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

MONDAY, MARCH 3, 2008, 7:00 P.M.

Call to Order Pledge of Allegiance
Invocation – Mark Harris, Retired Pastor

Appointments

Commission on Arts and Culture

Certificate of Appointment

Forestry Board

Presentation

Video Streaming Project

Council Comments

Citizen Comments

* * * CONSENT CALENDAR * * *®

1. **Minutes of Previous Meetings** ***Attach 1***

   Action: Approve the Minutes of the February 20, 2008, Regular Meeting and the Minutes of the February 22, 2008, Special Session

*** Indicates New Item
® Requires Roll Call Vote

2. **Setting a Hearing on the ThreeP Development Annexation, Located at 519 30 Road** [File #ANX-2008-019] ***Attach 2***

Request to annex 1.66 acres, located at 519 30 Road. The ThreeP Development Annexation consists of 1 parcel.

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

Resolution No. 26-08–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, ThreeP Development Annexation, Located at 519 30 Road Including a Portion of the 30 Road Right-of-Way

®*Action: Adopt Resolution No. 26-08*

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, ThreeP Development Annexation, Approximately 1.66 acres, Located at 519 30 Road Including a Portion of the 30 Road Right-of-Way

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

Staff presentation: Senta L. Costello, Associate Planner

3. **Setting a Hearing on the Schuckman Annexation, Located at 231 28 ½ Road** [File #ANX-2008-018] ***Attach 3***

Request to annex 0.87 acres, located at 231 28 ½ Road. The Schuckman Annexation consists of 1 parcel and is a 3 part annexation.

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

Resolution No. 27-08–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, Schuckman Annexations No. 1, 2, 3, Located at 231 28 ½ Road Including a Portion of the 28 ½ Road Right-of-Way

®*Action: Adopt Resolution No. 27-08*

b. Setting a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Schuckman Annexation No. 1, Approximately 0.02 acres, Located within the 28 ½ Road Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Schuckman Annexation No. 2, Approximately 0.08 acres, Located within the 28 ½ Road Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Schuckman Annexation No. 3, Approximately 0.77 acres, Located at 231 28 ½ Road and Including a Portion of the 28 ½ Road Right-of-Way

Action: Introduction of Proposed Ordinances and Set a Hearing for April 14, 2008

Staff presentation: Senta L. Costello, Associate Planner

4. **Setting a Hearing on the Martin Annexation, Located at 2107 H Road** [File #ANX-2008-017] ***Attach 4***

Request to annex 2.95 acres, located at 2107 H Road. The Martin Annexation consists of 1 parcel.

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

Resolution No. 28-08–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, Martin Annexation, Located at 2107 H Road

®*Action: Adopt Resolution No. 28-08*

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Martin Annexation, Approximately 2.95 acres, Located at 2107 H Road

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

Staff presentation: Justin T. Kopfman, Associate Planner

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

Request to zone the 4.94 acre Garden Grove-Turley Annexation, located at 2962 A ½ Road, to R-4 (Residential 4-du/ac).

Proposed Ordinance Zoning the Garden Grove-Turley Annexation to R-4 (Residential 4-du/ac), Located at 2962 A ½ Road

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

Staff presentation: Justin T. Kopfman, Associate Planner

6. **Contract for Dividing Wall and Ceiling Replacement at Two Rivers Convention Center** ***Attach 6***

This approval request is for the award of a contract for the replacement of the dividing wall, the addition of a second dividing wall and the upgrade and replacement of the lighting system and ceiling grid at Two Rivers Convention Center.

Action: Authorize the Purchasing Division to Enter into a Contract with PNCI construction, Inc., to Complete the Replacement of the Dividing Wall and Ceiling at Two Rivers Convention Center, in the Amount of $662,000

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

7. **Contract for Neighborhood Services Remodel** ***Attach 7***

This approval request is for the award of a construction contract for the Neighborhood Services building remodel.

Action: Authorize the City Purchasing Division to Enter into a Contract with Phelps Construction, in the Amount of $136,334 for the Completion of the Neighborhood Services Building Remodel

Staff presentation: Jay Valentine, Assistant Financial Operations Manager
Greg Trainor, Utility and Street Systems Director

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

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

8. **Funding Recommendations for Arts and Cultural Events and Projects**

Attach 8

Commission on Arts and Culture recommendations to the City Council for grants to support arts and cultural events, projects, and programs in Grand Junction.

Action: Approve Recommendations from the Commission on Arts and Culture for Grant Funding

Staff presentation: Allison Sarmo, Cultural Arts Coordinator

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

10. **Other Business**

11. **Adjournment**

Attach 1
Minutes from Previous Meetings

GRAND JUNCTION CITY COUNCