that New Development within The Ridges Filing, No. One through The Ridges Filing, No. Six is not required to Dedicate Open Space or Pay a Fee In Lieu of Dedicating the Open Space as Required by Section 6.3.B of the Zoning and Development Code

Action: Adopt Resolution No. 13-08

### ITEMS NEEDING INDIVIDUAL CONSIDERATION

**Public Hearing—Garden Grove—Turley Annexation, Located at 2962 A ½ Road** [File #ANX-2007-338] **Request to Continue to March 17, 2008**

Request to annex 19.77 acres, located at 2962 A ½ Road. The Garden Grove—Turley Annexation consists of four parcels.

Justin Kopfman, Associate Planner, explained that the reason for the continuance was a request by the applicant due to personal and business reasons.

Councilmember Palmer moved to continue the public hearing for the Garden Grove-Turley Annexation to Monday, March 17, 2008. Councilmember Beckstein seconded the motion. Motion carried.

**Public Hearing—Foster Industrial Annexation and Zoning, Located at 381 27 ½ Road** [File #ANX-2007-330]

Request to annex and zone .41 acres, located at 381 27 ½ Road, to I-1 (Light Industrial). The Foster Industrial Annexation consists of one parcel.

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

Justin Kopfman, Associate Planner, reviewed this item. He described the request, the location, the site, the Future Land Use designation, and then asked that the staff report and attachments be entered into the record. He noted that the applicant was present.

Councilmember Palmer asked what uses are allowed in the I-1 zone district. Planner Kopfman identified the allowed uses, but stated since no plan has been submitted he is not sure what the planned use might be. Councilmember Palmer questioned the compatibility since the surrounding area is all residential. Mr. Kopfman pointed out that the area is designated as industrial, and so this is the first lot to go that direction. Councilmember Palmer felt that one parcel in the middle of the neighborhood did not seem like a good fit.

There were no public comments.

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

Resolution No. 14-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Foster Industrial Annexation, Located at 381 27 ½ Road and Including a Portion of the 27 ½ Road Right-of-Way is Eligible for Annexation

Ordinance No. 4175—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Foster Industrial Annexation, Approximately .41 acres, Located at 381 27 ½ Road and Including a Portion of the 27 ½ Road Right-of-Way

Ordinance No. 4176—An Ordinance Zoning the Foster Industrial Annexation to I-1 (Light Industrial), Located at 381 27 ½ Road

Councilmember Todd moved to adopt Resolution No. 14-08 and Ordinance Nos. 4175 and 4176 and ordered them published. Councilmember Hill seconded the motion.

Councilmember Coons asked if there were any neighbors that spoke against the item at the Planning Commission meeting. Planner Kopfman said there was no one in opposition. Councilmember Palmer asked if there was any public comment in favor. Mr. Kopfman said there was not, it was non-controversial.

Motion carried by roll call vote with Councilmember Palmer voting NO.

**Public Hearing—Lochmiller Annexation and Zoning, Located at 193 Shelley Drive**  
[File #ANX-2007-329]

Request to annex and zone 1.06 acres, located at 193 Shelley Drive, to R-4 (Residential, 4 units per acre). The Lochmiller Annexation consists of one parcel and includes a portion of the B Road and Shelley Drive rights-of-way. This property is located on the south side of B Road and east of 29 Road on Orchard Mesa.

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

Faye Hall, Associate Planner, reviewed this item. She described the request, the location, the site, the Future Land Use designation, and then asked that the Staff report and attachments be entered into the record. The applicant was not present.

There were no public comments.

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

Councilmember Beckstein advised that Mr. Lochmiller is a client of her employer's firm. City Attorney Shaver asked Councilmember Beckstein if she has had any contact with Mr. Lochmiller on this application, or had any financial interest in the application to which Councilmember Beckstein answered "no". The City Attorney concluded there was no conflict.

Resolution No. 15-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as Lochmiller Annexation, Located at 193 Shelley Drive and also Includes a Portion of the B Road and Shelley Drive Rights-of-Way is Eligible for Annexation



Ordinance No. 4177—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Lochmiller Annexation, Approximately 1.06 acres, Located at 193 Shelley Drive and also Includes a Portion of the B Road and Shelley Drive Rights-of-Way

Ordinance No. 4178—An Ordinance Zoning the Lochmiller Annexation to R-4 (Residential 4 units per acre), Located at 193 Shelley Drive

Councilmember Hill moved to adopt Resolution No. 15-08 and Ordinance Nos. 4177 and 4178 and ordered them published. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

**Public Hearing—Growth Plan Amendment for Lime Kiln Creek Ranch, Located at 2098 E ½ Road** [File #GPA-2007-263]

The petitioner, Cunningham Investment Company, Inc., requests adoption of a Resolution to amend the Growth Plan Future Land Use Map from Estate (2 – 5 Ac./DU) to Residential Medium Low (2 – 4 DU/Ac.) for property located at 2098 E ½ Road in the Redlands. The Planning Commission recommended approval of the proposed Growth Plan Amendment request at their December 11, 2007 meeting.

The public hearing was opened at 7:30 p.m.

City Manager Laurie Kadrach reviewed the background on the matter before the City Council. She stated the proposal is not the same application that was presented previously as the Redlands Country Club Estates which included a golf course. The City Council did assign the handling of that to the City Manager, but she has not received information that there is sufficient land to develop that proposal. Some of the comments received have implied that this project, 27 acres with Mac Cunningham as the developer, is a stepping stone to the larger aforementioned project.

She also stated that this project is not completely covered by the Redlands Plan. The Redlands Plan is part of the Growth Plan as adopted in 2002.

She then reviewed the Growth Plan. It started in 1994 and took two years to receive community input and be adopted. The Plan assumed a new plan would be in place by 2010. The Growth Plan was always intended to be a dynamic plan, and had language that every three to five years the Plan should be reviewed for possible changes. She then read a few quotes from the Growth Plan that supported the previous statements.

Councilmember Hill noted that although it is not a stepping stone in a premeditated matter, it could be that as densities changes, it might become more feasible.

City Manager Kadrach agreed, but noted that the letters she has received have indicated that some believe it is the same proposal and that she had a say in it.

Scott Peterson, Senior Planner, then reviewed this item. He described the request, and the location. The Planning Commission did recommend approval and the property was recently annexed into the City. Mr. Peterson described the size, and the pressures for growth in that area. The property is within the Persigo Sewer Service boundary and has access to sewer and water. He indicated the property's proximity to the Urban Growth boundary. The Growth Plan encourages development on properties not suited for agricultural use. He described some of the changes that have occurred in the Redlands area that have increased the services available to this property. Mr. Peterson described the surrounding Growth Plan Designations. The Growth Plan Amendment criteria were then addressed by Mr. Peterson. There was an error in such that then existing facts, projects, or trends, (that were reasonably foreseeable), were not accounted for.

It is Mr. Peterson's opinion that as part of the 1996 Growth Plan adoption process between Mesa County and the City of Grand Junction that established the current Future Land Use Map, the property located at 2098 E ½ Road was designated as Estate (2 – 5 Ac./DU), due in large part because of its size – 27.7 acres. This opinion is based on the adjacent larger parcels of land to the east and south that were also designated as Estate because of their size. Adjoining parcels to the north and west were designated as Residential Medium Low (2 – 4 DU/Ac.) due to their smaller size and having already been developed as single-family home properties. Current County zoning for the area is RSF-2 and RSF-4, Residential Single-Family 2 and 4 units/acre, which would be more in line with the requested Growth Plan designation of Residential Medium Low.

The property is also located within the Persigo 201 Sewer Service Boundary. As stated previously, the current Growth Plan was adopted in 1996. In 1998, however, the City and Mesa County entered into an Intergovernmental Agreement known as the Persigo Agreement. Section C, Implementation – Zoning – Master Plan, item #11 from this Agreement states that *“the parties agree that any property within the 201 should eventually develop at an urban level of density. For this agreement, residential lot sizes of two acres gross or larger are deemed to not be “urban” while smaller parcel or lot sizes are deemed to be “urban.”* This item is also mentioned in the Redlands Area Plan (Page 32).

Current growth trends in the Grand Valley the past few years could not be taken into consideration when the Growth Plan was adopted in 1996, as there was no way to predict the current growth and development impacts in the area due to the current energy related boom.

Therefore, because of these three (3) issues, the Planning Commission felt that there was an error such that then existing facts, projects or trends were not entirely accounted for.

Mr. Peterson also addressed the other Growth Plan Amendment criteria: Subsequent events have invalidated the original premises and finding to which his finding was residential development and urban pressures both in and around the area of Tiara

Rado Golf Course, and also the Redlands in general has increased, since the current Growth Plan was adopted in 1996. Since this property is located within the Persigo 201 sewer service area boundary, urban development is encouraged to take advantage of this public infrastructure, and to decrease urban sprawl.

Mr. Peterson advised that the City of Grand Junction is currently in the process of developing a Comprehensive Plan and it is anticipated by the consultants that an additional 52,000 homes will be constructed within the Grand Valley which would equate to a population increase of 120,000. To accommodate this anticipated population increase, higher density developments will be needed.

Next criteria is that the character and/or condition of the area has changed enough that the amendment is acceptable, and such changes were not anticipated, and are not consistent with the plan.

As the applicant has stated in their General Project Report, the character of the area is one of transition and urbanization. The development of the existing area around Tiara Rado Golf Course with smaller single family lots, (less than  $\frac{1}{4}$  acre in size), and also multi-family dwellings indicates that this area would be appropriate for residential densities greater than 2 – 5 acre lot sizes as is now designated for the property.

Criteria C is that the change is consistent with the goals and policies of the Plan, including applicable special area, neighborhood and corridor plans. The proposal is consistent with the goals and policies of the Growth Plan and Redlands Area Plan which promote an increase in densities and development on land not suitable for agricultural uses (Goal 22). This area is also in the Urban Growth Boundary which promotes areas of development that have adequate public facilities, and thus better use of infrastructure (Goals 4 & 5 of the Growth Plan).

Goal 15 of the Growth Plan is to achieve a mix of compatible housing styles and densities dispersed throughout the community. If the Growth Plan Amendment is approved, it would allow a mix of housing types and densities between two and four units/acre with the existing larger lot developments. The Redlands Area Plan also states that a goal of the Plan is to achieve a mix of compatible housing types and densities dispersed throughout the community (Page 85).

Mr. Peterson's findings included that much of the Residential Medium Low (2 – 4 DU/Ac.) designated lands have already been developed as single-family home properties leaving not much if any, vacant land with this land use designation. Therefore, it is reasonable to recognize that public infrastructure is already in the area and properties that are currently undeveloped and have larger acreage to support increased densities, such as this, should be considered.

The community will benefit by increased densities in areas that already have adequate facilities and services rather than perpetuating sprawl to outlying areas, thus meeting

the goals and policies of the Growth Plan and Redlands Area Plan. Upgraded utility services, such as sewer, will benefit both this development and adjacent properties.

He concluded that the proposal meets many of the goals and policies of the Growth Plan and the request meets the criteria for a Growth Plan Amendment.

Councilmember Coons asked for specific information on the surrounding densities. Mr. Peterson described the different subdivisions in adjacent areas.

Councilmember Thomason asked if the roads are adequate. Mr. Peterson said there is only the local street E ½ Road, and that would have to be upgraded with the development.

Councilmember Hill asked if Criteria A is met, would any other criteria have to be met. Mr. Peterson said no, but there are findings under each of the criteria.

Councilmember Hill asked about the zoning for the Desert Hills Subdivision. Mr. Peterson answered it is Estate, 2-5 acres per unit. Councilmember Hill then asked about the zoning of the Preserves Subdivision. Mr. Peterson stated it is Rural, five acres and up per density unit.

Councilmember Hill asked if it was due to their proximity to the City limits that these areas (Desert Hills and The Preserve) were not annexed due to the City. City Attorney Shaver answered affirmatively.

Councilmember Hill said he does not see that the character and conditions of the area has changed. Mr. Peterson said public infrastructure is available, and adjacent on both sides of the property. There has also been small lot size development in the area.

Councilmember Coons asked how many of the subdivisions have been approved since the Growth Plan was adopted. Mr. Peterson said the Preserves was existing at the time the Growth Plan was adopted, but the Seasons was under development at that time. The Desert Hills Subdivision is new since the Growth Plan, and some of the newer phases of Monument Village were added since the adoption of the Growth Plan.

Mac Cunningham, South Rim, representing the applicant, expressed appreciation for the Staff's recommendation, and the Planning Commission's recommendation for approval. This property has been zoned 2-4 homes per acre since 1961. No one has objected previously. The County reconfirmed this zoning last year. He asked that the current zoning be respected. When the Growth Plan Designations were placed, individual parcels were not considered, unless the owner spoke up at the time. Urban levels of densities were anticipated for this area. The Growth Plan concepts were the desire of the many participants in the Growth Plan process.

Bob Blanchard, 706 Jasmine Lane, representing the applicant, reiterated that the proposal does meet all seven criteria for a Growth Plan Amendment, but as

Councilmember Hill pointed out, if Criteria A is met, no other criteria needs to be met. The Growth Plan did not anticipate the growth rate being realized currently. The definition of Urban in the Growth Plan is 2 acres or less per dwelling unit. He pointed out the Growth Plan, the Persigo Agreement, and the Redlands Plan are jointly adopted plans. He read sections out of the Persigo Agreement and out of the Growth Plan that support the request to honor the existing zoning as of the date of the Persigo Agreement in the County.

Mr. Blanchard then addressed the other criteria, and how those are being met by the proposal. Recent actions of City Council include a growth plan consistency determination for Fairway Villas. Another recent action was the Ferree property which was redesignated as Residential Medium Low. Mr. Blanchard concluded that the project is consistent with the Growth Plan, and the Redlands Area Plan.

Mac Cunningham, applicant, then clarified that the only commercial center in the Redlands (Safeway) has expanded recently. He then pointed out a number of other subdivisions that are similar or higher densities. The traffic analysis has indicated that the roads are sufficient for the current County zonings. The sewer extension would also make sewer available to other surrounding properties that may need to be upgraded. He pointed out the area schools, and the recreational opportunities. He reiterated that an error on the Growth Plan exists designating this property as Estate, and asked that the City Council find that the amendment is consistent with the Growth Plan.

Council President Doody called a recess at 8:28 p.m.

The meeting reconvened at 8:43 p.m.

Council President Doody said that he would like to have five individuals in favor, and five in opposition, and for comments to be limited to five minutes. He asked for those in favor to speak first.

Don Pettygrove, 8 Moselle Court, lives in the Vineyards, said the 201 Boundary and the City's Annexation Policy in the 1990's brought the Persigo Agreement forward. The Persigo Agreement recognizes two acres as the maximum lot size for urban densities, and anything smaller would not allow the treatment plant to work properly. He suggested that the larger lots should have been redesignated back then. In Paragraph 11 of the Persigo Agreement that recognized the zoning at the time of the agreement, the Commissioners wanted to protect those owners with their existing zoning.

David Meyers, President of Western Colorado Associated Builders and Contractors, 2501 Blichman Avenue, agreed with Mr. Pettygrove and stated there is a need for this type of density. There are many more reasons to go forward than not.

Ted Munkres, 121 Chipeta Avenue, stated the reasons for housing to be unaffordable are the regulations for development. There are too many regulations on development and too

many regulations preventing development. His point was that density is an issue in affordable housing.

Molly Fritzel, a resident of the City, she said she is the demographic for the area and she is made to feel that Redlands is not a part of Grand Junction and her demographic is not welcome in the Redlands. She said this occurs by continually opposing density on the Redlands which is controlling the demographics. The developer pays for the upgrades to the infrastructure and density leads to affordability and sales lead to jobs. The density needs to happen, and those opposed should ensure the infrastructure is in place to support the growth, but let the density happen.

Matt Mayer, 2038 Wrangler Lane, said that the significant growth will affect every resident. Growth is here and many are benefiting from it. The people of the Redlands must help shoulder some of the impact of growth. The infrastructure is there and the cost is already invested so he believes they should take advantage of it.

Peggy Rawlins, 519 Liberty Cap Court, described the road infrastructure that gets to the Redlands and into the area. She described the area that has been purchased for a new school site on Wildwood and the road up to the Tiara Rado and the site of the proposal and beyond to Broadway. She did not believe it is sane to develop in that area.

Dick Keeler, 2208 Crestline Court, said people pay to come to the Redlands and they pay high prices for housing. This will devalue that area.

Dick Fulton, 1556 Wellington Avenue, said this is the third time he has appeared since November. He shared conversations he has had with others who have serious discontent on the way things are being handled by the City for current growth. He said the Council has a lack of responsiveness to anyone other than developers. They are not opposed to growth, but are upset that the Council is embracing growth at any cost. He referred to the article in the paper which quoted the City Manager as saying that since there are 10,000 more people than expected, the Growth Plan is outdated. He agreed that the Growth Plan was intended to be a dynamic document, but there are criteria to be met. He said just because growth has occurred does not mean there is an error. He felt the City Council is ignoring the criteria or the City Council is rationalizing that they don't have to follow the rules. He questioned the Council's loyalties. He said the citizens are not opposed to growth, but they want to see controlled and managed growth. He feels there needs to be a middle ground reached. He feels citizen input is needed earlier in the process. The main message he has heard is to follow the Growth Plan until the new plan has been implemented.

Liane Abrams, 527 ½ Mockingbird Lane, has lived in the Redlands for thirty years. She said she does not believe she is legally or morally responsible for finding a place for everyone to live in the Redlands. She just wants to be left alone.

Patty Milius, 445 Wildwood Drive, said she does not live in the City so the Council is not responsible for her area. After the Persigo Agreement, the amount of property in the

Redlands acquired by the City limits has exploded. She felt this approval will result in the two adjacent properties also being approved which will mean 300 to 500 more houses in the South Broadway area. The road is not acceptable for the amount of traffic that these residences will generate. She suggested that the roads be put in first to address the roadway safety.

Robert McFarland, 2047 Low Ball Court, lives about ¼ mile from the project site. He is in favor of the project. Older residents want this type of development in the Redlands where they don't have to maintain the yard. This type of density can create the type of lifestyle that everyone desires.

Steve Kesler, 494 Tiara Drive, said he drives by that intersection a couple times of day. All have experienced change and it can be hard, but it cannot be prevented. Change has been happening in this valley for a long time. This is an energy capital and an attractive place to live. Those who wrote the billboard are the ones who are taking property rights away by taking away opportunities. He said residents don't have the luxury of pretending that change is not happening.

Jay Hoffman, Tiara Rado, is opposed the project. He thought the developer was trying to have it both ways by saying the Growth Plan as it was originally conceived is no longer current, but then wanted to follow the Growth Plan. He disagreed that the street infrastructure was adequate. He encouraged the Council to drive the road. He said the road won't support the additional traffic. He thought it was Council's duty to preserve the open space to improve the quality of life.

Tom Fee, 2082 E ½ Road, said his property borders the subject property to the west. He said his property is zoned 2 to 4 units per acre, but the surrounding area is built as Estate-type properties. These homeowners have made significant investments in these types of Estate properties and this proposal is out of character with the existing neighborhood and surroundings.

Kathleen Conway, 2045 S. Broadway, lives three houses down from the main entrance to the development. In terms of recreation, there is no place to walk or walk dogs. A development should require recreation and park development. The infrastructure is not there for cyclists who currently use the road, and there are no paths, so one has to walk on the roads. In addition, there is no buffer zone to the National Monument.

Vickie Howe, 2083 Hodessa, said her property backs up to the subject property described in the surrounding densities. She said the proposal will decrease the value of her property and is not consistent with the surrounding area.

Rick Warren, 2622 H Road, has lived here for 7 years. He represents the Residents to Preserve Rural Grand Junction. He is here to protest the high density development. He referred to the Vision 20/20 Plan that is the foundational document that guides the City Council. Most residents still hold to this vision. He said that the Redlands and the north area are inappropriate for high density housing. In the 8 years since the Growth Plan was

added to the list, the pace of growth had definitely not increased by a factor of 20 to match the increase in housing density that the rezone requests.

He said the high density development in the Redlands is not compact growth, but is sprawl. He said the Redlands is a showcase area and the people who live there pay the price to live there. It would be wrong to take away the quality of life that the Growth Plan guarantees. He referred to a newspaper article and expressed that he does not think the opportunity for citizen input is fair or adequate in that citizens are not allowed input into the process but for a few sound bites. He asked that the request be rejected.

Rob Johnson, 583 20 Road, said he is not opposed to high density and that there is a need for high density and affordable housing. He said that Germany had good examples for high density housing. Since 2001 there has been 54 Growth Plan Amendment applications and 33 have been approved. He said that there should be a plan and it should be followed, and then there is no reason for exceptions. There is a lot of high density housing already in the Redlands so they have done their part. The low density is the type of housing that is in danger. There should be planning for open space and green space. It would be disturbing to let this space go. Germans started over and did real planning after WWII. There are other places where high density would fit, but he does not see the sense in putting high density on this piece of land.

Dennis Stark, 524 S. Broadway, said he does not believe what the demographers say. This is a special area. There will always be people that want larger lots, if not in the Redlands they will go out to Fruita or Loma. Perhaps this subdivision won't be the tipping point for the traffic, but as more development comes the traffic will be a tipping point.

Carol Kissinger, 449 High Tiara, President of The Season's Homeowner's Association, said that yes, the Safeway Center has expanded, but most of the shops are sitting empty. She thanked the Council for the Fire Station, but there are no EMS services available out of this station. The school has purchased property on Wildwood, but the School Board may trade it or use it as leverage for other properties. The infrastructure is really not there, and the density is to the east and north of Broadway. It would be a shame to see more density in this area.

Paul Brown, 2067 E ½ Road, thanked City Manager Kadrich for her article. The Comprehensive Plan is not done today, and it is time consuming and tough. Until that plan is done, the City has to live by the old Growth Plan regarding meeting the seven criteria. Recently the Wildwood Subdivision was rejected for the same criteria. He encouraged Council to stick with the rules and reject this plan. He felt the Planning Commission should be handling this, not the City Council, and there shouldn't be this discontent in the community.

Steve Voytilla, 2099 Desert Hill Road, presented the enrollment counts for the Redlands Area schools as follows: Wingate Elementary School has a capacity of 441 students and there is currently 452 students enrolled, 11 over capacity. The Redlands Middle School's capacity is 588 children with 643 currently enrolled at 55 over capacity. Mr. Voytilla read



from the Strategic Plan for 2002-2012, said he believes that it would be irresponsible to plan for this high density when both schools are over capacity right now.

Mr. Voytilla went to City Hall and asked what the Policy and Procedures were for the Redlands, and he was sold a book for \$25. They didn't sell him the Comprehensive Plan, just the Redlands Area Plan, and a new resident would mistakenly rely on it for information on the Future Growth Plan. He said the City needs to go by the Redlands Area Plan until the Comprehensive Plan is up to speed.

Randy Stouder, 303 E. Dakota Drive, said he has heard a lot of realtors speaking against development tonight. He has heard about the master plan being dynamic to justify changes. He wrote a master plan for a City once, a very pro-growth community. The Redlands Area Plan he thought was adopted in 2002, and the Estate planning was placed in the mid-90's. It seems like the Persigo Agreement is a real mess. To insist that everything must be under 2 acres is ridiculous. The area is diverse. The road is a problem. Supply and demand isn't going to bring the housing costs down. There needs to be some real planning done and not reacting.

Dave Conner, 506 Liberty Cap Court, said since he lives in the County he doesn't have a say because he doesn't live in the City, but he comes under the Persigo Agreement. He asked Council to listen since they can't have a vote.

John Elmer, 2829 Caper Court, was Chairman of the Planning Commission in 1996 and many years after, and was part of the process in determining approving this map and the original Growth Plan. He said it is the City Council's job to look at the facts and assess it to the Code, and see if an error was made and then look at trends back then. It is true that they did not forecast the rate, but did forecast growth. There was a lot of testimony for this area. To say there was an error made of this magnitude, he would disagree. The difference is between 8 lots and 80 lots, and to suggest an error it just ridiculous. There was a lot of consideration that went into this Plan. The Redlands is growing as planned. The Persigo Agreement, if used to justify this parcel, means a much bigger policy change. Most subdivisions that were approved in 1996, were not built out to the density approved. That was what they looked at during the development of the Growth Plan. He disagrees that an error was made.

Terri Dixon, 421 Wildwood Drive, said she has a 40 acre property in the Redlands that the County rezoned and is now zoned at 2 to 4 units per acre. She had the option to apply to change it. They didn't challenge it because they never requested that it be changed to begin with.

Mike McLaughlin, 2076 S. Broadway, said he is neither pro nor con on this project. Grand Junction has a wonderful array of elements, and he lauded the river reclamation. The Redlands is also very special. If this is approved it will lead to the Redlands losing its personality. This development will cause a domino high urban density effect up to the Monument, and the City will lose that personality element forever.

Garret Jackson, 450 Meadows Way, is a new resident, and he agreed with the previous speaker that the City will not have a choice when the next developer comes. He wants to see intelligence and sensitivity to the needs and character of the area. He believes the City needs to live with the existing plan and not rush the density.

Christy Reece, lives downtown and is a realtor. She said she knows what people are looking for in the Redlands. There are people who would like to live there, but can't afford it. However, there have been three recently approved subdivisions that offer high density and are in more appropriate locations that can handle the density than this one.

Council President Doody called a recess at 10:26 p.m.

The meeting reconvened at 10:38 p.m.

Mike Anton, 2111 Desert Hills Road, said it was a very emotional evening that actually started with the Planning Commission in December. He felt some incorrect statements were made by the Planning Commissioners. Mr. Anton said he worked hard to purchase his property in the Redlands, and was glad to hear the Growth Plan is still intact. Mr. Anton said he was just asking for consistency. He asked that the development be developed at Estate density and follow the Plan. He believes this will be a domino affect if approved. He said the Redlands is a fantastic area and it is the jewel of Grand Junction, and the City needs to stay consistent with the area and density.

Kate Holmes, 587 21 1/8 Road, talked about quality of life issues regarding water and air. She said the City must consider the air inversions that occur, and be good stewards of the environment.

James Tanner, 2084 Hodesha Court, lives adjacent to the subject property. There are three bridges to cross to get into the Redlands, and as the area continues to grow he can't imagine the two lane roads being enough to transport the traffic to and from the development.

That concluded the public comments.

The public hearing was closed at 10:48 p.m.

Mac Cunningham, for rebuttal, said that he was asking for the zoning in place to be respected. This is not tied into another larger project. The Persigo Agreement does result in this being an error in the Growth Plan designation. All the issues related to access, open space, and trails will have to be dealt with before development. He believes there is an opportunity to take this property and hold it true to the zoning, and still look forward to meeting the needs of the entire valley. A Growth Plan application is being proposed and he believes they are conforming to all the standards and asked for approval.

Councilmember Palmer asked Staff if the roads, other than the two that were being increased by the developer, were looked at. Mr. Peterson said that at the Growth Plan

Amendment stage they only look at the access to the property. The 2035 Traffic Plan said there is adequate capacity at build out at the current zoning. He said there was a Development Engineer present for further reference.

Development Engineer Eric Hahn said, at the Growth Plan Amendment stage, there is no specific analysis done of the street capacity. What is accounted for is if there is adequate infrastructure available that can be developed. Since there is not a plan now, there is no analysis. The 2035 Traffic Plan looks at the primary corridors. It does not look at trails or intersection, or adequate shoulders. Those areas will be analyzed when there is a specific use proposal, and then the developer has to do a full Traffic Impact Study.

Councilmember Palmer asked, if it is discovered that the traffic impact is significant, does that then become a City problem? Mr. Hahn said yes, as collector streets or higher would be the City's responsibility.

Councilmember Coons asked about the water tables and flooding and those capacities. Mr. Peterson said the Redlands Area Plan does address the soil. At design stage the soils will be looked at for lot configuration. On drainage, Mr. Peterson deferred to Mr. Hahn.

Eric Hahn, Development Engineer, said it is the same answer. At this stage, there is no analysis done without a plan.

Councilmember Beckstein said since they roughly know there will be an impact on the road why doesn't the City have the County address the road improvements so it doesn't become the City taxpayers' problems. She was confused as to why the Council is involved at this time.

City Manager Kadrach clarified that this project is before the City Council before the Comprehensive Plan is done because neither the City Council nor Planning Commissioners wanted to wait to look at it. Due to transportation concerns, many communities are modifying the approach of dense inner cities at this juncture.

City Attorney Shaver said Criteria E talks about facilities and the real issue is the weight given to the testimony. The Council can define those community and public facilities as the development is defined, but it is fair to address these issues now.

Councilmember Beckstein said there are more consequences due to the road structure being located in the County. She feels the City Council is being hindered by not being able to look at these concerns now, but that they are just looking at the Growth Plan Amendment.

City Attorney Shaver said the legal answer is that the City Council is allowed to look at these things and are not legally constrained.

Councilmember Coons said the process seems disjointed in some ways that they don't get to look at the development until way down the road. She does like getting to see the development in the Planned Development process.

Councilmember Beckstein said the Comprehensive Plan started too late, and they don't want to hinder development, but City Council doesn't get to see the true vision and but still has to respect how it will affect the outlying area, so she feels they are hamstrung.

City Manager Kadrach said City Council can set the course and there is no requirement to approve or disapprove this Amendment. All discussion related to growth over the last six months about the growth in the community, and where best to build neighborhoods in the development community are relevant to tonight's discussion; as well as so called infills into the current Persigo Boundaries. None of these have been easy.

Councilmember Beckstein said the Growth Plan is not something in concrete, but they have to look at each situation, as the City is growing and evolving, and it is not easy for Council to do. Just because the Council lays it down, it doesn't mean it is going to stay the way it is.

Councilmember Palmer stated that the resolution calls for the Growth Plan to be changed from Estate to Residential Medium Low, but the zoning is already zoned 2 to 4. Why is the City Council being asked to amend the Growth Plan from Estate back to what the existing zoning appears to be?

City Attorney Shaver clarified the difference between the Growth Plan and the zoning. The Growth Plan is a general statement of land uses for a piece of property. There are specific zonings that implement those general zonings. The Growth Plan and the existing zoning on the property are inconsistent. The Growth Plan designation must be decided first, and then specific zoning applied to implement that designation.

City Attorney Shaver said the citizens speaking against the application are asking that the designation not be changed to Residential Medium Low from Estate. One way would be to change the designation as the applicant requested, and then the next step would be the zoning. The alternative would be not to change the designation and then the zone of annexation hearing will come before the City Council at a later date. At that time the request would be to change the designation from County to a City zone that is consistent with that Growth Plan category.

Councilmember Palmer asked if there was a designation in-between Estate (2-5 acres per dwelling unit), or the Residential Medium Low (2-4 dwellings per acre), and are there options based on this Resolution that could be considered.

City Attorney Shaver said the City Council could direct staff to rewrite the Resolution to an intermediate category, or to do as the neighbors are asking which is no change by voting this Resolution down. This Resolution is written to be consistent with the applicant's

request of changing the designation to the Residential Medium Low category. Mr. Shaver questioned imposing a designation that is not being requested by the applicant.

Councilmember Todd asked if the developer, under Persigo Agreement, has the right to bring in the existing County zoning with them when they annex. If the City Council says it won't change the Growth Plan, where does that leave the applicant?

City Attorney Shaver said the Persigo Agreement says that a property upon annexation can be zoned with the existing Mesa County zone designation, or it may be zoned to a designation that implements a land use category.

Councilmember Coons confirmed that although the City Council has the option of another Land Use Designation, the applicant is not requesting any other designation. City Attorney Shaver agreed. Selecting an intermediary designation would not be his recommendation.

Councilmember Hill said he appreciates the conversation with an engaged public who knows a lot about Persigo, and the Growth Plan. The Council has opened the door for Growth Plan Amendments any time of year as a way to service the community. Just because the Council hears it doesn't mean the Council will approve it, much like the sewer service boundary expansion. He said dealing with concerns in an open, honest conversation with the community is good. As a policy maker things are done on a case by case basis specific to that particular issue. Regarding the Growth Plan, the Council has been very consistent that the Growth Plan document is the guiding document and held in high regard. So when this conflict comes, if it doesn't meet the plan, they use the process.

Councilmember Hill said this is the process, and it has value, and the City does have a plan. He said he has heard people are not against growth and not against density. This application is not for high density, but it is for an increase in density. The former Planning Commission Chairman was very compelling in saying the Growth Plan was not in error. He said the Planning Commission took into account the trend of growth. The urban level of density is defined, but the Council has not been consistent with that definition. The Council needs to be accountable, but he can't support the request because there was not an error. The plan is the community's plan, and he hopes the community stays engaged as further development is forthcoming.

Councilmember Coons said she disagreed with Mr. Warren's comment that the public isn't able to talk to their City Councilmembers. She said the citizens do talk and the Council has listened. She said she does know the area, having biked through it regularly. Many people say there are more reasonable places for high density, but it is always "not in my area". But no one says where that area is. It is hard to make those decisions. Many citizens say they want reasonable growth, but they don't define what that is. It means different things to different people, which makes her job as a policymaker much more difficult. It is also hard to consider the good of all citizens in the City and consider the future good of all citizens as well. She said there is a compelling argument for a mix of housing. There is a need for more housing for low maintenance properties, but she is not

sure if this is the location. She is concerned about agricultural land, but five acres isn't going to be profitable. She is also concerned about the wildlife corridors. In talking with the experts they say five acre parcels with single-family houses and fences are more destructive than high density with open space around it. She is very concerned about traffic issues in this area. She is also concerned about buffer areas and is supportive of open space. She is concerned about a precedent the City Council may be setting in that area. She agrees with Councilmember Hill and the former Planning Commission member. She can't support this Growth Amendment either.

Councilmember Thomason said he lives in the Redlands, and his main concern is with increased traffic, and the impact on schools. However, he has not seen an adequate alternative offered. If not here, where? Council needs to face facts that this is no longer a small town. He said it is almost insulting to continue to hear that the Council arbitrarily ignores the wishes of someone who is not a developer. For himself, this is far from the truth. He would favor an amendment, but at a lower density maximum of 2 units per acre. A no vote from him does not mean he is a no-growth advocate.

Councilmember Todd said the Council does have to deal with growth and traffic, but the Council cannot continue to keep waiting to make decisions on where to place density. The market place is what is determining the pressure. The application comes to Council, and Council makes the decision at that time. She said they talked about the flexibility and the changes that might be needed when the Growth Plan was developed. The Council thought very hard about the flexibility. The City is in a growth situation and needs to start saying they are going to put houses where there is infrastructure. If they keep holding the densities down it will force the growth into the outside communities of Fruita, Loma and Mack, encouraging sprawl. She says the Council does impose requirements on those who come forward, and she would be in support of this density.

Councilmember Beckstein said the Council cannot ignore the traffic. She sits on the traffic panel and there is a traffic problem. There needs to be a means of travel that will allow travel to and from people's homes, shopping, and schools. She said the Council would be doing a disservice if the Council does not make sure the roads are there. She said that it is the State's and County's responsibility to make these roads safe before these areas are taken into the City. It should not be the City taxpayer's burden. Therefore, she is not in support of the amendment.

Councilmember Palmer said he wanted to thank those that came out tonight. According to Section 2.5.C if there is an error, then the change meets the criteria. As John Elmer said, there is no error. Therefore the applicant would need to meet all the other criteria. Criteria E says the need for public facilities are adequate to serve the type and scope of land use proposed; it is not there. The infrastructure won't support the extra vehicles and traffic, so therefore, Criteria E is not met so he cannot support this amendment.

Council President Doody thanked everyone who came out, but voiced concern about hearing "not in my backyard". The Growth Plan boundaries were 4 days of meetings with a lot of participation. City Council is going into a Persigo meeting on Feb 13<sup>th</sup> to talk about

expanding the boundaries, but the Comprehensive Plan is not complete yet. That is a little backwards for him. He is looking for participation from the citizens on these issues.

Council President Doody noted that coming around Riggs Hill is a terrible road, and one must be careful to watch for cyclists and pedestrians. When the City annexes property through the Persigo Agreement, he questioned the County's lack of participation in bringing some of the roads up to standard since the City has to fix the road and then the City takes the heat trying to plan it out. The dialogue is good and the Council has been a great Council. The Council has listened to the public. The Council lives here and this is their home too.

Councilmember Todd cautioned fellow Councilmembers not to delay decisions because the County and the State are not doing their part. She said the Council will need to bite the bullet and take care of the needs of the people moving into this community.

Councilmember Hill said that the need more housing is not one of the Growth Plan Amendment criteria. He must consider the Criteria. If there is an error, then that should be the determination. It needs to be figured out as a community and he hopes the community is engaged going into the Comprehensive Plan. He also feels the transportation is a challenge not a barrier.

Councilmember Beckstein reiterated that the County and the State needs to be addressing many of these issues, and City Council needs better dialogue with those entities.

Councilmember Palmer said he agrees there is a need for more density in places where it fits, and he encourages it. However, this project does not fit the criteria.

Councilmember Todd clarified that it is not just this application, but for futher applications, as there are entities the City does not have control over. The City could be totally shut down if they waited for someone else to come in and do the work.

Resolution No. 16-08—A Resolution Amending the Growth Plan of the City of Grand Junction to Designate Approximately 27.7 +/- Acres Located at 2098 E ½ Road from Estate (2-5 Ac./Du) to Residential Medium Low (2-4 DU/Ac) to be Known as the Lime Kiln Creek Ranch

Councilmember Hill moved to adopt Resolution No. 16-08. Councilmember Palmer seconded the motion.

Council President Doody said, with respect to the conversations about moving the boundaries, Council needs to figure out what the City is doing.

Motion failed by roll call vote with Councilmember Todd voting YES.

**Non-Scheduled Citizens & Visitors**

There were none.

**Other Business**

There was none.

**Adjournment**

The meeting adjourned at 11:58 p.m.

Stephanie Tuin, MMC



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

**February 6, 2008**

The City Council of the City of Grand Junction convened into regular session on the 6<sup>th</sup> day of February 2008 at 7:03 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Bruce Hill, Gregg Palmer, Doug Thomason, Linda Romer Todd, and Council President Jim Doody. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Doody called the meeting to order. Councilmember Beckstein led in the Pledge of Allegiance.

Council President Doody recognized Jordan Potterton from Boy Scout Troop 328, and Max O'Rourke from Advanced Placement Government class at Grand Junction High School.

**Citizen Comments**

There were none.

**CONSENT CALENDAR**

Councilmember Todd read the items on the Consent Calendar and then moved to approve the Consent Calendar. It was seconded by Councilmember Hill, and carried by roll call vote to approve Consent Items #1 through #10.

1. **Setting a Hearing on Amending the Code Regarding Industrial Pretreatment**

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*

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

Request to vacate the north/south alley between S. 8<sup>th</sup> and S. 9<sup>th</sup> 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 8<sup>th</sup> and South 9<sup>th</sup> Streets, North of Winters Avenue

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

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

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*

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

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, and 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*

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]

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*

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

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*

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]

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*

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

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*

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]

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*

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

Request to allow construction of a landscaping berm for drainage purposes to be located on City owned property adjacent to the 10<sup>th</sup> 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*

## ITEMS NEEDING INDIVIDUAL CONSIDERATION

### **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]

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.

The public hearing was opened at 7:10 p.m.

Kathy Portner, Neighborhood Services Manager, reviewed this item. The items relate to allocations which were made in 2007. The Action Plans must be amended in order for the items to move forward. The funds are being applied to the Hale Avenue Sidewalk Improvements.

The second item for consideration is the subrecipient contract with Rocky Mountain Head Start Program. Judy Lopez from Head Start was present for any questions.

Councilmember Coons voiced concerns about the bids for the Duck Pond Park project improvements that the funds were originally allocated for and asked if the project is still a possibility. Ms. Portner said the project is still eligible, and they will look at allocating appropriate funds. There will also be additional funds that are not being used for administration due to the City's reorganization.

Judy Lopez, Rocky Mountain Head Start, thanked the Council for the allocation.

There were no public comments.

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

Councilmember Hill reviewed the recent history of the CDBG funding at the federal level and how he was part of an effort to keep those funds intact. Recent discussions have centered around the effect the onerous amount of paperwork has on the distribution of funds, and in that funds are used for a paperwork shuffle amounting to \$800 million. The City has increased efficiencies to reduce its administrative costs.

Councilmember Coons moved to 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. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

**Public Hearing – Meens Annexation, Located at 2475 Monument Road** [File #GPA-2007-262]

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.

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

Scott D. Peterson, Senior Planner, reviewed this item. He described the site, the location, the proximity to the current City limits and the area of annexation. The property is currently vacant, and this annexation will be in conjunction with the Three Sisters development. This annexation is 19 acres, 17 acres are the actual site. The Future Land Use is Residential Low, which is ½ to 2 acres per dwelling unit. A Growth Plan Amendment will be considered along with the Outline Development Plan at the next meeting. Mr. Peterson stated his findings that the request meets the criteria and he recommended approval. He read an email received late this afternoon regarding the request asking that the public hearing be postponed (attached).

Councilmember Hill asked the City Attorney the relevancy of the email to this action being considered. City Attorney Shaver advised that the owner must consent to the annexation in order for this item to come forward so the implication that the owner was not aware is inaccurate.

Councilmember Todd clarified that the owner must sign the annexation petition. City Attorney Shaver confirmed that to be so.

Planner Peterson stated the City has the owner's signature on the annexation petition and a Power of Attorney allowing Mr. Caldwell to apply for a Growth Plan Amendment on the property.

There were no public comments.

The public hearing was closed at 7:26 p.m.

Councilmember Todd thanked Staff for the clarifications for the audience so there was no misunderstanding.

**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

Councilmember Thomason moved to adopt Resolution No. 21-08, and adopt Ordinance No. 4179, and ordered it published. Councilmember Palmer seconded the motion. Motion carried by roll call vote.

**Non-Scheduled Citizens & Visitors**

There were none.

**Other Business**

There was none.

**Adjournment**

The meeting adjourned at 7:28 p.m.

Stephanie Tuin, MMC



**From:** Randy Stouder  
**To:** Scott Peterson  
**Date:** 2/6/08  
**Subject:** Fwd: Public Hearing--Means Annexation

>>> "redlandsrealty" <[redlandsrealty@bresnan.net](mailto:redlandsrealty@bresnan.net)> 2/6/2008 5:12 PM >>>

Dear Scott:

Please read the following to the Town Council at the end of your presentation on the above mentioned item and make this email a part of the public record.

"Dear Council, with all due respect I feel that the public hearing on the Meens Annexation should be postponed for one week so that it can be heard and acted upon concurrent with the Three Sister Area Annexation request and Planned Development ODP. I make this request because the applicant is proposing one project that encompasses both of properties and because Mr. Caldwell does not own the Meens property at this time. This last point is important because if the ODP is rejected next week as I hope it will be, then Mr. Caldwell may not be willing to go through with the purchase of the Meens property and thus you would be annexing a property/owner that may not wish to annex and develop at the current time. Are the current owners aware that if they annex and Mr. Caldwell Does not purchase their property that they will face an increased tax burden?"

Respectfully,

Randy Stouder  
303 East Dakota Drive  
Grand Junction, CO 81503  
260-0800

**Attach 2**

**Construction Contract for 23 Road Sewer Improvement District Project  
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Construction Contract for the 23 Road Sewer Improvement District Project		
<b>File #</b>			
<b>Meeting Day, Date</b>	Wednesday, February 20, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>	<b>x</b>	<b>Individual</b>
<b>Date Prepared</b>	February 11, 2008		
<b>Author Name &amp; Title</b>	Bret Guillory, Utility Engineer		
<b>Presenter Name &amp; Title</b>	Tim Moore, Public Works and Planning Director		

**Summary:** The Mesa County Commissioners are scheduled to create the 23 Road Sewer Improvement District February 25, 2008. The 23 Road Sewer Improvement District project will allow for the elimination of septic systems by installing a 10" and 6" sanitary sewer line along 23 Road, Hwy 340, and South Broadway.

**Budget:** Costs to be incurred within the limits of the proposed district boundaries are estimated to be \$452,937. Sufficient funds have been transferred from Fund 902, the sewer system "general fund", to pay for these costs. Except for the 30% Septic System Elimination Program (SSEP) contribution, this fund will be reimbursed by assessments to be levied against the 28 benefiting properties, as follows:

Estimated Project Costs	\$452,937	\$16,176/ lot
-30% SSE amount (excluding easement costs)	<u>(\$130,346)</u>	<u>(\$ 4,655) / lot</u>
Total Estimated Assessments	\$322,588	\$11,521/ lot

This proposed improvement district is slated for construction as part of the 2008 budget of \$1,000,000 in **906-F48200**. A breakdown of the budget is as follows:

PROJECT NAME	BUDGET ESTIMATE
23 Road S of Broadway	\$ 480,000.00
Galley Lane (completion)	\$ 100,000.00
Sperber	\$ 107,466.00
Budget Total	<u>\$1,000,000.00</u>
Remaining Funds:	\$ 312,534.00

**Action Requested/Recommendation:** Authorize the City Manager to execute a Construction Contract for the 23 Road Sewer Improvement District with M.A. Concrete Construction Inc., in the amount of \$411,610.98. Award of contract is contingent on formation of the sewer improvement district by Mesa County Commissioners on February 25, 2008.

**Attachments:** None

**Background Information:** This project will be constructed under the Septic System Elimination Program (SSEP) that was adopted by City Council and the Mesa County Commissioners in May of 2000. Through the SSEP program the Persigo system provides financing for sewer improvement district projects as well as underwriting 30% of the costs to extend sewer service to property lines. Neighborhoods are able to form sewer improvements districts, such as this one, by petitioning City Council or the Mesa County Commissioners.

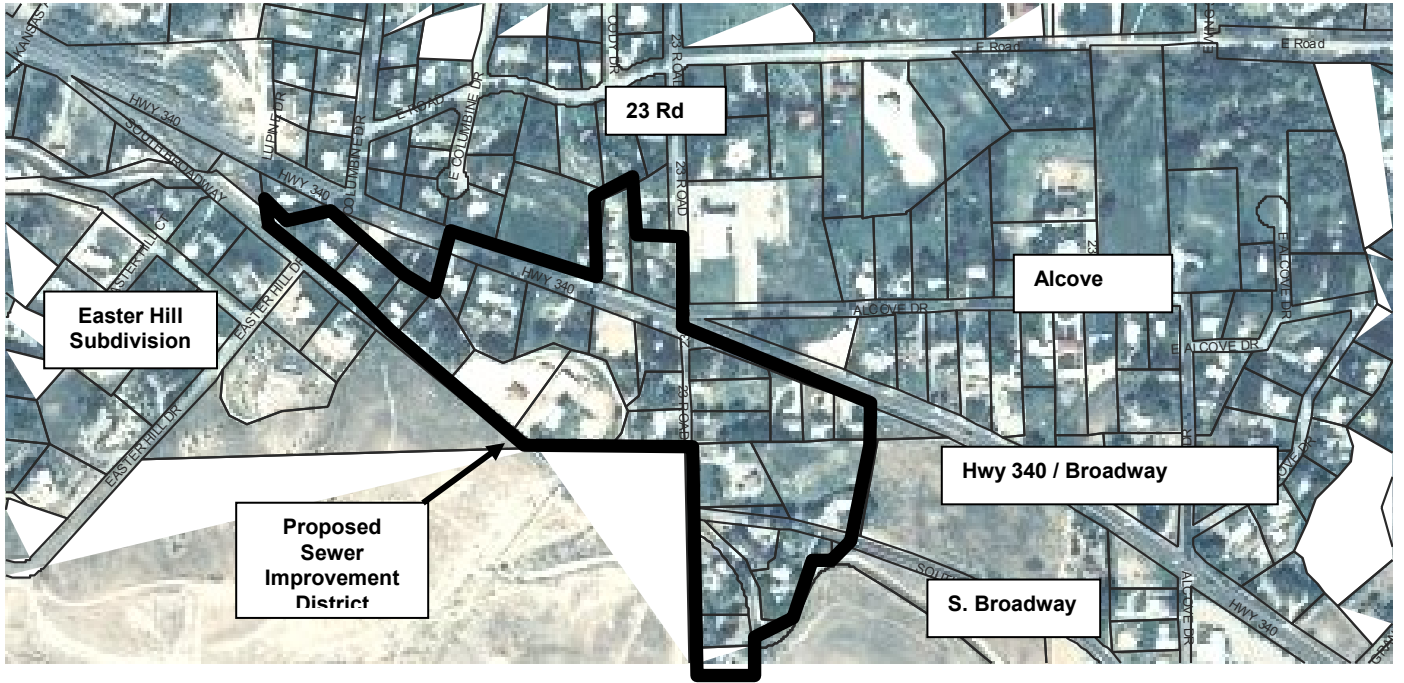
The owners of real estate located in the unincorporated area of Mesa County, east & west of 23 Road along 23 Road, south of Hwy 340 have petitioned the Mesa County Board of County Commissioners (BOCC) to create an improvement district for the installation of sanitary sewer facilities. The BOCC will legally form the sewer improvement district on February 25, 2008 based on bids received. Bids were received and opened on December 4, 2007 for the 23 Road Sewer Improvement District.

Should the district be formed, work is scheduled to begin on or about March 10, 2008 and continue for 84 calendar days with the majority of work being completed before June 3, 2008.

The following bids were received for this project:

<u>Contractor</u>	<u>From</u>	<u>Bid Amount</u>
MA Concrete Construction	Grand Junction, CO	\$411,610.98
T. Lowell	Castle Rock, CO	\$440,000.00
Pate Construction	Pueblo West, CO	\$532,367.00
Sorter Construction	Grand Junction, CO	\$545,764.00
Downey Excavating	Montrose, CO	\$608,240.00
Spallone Construction	Gunnison, CO	\$654,678.00
Twin Peaks	Boulder City, CO	\$689,048.00
Parker Excavating	Pueblo, CO	\$767,394.90
Engineer's Estimate		\$461,671.95

# BOUNDARY OF THE 23 ROAD SANITARY SEWER IMPROVEMENT DISTRICT



**Attach 3**

**Setting a Hearing on the Holbrook Annexation, Located at 2525 D Road  
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Holbrook Annexation - Located at 2525 D Road		
<b>File #</b>	ANX-2007-361		
<b>Meeting Day, Date</b>	Wednesday, February 20, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>	<b>X</b>	<b>Individual</b>
<b>Date Prepared</b>	February 8, 2008		
<b>Author Name &amp; Title</b>	Senta L. Costello - Associate Planner		
<b>Presenter Name &amp; Title</b>	Senta L. Costello - Associate Planner		

**Summary:** Request to annex 14.29 acres, located at 2525 D Road. The Holbrook Annexation consists of 1 parcel, includes portions of the Monument Road and D Road rights-of-way, and is a 4 part serial annexation.

**Budget:** N/A

**Action Requested/Recommendation:** Adopt a Resolution referring the petition for the Holbrook Annexation and introduce the proposed Ordinances and set a hearing for March 31, 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**

<b>Location:</b>		2525 D Road		
<b>Applicants:</b>		Owner: Gary/Jackie Holbrook; Developer: Pineneedle Development – Todd Gullette; Representative: Ciavonne Roberts & Associates – Keith Ehlers		
<b>Existing Land Use:</b>		Residential/Agricultural		
<b>Proposed Land Use:</b>		Residential Subdivision		
<b>Surrounding Land Use:</b>	<b>North</b>	Single Family Residential		
	<b>South</b>	Single Family Residential		
	<b>East</b>	Single Family Residential		
	<b>West</b>	Redlands Power Canal #1/Single Family Residential		
<b>Existing Zoning:</b>		County RMF-8 (Residential Multi-Family 8 du/ac)		
<b>Proposed Zoning:</b>		City R-4 (Residential 4 du/ac)		
<b>Surrounding Zoning:</b>	<b>North</b>	County RMF-8 (Residential Multi-Family 8 du/ac)		
	<b>South</b>	County RMF-8 (Residential Multi-Family 8 du/ac)		
	<b>East</b>	County RMF-8 (Residential Multi-Family 8 du/ac)		
	<b>West</b>	City R-4 (Residential 4 du/ac) / CSR (Community Services & Recreation)		
<b>Growth Plan Designation:</b>		Residential Medium Low 2-4 du/ac		
<b>Zoning within density range?</b>		<b>X</b>	<b>Yes</b>	<b>No</b>

**Staff Analysis:**

**ANNEXATION:**

This annexation area consists of 14.29 acres of land and is comprised of 1 parcel. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

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

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;

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

The following annexation and zoning schedule is being proposed.

<b><u>ANNEXATION SCHEDULE</u></b>	
<b>February 20, 2008</b>	Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use
<b>March 11, 2008</b>	Planning Commission considers Zone of Annexation
<b>March 17, 2008</b>	Introduction of a proposed Ordinance on Zoning by City Council
<b>March 31, 2008</b>	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
<b>May 5, 2008</b>	Effective date of Annexation and Zoning

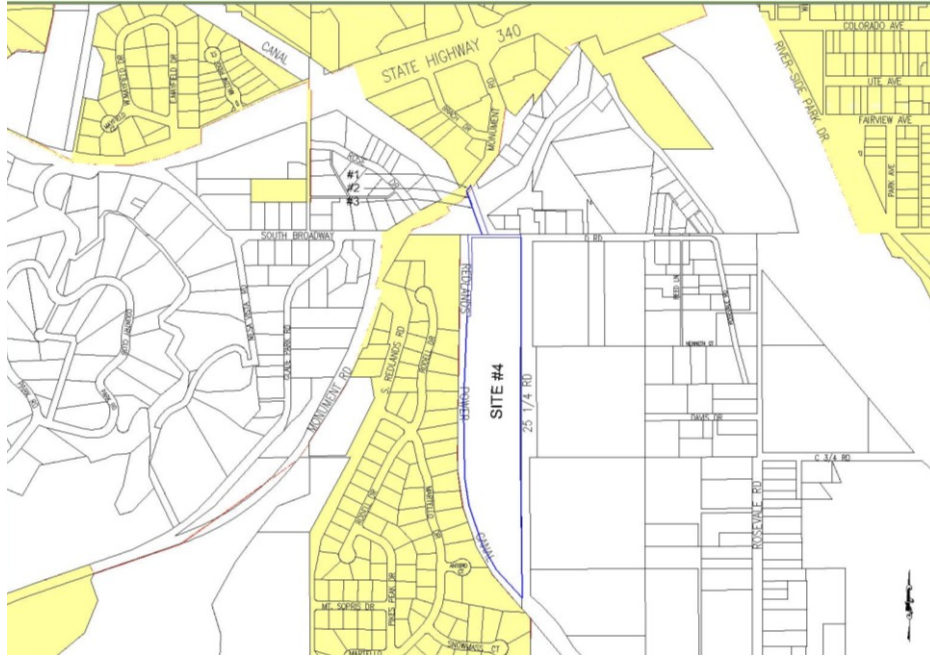
### HOLBROOK ANNEXATION SUMMARY

<b>File Number:</b>	ANX-2007-361	
<b>Location:</b>	2525 D Road	
<b>Tax ID Number:</b>	2945-222-00-139	
<b>Parcels:</b>	1	
<b>Estimated Population:</b>	2	
<b># of Parcels (owner occupied):</b>	1	
<b># of Dwelling Units:</b>	1	
<b>Acres land annexed:</b>	14.29 acres	
<b>Developable Acres Remaining:</b>	14 acres	
<b>Right-of-way in Annexation:</b>	10,723.88 sq ft of Monument Road and D Road rights-of-way	
<b>Previous County Zoning:</b>	RMF-8 (Residential Multi-Family 8 du/ac)	
<b>Proposed City Zoning:</b>	R-4 (Residential 4 du/ac)	
<b>Current Land Use:</b>	Residential/Agricultural	
<b>Future Land Use:</b>	Residential Subdivision	
<b>Values:</b>	<b>Assessed:</b> = \$18,050	
	<b>Actual:</b> = \$226,760	
<b>Address Ranges:</b>	2525 D Road (odd only)	
<b>Special Districts:</b>	<b>Water:</b>	Ute Water
	<b>Sewer:</b>	City
	<b>Fire:</b>	Grand Junction Rural
	<b>Irrigation:</b>	Redlands
	<b>School:</b>	Mesa Co School District #51
	<b>Pest:</b>	Grand River Mosquito



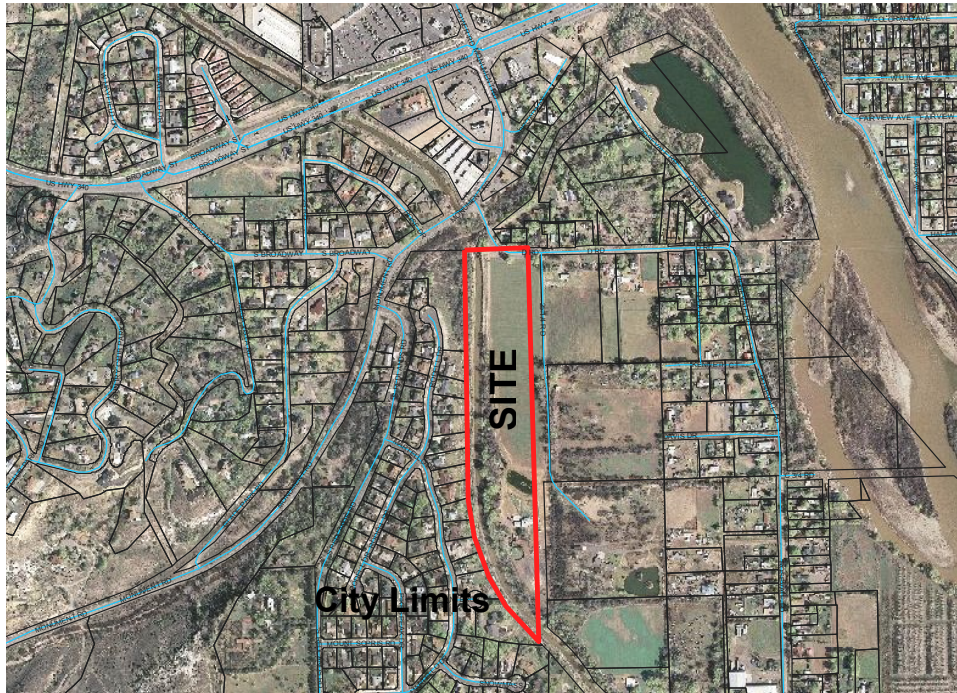
# Annexation / Site Location Map

Figure 1



# Aerial Photo Map

Figure 2





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

**NOTICE IS HEREBY GIVEN** that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 20<sup>th</sup> of 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**

**HOLBROOK ANNEXATIONS NO. 1, 2, 3, AND 4**

**LOCATED AT 2525 D ROAD AND INCLUDING PORTIONS OF THE MONUMENT  
ROAD AND D ROAD RIGHTS-OF-WAY**

WHEREAS, on the 20<sup>th</sup> 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:

**HOLBROOK ANNEXATION NO. 1**

A certain parcel of land located in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 15, Township One South, Range One West of the Ute Meridian, County of Mesa, State of Colorado and being more particular described as follows: Commencing at the Southeast corner of Lot 4 of Pioneer Village South Subdivision, as same is recorded in Plat Book 12, Page 188, public records of Mesa County, Colorado and assuming the South line of the SW 1/4 SW 1/4 of said Section 15 to bear S89°53'18"W with all bearings contained herein relative thereto; thence N79°25'59"E a distance of 92.38 feet to the Point of Beginning; thence S19°18'42"E a distance of 2.36 feet; thence S38°48'00"W along a line being 2.00 feet South and parallel with the Southerly line of Heatheridge Estates Annexation No. 1, Ordinance No. 2297, City of Grand Junction, a distance of 41.06 feet; thence S19°18'42"E along a line being 2.00 feet East and parallel with the West line of Right of Way, as same as recorded in Book 583, Page 284 of the Mesa County, Colorado public records, a distance of 85.25 feet; thence S71°21'59"W a distance of 2.00 feet to a point on the West line of said Right of Way; thence N19°18'42"W along the West line of said Right of Way, a distance of 86.34 feet to a point on the Southerly line of said Heatheridge Estates Annexation No. 1; thence N38°48'00"E along the Southerly line of said Heatheridge Estates Annexation a distance of 43.42 feet to the Point of Beginning.

Said parcel contains 0.01 acres (256.07 sq. ft.), more or less, as described.

## **HOLBROOK ANNEXATION NO. 2**

A certain parcel of land located in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 15 and the NW 1/4 Quarter NW 1/4 Quarter of Section 22, Township One South, Range One West of the Ute Meridian, County of Mesa, State of Colorado and being more particular described as follows: Commencing at the Southeast corner of Lot 4 of Pioneer Village South Subdivision, as same is recorded in Plat Book 12, Page 188, public records of Mesa County, Colorado and assuming the South line of the SW 1/4 SW 1/4 of said Section 15 to bear S89°53'18"W with all bearings contained herein relative thereto; thence N79°25'59"E a distance of 92.38 feet; thence S19°18'42"E a distance of 2.36 feet to the Point of Beginning; thence S19°18'42"E a distance of 2.36 feet; thence S38°48'00"W along a line being 2.00 feet South and parallel with the Southerly line of Holbrook Annexation No.1, a distance of 38.71 feet; thence S19°18'42"E along a line being 2.00 feet East and parallel with the Easterly line of said Holbrook Annexation No.1, a distance of 86.16 feet; thence S71°21'59"W along a line being 2.00 feet South and parallel with the Southerly line of said Holbrook Annexation No.1, a distance of 2.00 feet; thence S19°18'42"E along a line being 2.00 feet East and parallel with the West line of said Right of way, a distance of 187.46 feet; thence S89°53'18"W along a line being 2.00 feet South and parallel with the South line of the SW 1/4 SW 1/4 of said Section 15, a distance of 69.28 feet; thence N01°02'10"W to a point on the South line of the SW 1/4 SW 1/4 said Section 15, a distance of 2.00 feet; thence N89°53'18"E along the South line of the SW 1/4 SW 1/4 of said Section 15, a distance of 66.50 feet; thence N19°18'42"W along the West line of Right of Way, as same as recorded in Book 583, Page 284 of the Mesa County, Colorado public records, a distance of 186.67 feet to the Southwest corner of said Holbrook Annexation No.1; thence along the Southeasterly line of said Holbrook Annexation No. 1 the following three (3) courses: (1) N71°21'59"E a distance of 2.00 feet; (2) N19°18'42"W a distance of 85.25 feet; (3) N38°48'00"E a distance of 41.06 feet to the Point of Beginning.

Said parcel contains 0.02 acres (765.09 sq. ft.), more or less, as described.

## **HOLBROOK ANNEXATION NO. 3**

A certain parcel of land located in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 15 and the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section 22, Township One South, Range One West of the Ute Meridian, County of Mesa, State of Colorado and being more particular described as follows: Commencing at the Southeast corner of Lot 4 of Pioneer Village South Subdivision, as same is recorded in Plat Book 12, Page 188, public records of Mesa County, Colorado and assuming the South line of the SW 1/4 SW 1/4 of said Section 15 to bear S89°53'18"W with all bearings contained herein relative thereto; thence N79°25'59"E a distance of 92.38 feet to a point on the South line of Right of Way, as same as recorded in Book 186, Page 237 of the Mesa County, Colorado public records; thence S19°18'42"E a distance of 4.71 feet to the Point of Beginning; thence S19°18'42"E along the South line of the SW 1/4 SW 1/4 said Section 15, a distance of 304.07 feet,

said line also being the East line of Right of Way, as same as recorded in Book 583, Page 284 of the Mesa County, Colorado public records; thence N89°53'18"E along the South line of the SW 1/4 SW 1/4 of said Section 15, a distance of 190.83 feet; thence S00°15'33"W along the West Right of Way for 25 1/4 Road, as same is recorded in Book 558, Page 88 of the Mesa County, Colorado public records, a distance of 20.00 feet; thence S89°53'18"W along a line being 20.00 feet South and parallel with the South line of the SW 1/4 SW 1/4 said Section 15, a distance of 291.03 feet; thence S02°05'38"E a distance of 165.72 feet; thence S02°28'35"W a distance of 295.00 feet; thence N87°31'25"W a distance of 20.00 feet to its intersection with the Easterly bank of the Redlands Power Canal; thence along the Easterly bank of the Redlands Power Canal the following two (2) courses: (1) N02°28'35"E a distance of 294.20 feet; (2) N02°05'38"W a distance of 185.63 feet to a point on the South line of the SW 1/4 SW 1/4 said Section 15; thence N89°53'18"E along the South line of the SW 1/4 SW 1/4 of said Section 15, a distance of 15.49 feet; thence S01°02'10"E a distance of 2.00 feet; thence N89°53'18"E along a line being 2.00 feet South and parallel with the South line of the SW 1/4 SW 1/4 said Section 15, said line also being the south line of Holbrook Annexation No. 2, a distance of 69.28 feet; thence along the Easterly line of said Holbrook Annexation No. 2 the following four (4) courses: (1) N19°18'42"W a distance of 187.46 feet; (2) N71°21'59"E a distance of 2.00 feet; (3) N19°18'42"W a distance of 86.16 feet; (4) N38°48'00"E a distance of 38.71 feet to the Point of Beginning.

Said parcel contains 0.58 acres (25,137.07 sq. ft.), more or less, as described.

#### **HOLBROOK ANNEXATION NO. 4**

A certain parcel of land located in the West One-Half of the Northwest Quarter (W 1/2 NW 1/4) of Section 22, Township One South, Range One West of the Ute Meridian, County of Mesa, State of Colorado and being more particular described as follows: Commencing at the Southeast corner of Lot 4 of Pioneer Village South Subdivision, as same is recorded in Plat Book 12, Page 188, public records of Mesa County, Colorado and assuming the North line of the NW 1/4 NW 1/4 of said Section 22 to bear S89°53'18"W with all bearings contained herein relative thereto; thence N79°25'59"E a distance of 92.38 feet to a point on the South line of Right of Way, as same as recorded in Book 186, Page 237 of the Mesa County, Colorado public records; thence S19°18'42"E along the East line of Right of Way, as same as recorded in Book 583, Page 284 of the Mesa County, Colorado public records, a distance of 308.78 feet to a point on the South line of the SW 1/4 SW 1/4 said Section 15; thence N89°53'18"E along the South line of the SW 1/4 SW 1/4 of said Section 15, a distance of 190.83 feet; thence S00°15'33"W a distance of 20.00 feet to the Point of Beginning; thence S00°15'31"W a distance of 1292.23 feet; thence S00°27'56"W a distance of 821.40 feet to its intersection with the Easterly bank of the Redlands Power Canal, as same is recorded in Book 339, Page 119, public records of Mesa County, Colorado; thence along the Easterly bank of said Redlands Power Canal the following six (6) courses: (1) N41°11'42"W a distance of 204.24 feet; (2) N29°41'53"W a distance of 164.53 feet; (3) N18°50'29"W a distance of 253.33 feet; (4) N08°10'54"W a distance of 165.95; (5) N00°51'17"W a distance of 428.89 feet; (6)

N02°28'35"E a distance of 524.58 feet to the Southwest corner of Holbrook Annexation; thence along the Southeasterly line of said Holbrook Annexation No. 3 the following four (4) courses: (1) S87°31'25"E a distance of 20.00 feet; (2) N02°28'35"E a distance of 295.00 feet; (3) N02°05'38"W a distance of 165.72 feet; (4) N89°53'18"E a distance of 291.03 feet to the Point of Beginning.

Said parcel contains 13.68 acres (595,725.35 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 31<sup>st</sup> day of March, 2008, in the City Hall auditorium, located at 250 North 5<sup>th</sup> Street, City of Grand Junction, Colorado, at 7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Public Works and Planning Department of the City.

ADOPTED the \_\_\_\_\_ day of \_\_\_\_\_, 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>
<b>February 22, 2008</b>
<b>February 29, 2008</b>
<b>March 7, 2008</b>
<b>March 14, 2008</b>



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**HOLBROOK ANNEXATION NO. 1**

**APPROXIMATELY 0.01 ACRES**

**LOCATED WITHIN THE MONUMENT ROAD AND D ROAD RIGHTS-OF-WAY**

**WHEREAS**, on the 20<sup>th</sup> 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 31<sup>st</sup> 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:

**HOLBROOK ANNEXATION NO. 1**

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

Commencing at the Southeast corner of Lot 4 of Pioneer Village South Subdivision, as same is recorded in Plat Book 12, Page 188, public records of Mesa County, Colorado and assuming the South line of the SW 1/4 SW 1/4 of said Section 15 to bear S89°53'18"W with all bearings contained herein relative thereto; thence N79°25'59"E a distance of 92.38 feet to the Point of Beginning; thence S19°18'42"E a distance of 2.36 feet; thence S38°48'00"W along a line being 2.00 feet South and parallel with the Southerly line of Heatheridge Estates Annexation No. 1, Ordinance No. 2297, City of Grand Junction, a distance of 41.06 feet; thence S19°18'42"E along a line being 2.00 feet East and parallel with the West line of Right of Way, as same as recorded in Book

583, Page 284 of the Mesa County, Colorado public records, a distance of 85.25 feet; thence S71°21'59"W a distance of 2.00 feet to a point on the West line of said Right of Way; thence N19°18'42"W along the West line of said Right of Way, a distance of 86.34 feet to a point on the Southerly line of said Heatheridge Estates Annexation No. 1; thence N38°48'00"E along the Southerly line of said Heatheridge Estates Annexation a distance of 43.42 feet to the Point of Beginning.

Said parcel contains 0.01 acres (256.07 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**

**HOLBROOK ANNEXATION NO. 2**

**APPROXIMATELY 0.02 ACRES**

**LOCATED WITHIN THE D ROAD RIGHT-OF-WAY**

**WHEREAS**, on the 20<sup>th</sup> 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 31<sup>st</sup> 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:

**HOLBROOK ANNEXATION NO. 2**

A certain parcel of land located in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 15 and the NW 1/4 Quarter NW 1/4 Quarter of Section 22, Township One South, Range One West of the Ute Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Commencing at the Southeast corner of Lot 4 of Pioneer Village South Subdivision, as same is recorded in Plat Book 12, Page 188, public records of Mesa County, Colorado and assuming the South line of the SW 1/4 SW 1/4 of said Section 15 to bear S89°53'18"W with all bearings contained herein relative thereto; thence N79°25'59"E a distance of 92.38 feet; thence S19°18'42"E a distance of 2.36 feet to the Point of Beginning; thence S19°18'42"E a distance of 2.36 feet; thence S38°48'00"W along a line being 2.00 feet South and parallel with the Southerly line of Holbrook Annexation No.1, a distance of 38.71 feet; thence S19°18'42"E along a line being 2.00 feet East

and parallel with the Easterly line of said Holbrook Annexation No.1, a distance of 86.16 feet; thence S71°21'59"W along a line being 2.00 feet South and parallel with the Southerly line of said Holbrook Annexation No.1, a distance of 2.00 feet; thence S19°18'42"E along a line being 2.00 feet East and parallel with the West line of said Right of way, a distance of 187.46 feet; thence S89°53'18"W along a line being 2.00 feet South and parallel with the South line of the SW 1/4 SW 1/4 of said Section 15, a distance of 69.28 feet; thence N01°02'10"W to a point on the South line of the SW 1/4 SW 1/4 said Section 15, a distance of 2.00 feet; thence N89°53'18"E along the South line of the SW 1/4 SW 1/4 of said Section 15, a distance of 66.50 feet; thence N19°18'42"W along the West line of Right of Way, as same as recorded in Book 583, Page 284 of the Mesa County, Colorado public records, a distance of 186.67 feet to the Southwest corner of said Holbrook Annexation No.1; thence along the Southeasterly line of said Holbrook Annexation No. 1 the following three (3) courses: (1) N71°21'59"E a distance of 2.00 feet; (2) N19°18'42"W a distance of 85.25 feet; (3) N38°48'00"E a distance of 41.06 feet to the Point of Beginning.

Said parcel contains 0.02 acres (765.09 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**

**HOLBROOK ANNEXATION NO. 3**

**APPROXIMATELY 0.58 ACRES**

**LOCATED AT 2525 D ROAD AND INCLUDING A PORTION OF THE D ROAD RIGHT-  
OF-WAY**

**WHEREAS**, on the 20<sup>th</sup> 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 31<sup>st</sup> 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:

**HOLBROOK ANNEXATION NO. 3**

A certain parcel of land located in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 15 and the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section 22, Township One South, Range One West of the Ute Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Commencing at the Southeast corner of Lot 4 of Pioneer Village South Subdivision, as same is recorded in Plat Book 12, Page 188, public records of Mesa County, Colorado and assuming the South line of the SW 1/4 SW 1/4 of said Section 15 to bear S89°53'18"W with all bearings contained herein relative thereto; thence N79°25'59"E a distance of 92.38 feet to a point on the South line of Right of Way, as same as recorded in Book 186, Page 237 of the Mesa County, Colorado public records; thence S19°18'42"E a distance of 4.71 feet to the Point of Beginning; thence S19°18'42"E

along the South line of the SW 1/4 SW 1/4 said Section 15, a distance of 304.07 feet, said line also being the East line of Right of Way, as same as recorded in Book 583, Page 284 of the Mesa County, Colorado public records; thence N89°53'18"E along the South line of the SW 1/4 SW 1/4 of said Section 15, a distance of 190.83 feet; thence S00°15'33"W along the West Right of Way for 25 1/4 Road, as same is recorded in Book 558, Page 88 of the Mesa County, Colorado public records, a distance of 20.00 feet; thence S89°53'18"W along a line being 20.00 feet South and parallel with the South line of the SW 1/4 SW 1/4 said Section 15, a distance of 291.03 feet; thence S02°05'38"E a distance of 165.72 feet; thence S02°28'35"W a distance of 295.00 feet; thence N87°31'25"W a distance of 20.00 feet to its intersection with the Easterly bank of the Redlands Power Canal; thence along the Easterly bank of the Redlands Power Canal the following two (2) courses: (1) N02°28'35"E a distance of 294.20 feet; (2) N02°05'38"W a distance of 185.63 feet to a point on the South line of the SW 1/4 SW 1/4 said Section 15; thence N89°53'18"E along the South line of the SW 1/4 SW 1/4 of said Section 15, a distance of 15.49 feet; thence S01°02'10"E a distance of 2.00 feet; thence N89°53'18"E along a line being 2.00 feet South and parallel with the South line of the SW 1/4 SW 1/4 said Section 15, said line also being the south line of Holbrook Annexation No. 2, a distance of 69.28 feet; thence along the Easterly line of said Holbrook Annexation No. 2 the following four (4) courses: (1) N19°18'42"W a distance of 187.46 feet; (2) N71°21'59"E a distance of 2.00 feet; (3) N19°18'42"W a distance of 86.16 feet; (4) N38°48'00"E a distance of 38.71 feet to the Point of Beginning.

Said parcel contains 0.58 acres (25,137.07 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**

**HOLBROOK ANNEXATION NO. 4**

**APPROXIMATELY 13.68 ACRES**

**LOCATED AT 2525 D ROAD**

**WHEREAS**, on the 20<sup>th</sup> 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 31<sup>st</sup> 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:

**HOLBROOK ANNEXATION NO. 4**

A certain parcel of land located in the West One-Half of the Northwest Quarter (W 1/2 NW 1/4) of Section 22, Township One South, Range One West of the Ute Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Commencing at the Southeast corner of Lot 4 of Pioneer Village South Subdivision, as same is recorded in Plat Book 12, Page 188, public records of Mesa County, Colorado and assuming the North line of the NW 1/4 NW 1/4 of said Section 22 to bear S89°53'18"W with all bearings contained herein relative thereto; thence N79°25'59"E a distance of 92.38 feet to a point on the South line of Right of Way, as same as recorded in Book 186, Page 237 of the Mesa County, Colorado public records; thence S19°18'42"E along the East line of Right of Way, as same as recorded in Book 583, Page 284 of the Mesa County, Colorado public records, a distance of 308.78 feet to a point on the South line of the SW 1/4 SW 1/4 said

Section 15; thence N89°53'18"E along the South line of the SW 1/4 SW 1/4 of said Section 15, a distance of 190.83 feet; thence S00°15'33"W a distance of 20.00 feet to the Point of Beginning; thence S00°15'31"W a distance of 1292.23 feet; thence S00°27'56"W a distance of 821.40 feet to its intersection with the Easterly bank of the Redlands Power Canal, as same is recorded in Book 339, Page 119, public records of Mesa County, Colorado; thence along the Easterly bank of said Redlands Power Canal the following six (6) courses: (1) N41°11'42"W a distance of 204.24 feet; (2) N29°41'53"W a distance of 164.53 feet; (3) N18°50'29"W a distance of 253.33 feet; (4) N08°10'54"W a distance of 165.95; (5) N00°51'17"W a distance of 428.89 feet; (6) N02°28'35"E a distance of 524.58 feet to the Southwest corner of Holbrook Annexation; thence along the Southeasterly line of said Holbrook Annexation No. 3 the following four (4) courses: (1) S87°31'25"E a distance of 20.00 feet; (2) N02°28'35"E a distance of 295.00 feet; (3) N02°05'38"W a distance of 165.72 feet; (4) N89°53'18"E a distance of 291.03 feet to the Point of Beginning.

Said parcel contains 13.68 acres (595,725.35 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 4**  
**Setting a Hearing on the Ford Annexation, Located at 2036 Broadway**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Ford Annexation - Located at 2036 Broadway		
<b>File #</b>	ANX-2007-375		
<b>Meeting Day, Date</b>	Wednesday, February 20, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>	<b>X</b>	<b>Individual</b>
<b>Date Prepared</b>	February 1, 2008		
<b>Author Name &amp; Title</b>	Scott D. Peterson, Senior Planner		
<b>Presenter Name &amp; Title</b>	Scott D. Peterson, Senior Planner		

**Summary:** Request to annex 4.06 acres, located at 2036 Broadway. The Ford Annexation consists of 1 parcel of land.

**Budget:** N/A

**Action Requested/Recommendation:** Adopt a Resolution referring the petition for the Ford Annexation and introduce the proposed Ordinance and set a hearing for April 2, 2008.

**Attachments:**

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

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

STAFF REPORT / BACKGROUND INFORMATION					
<b>Location:</b>		2036 Broadway			
<b>Applicants:</b>		Paul B. and Judith A. Ford, Owners			
<b>Existing Land Use:</b>		Single-family home			
<b>Proposed Land Use:</b>		Residential subdivision			
<b>Surrounding Land Use:</b>	<b>North</b>	Single-family residential			
	<b>South</b>	Single-family residential			
	<b>East</b>	Single-family residential			
	<b>West</b>	Single-family residential			
<b>Existing Zoning:</b>		RSF-4, Residential Single Family – 4 units/acre (County)			
<b>Proposed Zoning:</b>		R-4, Residential – 4 units/acre			
<b>Surrounding Zoning:</b>	<b>North</b>	RSF-4, Residential Single Family – 4 units/acre (County)			
	<b>South</b>	RSF-2, Residential Single Family – 2 units/acre (County)			
	<b>East</b>	RSF-4, Residential Single Family – 4 units/acre (County)			
	<b>West</b>	RSF-4, Residential Single Family – 4 units/acre (County)			
<b>Growth Plan Designation:</b>		Residential Medium Low (2 – 4 DU/Ac.)			
<b>Zoning within density range?</b>		X	<b>Yes</b>		<b>No</b>

**Staff Analysis:**

**ANNEXATION:**

This annexation area consists of 4.06 acres of land and is comprised of 1 parcel of land. 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 Ford Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;

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

The following annexation and zoning schedule is being proposed.

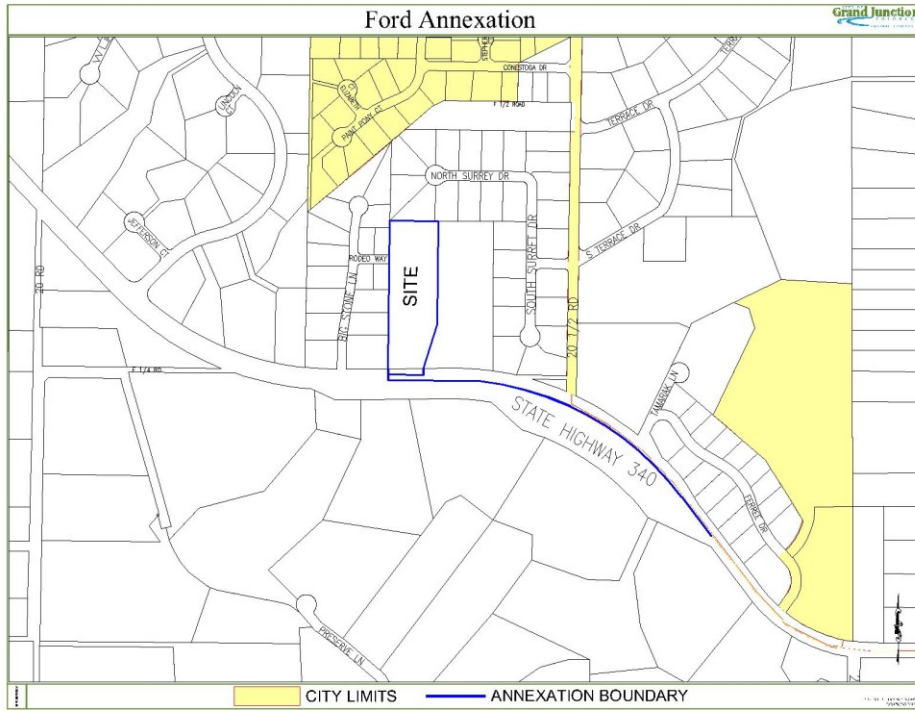
<b><u>ANNEXATION SCHEDULE</u></b>	
<b>February 20, 2008</b>	Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use
<b>March 11, 2008</b>	Planning Commission considers Zone of Annexation
<b>March 19, 2008</b>	Introduction of a proposed Ordinance on Zoning by City Council
<b>April 2, 2008</b>	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
<b>May 4, 2008</b>	Effective date of Annexation and Zoning

**FORD ANNEXATION SUMMARY**

<b>File Number:</b>		ANX-2007-375
<b>Location:</b>		2036 Broadway
<b>Tax ID Number:</b>		2947-153-00-102
<b>Parcels:</b>		1
<b>Estimated Population:</b>		3
<b># of Parcels (owner occupied):</b>		0
<b># of Dwelling Units:</b>		1
<b>Acres land annexed:</b>		4.06
<b>Developable Acres Remaining:</b>		3.87
<b>Right-of-way in Annexation:</b>		0.19
<b>Previous County Zoning:</b>		RSF-4, Residential Single Family – 4 units/acre
<b>Proposed City Zoning:</b>		R-4, Residential – 4 units/acre
<b>Current Land Use:</b>		Single family home
<b>Future Land Use:</b>		Residential Medium Low (2 – 4 DU/Ac.)
<b>Values:</b>	<b>Assessed:</b>	\$31,730
	<b>Actual:</b>	\$398,670
<b>Address Ranges:</b>		2036 Broadway
<b>Special Districts:</b>	<b>Water:</b>	Ute Water Conservation District
	<b>Sewer:</b>	Persigo Wastewater Treatment Facility
	<b>Fire:</b>	Grand Junction Rural
	<b>Irrigation/ Drainage:</b>	Redlands Water and Power
	<b>School:</b>	School District 51
	<b>Pest:</b>	Grand River Mosquito

# Site Location Map

Figure 1



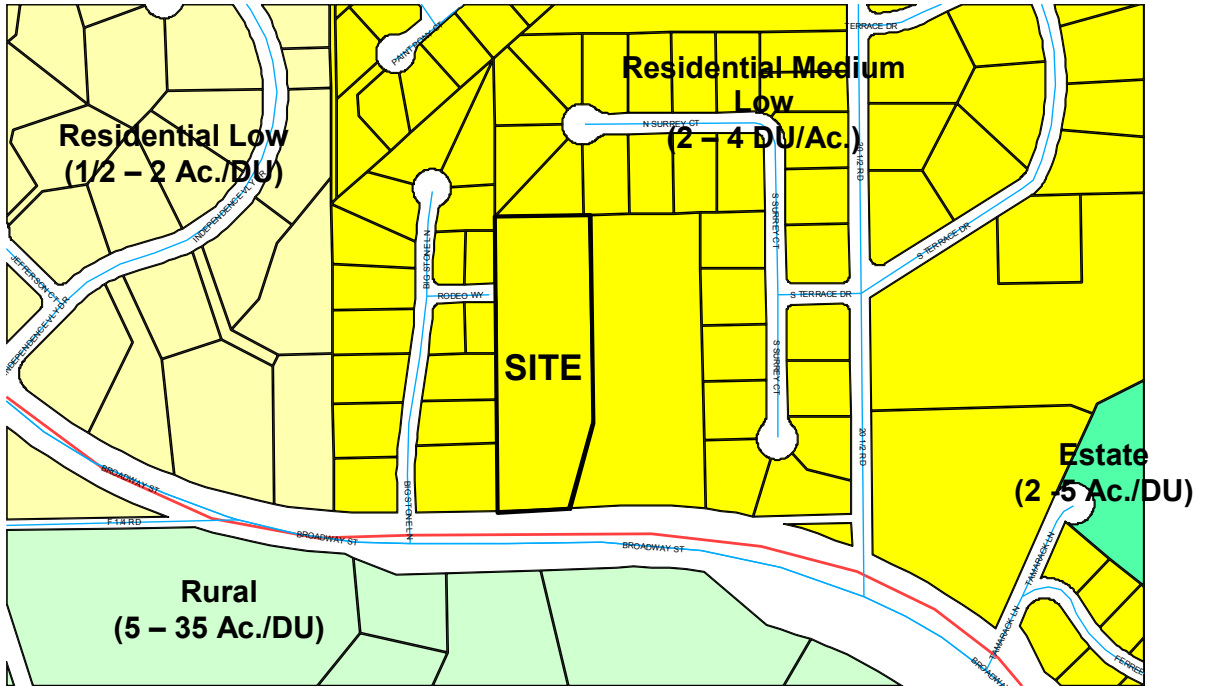
# Aerial Photo Map

Figure 2



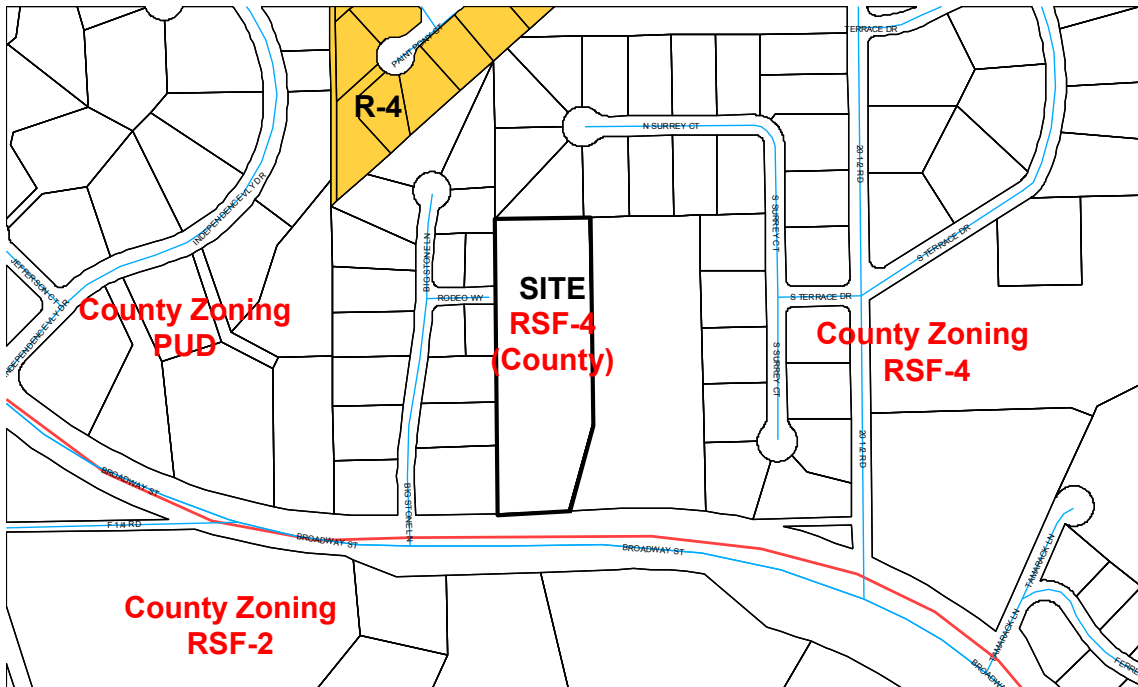
# Future Land Use Map

Figure 3



# Existing City and County Zoning

Figure 4



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

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

**NOTICE IS HEREBY GIVEN** that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 20<sup>th</sup> of 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**

**FORD ANNEXATION**

**LOCATED AT 2036 BROADWAY INCLUDING PORTIONS OF THE  
BROADWAY (HIGHWAY 340) RIGHT-OF-WAY**

WHEREAS, on the 20th 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:

**FORD ANNEXATION**

A certain parcel of land located in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 15, Township Eleven South, Range One Hundred and One West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Beginning at the Southeast corner of Lot 1 of Suncrest Subdivision, as same is recorded in Plat Book 16, Page 186, public records of Mesa County, Colorado and assuming the East line of said Suncrest Subdivision to bear N00°48'43"E with all bearing contained herein relative thereto; thence N00°48'43"E along the East line of said Suncrest Subdivision, a distance of 730.15 feet to the Southwest corner of Lot 14 of Country Squire Subdivision, as same is recorded in Plat Book 13, Page 18, public records of Mesa County, Colorado; thence S89°43'18"E along the South line of said Country Squire Subdivision, a distance of 239.87 feet; thence S00°40'43"W a distance of 509.05 feet; thence S17°19'43"W a distance of 231.47 feet to a point on the North Right of Way line, as same as recorded in Book 530, Page 485 of the Mesa County, Colorado public records; thence S00°33'30"W to a point on the South line of the NE 1/4 SW 1/4 of Section 15, Township Eleven South, Range One Hundred and One West of the 6th Principal Meridian, County of Mesa, State of Colorado, a distance of 26.95 feet; thence N89°26'30"W along the said South line of the NE 1/4 SW 1/4, a distance of 172.99 feet; thence Southeasterly the following (3) three courses: (1) S00°00'00"E a distance of 28.26' feet (2) S89°39'07"E a distance of 449.02 feet (3) 469.27 feet along the arc of a 1503.82 foot radius curve, concave Southwest, having a central angle of



17°52'45" and a chord bearing S74°37'31"E a distance of 467.36 feet; thence 720.86 feet along the arc of a 1417.00 foot radius curve, concave Southwest, having a central angle of 29°08'51" and a chord bearing S51°06'43"E a distance of 713.11 feet, said line also being the South line of Page Annexation No.3, Ordinance No. 4084, City of Grand Junction; thence S37°06'43"E a distance of 241.57 feet, said line also being the South line of said Page Annexation No.3; thence S52°53'17"W a distance of 2.00 feet; thence N37°06'43"W along a line being 2.00 feet South and parallel with the South line of said Page Annexation No.3, a distance of 241.57 feet; thence 719.84 feet along the arc of a 1415.00 foot radius curve, concave Southwest, having a central angle of 29°08'51" and a chord bearing N51°06'43"W a distance of 712.10 feet, said line also being 2.00 feet South of said Page Annexation No.3; thence Northwesterly the following (3) three courses: 468.64 feet along the arc of a 1501.82 foot radius curve, concave Southwest, having a central angle of 17°52'45" and a chord bearing N74°37'31"W a distance of 466.74 feet (2) N89°39'07"W a distance of 450.81 feet (3) N00°00'00"W a distance of 56.57 feet to the Point of Beginning.

Said parcel contains 4.06 acres (176,935.31 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 2<sup>nd</sup> day of April, 2008, in the City Hall auditorium, located at 250 North 5<sup>th</sup> Street, City of Grand Junction, Colorado, at 7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Public Works and Planning Department of the City.

ADOPTED the \_\_\_\_\_ day of \_\_\_\_\_, 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>
<b>February 22, 2008</b>
<b>February 29, 2008</b>
<b>March 7, 2008</b>
<b>March 14, 2008</b>

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**FORD ANNEXATION**

**APPROXIMATELY 4.06 ACRES**

**LOCATED AT 2036 BROADWAY INCLUDING PORTIONS OF THE  
BROADWAY (HIGHWAY 340) RIGHT-OF-WAY**

**WHEREAS**, on the 20<sup>th</sup> 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 2<sup>nd</sup> day of April, 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:

**FORD ANNEXATION**

A certain parcel of land located in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 15, Township Eleven South, Range One Hundred and One West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Beginning at the Southeast corner of Lot 1 of Suncrest Subdivision, as same is recorded in Plat Book 16, Page 186, public records of Mesa County, Colorado and assuming the East line of said Suncrest Subdivision to bear N00°48'43"E with all bearing contained herein relative thereto; thence N00°48'43"E along the East line of said Suncrest Subdivision, a distance of 730.15 feet to the Southwest corner of Lot 14 of Country Squire Subdivision, as same is recorded in Plat Book 13, Page 18, public records of Mesa County, Colorado; thence S89°43'18"E along the South line of said Country Squire Subdivision, a distance of 239.87 feet; thence S00°40'43"W a distance

of 509.05 feet; thence S17°19'43"W a distance of 231.47 feet to a point on the North Right of Way line, as same as recorded in Book 530, Page 485 of the Mesa County, Colorado public records; thence S00°33'30"W to a point on the South line of the NE 1/4 SW 1/4 of Section 15, Township Eleven South, Range One Hundred and One West of the 6th Principal Meridian, County of Mesa, State of Colorado, a distance of 26.95 feet; thence N89°26'30"W along the said South line of the NE 1/4 SW 1/4, a distance of 172.99 feet; thence Southeasterly the following (3) three courses: (1) S00°00'00"E a distance of 28.26' feet (2) S89°39'07"E a distance of 449.02 feet (3) 469.27 feet along the arc of a 1503.82 foot radius curve, concave Southwest, having a central angle of 17°52'45" and a chord bearing S74°37'31"E a distance of 467.36 feet; thence 720.86 feet along the arc of a 1417.00 foot radius curve, concave Southwest, having a central angle of 29°08'51" and a chord bearing S51°06'43"E a distance of 713.11 feet, said line also being the South line of Page Annexation No.3, Ordinance No. 4084, City of Grand Junction; thence S37°06'43"E a distance of 241.57 feet, said line also being the South line of said Page Annexation No.3; thence S52°53'17"W a distance of 2.00 feet; thence N37°06'43"W along a line being 2.00 feet South and parallel with the South line of said Page Annexation No.3, a distance of 241.57 feet; thence 719.84 feet along the arc of a 1415.00 foot radius curve, concave Southwest, having a central angle of 29°08'51" and a chord bearing N51°06'43"W a distance of 712.10 feet, said line also being 2.00 feet South of said Page Annexation No.3; thence Northwesterly the following (3) three courses: 468.64 feet along the arc of a 1501.82 foot radius curve, concave Southwest, having a central angle of 17°52'45" and a chord bearing N74°37'31"W a distance of 466.74 feet (2) N89°39'07"W a distance of 450.81 feet (3) N00°00'00"W a distance of 56.57 feet to the Point of Beginning.

Said parcel contains 4.06 acres (176,935.31 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 5**

**Setting a Hearing on Rezoning Properties Located at the Southeast Corner of 28 ¼ Road and Grand Falls Drive**

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Rezone 10.3 acres - Located at the Southeast corner of 28 ¼ Road and Grand Falls Drive		
<b>File #</b>	PP-2006-251		
<b>Meeting Day, Date</b>	Wednesday, February 20, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>	<b>X</b>	<b>Individual</b>
<b>Date Prepared</b>	February 1, 2008		
<b>Author Name &amp; Title</b>	Scott D. Peterson, Senior Planner		
<b>Presenter Name &amp; Title</b>	Scott D. Peterson, Senior Planner		

**Summary:** A request to rezone 10.3 acres located at the southeast corner of 28 ¼ Road and Grand Falls Drive from PD, Planned Development, to R-8, Residential – 8 units/acre Zoning District.

**Budget:** N/A.

**Action Requested/Recommendation:** Introduce the proposed Ordinance and set a hearing for March 5, 2008.

**Attachments:**

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

BACKGROUND INFORMATION					
<b>Location:</b>		Southeast corner of 28 ¼ Road and Grand Falls Drive			
<b>Applicants:</b>		Ashbury Heights Cache, LLC and Thomas Ralzer, Owners			
<b>Existing Land Use:</b>		Vacant land			
<b>Proposed Land Use:</b>		Residential development			
<b>Surrounding Land Use:</b>	<b>North</b>	Single-family attached dwellings and Vacant land			
	<b>South</b>	Two-family dwellings and Vacant land			
	<b>East</b>	Single family residential			
	<b>West</b>	Proposed residential development (Ridgewood Heights Subdivision)			
<b>Existing Zoning:</b>		PD, Planned Development			
<b>Proposed Zoning:</b>		R-8, Residential – 8 units/acre			
<b>Surrounding Zoning:</b>	<b>North</b>	PD, Planned Development			
	<b>South</b>	R-8, Residential – 8 units/acre and R-16, Residential – 16 units/acre			
	<b>East</b>	PD, Planned Development			
	<b>West</b>	R-5, Residential – 5 units/acre			
<b>Growth Plan Designation:</b>		Residential Medium High (8 – 12 DU/Ac.)			
<b>Zoning within density range?</b>		X	Yes		No

**Staff Analysis:**

**1. Background:**

The applicant's, Ashbury Heights LLC and Thomas Ralzer, are requesting to rezone 10.3 acres of land located at the southeast corner of 28 ¼ Road and Grand Falls Drive to R-8, Residential – 8 units/acre in anticipation of development of the properties and adjacent properties for future residential development that is to be known as the Ashbury Heights Subdivision. These parcels of land are currently vacant.

These parcels of land were originally platted and designated as PD, Planned Development as part of the original The Falls Subdivision, a planned unit development, which was developed in the County and annexed into the City in 1978. However, some of these parcels of land were never developed during the phased construction of the

original master plan of the original subdivision and have now expired. Therefore, if the applicant wishes to maintain the existing PD Zone, the applicant will need to address the criteria in Section 5.1 A. of the Zoning and Development Code and provide a community benefit. The applicant and Project Manager felt that it would be easier for the proposed subdivision to move forward with a straight zone rather than a PD zone and thus the request to designate the properties, R-8, Residential – 8 units/acre.

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

The Growth Plan Land Use Map shows this area to be Residential Medium High (8 – 12 DU/Ac.). The requested zone district of R-8, Residential – 8 units/acre implements the Residential Medium High (8 -12 DU/Ac.) land use classification of the Growth Plan and therefore is consistent with the Growth Plan. Some of the goals and policies as stated in the Growth Plan that the proposed rezone meets are as follows; Goal 4 is to coordinate the timing, location and intensity of growth with the provision of adequate public facilities. Goal 5 is to ensure that urban growth and development make efficient use of investments in streets, utilities and other public facilities. Goal 11 is to promote stable neighborhoods and land use compatibility throughout the community. Goal 13 is to enhance the aesthetic appeal and appearance of the community's built environment along high visibility corridors. Goal 15 is to achieve a mix of compatible housing types and densities dispersed throughout the community and Goal 28 is the facilitation and promotion of infill and redevelopment within the urban growth area of the City.

## **3. Consistency with Section 2.6 A. of the Zoning & Development Code:**

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

### **a. The existing zoning was in error at the time of adoption; or**

The existing zoning designation of PD, Planned Development was not in error at the time of adoption for the original The Falls Subdivision. The applicant is now requesting to remove the PD designation and develop the property in accordance with the Growth Plan Future Land Use designation of Residential Medium High (8 – 12 DU/Ac.) which allows the R-8 designation.

### **b. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth/growth trends, deterioration, redevelopment, etc.**

The existing properties are located in an area of existing residential development both single family detached and attached units. The applicant wishes to develop these properties and the adjacent vacant residential properties to the south for residential development in accordance with the approved Future Land Use Map category of Residential Medium High (8 – 12 DU/Ac.). There has been a change of character in the neighborhood due to recent and current growth trends in the Grand Valley the past few years due to the energy related boom and this area in particular has seen increased



residential development with the additional phases of The Legends and the upcoming Ridgewood Heights Subdivision.

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

The proposed zoning of R-8 is within the allowable density range recommended by the Growth Plan. This criterion must be considered in conjunction with criterion D which requires that public facilities and services are available when the impacts of any proposed development are realized. I and other City staff/agencies have reviewed this request and determined that public infrastructure can address the impacts of any development consistent with the R-8 Zoning District; therefore this criterion is met as the proposed rezone is compatible with the adjacent residential neighborhoods.

The purpose of the R-8 District is to provide for medium-high density attached and detached dwelling units. This property is located along 28 ¼ Road (Minor Arterial). Policy 13.2 from the Growth Plan is to enhance the quality of development along key arterial street corridors.

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

Adequate public facilities are currently available or will be made available at the time of development and can address the impacts of development consistent with the R-8 Zoning District. A Preliminary Subdivision Plan review will be required at the time of development on the properties for review and approval by the Planning Commission (Preliminary Plan is currently under review by the Project Manager and other review agencies).

- e. The supply of comparably zoned land in the surrounding area is inadequate to accommodate the community's needs.**

The proposed R-8 zone district implements the Future Land Use Designation of Residential Medium High (8 -12 DU/Ac.). Much of the R-8 designated properties in this area have already been developed as single-family home properties leaving little if any, vacant land with this zoning designation. Therefore, the supply of comparably zoned land in the surrounding area is inadequate to accommodate the community's need for higher density developments.

- f. The community will benefit from the proposed zone.**

Development of the property will result in appropriate infill consistent with the Growth Plan and provide additional housing options for the community, therefore the community will benefit from the proposed rezone.

**PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission recommended approval of the requested rezone, PP-2006-251, to the City Council with the following findings of fact and conclusions:

1. The requested rezone to R-8, Residential – 8 units/acre is consistent with the Growth Plan.
2. The review criteria in Section 2.6 A. of the Zoning & Development Code have all been met.





**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING AN AREA OF LAND FROM PD, PLANNED DEVELOPMENT TO R-8, RESIDENTIAL – 8 UNITS/ACRE ZONING DISTRICT**

**LOCATED AT THE SOUTHEAST CORNER OF 28 ¼ ROAD AND GRAND FALLS DRIVE**

Recitals:

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

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

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

The following area be rezoned R-8, Residential – 8 units/acre Zone District.

A parcel of land located in the Northwest Quarter of Section 7, Township 1 South, Range 1 East of the Ute Meridian and including portions of the Falls 2004, recorded in Book 4100, Page 120 through 124 and The Falls, Filing No. Two, as recorded at Plat Book 12, Pages 370 and 371 and being more particularly described as follows:

COMMENCING at the Southwest corner of the Northeast Quarter of the Northwest Quarter (NE¼ NW¼) (N1/16th Corner) of Section 7, Township 1 South, Range 1 East of the Ute Meridian, whence the Southwest corner of said NE¼ NW¼ (NW 1/16th Corner) bears North 89°57'01" West, a distance of 1321.23 feet for a basis of bearings, with all bearings contained herein relative thereto; thence North 89°57'01" West, a distance of 33.00 feet to the POINT OF BEGINNING; thence along the South line of the Northeast quarter Northwest quarter (NE¼ NW¼) of said Section 7, North 89°57'01" West 1257.71 feet to a point on the East right of way line of 28 ¼ Road; thence North 01°08'47" West, a distance of 28.19 feet along said East right of way; thence along a curve to the left, having a delta angle of 11°09'32", with a radius of 1184.50 feet, an arc

length of 230.69 feet, with a chord bearing of North 06°43'29" West, and a chord length of 230.33 feet along said East right of way; thence North 02°01'15" West, a distance of 73.70 feet, to a point on the South right-of-way line of Grand Falls Drive, as shown on plat of The Falls, Filing No. Three, as recorded in Plat Book 13, Page 122, Mesa county records; thence, along said South right-of-way line of Grand Falls Road the following five (5) courses: (1) North 72°51'13" East, a distance of 56.88 feet; (2) along a curve to the right, having a delta angle of 17°05'14", with a radius of 350.29 feet, an arc length of 104.47 feet, with a chord bearing of North 81°23'50" East, and a chord length of 104.08 feet; (3) North 89°56'27" East, a distance of 195.00 feet; (4) along a curve to the left, having a delta angle of 37°24'58", with a radius of 127.50 feet, an arc length of 83.26 feet, with a chord bearing of North 71°13'57" East, and a chord length of 81.79 feet; (5) North 52°31'27" East, a distance of 241.15 feet, to a point at the intersection of said South right-of-way line of Grand Falls Drive and the Westerly right-of-way line of South Grand Falls Court, as shown on plat of The Falls, Filing No. Two, as recorded at Plat Book 12, Pages 370 and 371, Mesa County records; thence around the said right-of-way of said South Grand Falls Court the following sixteen (16) courses: (1) along a curve to the right, having a delta angle of 93°54'07", with a radius of 20.00 feet, an arc length of 32.78 feet, with a chord bearing of South 83°25'03" East, and a chord length of 29.23 feet; (2) along a curve to the right, having a delta angle of 17°41'34", with a radius of 167.38 feet, an arc length of 51.69 feet, with a chord bearing of South 28°37'44" East, and a chord length of 51.48 feet; (3) South 19°46'53" East, a distance of 87.75 feet; (4) along a curve to the left, having a delta angle of 07°50'32", with a radius of 124.00 feet, an arc length of 16.97 feet, with a chord bearing of South 23°42'08" East, and a chord length of 16.96 feet; (5) South 27°37'23" East, a distance of 71.00 feet; (6) along a curve to the right, having a delta angle of 45°05'10", with a radius of 131.00 feet, an arc length of 103.08 feet, with a chord bearing of South 05°04'51" East, and a chord length of 100.45 feet; (7) along a curve to the left, having a delta angle of 46°10'39", with a radius of 175.00 feet, an arc length of 141.04 feet, with a chord bearing of South 05°37'33" East, and a chord length of 137.25 feet; (8) along a curve to the left, having a delta angle of 242°02'52", with a radius of 50.00 feet, an arc length of 211.23 feet, with a chord bearing of North 30°15'41" East, and a chord length of 85.70 feet; (9) along a curve to the right, having a delta angle of 94°34'22", with a radius of 20.00 feet, an arc length of 33.01 feet, with a chord bearing of North 43°28'25" West, and a chord length of 29.39 feet; (10) along a curve to the right, having a delta angle of 12°31'43", with a radius of 131.00 feet, an arc length of 28.65 feet, with a chord bearing of North 11°11'55" East, and a chord length of 28.59 feet; (11) along a curve to the left, having a delta angle of 45°05'05", with a radius of 175.00 feet, an arc length of 137.70 feet, with a chord bearing of North 05°04'48" West, and a chord length of 134.18 feet; (12) North 27°37'23" West, a distance of 71.00 feet; (13) along a curve to the right, having a delta angle of 07°50'32", with a radius of 80.00 feet, an arc length of 10.95 feet, with a chord bearing of North 23°42'08" West, and a chord length of 10.94 feet; (14) North 19°46'53" West, a distance of 87.75 feet; (15) along a curve to the left, having a delta angle of 17°41'13", with a radius of 211.38 feet, an arc length of 65.25 feet, with a chord bearing of North 28°37'29" West, and a chord length of 64.99 feet; (16) along a curve to the right, having a delta angle of 88°12'49", with a radius of 20.00 feet, an arc length of 30.79 feet, with a chord bearing of North 05°33'07" East,

and a chord length of 27.84 feet, to a point on said South right-of-way line of Grand Falls Drive; thence North 52°31'27" East, a distance of 136.23 feet, along said South right-of-way line of Grand Falls Drive to a point on the Westerly line of a tract to The Falls Homeowners Association, granted in Book 4044, Page 540, Mesa County records; thence, along the Westerly boundary of said Homeowners Tract the following seven (7) courses: (1) South 19°46'53" East, a distance of 62.06 feet; (2) South 70°13'07" West, a distance of 52.80 feet; (3) South 19°46'53" East, a distance of 64.54 feet; (4) South 24°50'25" East, a distance of 74.73 feet; (5) North 70°13'07" East, a distance of 56.83 feet; (6) South 19°46'53" East, a distance of 125.48 feet; (7) South 81°04'58" East, a distance of 7.82 feet, to a point on the West line of Tract D, The Falls 2004, as shown on plat recorded in Book 4100, Page 120 through 124, Mesa County records; thence, along said Westerly line of said Tract D the following two courses: (1) South 00°10'03" East, a distance of 40.11 feet; (2) South 19°44'02" East, a distance of 115.66 feet, to a point at the Northwest corner of Tract E in said the Falls 2004; thence around the boundary of said Tract E and a portion of the 28¼ Road Right-of-Way the following fifteen (13) courses: (1) a curve to the left, having a delta angle of 115°14'13", with a radius of 50.00 feet, an arc length of 100.56 feet, with a chord bearing of South 77°23'01" East, and a chord length of 84.45 feet; (2) South 76°13'13" East, a distance of 33.98 feet; (3) North 70°14'19" East, a distance of 92.43 feet; (4) North 19°45'41" West, a distance of 195.41 feet; (5) North 67°24'45" East, a distance of 5.36 feet; (6) South 19°45'41" East, a distance of 92.42 feet; (7) North 70°14'19" East, a distance of 17.06 feet; (8) North 89°51'10" East, a distance of 9.18 feet; (9) South 00°01'36" East, a distance of 65.21 feet; (10) South 20°36'17" East, a distance of 50.52 feet; (11) South 00°08'50" East, a distance of 21.67 feet; (12) North 89°51'10" East, a distance of 108.40 feet, to a point on the projected West right-of-way line of 28½ Road; (13) South 00°10'02" East, a distance of 192.98 feet, along projected West right-of-way line of 28½ Road to the POINT OF BEGINNING.

Said parcel containing an area of 10.33 acres, as described.

By operation of law, Ordinance No. 1761 as amended is hereby further amended by removing the above described land from the Planned Development zone.

**INTRODUCED** on first reading the \_\_\_\_ day of \_\_\_\_\_, 2008 and ordered published.

**ADOPTED** on second reading the \_\_\_\_ day of \_\_\_\_\_, 2008.

ATTEST:

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

\_\_\_\_\_

City Clerk



**Attach 6**  
**GOCO Grant Application for Canyon View Park**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	GOCO Grant Application for Canyon View Park		
<b>File #</b>			
<b>Meeting Day, Date</b>	February 20, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>	X	<b>Individual</b>
<b>Date Prepared</b>	February 20, 2008		
<b>Author Name &amp; Title</b>	Don Hobbs, Assistant Parks & Recreation Director		
<b>Presenter Name &amp; Title</b>	Joe Stevens, Parks & Recreation Director		

**Summary:** The City of Grand Junction is prepared to apply for a \$200,000 GOCO Local Parks and Outdoor Recreation Grant for Canyon View Park. The resolution (1), authorizes the submittal of the application, and (2), indicates property ownership, and the willingness to accept maintenance responsibilities for the development.

**Budget:** N/A

**Action Requested/Recommendation:** Passage of the resolution.

**Attachments:**

**Background Information:** The City of Grand Junction has budgeted \$716,000 in 2008 for continued development at Canyon View Park. This GOCO grant application is for an additional \$200,000 will be used for development of additional tennis courts, shelter area, open space development and parking enhancements. Grant awards will be made mid June 2008. The resolution 1), authorizes the grant application and 2), indicates property ownership and the City's willingness to maintain the new development.

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

**A RESOLUTION SUPPORTING AND AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION BETWEEN GREAT OUTDOORS COLORADO (GOCO) AND THE CITY OF GRAND JUNCTION FOR THE CONTINUATION OF THE DEVELOPMENT OF CANYON VIEW PARK**

**RECITALS:**

**Whereas**, the City of Grand Junction hereby agrees to commit up to \$716,000 in 2008 toward the continuing development of Canyon View Park. The first phase of Canyon View Park was dedicated on July 26, 1997 to great fanfare for excellence in the use of public funds. Canyon View Park has been recognized as one of the most utilized and appreciated municipal parks in all of Colorado and was the 1997 "Starburst Award Winner" being recognized by the Colorado Lottery and the Colorado Parks & Recreation Association. The City of Grand Junction would like to continue its excellent partnership with Great Outdoors Colorado for continued development of Canyon View Park.

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

**Section 1:** The City Council of the City of Grand Junction hereby authorizes the City Manager to sign and submit a grant application to the state board of the Great Outdoors Colorado Trust Fund for the continued development of Canyon View Park.

**Section 2:** The City Council of the City of Grand Junction hereby authorizes the expenditure of funds as necessary to meet the terms and obligation of the grant agreement and application.

**Section 3:** The City of Grand Junction owns the entire 110 acre Canyon View Park parcel and has demonstrated the ability to maintain 80 developed acres, including improvements valued at over \$10 million with an annual maintenance budget of \$711,623.

**Section 4:** This resolution shall be in full force and effect from and after its passage and approval.

PASSED and APPROVED this \_\_\_ day of \_\_\_\_\_ 2008.

Attest:

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James J. Doody, Mayor City of Grand Junction

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Stephanie Tuin, City Clerk

**Attach 7**

**Contract for Water Slide Replacement at Lincoln Park-Moyer Pool  
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Water Slide Replacement at Lincoln Park/Moyer Pool		
<b>File #</b>			
<b>Meeting Day, Date</b>	Wednesday, February 20, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>	<b>X</b>	<b>Individual</b>
<b>Date Prepared</b>	February 12, 2008		
<b>Author Name &amp; Title</b>	Scott Hockins, Purchasing Supervisor		
<b>Presenter Name &amp; Title</b>	Jay Valentine, Assistant Financial Operations Manager Joe Stevens, Parks & Recreation Director		

**Summary:** This approval request is for the award of a contract for the design and installation of the replacement slide flume at Lincoln Park-Moyer Swimming Pool.

**Budget:** The total for the project will be \$371,608. The 2008 Capital Improvement Project budget includes \$325,000 for this installation; Park's staff is recommending an additional \$46,608 be allocated from Parkland Expansion Funds, intended for the development of the parks and recreation system, in order to offset the remaining needed balance.

**Action Requested/Recommendation:** Authorize the Purchasing Division to enter into a contract with Churchich Recreation LLC to complete the design and installation of a new water slide at Lincoln Park/Moyer Swimming Pool in the amount of \$371,608.

**Attachments:** N/A

**Background Information:** The City of Grand Junction solicited competitive proposals for the demolition of the existing water slide at Lincoln Park/ Moyer Pool and the supply and installation of a new slide and structure. The existing slide is over twenty years old and has been recoated with new gelcoat several times. Following the last recoating, the contractor pointed out numerous locations where the product was not binding adequately and several structural problems due to age and use. It was determined that the slide would have to be replaced prior to the 2008 swim season.

The Request for Proposal was advertised in the Daily Sentinel, posted on a governmental solicitation website, and sent to firms on the current source list for aquatic design services. Just one proposal was received from Churchich Recreation LLC,

representing Aqua Recreation and included the demolition and disposal of the existing slide, engineer stamped drawings, supply and installation of the new slide including structural bases for the possible addition of a second flume at a later date. The installation is scheduled to be complete by the end of May 2008.

**Attach 8**  
**Contract for Enterprise Network Switch Equipment**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Contract for Enterprise Network Switch Equipment		
<b>File #</b>			
<b>Meeting Day, Date</b>	Wednesday, February 20, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>	<b>X</b>	<b>Individual</b>
<b>Date Prepared</b>	February 11, 2008		
<b>Author Name &amp; Title</b>	Jim Finlayson, IS Manager Shirley Nilsen, Senior Buyer,		
<b>Presenter Name &amp; Title</b>	Jim Finlayson, IS Manager		

**Summary:** Purchase network switching equipment and related professional services as part of the City’s ongoing network equipment maintenance program. The proposed replacement equipment will upgrade the network backbone switching equipment to high speed, intelligent capacity.

**Budget:** A capital budget of \$380,000 was established during the 2008 budget process to upgrade network equipment. The remaining funds were budgeted as part of the normal equipment replacement budget.

**Action Requested/Recommendation:** Authorize the City Purchasing Division to sole source Network Switching equipment and professional installation services from Information Systems Consulting, Inc. (ISC) located in Centennial, CO for a total price of \$437,130.70.

**Background Information:** The City’s reliance on technology for critical day-to-day operations means that we must harden our security and expand our capacity. Our network is the main communications backbone for virtually all of the information flow in the City. The current City network and data center backbone were built when requirements were much lower. Today, those same standards are more consistent with small office configurations. Current switches are of a low-end, unmanaged variety. As a result, modern monitoring and management tools can’t be used to troubleshoot and solve performance problems, and to ensure network security. As the number of users and the complexity of the applications increases, network capacity has been stretched past the limits of our current switches.

In today’s increasingly complex business environments, the network is facing new challenges and must offer more services than ever before. Applications, and the network infrastructure of switches and routers that transport them, are crucial tools for enhancing user productivity and increasing the City’s ability to grow and provide mission

critical services. Instead of purchasing point switching products as we have done in the past, we need to use a systems approach of data switch and wireless switch equipment, to build integrated, secure, resilient networks that incorporate intelligence. This approach will allow us to more quickly and easily deploy new applications and communications systems that merge wireless, voice, video, and storage capabilities.

The proposed equipment will significantly increase our network switch capacity to support the new applications we are currently implementing. It will:

- support converged services support including IP telephony, voice over WLANs, and video services
- provide high availability and uninterrupted access to information assets
- provide greater protection against internal and external security threats
- improve efficiency through more manageable solutions that allow IT administrators to reduce the overall cost and complexity of network switches

As the City continues to invest in and broaden access to complex business applications, we run the risk of losing scalability and functionality if our networks are rigid and cannot support more advanced requirements. The new network equipment is a critical component in our efforts to continuously improve our systems and processes.

Cisco is the standard for large enterprise switching equipment with more than 300,000 Catalyst 65xx switches installed worldwide. The proposed solution includes the only switches that meet all of our requirements and are completely compatible with existing equipment. ISC is the only Gold Certified value added reseller of Cisco equipment in our area and has proposed pricing below that offered by WSCA (Western States Contracting Alliance) resulting in a savings of \$44,085.60. The Gold Certification means that they use ISC engineers that fully meet the Cisco certification requirements to successfully implement the highly complex equipment. They are also uniquely positioned to provide ongoing support for maintenance, upgrades, and long term expansion.

The Assistant Financial Operations Manager agrees with this recommendation.

**Attach 9**  
**Setting a Hearing on Amending the City Parking Code**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Amending the City Parking Code		
<b>File #</b>	N/A		
<b>Meeting Day, Date</b>	Wednesday, February 20, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>	X	<b>Individual</b>
<b>Date Prepared</b>	February 7, 2008		
<b>Author Name &amp; Title</b>	DeLayne Merritt, Staff Attorney		
<b>Presenter Name &amp; Title</b>	John Shaver, City Attorney		

**Summary:** Amendments are needed to the Parking Code to prohibit parking in planting strips and outside designated spaces.

**Budget:** N/A

**Action Requested/Recommendation:** Introduction of proposed Ordinance to amend the Parking Code and set a Public Hearing for March 5, 2008.

**Attachments:** Proposed Ordinance

**Background Information:** On August 15, 2007, the 2003 *Model Traffic Code for Colorado* (hereinafter referred to as 2003 MTC), with amendments, was adopted by the City Council. That adoption did not include Part 12 (Parking) of the 2003 MTC; rather, a parking code was separately adopted to best fit the parking needs of Grand Junction.

The proposed amendments were included in the prior parking regulations but have been updated concerning parking on planting strips, parking outside a designated space, occupying more than one designated space, and parking in a City leased space.



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

**AN ORDINANCE ADOPTING AMENDMENTS TO CHAPTER 36, SECTIONS 36-17  
AND 36-33 OF THE CITY OF GRAND JUNCTION CODE OF ORDINANCES  
RELATING TO THE  
PARKING CODE AS WELL AS ADOPTING A NEW SECTION 36-38**

RECITALS:

On August 15, 2007, the City of Grand Junction adopted a Parking Code largely based upon a combination of the 1977 *Model Traffic Code for Colorado Municipalities* and the parking rules that have been preserved and used by the City for many years. The Parking Code removed the discrepancies and inconsistencies that existed in the parking regulations.

In order to promote accessibility of commercial centers, public streets and parking areas, it is beneficial to continue to prohibit parking in certain areas of the City.

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

Chapter 36, Section 36-17 of the Parking Code of Ordinances, City of Grand Junction, Colorado, is hereby amended to read as follows. (Additions are shown in underline; deletions are shown by strikethrough.)

**Section 36-17. Stopping, standing or parking prohibited in specified places.**

- (a) No person, other than a peace officer conducting traffic enforcement in or on a marked patrol vehicle at or along an arterial or collector street or roadway as defined or described in the Grand Valley Circulation Plan, a duly adopted neighborhood plan or street plan, or Transportation Engineering Design Standards shall stop, stand or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with directions of a police officer or official traffic control device, in any of the following places:
- (1) On a sidewalk;
  - (2) Within an intersection;
  - (3) On a crosswalk;
  - (4) Between a safety zone and the adjacent curb or within thirty feet of points on the curb immediately opposite the ends of a safety zone, unless the traffic authority indicates a different length by signs or markings; every vehicle shall be parked wholly within a designated parking space. Parking space designations shall be made by markings, signs or other appropriate indication upon the curb and/or pavement. Except where prohibited by other provision

of this code, a vehicle which is of a size too large to be parked within a single space shall be permitted to occupy two adjoining spaces when the vehicle will fit wholly and completely within the designated spaces and where, as applicable, the necessary number of parking meter charges have been paid.

- (5) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
- (6) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
- (7) Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
- (8) On any railroad tracks;
- (9) On any controlled-access highway;
- (10) In the area between roadways of a divided highway, including crossovers;
- (11) At any other place where official signs prohibit stopping, standing, or parking.
- (12) Either in whole or in part on a planting strip.

Chapter 36, Section 36-33 of the Parking Code of Ordinances, City of Grand Junction, Colorado, is hereby amended to read as follows. (Additions are shown in underline; deletions are shown by strikethrough.)

**Section 36-33. Parking meter spaces.**

- (a) Parking meter spaces shall be of appropriate length and width as determined by an engineering and traffic investigation and may be designated by appropriate markings upon the curb and/or pavement of the street.
- (b) Except where parking is permitted within a double parking meter space, every vehicle shall be parked wholly within a metered space with the front end or front portion of such vehicle immediately opposite the parking meter for such space.
- (c) Every vehicle parked in a double parking meter space where coins or tokens shall be deposited in the meter on the right side of the double meter shall be parked wholly within the metered space with the back end or back portion of such vehicle immediately opposite the parking meter for such space.
- (d) Except where prohibited by other provisions of this Code, a vehicle which is of a size too large to be parked within a single parking meter space shall be permitted to occupy two adjoining parking meter spaces when coins or tokens shall have been

deposited in the parking meter for each space so occupied as is required in this ordinance for the parking of other vehicles in such space.

Chapter 36, Section 36-38 of the Parking Code of Ordinances, City of Grand Junction, Colorado, is hereby added to read as follows. (Additions are shown in underline; deletions are shown by strikethrough.)

**Section 36-38. Parking where spaces are designated.**

In areas where parking spaces are designated by painted lines or other markings, no vehicle shall:

(a) park within more than one designated parking space;

(b) park where no parking space is designated;

(c) park in a space that is leased, reserved or otherwise assigned or designated by the City for the use of a specified person.

**ALL OTHER PROVISIONS OF CHAPTER 36 SHALL REMAIN IN FULL FORCE AND EFFECT.**

PASSED for first reading and ordered published by the City Council of the City of Grand Junction, Colorado this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

PASSED AND ADOPTED on second reading by the City Council of the City of Grand Junction, Colorado this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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

Attest:

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



**Attach 10**

**Setting a Hearing on Amending the City Code Regarding Municipal Court  
Jurisdiction Over Theft Crimes of Less than \$1,000**

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Amending the City Code regarding Municipal Court jurisdiction over theft crimes of less than \$1,000		
<b>File #</b>	N/A		
<b>Meeting Day, Date</b>	Wednesday, February 20, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>	<input checked="" type="checkbox"/>	<b>Individual</b>
<b>Date Prepared</b>	February 7, 2008		
<b>Author Name &amp; Title</b>	DeLayne Merritt, Staff Attorney		
<b>Presenter Name &amp; Title</b>	John Shaver, City Attorney		

**Summary:** Pursuant to a change in state law, a municipal court is authorized to take jurisdiction over theft crimes involving items less than \$1,000. The current City ordinance (GJCO §24-7) authorizes the Grand Junction Municipal Court jurisdiction over theft in an amount of \$300 or less. The proposed amendment will increase jurisdiction to \$1,000 or less.

**Budget:** There will be no direct budget line impact; however, approval of an increase in the jurisdiction of theft is estimated to increase the caseload by approximately 200 cases per year. While the caseload increase will raise administrative costs, such costs will likely be offset by fines collected for the additional cases.

**Action Requested/Recommendation:** Introduction of proposed Ordinance increasing the theft cap to \$999.99 (less than \$1,000) and set a Public Hearing for March 5, 2008.

**Attachments:** Proposed Ordinance with changes

**Background Information:** See Summary

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

**AN ORDINANCE AMENDING CHAPTER 24, SECTION 7 OF THE  
CITY OF GRAND JUNCTION CODE OF ORDINANCES RELATING TO THEFT**

RECITALS:

The state court system is heavily burdened by criminal cases. The Municipal Court can help to alleviate the burden on the state court system and in turn provide efficient and effective management of some additional cases.

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

Chapter 24, Section 7 of the Code of Ordinances, City of Grand Junction, Colorado, is hereby amended to read as follows. (Additions are shown in underline; deletions are shown by strikethrough.)

**Sec. 24-7 Theft**

(a) It shall be unlawful to commit theft in the City. A person commits a theft when he knowingly obtains or exercises control over any thing of value of another without authorization or by threat or deception with intent to permanently deprive the person having lawful dominion, possession or control of the thing of value of its use or benefit. The municipal court shall have jurisdiction where the value of the thing involved is less than ~~\$300.00~~ \$1,000.00. For purposes of this section, the test of value is the reasonable market value of the stolen article at the time of the commission of the alleged offense. If any person willfully conceals unpurchased goods, wares or merchandise owned or held by and offered or displayed for sale by any store or other mercantile establishment, whether the concealment be on his own person or otherwise and whether on or off the premises of such store or mercantile establishment, such concealment shall constitute a presumption that the person intended to commit the crime of theft.

(b) It shall be unlawful to knowingly transfer a label or other designation of price from one item to another or alter such label or designation of price with intent to purchase such item at a lesser cost.

**ALL OTHER PROVISIONS OF CHAPTER 24 SHALL REMAIN IN FULL FORCE AND  
EFFECT.**

PASSED for first reading and ordered published by the City Council of the City of Grand Junction, Colorado this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

PASSED AND ADOPTED on second reading by the City Council of the City of Grand Junction, Colorado this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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

Attest:

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

**Attach 11**  
**Contract Study for Retail Recruitment and Retention**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Contract Study for Retail Recruitment and Retention		
<b>File #</b>			
<b>Meeting Day, Date</b>	Wednesday, February 20, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>	<input checked="" type="checkbox"/>	<b>Individual</b>
<b>Date Prepared</b>	February 11, 2008		
<b>Author Name &amp; Title</b>	Angela Harness, Management Analyst		
<b>Presenter Name &amp; Title</b>	Laurie Kadrich, City Manager		

**Summary:** The City of Grand Junction would like to enter into a contract with the firm Buxton, in order to evaluate potential retail business for Orchard Mesa, Downtown/ North Avenue, and Clifton areas and take the initiative to help recruit and retain retail to sustain the economy in the Valley.

**Budget:** \$72,000, (10% discount); \$7,500 DDA, \$2,000 GJEP, \$31,250 City, \$31,250 Mesa County (City/County Split).

**Action Requested/Recommendation:** To authorize the City Manager to enter into a contract with Buxton in the amount of \$72,000 (a portion of which to be reimbursed by project partners).

**Attachments:** none

**Background Information:** The City of Grand Junction is working in partnership with Mesa County, the Downtown Development Authority, and the Grand Junction Economic Partnership on a regional market strategy to help pursue retail attraction and expansion goals in identified areas of development.

Buxton has the capability to match specific retailers to the types of customers present in the trade area. Their database has 5,000 retailers used to find matches to the community. The tools and data are turned over for to each entity for recruitment and marketing purposes. *SCOUT*, an online marketing system, allows each entity to effectively use *CommunityID*. Reports such as maps, site-specific data, and custom marketing presentations are available through *SCOUT* and will be used in order to recruit and retain retail for the local economy.

*Community ID* provides data, information, and selling tools to make a compelling case as to why the City of Grand Junction can support new store/restaurant locations and expansion. At this point, the project team will be identifying three sites. The sites being considered are areas in: Clifton, Downtown/North Avenue, and Orchard Mesa.





**Attach 12**  
**Purchase of Eleven Police Patrol Vehicles**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Purchase of Eleven Police Patrol Vehicles		
<b>File #</b>			
<b>Meeting Day, Date</b>	February 20, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>	<b>X</b>	<b>Individual</b>
<b>Date Prepared</b>	February 14, 2008		
<b>Author Name &amp; Title</b>	Shirley Nilsen, Senior Buyer		
<b>Presenter Name &amp; Title</b>	Jay Valentine, Assistant Financial Operations Manager Bob Russell, Police Commander		

**Summary:** This purchase is for eleven police patrol vehicles, six are replacements and five are expansions to the fleet. The patrol units being replaced include one 1999, three 2003 and two 2004 models as identified by the annual review of the Fleet Replacement Committee. The expansion vehicles will be used to replace vehicles currently being used by School Resource and two Commanders on a “non-accrual” basis. These eleven sedans are E 85 OEM Bi Fuel (flex fuel) compatible.

**Budget:** Of the total \$247,861.00 purchase, \$180,058.00 has been budgeted and approved in the Fleet Replacement Fund for the six replacement patrol vehicles. The Police Department CIP fund has budgeted \$125,000.00 for the purchase of the five vehicles that are being added to the Fleet.

**Action Requested/Recommendation:** Authorize the City Purchasing Division to purchase eleven 2008 Ford Crown Victoria “Police Interceptors,” from Lakewood Fordland, located in Lakewood, CO for the amount of \$247,861.00.

**Attachments:** N/A

**Background Information:** The solicitation was advertised in the Daily Sentinel, and invitations were sent to 54 potential bidders. Five responsive and responsible bids were received as shown below.

The Assistant Financial Operations Manager and Police Chief agree with this recommendation.

Company	Location	Total Purchase Price
Lakewood Fordland	Lakewood, CO	\$247,861.00
Western Slope Auto	Grand Junction, CO	\$250,218.00
Colorado Springs Dodge	Colorado Springs, CO	\$254,627.00
Grand Junction Chrysler	Grand Junction, CO	\$254,985.00
O'Meara Ford	Northglen, CO	\$260,799.73

**Attach 13**  
**Change Order No. 2 for 7<sup>th</sup> Street Corridor Project**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Change Order No. 2 for 7 <sup>th</sup> Street Corridor Project		
<b>File #</b>			
<b>Meeting Day, Date</b>	Wednesday, February 20, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>		<b>Individual</b> <b>X</b>
<b>Date Prepared</b>	February 11, 2008		
<b>Author Name &amp; Title</b>	Don Newton, Engineering Projects Manager		
<b>Presenter Name &amp; Title</b>	Tim Moore, Public Works and Planning Director		

**Summary:** This Change Order includes extra work totaling \$146,000 required during construction of the recently completed 7<sup>th</sup> Street Corridor Project. Extra work included removal of old concrete pavement beneath the asphalt pavement; additional aggregate base course required to stabilize subgrade soils under the roadway; additional asphalt paving needed to transition from existing asphalt pavement to new concrete pavement; and additional trenching required for installation of conduits for the street lighting system.

**Budget:** Summary of Project Costs:

Construction Contract with Mays Concrete -----	\$3,133,307
Change Order No. 1 -----	\$0*
Change Order No.2 -----	\$146,000
Revised Contract Amount -----	\$3,279,307

It is recommended that the Change Order amount of \$146,000 be paid from a fund balance of \$194,740 remaining in the 24 Rd / I-70 Landscaping Project (Account 2011-F44400).

**Action Requested/Recommendation:** Authorize the City Manager to approve Change Order No.2 in the amount of \$146,000 for the 7<sup>th</sup> Street Corridor Improvement Project.

**Attachments:** none

**Background Information:** \*Change Order No. 1 included changing the roadway pavement type from hot mix asphalt to Portland cement concrete and other miscellaneous items that were approved prior to or during construction. These items

were paid for under the contract item for Minor Contract Revisions, therefore, did not increase the contract price. Change Order No. 2 includes extra work and materials in the following contract pay items:

**Contract  
Item No.**

26.	Removal of Concrete -----	\$23,248
50.	Aggregate base course (class 3) (subgrade stabilization) -----	\$49,680
52.	Hot Mix Asphalt (4" thick) -----	\$36,014
95.	Trenching for Street Light installation -----	<u>\$37,058</u>
	Total	\$146,000

Item 26 is for removal of old concrete pavement that was discovered under the asphalt roadway. Item 50 is for aggregate base course that was needed to stabilize wet, unstable subgrade soils under the roadway. Item 52 is for additional asphalt paving that was need to transition from the old asphalt pavement to the new concrete pavement at street intersections. Item 95 is for additional trenching that was required by XCEL Energy for installation of conduits for the street lighting system.

The 7<sup>th</sup> Street Improvement project was substantially completed and opened to traffic on December 14, 2007.

**Attach 14**  
**Public Hearing—Mersman Annexation, Located at 3037 D Road**  
**CITY OF GRAND JUNCTION**

<i>CITY COUNCIL AGENDA</i>			
<b>Subject</b>	Mersman Annexation - Located at 3037 D Road		
<b>File #</b>	ANX-2007-356		
<b>Meeting Day, Date</b>	Wednesday, February 20, 2008		
<b>Placement on the Agenda</b>	Consent		Individual X
<b>Date Prepared</b>	February 8, 2008		
<b>Author Name &amp; Title</b>	Justin T. Kopfman – Associate Planner		
<b>Presenter Name &amp; Title</b>	Justin T. Kopfman – Associate Planner		

**Summary:** Request a continuance to annex 1.45 acres, located at 3037 D Road. The Mersman Annexation consists of 1 parcel.

**Budget:** N/A

**Action Requested/Recommendation:** Request a continuance to Adopt Resolution accepting the petition for the Mersman Annexation for public hearing till May 5, 2008.

Due to the unforeseen practicalities and costs associated with subdividing, developing and annexing the Mersman Annexation, the applicant has asked for a continuance of public hearing of the Annexation to May 5, 2008. Allowing the continuance gives the applicant time to negotiate with potential buyers of the split parcel.

**Attachments:**

**None**

**Attach 15**

**Public Hearing—Vacation of the North/South Alley between S. 8<sup>th</sup> and S. 9<sup>th</sup> Streets, North of Winters Avenue**

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Vacating the North/South Alley between S 8 <sup>th</sup> and S 9 <sup>th</sup> Streets, North of Winters Avenue		
<b>File #</b>	VR-2007-050		
<b>Meeting Day, Date</b>	Wednesday, February 20, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>	<b>X</b>	<b>Individual</b>
<b>Date Prepared</b>	February 6, 2008		
<b>Author Name &amp; Title</b>	Senta L. Costello - Associate Planner		
<b>Presenter Name &amp; Title</b>	Senta L. Costello - Associate Planner		

**Summary:** Consideration of a proposed Ordinance to vacate the North/South alley between S 8<sup>th</sup> and S 9<sup>th</sup> 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:** Hold a public hearing and consider final passage and publication of the proposed vacation Ordinance.

**Attachments:**

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

**Background Information:** See attached Staff report/Background information

BACKGROUND INFORMATION				
Location:		North/South Alley between 814 and 830 Winters Avenue		
Applicants:		Knowmoore LLC - Kirk Knowles		
Existing Land Use:		Public Alley		
Proposed Land Use:		Outdoor Storage		
Surrounding Land Use:	North	Castings, Inc.		
	South	Orkin		
	East	Automotive Shop/Office		
	West	Knowmoore, LLC; Latino Anglo Alliance		
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 9<sup>th</sup> 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 traffic 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 Planning Commission felt that 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 it's 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. If approved, vehicles would be required to either pull into the alley and back out or vice versa. Requiring vehicles to back out on the undeveloped S 8<sup>th</sup> Street right-of-way in order to use the alley 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. 8<sup>th</sup> Street, violating TEDS 4.3. South 8<sup>th</sup> 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 8<sup>th</sup> 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.

#### 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



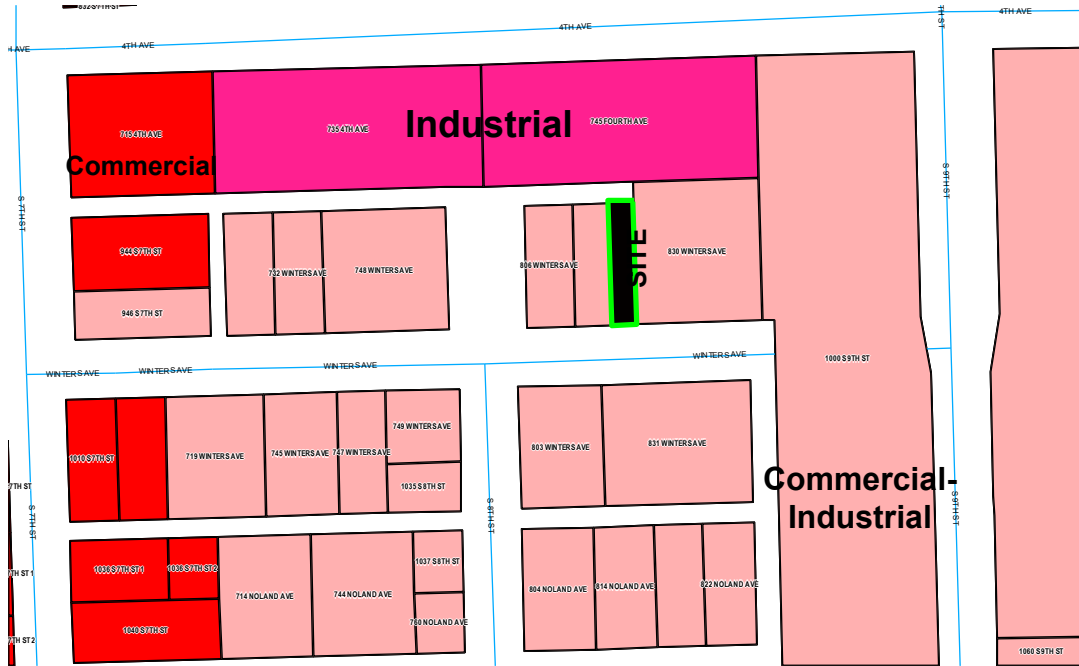
# Aerial Photo Map

## Figure 2



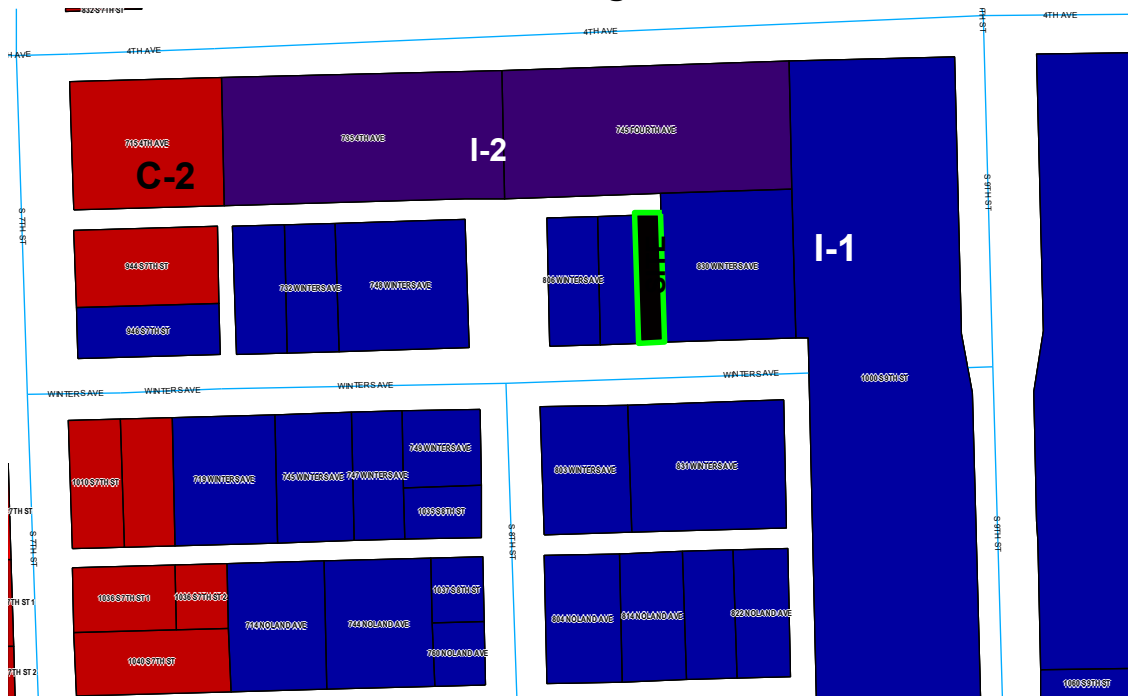
# Future Land Use Map

Figure 3



# Existing City Zoning Map

Figure 4



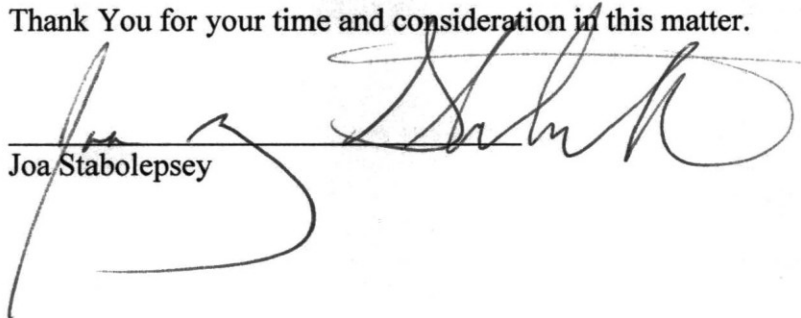
Detailed Aerial



To whom it may concern,

I, Joa Stabolepsey, have agreed to the vacation proposal for the North/South Alley between 814 & 830 Winters Ave. When the final decision is made by the city planning commission I will then go and submit the paperwork for the quit claim deed that will be required to finish the agreement that has been reached between Knowmoore, LLC and me.

Thank You for your time and consideration in this matter.

  
\_\_\_\_\_  
Joa Stabolepsey



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

March 29, 2007

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

ATTN: Senta Costello

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

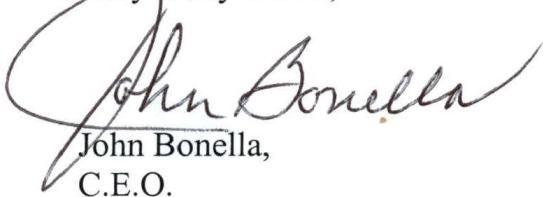
Dear M. Costello;

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 801-4<sup>th</sup> 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 (1<sup>st</sup> 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 8<sup>th</sup> and 9<sup>th</sup> 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 8<sup>th</sup> 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 8<sup>th</sup> 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**

**ORDINANCE NO.**

**AN ORDINANCE VACATING NORTH/SOUTH RIGHT-OF-WAY FOR ALLEY  
LOCATED BETWEEN SOUTH 8<sup>TH</sup> AND SOUTH 9<sup>TH</sup> 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 6<sup>th</sup> day of February, 2008

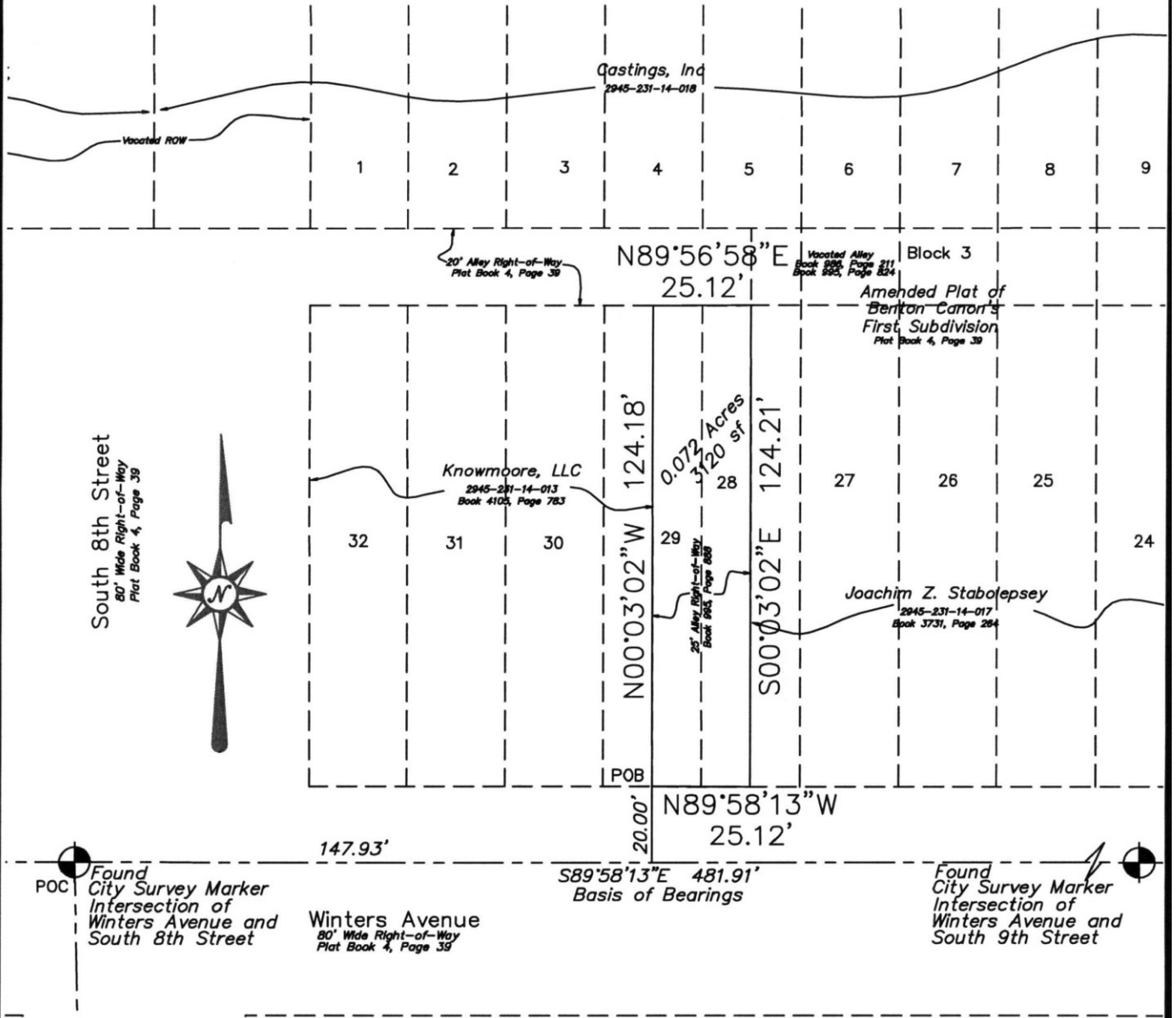
PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2008

ATTEST:

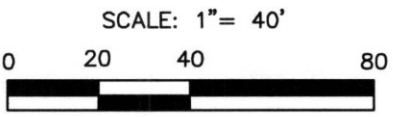
\_\_\_\_\_  
President of City Council

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

# EXHIBIT A ALLEY RIGHT-OF-WAY TO BE VACATED



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



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

**Attach 16**  
**Public Hearing—Pinson-Herigstad Annexation and Zoning**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Pinson-Herigstad Annexation and Zoning - Located at 644 1/2 29 1/2 Road		
<b>File #</b>	ANX-2007-352		
<b>Meeting Day, Date</b>	February 20, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>		<b>Individual</b> <b>X</b>
<b>Date Prepared</b>	January 3, 2008		
<b>Author Name &amp; Title</b>	Senta L. Costello - Associate Planner		
<b>Presenter Name &amp; Title</b>	Senta L. Costello - Associate Planner		

**Summary:** Request to annex and zone 3.02 acres, located at 644 1/2 29 1/2 Road, to R-4 (Residential 4 du/ac). The Pinson-Herigstad Annexation consists of 1 parcel and is a 2 part serial annexation.

**Budget:** N/A

**Action Requested/Recommendation:** Adopt Resolution accepting the petition for the Pinson-Herigstad Annexation and hold a public hearing and consider final passage of the annexation ordinance and zoning ordinance.

**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. Acceptance Resolution
5. Annexation Ordinance
6. Zoning Ordinance

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



STAFF REPORT / BACKGROUND INFORMATION				
<b>Location:</b>		644 1/2 29 1/2 Road		
<b>Applicants:</b>		Danny Pinson, Tina Pinson, Perry and Carolyn Herigstad		
<b>Existing Land Use:</b>		Vacant		
<b>Proposed Land Use:</b>		Residential		
<b>Surrounding Land Use:</b>	<b>North</b>	Church		
	<b>South</b>	Single Family Residential		
	<b>East</b>	Single Family Residential		
	<b>West</b>	Single Family Residential		
<b>Existing Zoning:</b>		RSF-4		
<b>Proposed Zoning:</b>		R-4 (Residential 4 du/ac)		
<b>Surrounding Zoning:</b>	<b>North</b>	County RSF-4		
	<b>South</b>	County RSF-4		
	<b>East</b>	County RMF-5		
	<b>West</b>	City R-8 (Residential 8 du/ac)		
<b>Growth Plan Designation:</b>		Residential Medium 4-8 du/ac		
<b>Zoning within density range?</b>		<b>X</b>	<b>Yes</b>	<b>No</b>

**Staff Analysis:**

**ANNEXATION:**

This annexation area consists of 3.02 acres of land and is comprised of 1 parcel. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

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

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

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

The following annexation and zoning schedule is being proposed.

<b><u>ANNEXATION SCHEDULE</u></b>	
<b>January 14, 2008</b>	Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use
<b>January 22, 2008</b>	Planning Commission considers Zone of Annexation
<b>February 6, 2008</b>	Introduction of a proposed Ordinance on Zoning by City Council
<b>February 20, 2008</b>	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
<b>March 23, 2008</b>	Effective date of Annexation and Zoning

**PINSON-HERIGSTAD ANNEXATION SUMMARY**

<b>File Number:</b>		ANX-2007-352
<b>Location:</b>		644 1/2 29 1/2 Road
<b>Tax ID Number:</b>		2943-054-92-001
<b>Parcels:</b>		1
<b>Estimated Population:</b>		0
<b># of Parcels (owner occupied):</b>		0
<b># of Dwelling Units:</b>		0
<b>Acres land annexed:</b>		3.02 acres
<b>Developable Acres Remaining:</b>		3.02 acres
<b>Right-of-way in Annexation:</b>		0.0 square feet
<b>Previous County Zoning:</b>		RSF-4
<b>Proposed City Zoning:</b>		R-4 (Residential 4 du/ac)
<b>Current Land Use:</b>		Vacant
<b>Future Land Use:</b>		Residential
<b>Values:</b>	<b>Assessed:</b>	= \$20,880
	<b>Actual:</b>	= \$72,000
<b>Address Ranges:</b>		644 1/2 29 1/2 Road only
<b>Special Districts:</b>	<b>Water:</b>	Ute Water
	<b>Sewer:</b>	Central Grand Valley Sanitation
	<b>Fire:</b>	Grand Junction Rural
	<b>Irrigation/ Drainage:</b>	Palisade Irrigation
	<b>School:</b>	Mesa County School District #51
	<b>Pest:</b>	None

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.

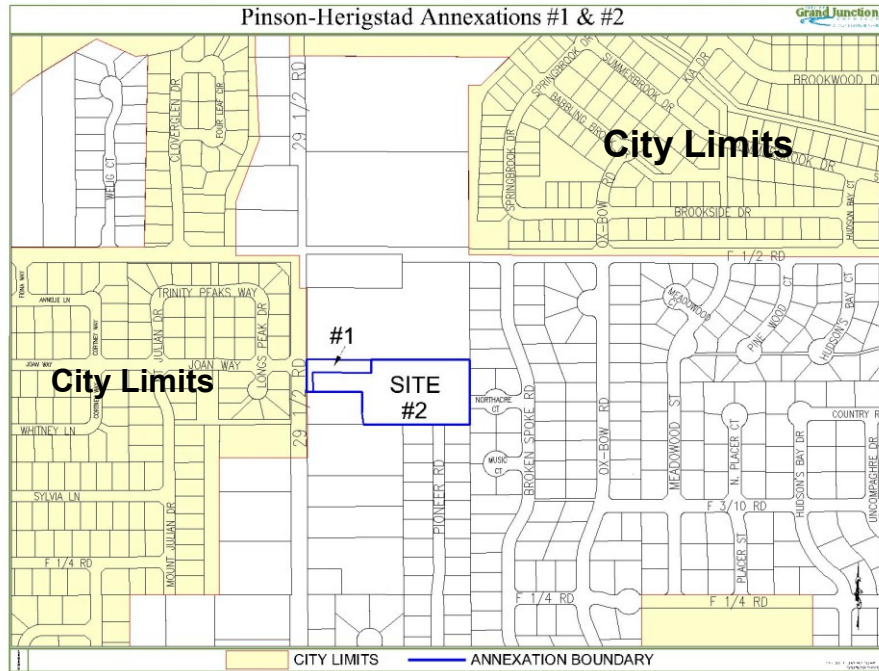
- a. R-5
- b. R-8

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.

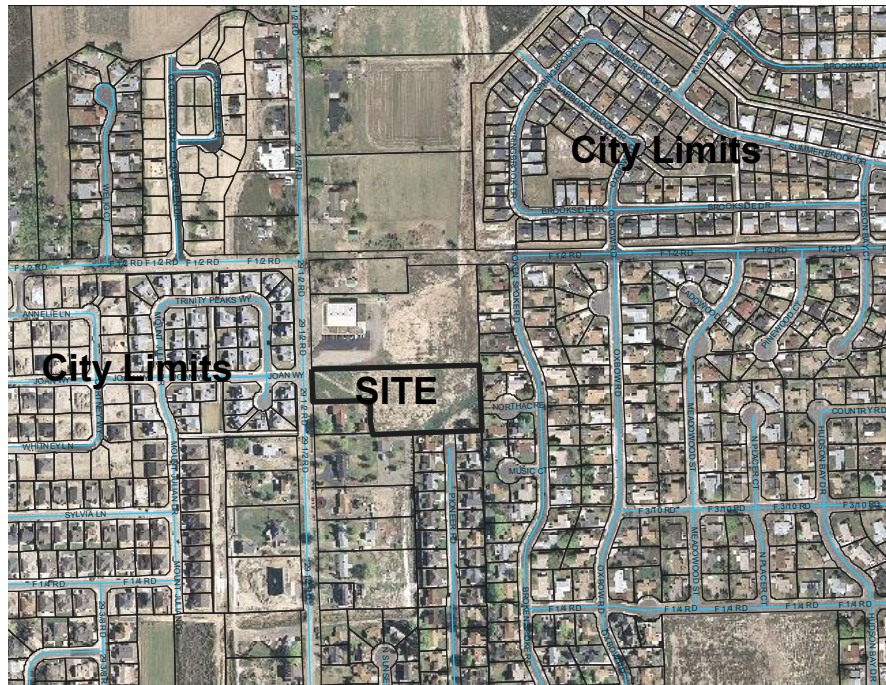
# Site Location Map

Figure 1



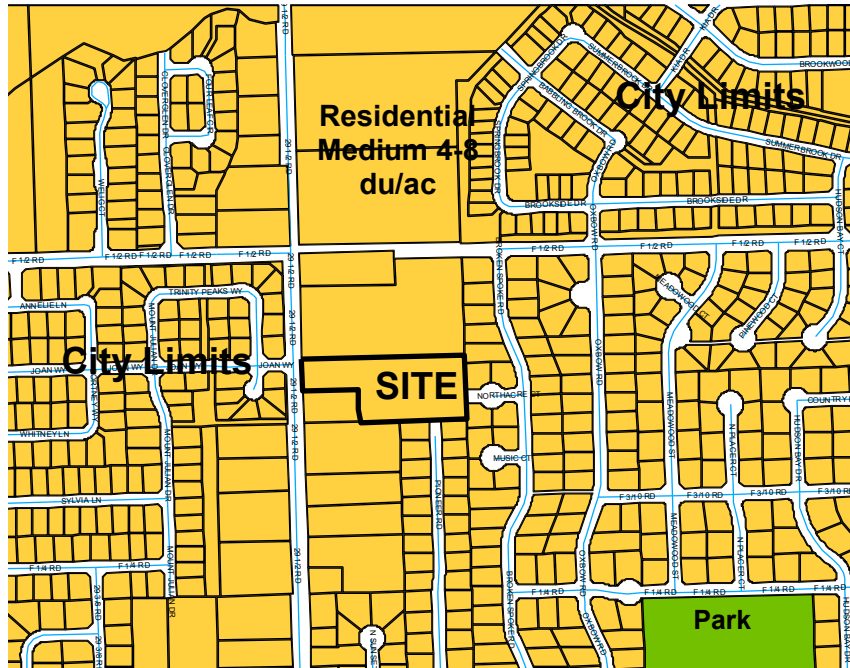
# Aerial Photo Map

Figure 2



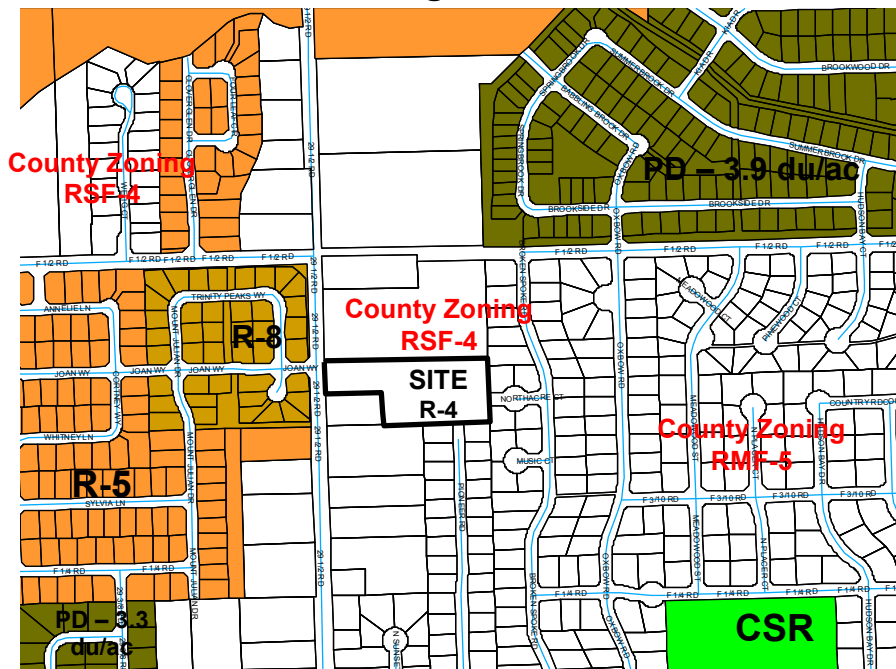
# Future Land Use Map

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**

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

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

**PINSON-HERIGSTAD ANNEXATION**

**LOCATED AT 644 1/2 29 1/2 ROAD**

**IS ELIGIBLE FOR ANNEXATION**

WHEREAS, on the 14<sup>th</sup> day of January, 2008, 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:

**PINSON-HERIGSTAD ANNEXATION NO. 1**

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.

**PINSON-HERIGSTAD ANNEXATION NO. 2**

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.

WHEREAS, a hearing on the petition was duly held after proper notice on the 20<sup>th</sup> 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** this \_\_\_\_ day of \_\_\_\_\_, 2008.



Attest:

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President of the Council

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City Clerk

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**PINSON-HERIGSTAD ANNEXATION #1**

**APPROXIMATELY 0.33 ACRES**

**LOCATED AT 644 1/2 29 1/2 ROAD**

**WHEREAS**, on the 14<sup>th</sup> day of January, 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 20<sup>th</sup> 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:

**PINSON-HERIGSTAD ANNEXATION NO. 1**

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.

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

**INTRODUCED** on first reading on the 14<sup>th</sup> day of January, 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**

**PINSON-HERIGSTAD ANNEXATION #2**

**APPROXIMATELY 2.69 ACRES**

**LOCATED AT 644 1/2 29 1/2 ROAD**

**WHEREAS**, on the 14<sup>th</sup> day of January, 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 20<sup>th</sup> 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:

**PINSON-HERIGSTAD ANNEXATION NO. 2**

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 on the 14<sup>th</sup> day of January, 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 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 6<sup>th</sup> day of February, 2008 and ordered published.

**ADOPTED** on second reading the \_\_\_\_ day of \_\_\_\_\_, 2008.

ATTEST:

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

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

**Attach 17**  
**Public Hearing—Rezoning the John H. Hoffman Subdivision**

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	John H. Hoffman Subdivision Rezone Request		
<b>File #</b>	PP-2007-267		
<b>Meeting Day, Date</b>	February 20, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>		<b>Individual</b> <b>x</b>
<b>Date Prepared</b>	February 8, 2008		
<b>Author Name &amp; Title</b>	Adam Olsen, Senior Planner		
<b>Presenter Name &amp; Title</b>	Adam Olsen, Senior Planner		

**Summary:** A request to rezone 8.02 acres, located at 3043 D Road, from R-5 (Residential 5 du/ac) to R-8 (Residential 8 du/ac).

**Budget:** N/A

**Action Requested/Recommendation:** Hold a public hearing and consider final passage of the ordinance rezoning 8.02 acres, located at 3043 D Road from R-5 (Residential 5 du/ac) to R-8 (Residential 8 du/ac).

**Background Information:** See attached report.

**Attachments:**

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



BACKGROUND INFORMATION				
Location:		3043 D Road		
Applicants:		Habitat For Humanity-Owner LANDesign Consulting-Representative		
Existing Land Use:		Vacant		
Proposed Land Use:		Residential		
Surrounding Land Use:	North	Residential		
	South	State Park Land		
	East	State Park Land		
	West	Residential/Vacant		
Existing Zoning:		R-5 (Residential 5 du/ac)		
Proposed Zoning:		R-8 (Residential 8 du/ac)		
Surrounding Zoning:	North	PUD (County), R-5 (Residential 5 du/ac)		
	South	PUD (County)		
	East	PUD (County)		
	West	RSF-R (County), R-5 (Residential 5 du/ac)		
Growth Plan Designation:		RM (Residential Medium 4-8 du/ac)		
Zoning within density range?		x	Yes	No

**Staff Analysis:**

1. Background

This area consists of 8.02 acres and was platted as Lot 2, Arna Hoffman Subdivision. The property was annexed in 2006 under the Hoffman Annexation and zoned R-5 (Residential 5 du/ac). Habitat for Humanity, property owner, has proposed a subdivision consisting of both single-family detached and two-family dwelling units. Two family dwelling units are defined as “a single family dwelling attached to only one other single family dwelling unit by a common wall, with each dwelling located on separate lots.” The applicant has submitted a preliminary subdivision plan which conforms to the R-8 zone district standards. That proposal is running concurrent with this rezone request. However, before the preliminary subdivision plan may proceed further, the rezone request must be acted upon.

2. Consistency with the Growth Plan

The requested zone district of R-8 is consistent with the Future Land Use designation of Residential Medium (4-8 du/ac).

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

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

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

Response: The existing zoning was not in error at the time of adoption. The property owners requested the R-5 zone district upon annexation, which is also compatible with the Future Land Use designation for this area.

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

Response: Properties that have been recently annexed and zoned R-8 in the City are present to the north and northeast. Existing County subdivisions in the vicinity have been built to densities that reflect the R-8 zone district.

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

Response: The R-8 zone district is compatible with the neighborhood and will not create adverse impacts. The Future Land Use Map designates this area as RM (Residential Medium 4-8 du/ac). Lot 1 of the Arna Hoffman Subdivision is zoned R-5 (Residential 5 du/ac), however, it is conceivable that at the time of future development of the parcel, the R-8 zone may be requested as it would be a logical extension of the proposed Hoffman Subdivision, currently under review.

Subdivisions in the vicinity are built at densities that are comparable to the R-8 zone district. Wedgewood Park Subdivision, located to the north, has a density of 7.5 du/ac. Parkwood Estates, located to the northeast has a density of 6.5 du/ac. The City Council's Strategic Plan emphasizes the importance of affordable housing in the City. One of the objectives is to identify, develop and promote relationships with public agencies, not-for-profits and the private sector in providing affordable housing.

The R-8 zone district is in conformance with the following goals and policies of the Growth Plan and the Pear Park Neighborhood Plan:

Growth Plan:

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

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

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

Pear Park Plan:

Goal 3, Land Use and Growth, Pear Park Neighborhood Plan: Establish areas of higher density to allow for a mix in housing options.

The Pear Park Plan designates this area “Residential Medium”, with densities ranging from four to eight units per acre. The R-8 zone district falls within the “Residential Medium” density range.

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

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

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

Response: This is located within an area of Pear Park that is rapidly developing. Existing County subdivisions are built at densities comparable to that of the R-8 zone district. State Park lands are located to the east and south of this site, which ensures adequate open space for the future. Any land comparably zoned in the City, in this area, is developing or has been developed.

6. The community will benefit from the proposed zone.

Response: The community will benefit from the proposed zone as it will allow density to be added to an area of the City which is under intense development pressure. The R-8 zone district will allow densities comparable to that of the existing subdivisions in the vicinity.

**PLANNING COMMISSION RECOMMENDATION:**

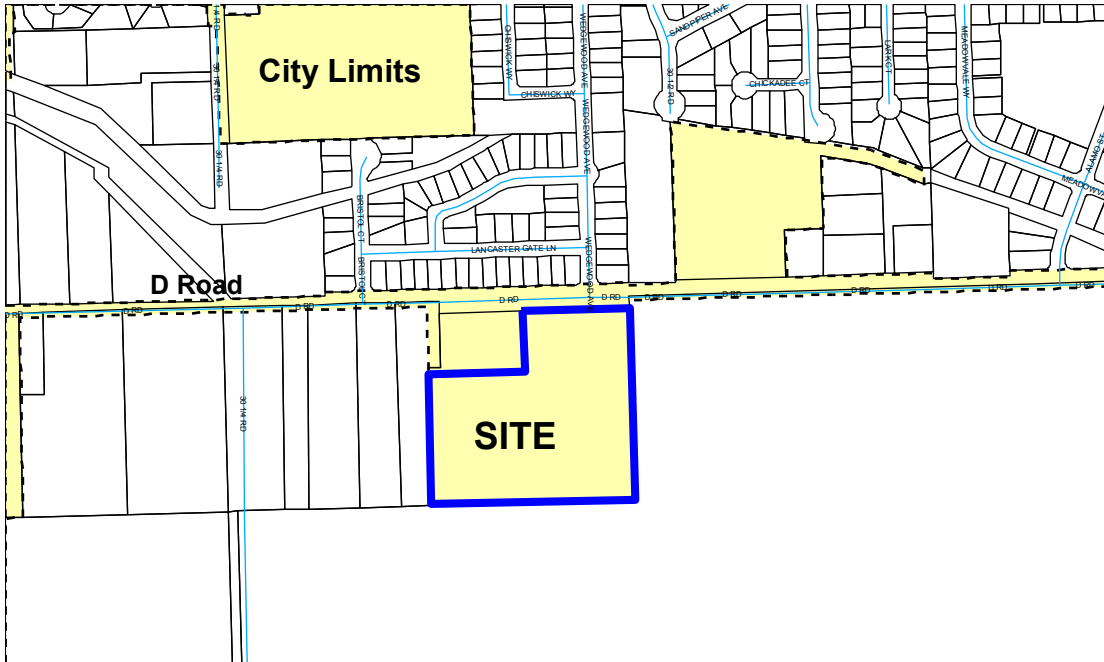
The Planning Commission recommended approval of the requested rezone, PP-2007-267, to the City Council with the following findings of fact and conclusions:

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



# Site Location Map

Figure 1



# Aerial Photo Map

Figure 2



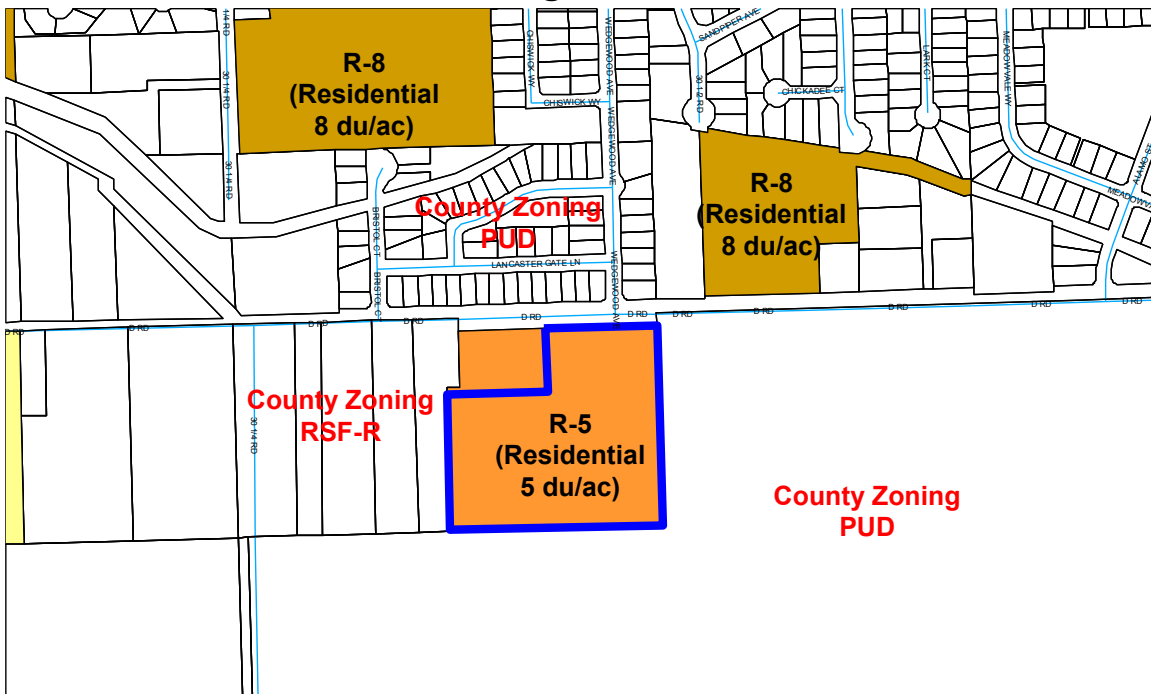
# Future Land Use Map

Figure 3



## Existing City and County Zoning

Figure 4



CITY OF GRAND JUNCTION, COLORADO

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

**AN ORDINANCE REZONING THE PROPERTY KNOWN AS THE  
JOHN H. HOFFMAN SUBDIVISION REZONE TO  
R-8, RESIDENTIAL 8 UNITS PER ACRE**

**LOCATED AT 3043 D ROAD**

Recitals.

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

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

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

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

Lot 2, Arna Hoffman Subdivision.

Introduced on first reading this 4th day of February, 2008 and ordered published.

**ADOPTED** on second reading this \_\_\_\_ day of \_\_\_\_\_, 2008.

ATTEST:

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

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

**Attach 18**  
**Public Hearing—Zoning the Sura Annexation**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Zoning the Sura Annexation - Located at 405 25 Road		
<b>File #</b>	ANX-2007-276		
<b>Meeting Day, Date</b>	Wednesday, February 20, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>	<input type="checkbox"/>	<b>Individual</b> <input checked="" type="checkbox"/>
<b>Date Prepared</b>	February 6, 2008		
<b>Author Name &amp; Title</b>	David Thornton, Principal Planner		
<b>Presenter Name &amp; Title</b>	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:** Hold a public hearing and consider final passage of the Ordinance.

**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*

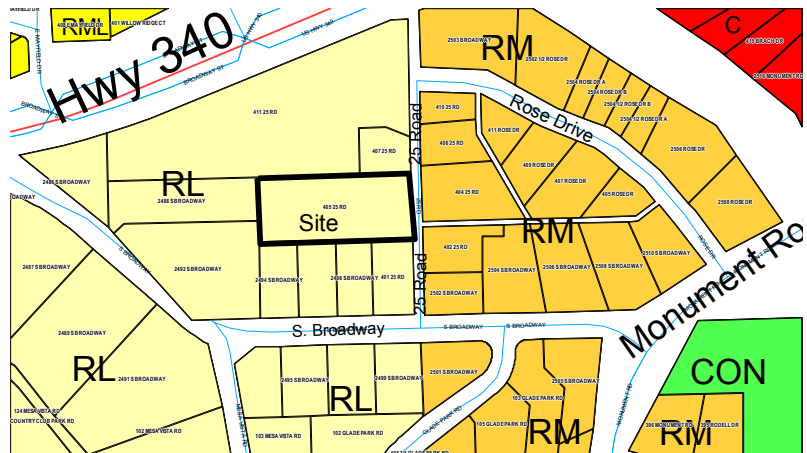
<b>Location:</b>		405 25 Road				
<b>Applicants: &lt; Prop owner, developer, representative&gt;</b>		Matthew M. Sura				
<b>Existing Land Use:</b>		<i>Residential</i>				
<b>Proposed Land Use:</b>		<i>Residential</i>				
<b>Surrounding Land Use:</b>	<b>North</b>	<i>Residential and vacant</i>				
	<b>South</b>	Residential				
	<b>East</b>	Residential				
	<b>West</b>	Residential				
<b>Existing Zoning:</b>		Mesa County RSF-4				
<b>Proposed Zoning:</b>		City R-4 (Residential 4 du/ac)				
<b>Surrounding Zoning:</b>	<b>North</b>	<i>Mesa County RSF-4</i>				
	<b>South</b>	<i>Mesa County RSF-4</i>				
	<b>East</b>	<i>Mesa County RSF-4</i>				
	<b>West</b>	<i>Mesa County RSF-4</i>				
<b>Growth Plan Designation:</b>		Residential Medium Low (2 to 4 du/ac)				
<b>Zoning within density range?</b>		<table border="1"> <tr> <td align="center">X</td> <td align="center">Yes</td> <td></td> <td align="center">No</td> </tr> </table>	X	Yes		No
X	Yes		No			

**Staff Analysis:**

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



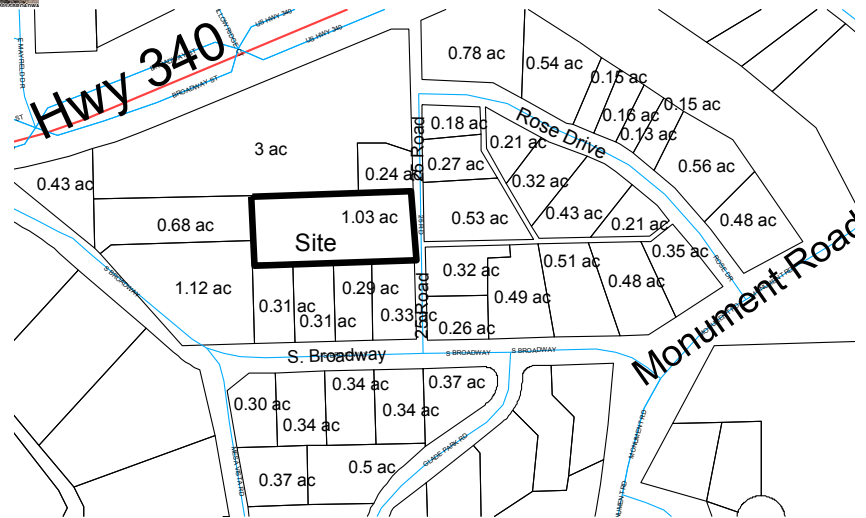
requires annexation and processing in the City.



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.

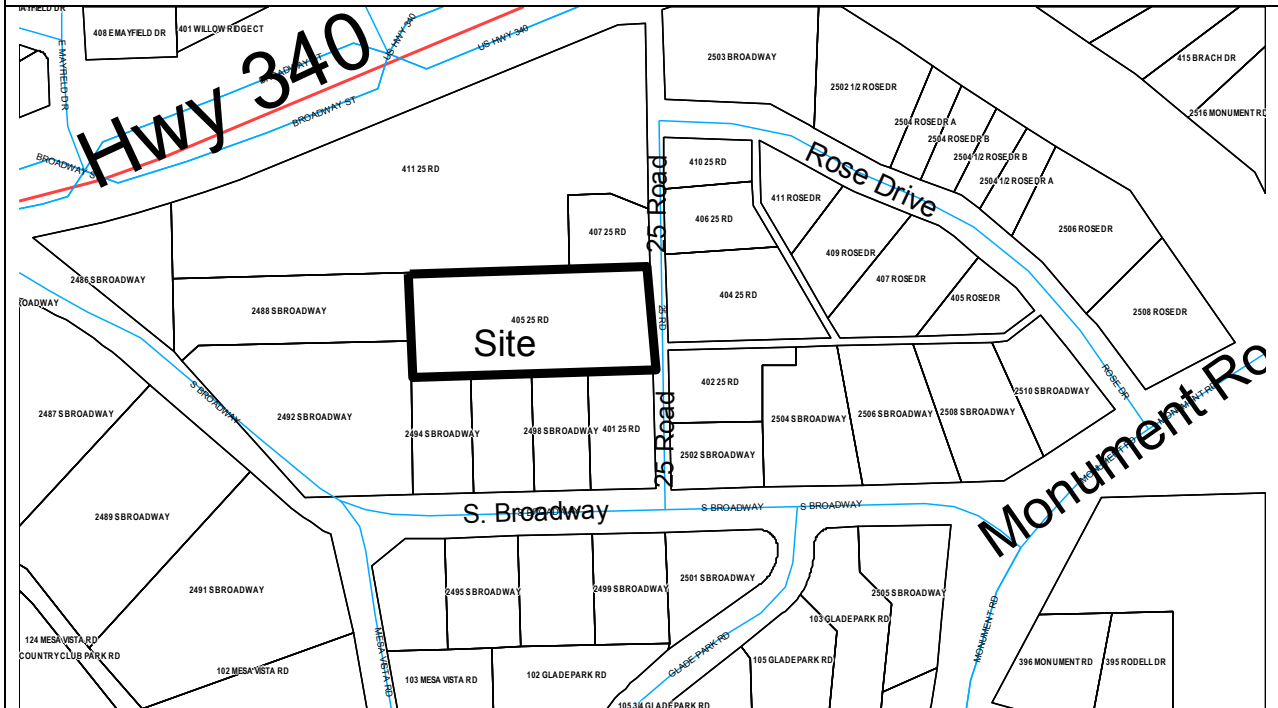
c. R-2

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



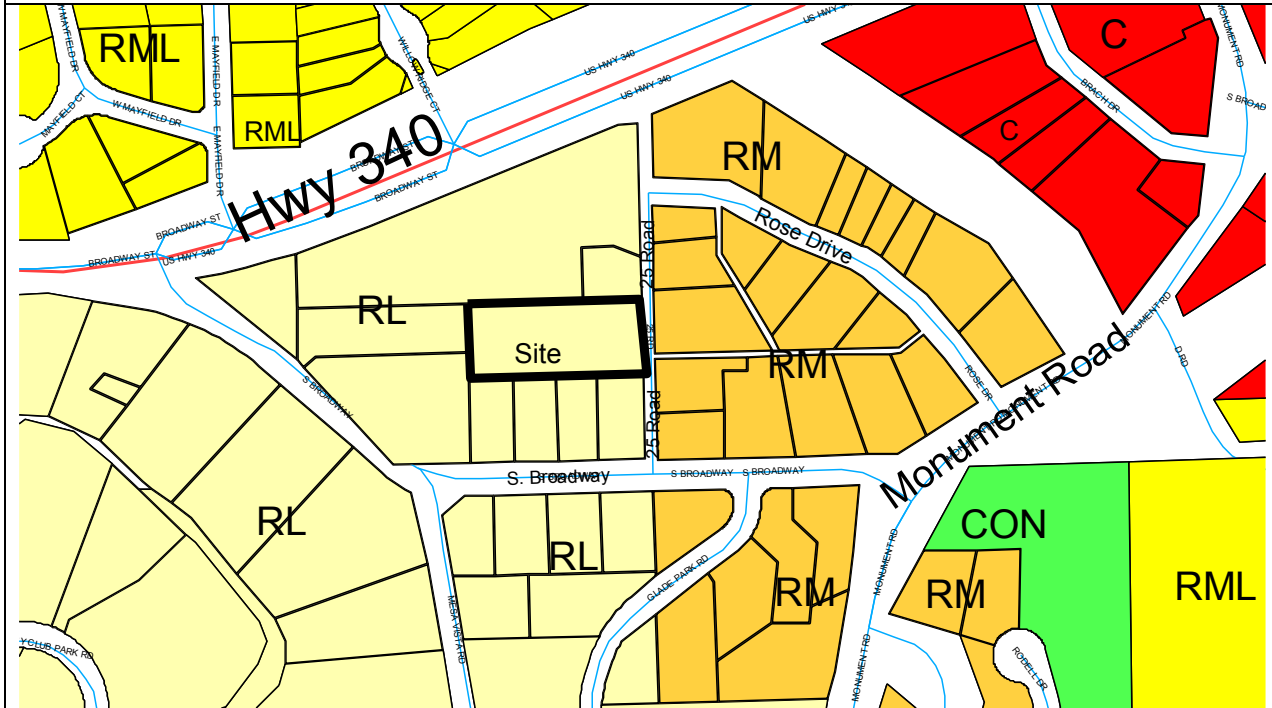
# Aerial Photo Map

## Figure 2



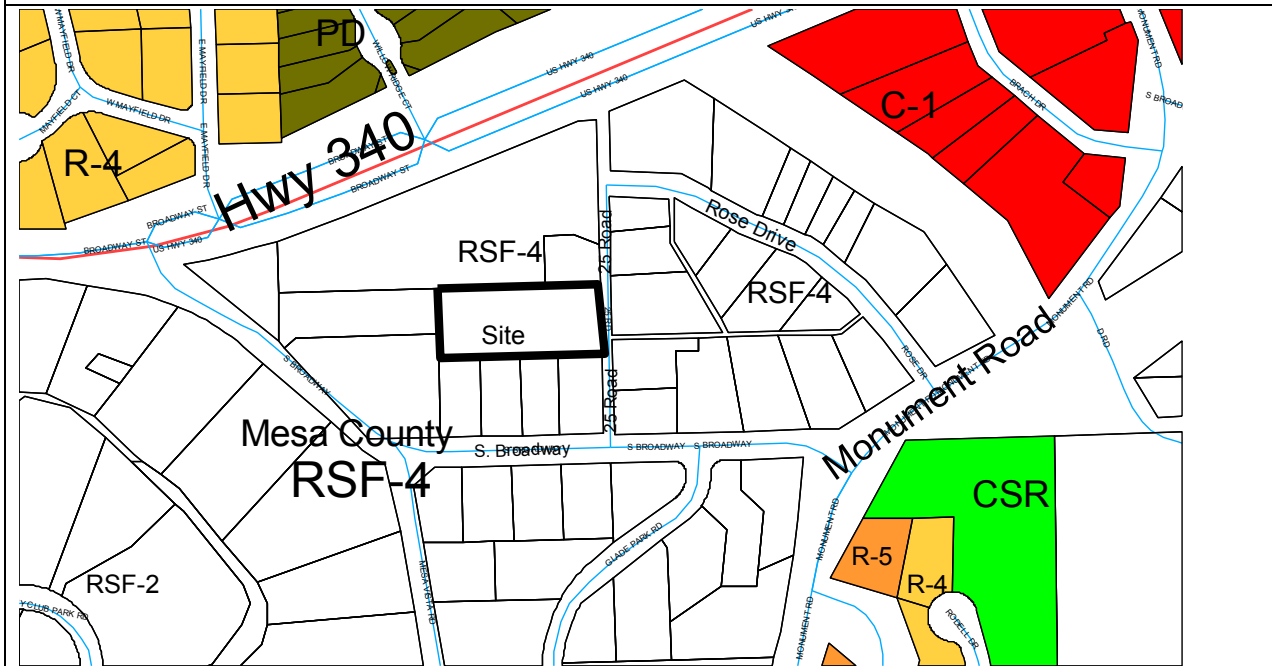
# Future Land Use Map

## 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 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 6<sup>th</sup> day of February, 2008 and ordered published.

**ADOPTED** on second reading the \_\_\_\_\_ day of \_\_\_\_\_, 2008.

ATTEST:

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

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

**Attach 19**

**Public Hearing—Zoning the Reigan/Patterson/TEK/Morario Annexation  
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Zoning the Reigan/Patterson/TEK/Morario Annexation, located at 2202, 2202 ½, 2204 H Road & 824 22 Road		
<b>File #</b>	ANX-2007-279		
<b>Meeting Day, Date</b>	Wednesday, February 20, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>		<b>Individual</b> X
<b>Date Prepared</b>	February 6, 2008		
<b>Author Name &amp; Title</b>	David Thornton, Principal Planner		
<b>Presenter Name &amp; Title</b>	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 & 824 22 Road, to City Mixed Use (MU).

**Budget:** N/A

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

**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

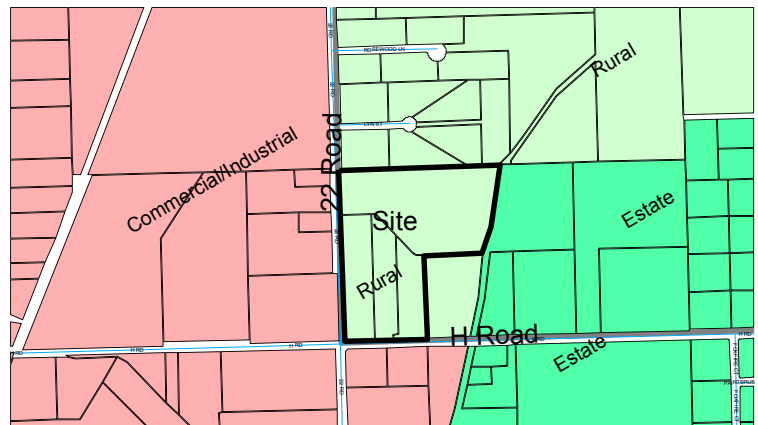
**STAFF REPORT / BACKGROUND INFORMATION**

<b>Location:</b>		2202, 2202 ½, 2204 H Road & 824 22 Road		
<b>Applicants: &lt; Prop owner, developer, representative&gt;</b>		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		
<b>Existing Land Use:</b>		Residential and vacant (3 dwellings on 4 parcels)		
<b>Proposed Land Use:</b>		Mixed Use (MU)		
<b>Surrounding Land Use:</b>	<b>North</b>	Residential		
	<b>South</b>	Industrial		
	<b>East</b>	Residential		
	<b>West</b>	Residential		
<b>Existing Zoning:</b>		Mesa County AFT and Estate		
<b>Proposed Zoning:</b>		City Mixed Use (MU)		
<b>Surrounding Zoning:</b>	<b>North</b>	Mesa County AFT and PD Residential		
	<b>South</b>	Mesa County PD Industrial		
	<b>East</b>	Mesa County AFT		
	<b>West</b>	I-1 (Light Industrial) and County RSF-R		
<b>Growth Plan Designation:</b>		Mixed Use		
<b>Zoning within density range?</b>	<b>X</b>	<b>Yes</b>		<b>No</b>

**Staff Analysis:**

2. Background:

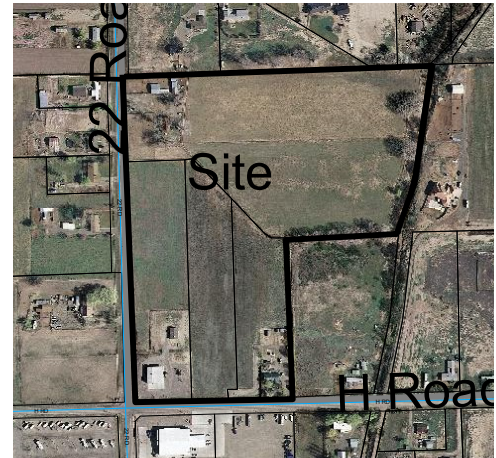
A Growth Plan Amendment (GPA) to Mixed Use (MU) was approved December 19, 2007 by City Council for these four properties. The request to annex this area was considered under file number ANX-2007-279 which file is incorporated herein by this reference as if fully set forth.



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 is 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.

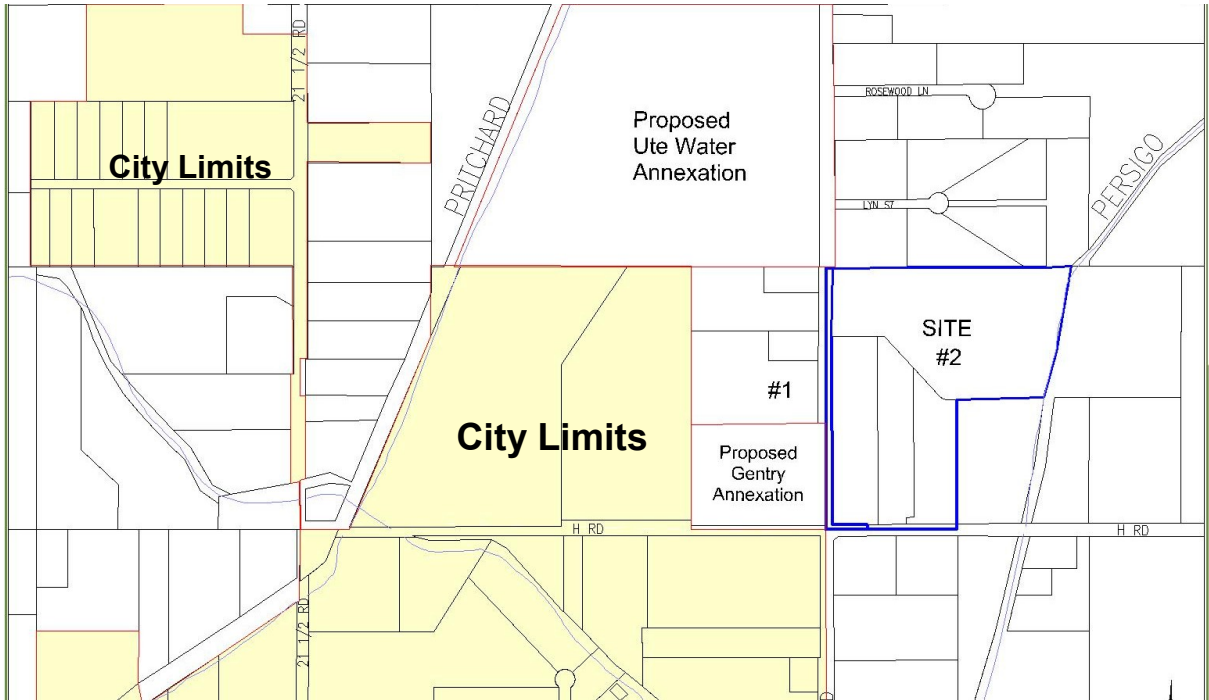
#### PLANNING COMMISSION RECOMMENDATION:

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.



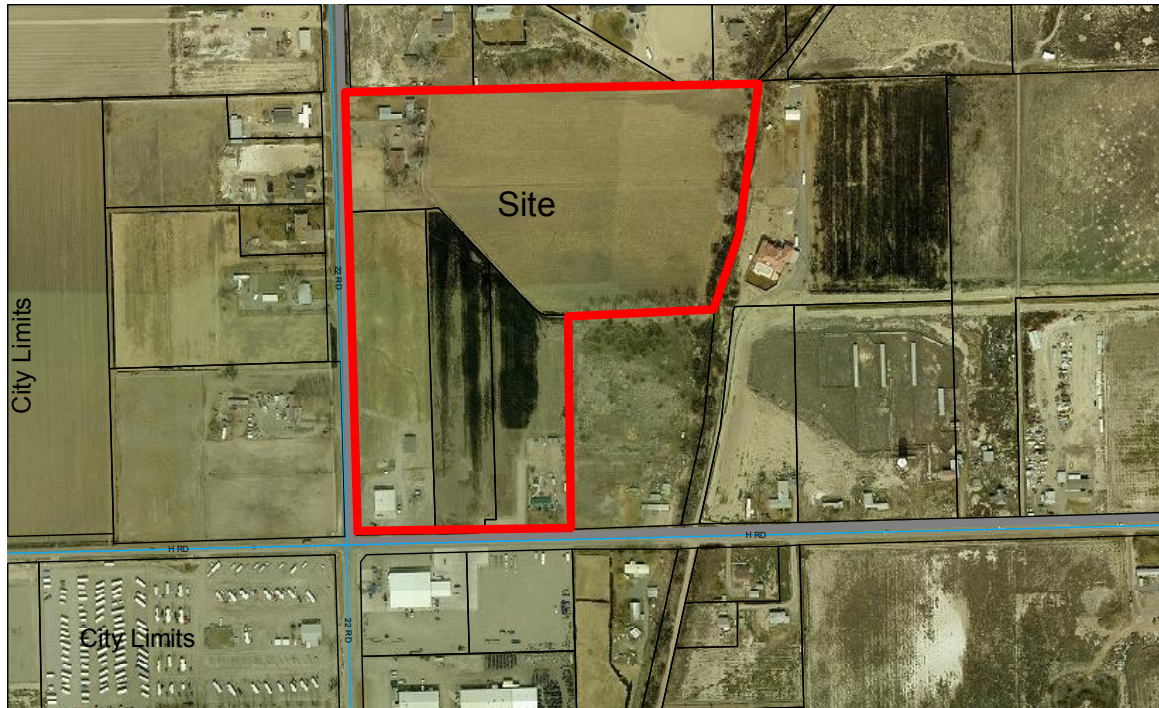
# Annexation / Site Location Map

Figure 1



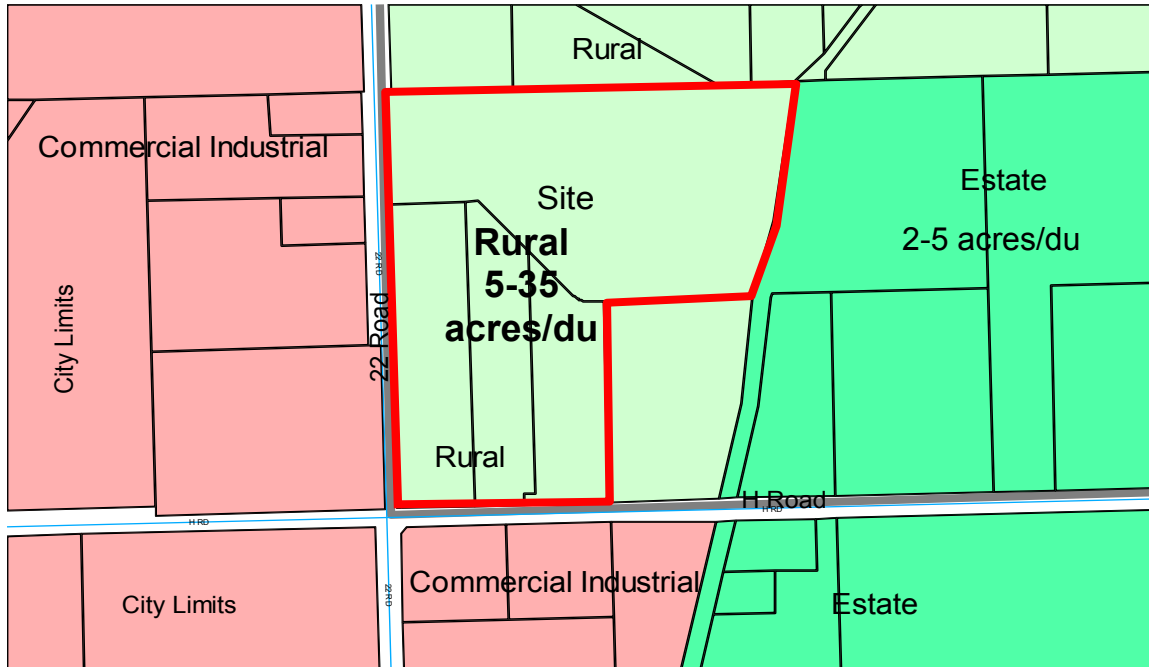
# Aerial Photo Map

Figure 2



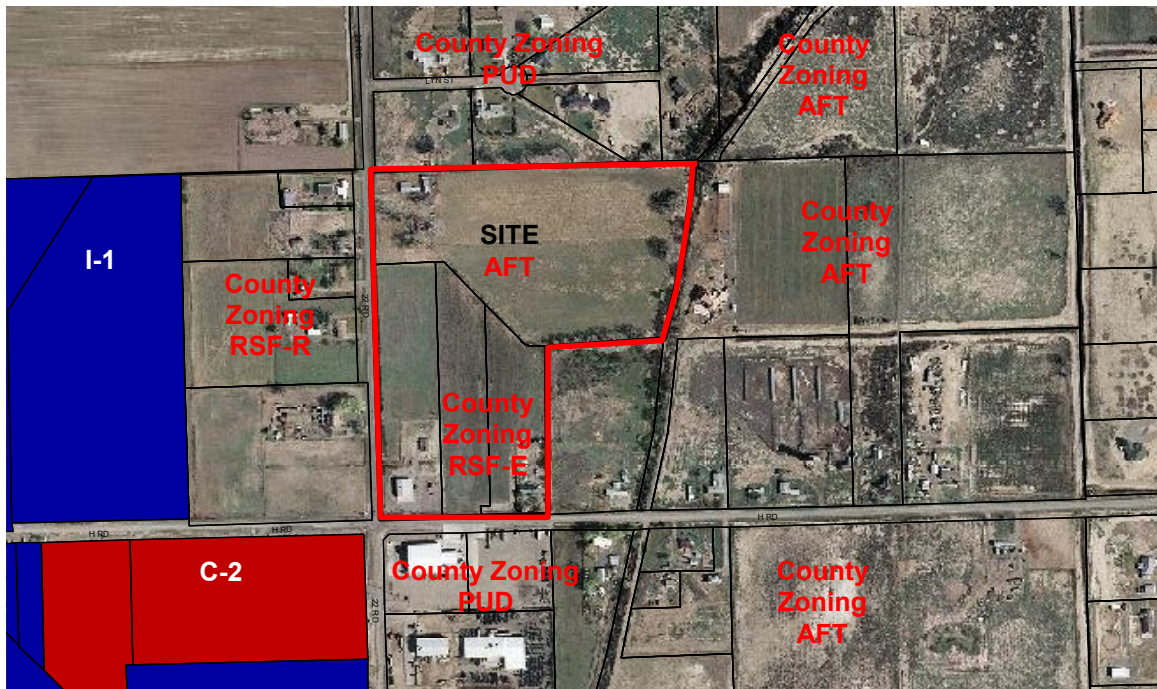
# Future Land Use Map

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  
Alexa 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  
Lash 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](http://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 5<sup>th</sup> 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.

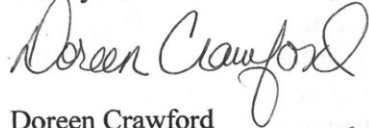
As you know the property at 824 22 Road borders four of the seven properties in the Lyn Street Subdivision. We are requesting that this property remains agricultural



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,

A handwritten signature in cursive script that reads "Doreen Crawford". The signature is written in black ink and is positioned above the typed name.

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, & 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°03'11E" with all bearings contained here in relative there to; thence N89°59'49", along the South line of said SW1/4 SW1/4, a distance of 210.00 feet to the POINT OF BEGINNING; thence along the boundary of the

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

CONTAINING 26.732 Acres (1,208,131.92 Sq. Ft.), more or less, as described.

**INTRODUCED** on first reading the 6<sup>th</sup> day of February, 2008 and ordered published.

**ADOPTED** on second reading the \_\_\_\_\_ day of \_\_\_\_\_, 2008.

ATTEST:

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

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

**Attach 20**

**Public Hearing—Growth Plan Amendment and Planned Development Outline Development Plan (ODP) for the Three Sisters Area, Located at 2431 and 2475 Monument Road**

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Growth Plan Amendment and Planned Development Outline Development Plan (ODP) for the Three Sisters Area – Located at 2431 and 2475 Monument Road		
<b>File #</b>	GPA-2007-262		
<b>Meeting Day, Date</b>	Wednesday, February 20, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>		<b>Individual</b> <input checked="" type="checkbox"/>
<b>Date Prepared</b>	February 1, 2008		
<b>Author Name &amp; Title</b>	Scott D. Peterson, Senior Planner		
<b>Presenter Name &amp; Title</b>	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:** Hold a public hearing and consider adopting a Resolution amending the Growth Plan Future Land Use Map from Conservation to Residential Low (1/2 – 2 Ac./DU) and also consider final passage of the Ordinance approving the Outline Development Plan (ODP) and zoning the Three Sisters Planned Development to PD, Planned Development.

**Attachments:**

1. Staff Report / Background Information
2. Site Location Map / Aerial Photo Map
3. Future Land Use Map / Existing City and County Zoning
4. Minutes from January 8, 2008 Planning Commission Meeting
5. General Project Report from Applicant
6. Resolution
7. Zoning Ordinance

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

**ANALYSIS:**

**1. Background:**

Growth Plan Amendment – 2431 Monument Road:

The existing 128.9 +/- acre unplatted parcel of land located at 2431 Monument Road is currently one (1) parcel of land that is split by the Monument Road right-of-way. The portion of the existing property that is located north of Monument Road (27.2 +/- acres) was designated as Residential Low (1/2 – 2 Ac./DU) in 1996 when the current Growth Plan Map was approved and re-affirmed by the Redlands Area Plan in 2002. The

portion of the existing property that is located south of Monument Road (101.7 +/- acres) was also designated Conservation in 1996 as part of the Growth Plan adoption process.

This property is currently annexed into the City limits but is not zoned at this time awaiting the outcome of the Growth Plan Amendment (GPA) and Outline Development Plan (ODP) requests. The applicant is requesting the Growth Plan Amendment /Outline Development Plan review in anticipation of future residential development for the property. Prior to zoning this annexed property, the applicant is requesting an amendment to the Growth Plan Future Land Use Map for that portion of the property located south of Monument Road (101.7 +/- acres) from Conservation to Residential Low (1/2 – 2 Ac./DU) (See attached Future Land Use Map).

This property has been reviewed previously by the Planning Commission in May, 2007 (GPA-2007-076) but was withdrawn by the applicant after the Planning Commission recommended denial of the proposed Growth Plan Amendment request (Planning Commission vote was 3 – 3). The recommendation of denial by the Planning Commission was partially due to the fact that three (3) of the members felt that there was not an error made when the Conservation designation was placed on the property. At the Growth Plan Amendment stage, details for the proposed subdivision are not discussed. Therefore, the applicant has now submitted a new application and proposal so that an Outline Development Plan can be reviewed that gives the public and City some type of idea of density and development layout for the property. The Planning Commission, at their January 8, 2008 meeting has now recommended approval of the proposed Growth Plan Amendment request.

The existing property is currently vacant and contains three (3) distinct hills that are visually identified on the southside of Monument Road that are known locally as the Three (3) Sisters.

#### 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 was recently annexed into the City limits (Meens Annexation).

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 2.5 C. of the Zoning and Development Code:**

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

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

As part of the 1996 Growth Plan adoption process between Mesa County and the City of Grand Junction that established the current Future Land Use Map, the Three Sisters property was designated as Conservation for the area south of Monument Road and Residential Low (1/2 – 2 Ac./DU) for the area north of Monument Road. These designations again were reaffirmed with the adoption of the Redlands Area Plan in 2002. The Conservation designation for this portion of the property was to identify topographic and ridgeline constraints that some of this property has (see attached minutes from the May 7, 2002 Planning Commission meeting regarding the Redlands Area Plan). The Redlands Area Plan (Page 15) also states that *Monument Road has been identified as a visually important corridor on the Redlands, providing access to the Tabeguache trailhead and a gateway to the Colorado National Monument. In addition to the ridgeline views along the corridor, the views on either side of the roadway are also of importance to maintain the open vistas to the Monument.* Therefore, the designation of Conservation as identified in the Growth Plan and Redlands Area Plan for a portion of this property south of Monument Road is not in error. The Conservation designation would allow one (1) single-family house to be built every five (5) acres and was the most applicable designation for this property at that time.

However, this property is also located within the Persigo 201 Sewer Service Boundary. As stated previously, the current Growth Plan was adopted in 1996. In 1998, however, the City and Mesa County entered into an Intergovernmental Agreement also known as the Persigo Agreement. Section C, Implementation – Zoning – Master Plan, item #11 from this Agreement states that *the parties agree that any property within the 201 should eventually develop at an urban level of density. For this agreement, residential lot sizes of two acres gross or larger are deemed to not be “urban” while smaller parcel or lot sizes are deemed to be “urban.”* This item is also mentioned in the Redlands Area Plan (Page 32).

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

With the increased pressure in the last few years to add residential density within the Urban Growth Area due to the rapid growth of the Grand Valley and the desire to make more efficient use of infrastructure, the Redlands Area Plan also has goals and policies to address potential development areas. Monument Road is a visually prominent area not only for the Redlands, but also for the entire City. Any new development in this area would be subject to review to the highest standards as required by the Redlands Area Plan and Zoning and Development Code. The Zoning and Development Code also has provisions for development on properties that are encumbered by topographic and ridgeline concerns. These options include developing the property as a PD, Planned Development Zoning District, which the applicant is proposing with this development application, utilizing the cluster provisions, hillside development standards and also ridgeline development standards as identified in Chapter 7 of the Zoning and Development Code. A portion of this property is identified by Exhibit 7.2 C3 of the Zoning and Development Code as being encumbered as a ridgeline protection area. Therefore, as an example, any residential development along the ridgeline such as buildings, fences, walls, etc., must be setback a minimum 200' from the ridgeline. However, this setback shall not apply if the proposed developer produces adequate visual evidence that a proposed new structure will not be visible on the skyline as viewed from the centerline of the mapped Monument Road.

If the applicant's request for a Growth Plan Amendment would be approved by the City, the applicant is also requesting that the Outline Development Plan would be approved that establishes the properties as PD, Planned Development and designate the R-2, Residential – 2 units/acre Zoning District as the underlying or default zoning district. The Growth Plan designation of Residential Low (1/2 – 2 Ac./DU) also allows the zoning districts of R-E, Residential - Estate (1 unit/2 acres) and R-1, Residential – 1 unit/acre, as possible zone districts. A Preliminary Development (Subdivision) Plan will also be required to be reviewed by the Planning Commission at a later date.

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

Increased residential development has occurred in the area since the adoption of the Growth Plan and Redlands Area Plan, such as the Redlands Mesa Golf Course community, which also has topographic and ridgeline development constraints. The improvements made to Mariposa Drive directly to the west of this site, will bring additional subdivision development in the future, for example the Ridges Mesa and Pinnacle Ridge subdivisions which are currently in the City review process. Mesa County has also recently widened Monument Road to add additional shoulder width due to the increase in both vehicle and bicycle traffic in the area.

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

This area is in the Urban Growth Boundary which promotes areas of development that have urban densities or the potential thereof and adequate public infrastructure. The Redlands Area Plan also supports high quality residential development in terms of site planning and architectural design.

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

Existing and proposed infrastructure facilities, right-of-way access and water availability are adequate to serve the proposed residential development. Sewer would have to be extended to the development along Monument Road from South Redlands Road which will also give the opportunity for existing properties along Monument Road to utilize this proposed sewer extension when their septic systems would fail.

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

It is true that many of the adjacent properties designated as Residential Low (1/2 – 2 Ac./DU) on the Future Land Use Map remain undeveloped at this time, or are larger lots because the minimum acreage that Mesa County allows for use with a septic system is half (1/2) an acre in size. It is reasonable however, to recognize that public infrastructure is already, or will be, in the area and properties that are currently undeveloped and have larger acreage to support increased densities such as this, should be considered.

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

The community will benefit by increased densities in areas that already, or will have, adequate facilities and services rather than perpetuating sprawl to outlying areas, thus meeting the goals and policies of the Growth Plan.

#### **4. 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.

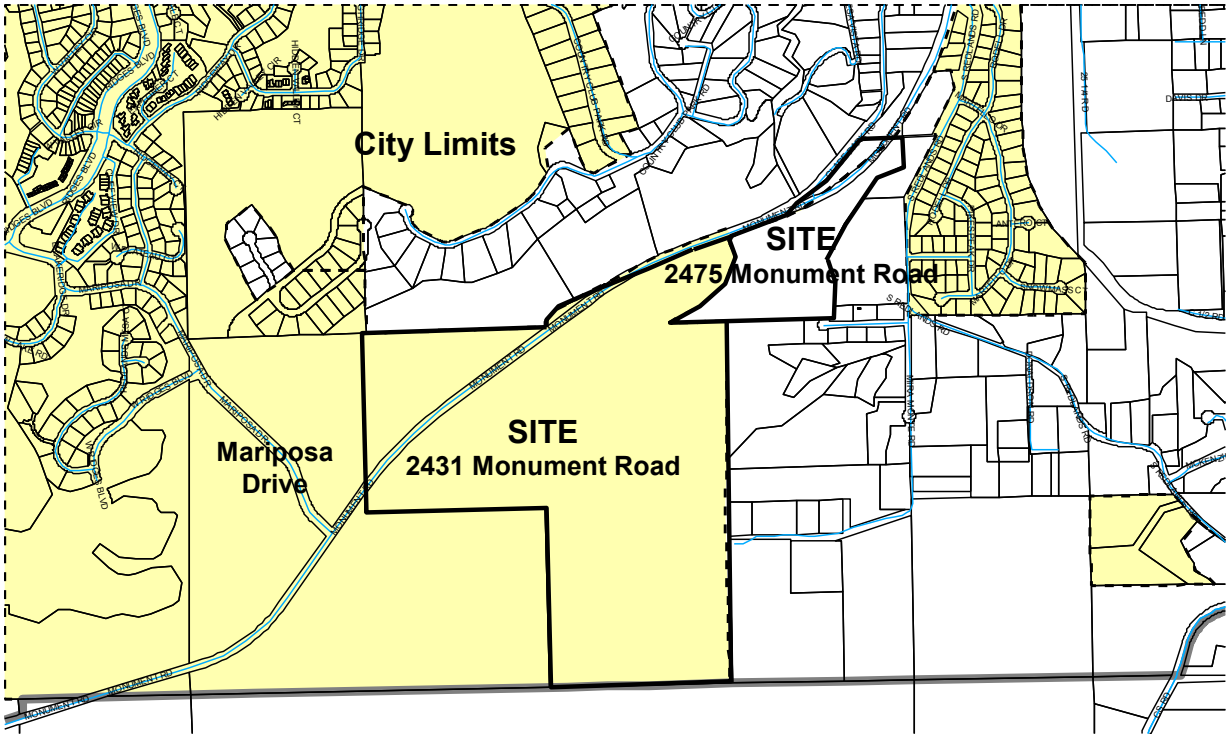
#### **FINDINGS OF FACT/CONCLUSIONS:**

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

- 5. The proposed Growth Plan Amendment and Outline Development Plan are consistent with the purpose and intent of the Growth Plan and Redlands Area Plan.
- 6. The review criteria in Sections 2.5 C. and 2.12 B. 2. of the Zoning and Development Code have all been met.

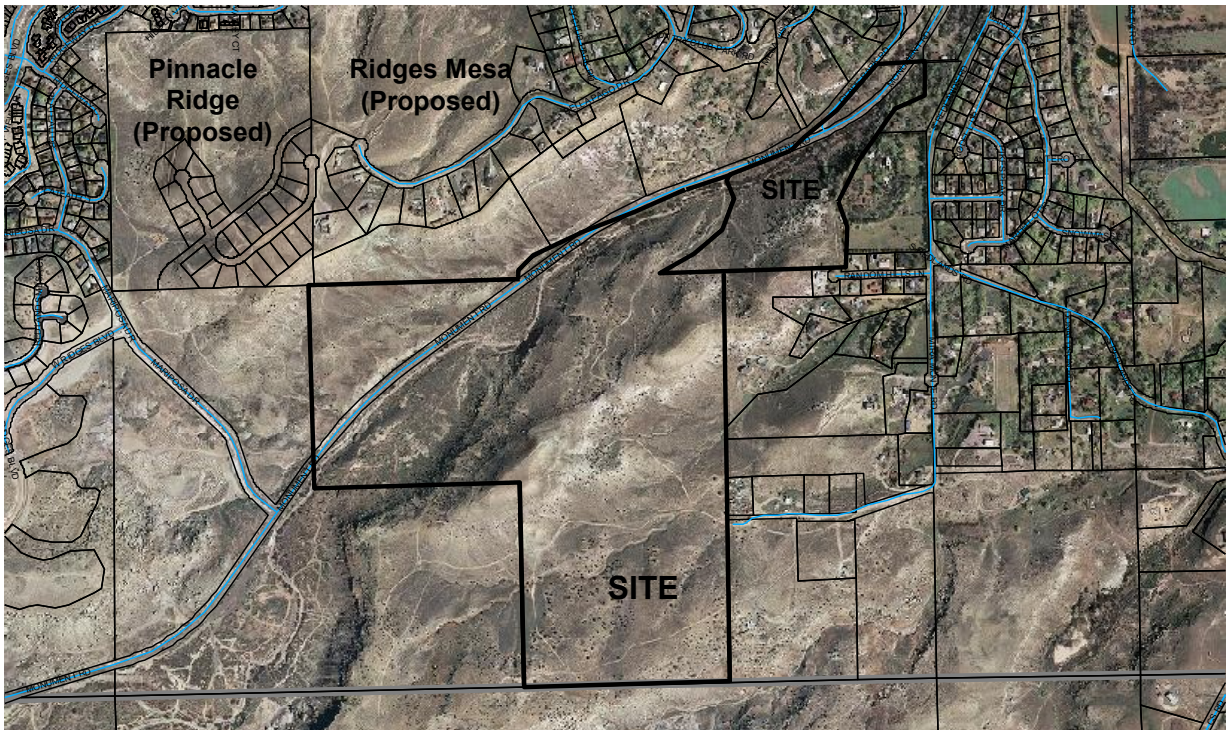
# Site Location Map – 3 Sisters Area

Figure 1



# Aerial Photo Map – 3 Sisters Area

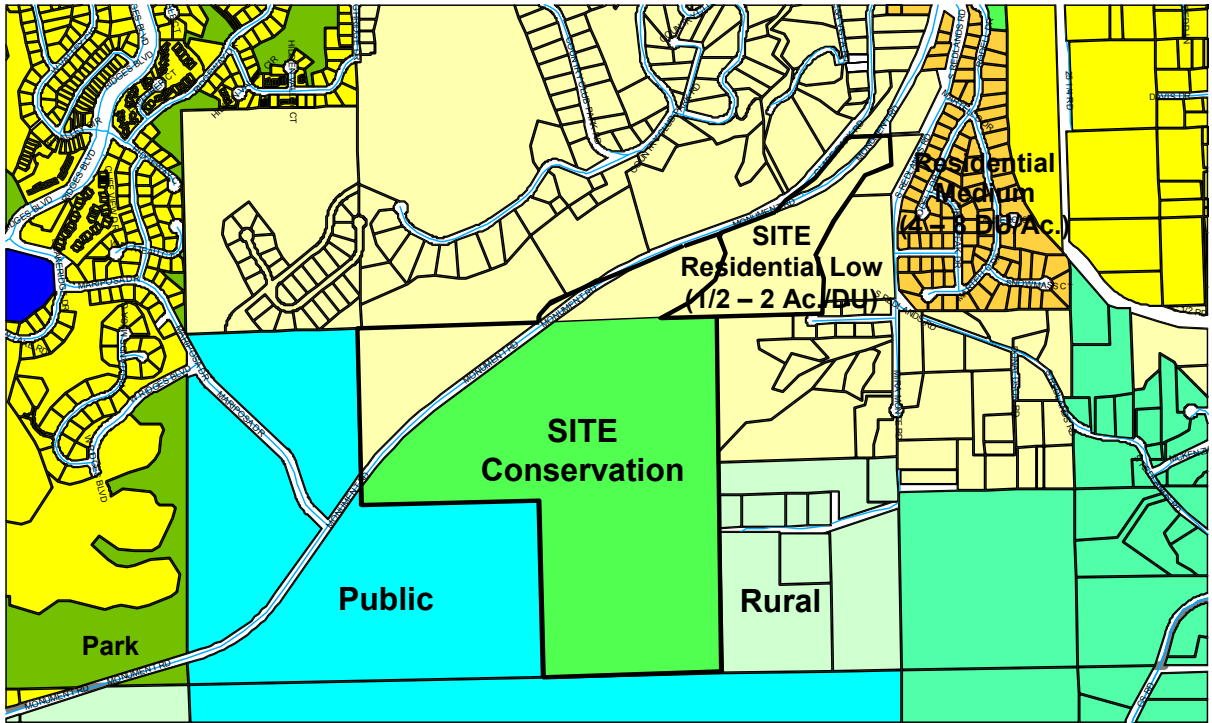
Figure 2





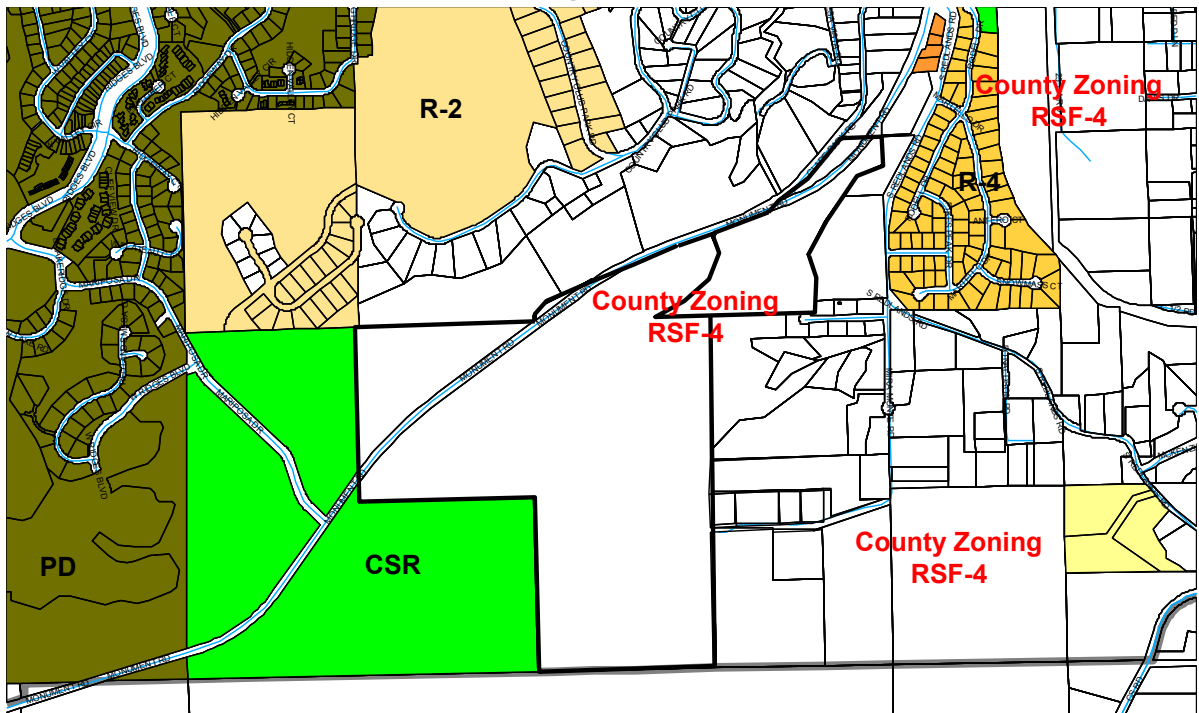
# Future Land Use Map – 3 Sisters

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."

Minutes from January 8, 2008 Planning Commission Meeting:

**GPA-2007-262 GROWTH PLAN AMENDMENT & OUTLINE**

**DEVELOPMENT PLAN – Three Sisters Request approval: 1) Growth Plan Amendment to change the Future Land Use Designation on 111 acres from Conservation to RL (Residential Low ½ to 2 ac/du) for property located at 2431 Monument Road; and 2) Recommendation of approval for an Outline Development Plan with a PD (Planned Development) zone district for a residential subdivision on approximately 148 acres located at 2431 and 2475 Monument Road.**

**PETITIONER: Darren Caldwell, Conquest Development**

**LOCATION: 2431 & 2475 Monument Road**

**STAFF: Scott Peterson, Senior Planner**

**PETITIONER'S PRESENTATION**

Bob Blanchard, 706 Jasmine Lane, stated that this project is actually two applications in one – a combined Growth Plan Amendment and a request for a Planned Development zone district of which applicant is requesting approval of an Outline Development Plan. He stated that the Growth Plan Amendment is just for the area that currently has a designation of Conservation which is approximately 102 acres out of the entire 150 acres. Mr. Blanchard discussed the error to the Growth Plan, or inappropriate plan designation because Conservation is defined as public or private lands that are reserved for open space, wildlife habitat, and environmental conservation purposes. He stated that in normal planning operations and processes when property is designated for Conservation, it typically has the concurrence of the property owner or at the very least will have an action plan that talks about conservation rights or development rights on the property. Neither of that happened in 1996 and has yet to happen as the plan has been amended several times, as the Redlands Plan has been amended and as the Persigo Agreement has been approved. This site is also totally within the urban growth area and as such should be developed with urban level services and at urban level densities. Mr. Blanchard further stated that there has been continued growth in the area and the current growth trends would imply that the Conservation designation is inappropriate and should be changed. He also discussed the subsequent events that happened after the adoption of the Growth Plan that invalidates the Conservation designation. He first discussed the Persigo Agreement which identified an urban growth boundary, a joint planning area with the County and it defined that urban densities and urban level services were to be developed inside that urban growth area. Applicant is requesting a Growth Plan Amendment to Residential Low which would allow ½ acre lots to 2 acre lots. Also he stated that when the Redlands Area Plan was revised in 2002 it reiterated those definitions for what urban meant. He identified certain changes in character that have happened in the area. Mr. Blanchard further stated that public facilities would be available and there are benefits to the community with the extension of sewer and water among other things. Therefore, applicant contends that the test for a Growth Plan Amendment have been met. He next discussed the proposed ODP which is an optional provision of the Planned Development process that provides a benefit to both the City and the developer. He also discussed the 6 areas of development. Accordingly, applicant contends that the ODP meets the Growth Plan and other adopted plans and meets all of the rezoning criteria listed in the Code. He also discussed the Planned Development requirements which he stated checks the

residential density for consistency with the Growth Plan. Mr. Blanchard stated that because the development is single family adjoining single family it doesn't trigger any additional buffering requirements. Therefore, he suggested that all criteria have been met of the Zoning and Development Code for both the Growth Plan Amendment and approval of the Outline Development Plan and requested a recommendation of approval for both to City Council.

### **STAFF'S PRESENTATION**

Scott Peterson, Senior Planner with the Public Works and Planning Department identified the two requests – for a Growth Plan Amendment for a portion of the property at 2431 Monument Road from Conservation to Residential Low and for an Outline Development Plan for both properties. He said that the overall density for the proposed development for the ODP would be less than 1 du/ac and a net residential density of 1.3 du/ac. Mr. Peterson said that the property located at 2475 Monument Road is currently in the process of being annexed into the City limits. The properties are currently vacant and contain three distinct hills known locally as The Three Sisters. He first discussed the request for a Growth Plan Amendment. He stated that the Conservation designation as identified in the Growth Plan and the Redlands Area Plan is not in error. The Conservation designation would allow 1 house to be built for every 5 acres of land and was the most applicable designation at that time. He further stated that this property is within the Persigo 201 sewer service boundary which provides that any property within the 201 boundary area should develop at an urban level of density. He listed several residential developments that have occurred in the area since the adoption of the Growth Plan and the Redlands Area Plan. All the factors taken together indicate that this area is showing growth potential due to the increased availability of public infrastructure improvements. Further, it is reasonable to recognize that public infrastructure is already or will be in this area and properties that are currently undeveloped and have larger acreage to support higher densities should be considered. He also stated that he feels the community will benefit by the increased densities in areas that already have or will have adequate facilities and services rather than perpetuating sprawl to outlying areas thus meeting the goals and policies of the Growth Plan. The Redlands Area Plan also supports high quality residential development in terms of site planning and architectural design. The current zoning for this property is County RSF-4. With the increased pressure in the last few years to add residential development within the urban growth area due to the population increase and the desire to make more efficient use of infrastructure, the Redlands Area Plan also has goals and policies to address potential development areas. He said that a portion of this property is identified as being encumbered as a ridgeline protection area. Therefore, any residential development along the ridgeline must be setback a minimum of 200 feet from the ridgeline. He also stated that this setback shall not apply if adequate visual evidence is presented that the proposed new structure would not be visible from the centerline of Monument Road. Mr. Peterson said that the ODP is an optional first step in the process prior to the application for a Preliminary Subdivision Plan for a parcel that is at least 20 acres in size. Furthermore, he said that 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 actual submittal of a Preliminary Plan. Mr. Peterson said that the PD ordinance would establish the default zoning district as R2 and would also identify the maximum and minimum number of dwelling units for each pod as defined on the submitted Outline Development Plan. It also would show

area proposed for open space, common areas, trail system, points of access and a possible street network. The proposed timeframes for the 6 phases would be 2 years for each phase and would equate to a build out of the subdivision by 2020. The proposed development is between 99 to 137 homes. Community benefit that would be provided by the Planned Development zone would include the larger quantities of open space and trail system that would be dedicated for public use. A site analysis was required to be submitted by applicant which revealed areas of expansive soils and rock. Mr. Peterson said that he has reviewed the site analysis and found that the proposed Outline Development Plan generally avoids areas of 30% slope or greater or other areas of potential impacts. He also stated that he finds the proposed Growth Plan Amendment and Outline Development Plan conform to the Redlands Area Plan with the achievement of a high quality development in terms of public improvements, site planning and architectural design, park, recreation and open space policies are also provided. He, therefore, stated that City staff feels that the proposed Growth Plan Amendment and Outline Development Plan are consistent with the purpose and intent of the Growth Plan and Redlands Area Plan and the applicable review criteria of the Zoning and Development Code have been met.

## **PUBLIC COMMENT**

### **For:**

No one spoke in favor of the proposed requests.

### **Against:**

Sue Harris (214 Mira Monte) stated that there are significant drainage issues in the area. She is also concerned that the density may change with the final plan.

Randy Stouder (303 E. Dakota Drive) said that this feels like suburban sprawl to him. He said that things such as expansive soils need to be taken into consideration. He also stated that traffic congestion is increasing and pollution and inversion type of situations are getting worse. Mr. Stouder stated that the infrastructure is not there, while the road was improved its capacity was not increased and safety hazards have not been resolved. He also said that the effective density on this property is closer to 2 units per acre as much of the property is not developable because of the steep slopes. He stated that he does not believe an error was made and there was a clear intent that this should be a transitional property. He urged denial of the Growth Plan Amendment and denial of the Outline Development Plan and, at a minimum, significant lower densities should be negotiated.

Britt Smith (214 Mira Monte) echoed the concerns expressed by Mr. Stouder. He stated that he feels that the Conservation zoning is appropriate.

David Mueller (114 Mira Monte) stated that a much more detailed proposal was denied several months ago because it was not detailed enough. He advised that they were on record noting specific concerns regarding access, density, later potential requirements for a back door access along Mira Monte and very little, if any, mention of them now. He said that this development is not in keeping with the neighborhood. He said that a back door access along Mira Monte is not possible – neither legally nor geographically – and asked that the proposed access be looked at very carefully. He recommended denial and does not think that the plan meets the requirements necessary under the

Code for a rezone.

### **PETITIONER'S REBUTTAL**

Bob Blanchard addressed some of the questions and concerns raised. He said that the ODP does identify the density and the overall range on the site is between 99 and 137. The gross density is 0.9 units per acre. Mr. Blanchard stated that there is a significant amount of open space. He reiterated that they are not proposing 150 units and the overall density is just over 1 unit per acre. He next discussed access to the east on Mira Monte. He stated that he just received a document which shows that a right-of way does not exist between the subject property and Mira Monte. He advised that City requirements say that connectivity has to be provided for whether or not a right-of-way exists adjacent to the property. However, because it is not a continuous right-of-way it can be locked and gated which is what applicant intends to do and it will not be open until development occurs to the east or a condemnation procedure that would create an actual right-of-way that would provide access all the way to Mira Monte. He stated that the ordinance would identify the range of density, the range of units within each of the 6 parcels, identifies the overall number of units that can be developed and identifies them by parcel and not just overall. Mr. Blanchard further stated that each preliminary plan for each of the parcels will have to be consistent within that number of units and fall somewhere within that range or an amendment to the ODP would be required. Also, according to Mr. Blanchard, this property is not a transition.

### **DISCUSSION**

Commissioner Pitts said that he was in opposition to the Growth Plan Amendment when it was presented a few months ago. He stated that he cannot support the Growth Plan Amendment as he does not believe that there was a mistake made in the Redlands Area Plan.

Commissioner Wall stated that in his opinion, in order for a property to be truly Conservation, somebody has to own it and want to keep it Conservation. As a private property owner, there should be some rights for that property owner to develop their property in a fashion that is going to be acceptable to the City. Commissioner Wall said that he would approve the Growth Plan Amendment and thinks it makes sense for the area.

Commissioners Cole and Pavelka-Zarkesh agreed.

Commissioner Lowrey also agreed. He stated that the Growth Plan Amendment which was done 12 years ago was likely suitable at that time but with the growth and establishment of the Persigo line, the Growth Plan is no longer suitable for this property because of the changes. He would, therefore, support the Growth Plan Amendment.

Commissioner Carlow concurred with Commissioner Lowrey.

Chairman Dibble said that he too was in favor of the amendment.

**MOTION: (Commissioner Cole) "Mr. Chairman, on item GPA-2007-262, Three Sisters Growth Plan Amendment, I move that we forward a recommendation of approval of the amendment from Conservation to Residential Low (1/2 to 2**

**Ac./DU) for a portion of the property (101.7 acres) located at 2431 Monument Road to the City Council with the findings and conclusions as identified in the Staff Report.”**

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

#### **DISCUSSION**

Commissioner Cole stated that he believes it is a reasonable plan and would be in favor of it. Commissioners Lowrey and Wall agreed.

Commissioner Pitts stated that he would go along with the ODP.

Chairman Dibble stated that he thinks the ODP reflects the aspect of conservation and meets the intent of good planning and would, therefore, be in favor of the ODP being forwarded to City Council.

**MOTION: (Commissioner Cole) “Mr. Chairman, on item GPA-2007-262, Three Sisters Outline Development Plan, I move that we forward a recommendation of approval of the requested Planned Development and Outline Development Plan for the properties located at 2431 and 2475 Monument Road to the City Council with the findings and conclusions as identified in the Staff Report.”**

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

**THREE SISTERS**  
**Annexation / Growth Plan Amendment / Planned Development**  
**August 31, 2007**  
**General Project Report**

**Overview**

The applicant, Conquest Developments, LLC, is requesting the annexation of approximately 18 acres located at 2475 Monument Road, Mesa County tax parcel number 2945-211-00-072 and an amendment to the Growth Plan for approximately 110 acres of adjoining property located south of Monument Road from Conservation to Residential Low, ½ to 2 acres per dwelling unit. Additionally, as allowed in Section 2.5.B.2 of the Zoning and Development Code, a concurrent Planned Development Outline Development Plan is being submitted to build a residential neighborhood. The total acreage for the Outline Development Plan is approximately 150 acres.

**A. Project Description**

1. Location

The property is located at 2431 and 2475 Monument Road, east and northeast of the intersection of Monument Road and Mariposa Drive, east and northeast of property owned by the City of Grand Junction. The property is situated on both sides of Monument Road with approximately 14 acres to the north and 136 acres to the south.

2. Acreage

The proposed annexation / Growth Plan Amendment / Planned Development consists of two parcels; one, approximately 125 acres in size, is bisected by Monument Road. The property to the north is approximately 14 acres and the property to the south is approximately 111 acres for a total of 125 acres. The second parcel is located northeast of the larger parcel, entirely south of Monument Road.

3. Proposed Use

The property will be developed as a residential neighborhood. All residences will be single family detached homes.

**B. Public Benefit**

The Three Sisters subdivision will create a residential neighborhood that is consistent with adopted City and County policy, specifically the 1998 Persigo Agreement requiring annexation for all properties within the Urban Growth Boundary, the City's Growth Plan (as amended with the Growth Plan Amendment application), the Redlands Area Plan and all development requirements of the City. Specific benefits provided through the Planned Development include creative design which will create a development that incorporates much of the existing topography and rock out-croppings; includes larger quantities of open space than required by the Code; and, includes a proposed trail system that will be available for public use.

**C. Neighborhood Meeting**

A neighborhood meeting was held on Monday, August 13, 2007 at Dos Hombres Restaurant. Eight neighbors attended along with the applicants and a City representative. Attendance sheets and minutes from the meeting are included in this submittal package.

**D. Project Compliance, Compatibility and Impact**

1. Adopted Plans and/or Policies

Persigo Agreement

The "Intergovernmental Agreement Between The City Of Grand Junction And Mesa County Relating To City Growth And Joint Policy Making For The Persigo Sewer System," commonly called the Persigo Agreement, was approved by the City of Grand Junction and Mesa County in 1998. Annexation is required by the Agreement when any "Annexable Development" is proposed. The subject property is contiguous to the existing City limits at the shared property line with City owned property to the west.

Applicable Persigo Agreement annexation requirements are as follows:

Goal (b) "Within the 201, all Annexable Development, as herein defined, must only occur within the City and under the City's jurisdiction;"



Paragraph 14. (a) Over time all properties within either the Urban Growth Area or the 201, as those boundaries are adjusted and amended pursuant to this Agreement, will be annexed by the City.....

Paragraph 21. Redlands.....(a) For any residential development, no permit or approval shall be given for such development if any portion of the property is within ¼ mile (1,320 feet) of any portion of the City limits, as those limits change from time to time, except through the City's land use process and until the property is annexed to the City.

### Growth Plan

The following policies from the 1996 Growth Plan support this request:

*Future Land Use Map:* The property is subject to a concurrent Growth Plan Amendment request to change the designation from Conservation to Residential Low, ½ to 2 acres per dwelling unit. This development will be completed at a density that falls within the minimum and maximum densities allowed by this designation.

In addition, the following Goals and Policies support this application:

*Policy 1.4:* The City and County may allow residential dwelling types (e.g., patio homes, duplex, multi-family and other dwelling types) other than those specifically listed for each residential category through the use of planned development regulations that ensure compatibility with adjacent development. Gross density within a project should not exceed planned densities except as provided in Policy 1.5. 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.

While optional dwelling types are not planned for the Three Sisters project, the gross density will fall within the allowed range of the Residential Low plan designation. Clustering of homes will not only allow the preservation of significant open space, but also retain many of the significant topographical features on the site.

*Policy 3.1:* "The City and County will continue to implement and clarify the "Intergovernmental Agreement Between the City of Grand Junction and Mesa County Relating to City Growth and Joint Policy Making for the Persigo Sewer System" (The Persigo Agreement) to promote consistent application and implementation of the Joint Plan."

Please see the discussion below justifying the Growth Plan Amendment based upon the inconsistency of the existing Conservation Plan Designation; the definitions in the Persigo Agreement; and, policies encouraging urban development within the Persigo 201 area.

The requested Plan designation of Residential Low will result in less residential density than would occur under the existing County Zoning of RSF-4.

*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.

The Growth Plan defines "urban development" as including residential development on lots smaller than two acres. The site of the requested Plan Amendment is inside the Urban Growth Boundary. In fact, the southern boundary of the subject property is the Urban Growth Boundary in this area. The existing "Conservation" designation, which in the Plan appears to restrict any development of this property, is inconsistent with this definition.

*Policy 4.4:* "The City and County will ensure that water and sanitary sewer systems are designed and constructed with adequate capacity to serve proposed development."

Specifics of infrastructure will be further defined during actual development applications. However, water service exists adjacent to the site with a 12 inch high pressure water main in Monument Road. Sewer will be designed to not only serve development on this site, but also provide the opportunity for additional properties to access the infrastructure as well.

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

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

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. A 12 inch water main exists in Monument Road that can be accessed for water service. While this development is not directly adjacent to properties with other existing services, it is in a logical path of development to the edge of the Urban Growth Boundary.

*Policy 11.1:* "The City and County will promote compatibility between adjacent land uses by addressing traffic, noise, lighting, height/bulk differences, and other sources of incompatibility through the use of physical separation, buffering, screening and other techniques."

The subject parcel contains approximately 150 acres. A development of this size provides the opportunity to address compatibility using separation, screening and unique site characteristics as a buffer to adjacent properties through creative site design.

*Policy 20.7:* The City and County will limit development on steep slopes, ridgelines and hilltops to promote public safety and preserve natural vistas of the Book Cliffs, Grand Mesa and Colorado National Monument.

The subject property has includes slopes in excess of 30% and rock outcroppings. Development will be limited on steep slope areas in accordance with the Zoning and Development Code.

*Policy 26.3:* The City and County will encourage the retention of lands that are not environmentally suitable for construction (e.g. steep grades, unstable soils, floodplains, etc.) for open space areas and where appropriate, development of recreational uses. Dedication of land required to meet recreational needs should not include these properties unless they are usable for active recreational purposes.

Disturbance of steep slope areas will be limited as allowed by the Zoning and Development Code. The natural draws

and drainages are being retained in their natural state as well as part of the larger open space area in the development or may be enhanced if some disturbance is required.

#### Redlands Area Plan

The Redlands Area Plan was adopted by the City and County on March 26, 2002 as an amendment to the 1996 Growth Plan. The following goals and policies from the Redlands Area Plan support this Annexation / Growth Plan Amendment / Planned Development request:

##### General Services Action Plan Policies:

“Provide an urban level of services, all utility, solid waste, drainage and emergency response services to all properties located within the urban boundaries on the Redlands and a rural level of services to properties outside of urban areas.

“Design and construct water and sanitary sewer systems with adequate capacity to serve future populations.”

The subject property is located within the Urban Growth Boundary as identified in the Persigo Agreement, the Growth Plan and the Redlands Area Plan. Development of this property will provide utilities and services for the future residents of this property as well as providing future connection to new developments.

##### Community Image / Character Policies:

“Achieve high quality development on the Redlands in terms of public improvements, site planning and architectural design.”

This 150 acre site provides a rare opportunity within the City of Grand Junction to master plan a large area. The applicant is committed to providing a high standard of quality and stringent architectural and landscape controls in all aspects of the development.

##### Land Use / Growth Management Policies:

“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 the Future Land Use Map (Figure 5A &

5B, Pages 33-34 & 35-36). The City and County will limit urban development in the joint planning area to locations within the urbanizing area with adequate public facilities as defined in the City and County codes.”

The Redlands Area Plan definition of “urban development” for residential development is identical to the Growth Plan and the Persigo Agreement, i.e., residential development on lots smaller than two acres. The site of the requested Growth Plan Amendment is inside the Urban Growth Boundary. The existing Conservation designation does not address residential development as an allowed use and is inconsistent with this definition.

Parks, Recreation and Open Space Policies:

“Develop and maintain an interconnected system of neighborhood and community parks, trails and other recreational facilities throughout the urban area.”

This project provides the opportunity to integrate on-site biking and hiking trails with those existing on adjacent City property as well the trail along Monument Road as identified on the adopted Urban Trails Master Plan.

2. Land Use in the Surrounding Area:

Property to the west is public land owned by the City of Grand Junction. The Tabeguache trailhead is on the City owned property south of Monument Road. To the north and northwest, residential development at an average density of approximately one home per acre exists at the top of the ridge along Bella Pago Drive. Large lots, between eight and 13 acres are directly across Monument Road at the base of the hill. The area to the east includes irregularly platted parcels ranging in size from one acre to over 16 acres, some developed with single family homes. All of the surrounding property is designated Residential Low, ½ to 2 acres per dwelling unit (the same as this Growth Plan Amendment request) with the exception of the public land, which is designated Public and the property adjoining the southern 40 acres of the subject property, which is designated Rural.

3. Site access and traffic patterns:

The property does not have formal ingress and egress. Access is currently gained through two gates located along Monument Road which is classified as a major arterial.

Early discussions regarding the ultimate development of this site anticipates three access points: two accessing property south of Monument Road and one accessing property to the north.

4. Availability of Utilities:

The property is located in the City's service area for sewer. Sewer service will be extended from South Redlands Road. Water service will be provided by the Ute Water Conservancy District. A 12 inch water line is located in Monument Road. The nearest fire hydrant is located in the vicinity of the intersection of Glade Park Road and Monument Road.

5. Special or unusual demands on utilities:

None

6. Effects on public facilities:

The addition of residential units will have the normal impacts on all public facilities.

7. Site soils and geology:

The site analysis included with this submittal indicates there are areas of expansive soils that will need to be addressed during development. Potential areas of rockfall also exist.

8. Impact of project on site geology and geological hazards:

As noted above, areas with the potential for rockfall have been identified.

9. Hours of operation:

N/A

10. Number of employees:

N/A

11. Signage plans:

Signage plans are not applicable at this time. Future development plans will have project identification and directional signage.

12. Zoning and Development Code review criteria:

### *Annexation*

The review criteria for annexation are contained Section 2.14.C of the Zoning and Development Code:

**Approval Criteria.** The application shall meet all applicable statutory and City administrative requirements.

Statutory requirements are contained in the Municipal Annexation Act of 1965, Sections 31-12-104 and 31-12-105, C.R.S. This annexation request meets these requirements as follows:

- 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.

### *Growth Plan Amendment*

The review criteria for a Growth Plan Amendment are contained in Section 2.5.C of the Zoning and Development Code (Please note that review criteria a is a stand alone criteria. While the applicant believes that a case can be made that the Conservation designation was applied improperly and that the Amendment request can be based solely on that criteria, this General Project Report provides justification for all review criteria):

## **2.5 GROWTH PLAN AMENDMENT (GPA)**

### **C. Approval Criteria**

1. The City and County shall amend the Growth Plan, neighborhood plans, corridor plans, and area plans if the amendment is consistent with the purpose and intent of the Growth Plan, and if:

The Growth Plan identifies the urban area which includes this property and defines "urban" as residential lots smaller than 2 acres per unit. Such a designation cannot be developed under the current Growth Plan designation of Conservation. In addition, as noted above in the discussion of the Growth Plan, Redlands Area Plan and the Persigo Agreement, the requested Amendment meets numerous policies and intent statements contained in those documents.

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

The Growth Plan includes definitions for all land use designations. For the purpose of considering this review criteria, the pertinent designation and definition is:

**Conservation.** Public or private lands reserved for open space, wildlife habitat, environmental conservation purposes. Mining and sand/gravel operations may be permitted as a temporary use.

The applicant recognizes there are areas on the Three Sisters property that meet the criteria for environmental sensitivity as anticipated in the Conservation designation. However, the key reference in this definition is the phrase "reserved." The reservation of private lands would require the agreement of the property owner (such as when development rights are sold to a public or quasi-public entity) except in cases where environmentally sensitive areas are integrated into a development as will be proposed in the development plan on this property. However, in these cases, Plan maps



and documents should indicate the appropriate development designation allowing any sensitive features on the property to be addressed during development review. The application of a Conservation designation on private property, without consideration of the property owner or an action plan to negotiate conservation easements or buy development rights was clearly an error.

Additionally, as noted above, this property is entirely within the Urban Growth Boundary which anticipates development at a defined minimum urban density – one home per two acres. The Growth Plan does not reference any expectation of a residential density for the Conservation designation. If the Zoning and Development Code were to be considered for the implementation of the Conservation designation, the only zone district that implements this designation is CSR - Community Services and Recreation. The CSR district limits residential development to one home per five acres which is inconsistent with the Growth Plan definitions for urban development within the Urban Growth Boundary – again, justification for determining an error was made when the Conservation designation was applied to this property.

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

Both the adoption of the Persigo Agreement in 1998 and the Redlands Area Plan in 2002 were adopted subsequent to the Growth Plan adoption in 1996. With their consistent definitions of “Urban” and their policy statements that all properties within the identified urban area are to be developed at urban levels, these documents confirm that the Conservation designation is inconsistent with the overall intent of the Growth Plan.

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

and such changes were not anticipated and are not consistent with the plan;

Development has occurred to the west of the subject property since the adoption of the Growth Plan with the Redlands Mesa Golf Course. This development has spurred the extension and paving of Mariposa Drive. Additional developments are under review by the City in this area as well including Ridges Mesa and Pinnacle Ridge. Monument Road is being improved with a widened pavement area including four foot shoulders on each side.

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

Section D, above, reviews goals and policies for the Growth Plan, Persigo Agreement and the Redlands Area Plan all of which support this request.

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

All public and community facilities are adequate to serve additional residential development at the densities anticipated by this amendment request. Recreational facilities in the form of trails are adjacent to and will be constructed on the subject property.

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

In considering the surrounding area as the immediate community, there is a lack of property in the Residential Low land use designation that is available for future development. While the majority of the immediately adjacent property has the same land use designation, remaining large areas of land are all under development consideration except for the area immediately across

Monument Road which has severe constraints based on slope. The developments that include large areas of open land include Pinnacle Ridge and Ridges Mesa. The similarly designated property to the east is divided into irregularly shaped parcels and cannot be considered available for future development.

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

The amendment will provide the ability to develop the property at a density that will include several public benefits including the extension of sewer and water infrastructure to properties that do not currently have that access and the construction of additional trails and trail access to the existing system accessed from the Tabequache trailhead on Monument Road.

*Planned Development – Outline Development Plan*

The review criteria for a Planned Development Outline Development Plan are contained in Section 2.12.B.2 of the Zoning and Development Code:

An ODP application shall demonstrate conformance with all of the following:

- a. The growth Plan, Grand Valley Circulation Plan and other adopted plans and policies;

The Outline Development Plan is consistent with all adopted plans and policies. Growth Plan and Redlands Area Plan consistency was discussed above.

- b. The rezoning criteria provided in Section 2.6;

At the time of annexation, a zone district was not applied since the applicant intended on submitting a Planned Development. Section 2.14.F states that property annexed to the City will be zoned in accordance with Section 2.6 to a district that is consistent with the adopted Growth Plan (a Planned Development district is consistent with the

requested Growth Plan Amendment request to Residential Low, ½ to 2 units per acre) and the criteria set forth in Sections 2.6.A.3 and 4:

**Approval Criteria.** In order to maintain internal consistency between this Code and the Zoning Maps, map amendments must only occur if:

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

The proposed rezone to Planned Development is compatible with the surrounding area. The proposed Overall Development Plan shows an overall planned density of approximately one home per 1.5 acres as well as the possible location of the larger lots that will buffer the adjacent property owners. As noted previously, this project meets the goals and policies of the Growth Plan and Redlands Area Plan.

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

All public facilities will have to be planned prior to individual approvals of the Preliminary Development Plans. The provision of the project infrastructure will be designed and accepted by the City prior to PDP approval. Actual impacts of any development will occur after these approvals have been granted.

- c. The Planned Development requirements of Chapter Five:

The Outline Development Plan is consistent with all applicable requirements of Chapter Five:

1. Residential Density.

The proposed residential density of approximately one home per 1.5 acres is consistent with the Growth Plan designation of Residential Low, ½ to 2 acres per dwelling unit.

2. Minimum District Size

The project is approximately 150 acres in size, larger than the required minimum of five acres.

3. Development Standards

Compliance with all development standards will be discussed as each Preliminary Development Plan is submitted.

4. Deviation From Development Default Standards

City staff has suggested the R-2 zone district as the default zone. Any deviation from this district's development standards will be identified in each PDP submittal along with explanations of public benefits that would justify the deviations.

d. The Applicable Guidelines and Overlay Districts From Chapter Seven;

The site analysis contained in this submittal addresses the applicable areas of Chapter Seven: primarily the areas of hillside development. As required, areas of greater than 30% slopes are reserved with no development allowed. Each individual Preliminary Development Plan will identify lot sizes consistent with the requirements of Table 7.2.A or justify deviations based on public benefit.

e. Adequate Public Services and Facilities Shall Be Provided Concurrent With The Projected Impacts Of The Development;

Public services and facilities are required to be designed at the time of Preliminary Plan submittal.

f. Adequate Circulation and Access Shall Be Provided To Serve All Development Pods/Areas To Be Developed;

The Outline Development Plan identifies potential access points and a possible internal circulation system. Detailed

circulation plans will be identified on the Preliminary Development Plan.

- g. Appropriate Screening and Buffering Of Adjacent Property and Uses Shall Be Provided;

All surrounding property and uses are residential which do not require screening and buffering. However, future preliminary plan submittals will consider the proximity of certain properties to the east and allow for additional buffering.

- h. An Appropriate Range Of Density For The Entire Property Or For Each Development Pod/Area To Be Developed;

The overall proposed density is approximately one home per 1.5 acres which is consistent with the requested Residential Low Growth Plan Designation. Individual development areas will have both higher and lower densities.

- i. An appropriate Set Of "Default" Or Minimum Standards For The Entire Property Or For Each Development Pod/Area To Be Developed;

Development standards will be identified with the Preliminary Development Plan. Deviations from the minimum standards of the default zone district will be identified.

- j. An Appropriate Phasing Or Development Schedule For The Entire Property Or For Each Development Area To Be Developed;

See item E. below.

- k. The Property Is At Least Twenty (20) Acres In Size

The property is approximately 150 acres in size.

#### **E. Development Schedule and Phasing**

While six parcels are indicated on the ODP, they do not necessarily represent planned phases. Phasing of development will be considered as preliminary plans are developed. Land clearing and infrastructure construction will begin soon after the Preliminary Plan is approved

**CITY OF GRAND JUNCTION, COLORADO**

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

**A RESOLUTION AMENDING THE GROWTH PLAN OF THE CITY OF GRAND JUNCTION TO DESIGNATE APPROXIMATELY 101.7 ACRES FOR A PORTION OF PROPERTY LOCATED AT 2431 MONUMENT ROAD FROM CONSERVATION TO RESIDENTIAL LOW (1/2 – 2 AC./DU.)**

Recitals:

A request for a Growth Plan Amendment has been submitted in accordance with the Zoning and Development Code. The applicant has requested that approximately 101.7 acres of a portion of property located at 2431 Monument Road be redesignated from Conservation to Residential Low (1/2 – 2 Ac./DU) on the Future Land Use Map.

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

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE AREA DESCRIBED BELOW IS REDESIGNATED FROM CONSERVATION TO RESIDENTIAL LOW (1/2 – 2 AC./DU) ON THE FUTURE LAND USE MAP.

**Parcel Number 2945-214-00-071 (Portion of property)  
Located at 2431 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° 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°30'54" West, a distance of 1312.52 feet to a BLM standard monument for the east sixteenth corner of the south line of said Section 21; Thence along the south line of said Section 21 North 89°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°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°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°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°31'23" East, a distance of 164.02 feet to the southerly right-of-way of Monument Road as described in Book 947 at Page 530 of the Mesa County records; Thence with said right-of-way 847.17 feet along the arc of a 2834.79 foot radius non-tangent curve to the right, through a central angle of 17°07'22" with a chord bearing North 46°31'50" East, a distance of 844.02 feet; Thence continuing with said right-of-way North 55°12'27" East, a distance of 983.21 feet to the north line of the northwest quarter of the southeast quarter of said Section 21; Thence along said north line North 89°14'00" East, a distance of 1214.42 feet to the Point of Beginning

Said parcel contains 101.7 acres (4,430,793 sq. ft.), more or less, as described.

PASSED on this \_\_\_\_\_ day of \_\_\_\_\_, 2008

ATTEST:

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

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



**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°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°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°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°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°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°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°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°14'00" East, a distance of 1312.04 feet to the center quarter corner of said Section 21;

North 00°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°28'50" East, a distance of 120.31 feet;
2. North 64°12'50" East, a distance of 722.26 feet;
3. North 70°57'50" East, a distance of 818.34 feet;
4. North 64°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°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°54'51", with a chord bearing North 53°13'18" East, a distance of 292.44 feet;
3. North 41°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°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°05'29" East, a distance of 216.02 feet;

Thence South 68°39'23" West, a distance of 207.07 feet;

Thence South 36°49'52" West, a distance of 411.11 feet;

Thence South 28°24'55" West, a distance of 285.27 feet;

Thence South 16°43'55" East, a distance of 182.53 feet;

Thence South 03°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°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°52'19", with a chord bearing North 89°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°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 6<sup>th</sup> day of February, 2008 and ordered published.

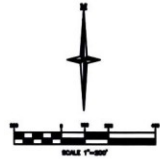
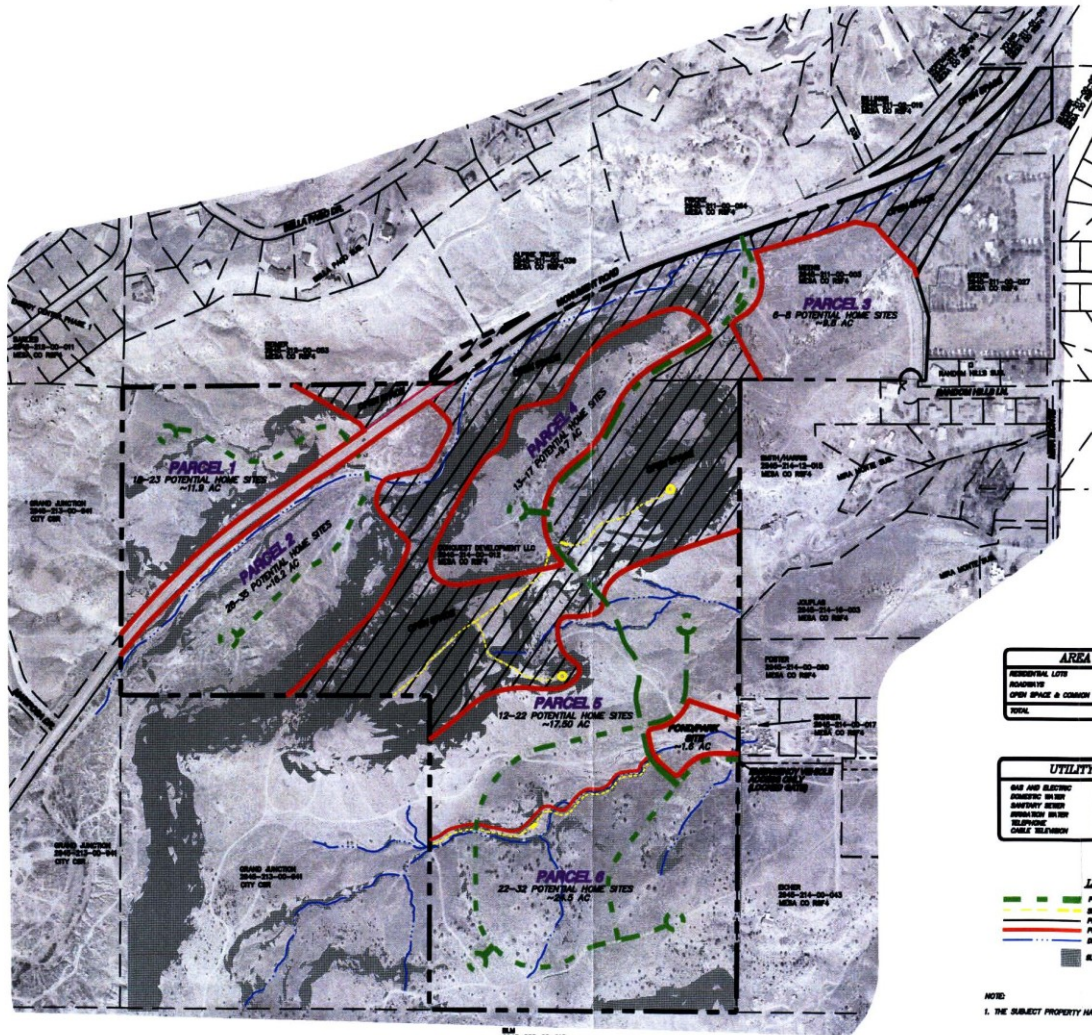
**ADOPTED** on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2008

ATTEST:

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

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

# EXHIBIT A



AREA SUMMARY	
RESIDENTIAL LOTS	65.8 ACRES 806
ROADWAYS	14.8 ACRES 196
OPEN SPACE & COMMON AREAS	44.1 ACRES 306
TOTAL	144.7 ACRES 1908

UTILITY PROVIDERS	
GAS AND ELECTRIC	SOLO ENERGY
SEWERAGE SERVICE	UTL UNISEN
WATER SUPPLY	CITY OF GRAND ANGEON
TELEPHONE	CITY OF GRAND ANGEON
CABLE TELEVISION	COMCAST COMMUNICATIONS

LEGEND	
	PRIMARY VEHICULAR CIRCULATION (P-MV)
	SINGLE TRACK ROAD BOUNDARY
	PROJECT BOUNDARY
	PHASE DEVELOPMENT AREAS
	DRAINAGES
	SLOPES 3% OR STEEPER

NOTE:  
1. THE SUBJECT PROPERTY HAS NO PREVIOUSLY DELINEATED FLOOD PLAN.

SEA-22-00-018  
SEA CO AP

**THREE SISTERS**  
 OUTLINE DEVELOPMENT PLAN - ODP  
 PREPARED BY: [Redacted]  
 DATE: [Redacted]  
 SHEET NO. 10 OF 10

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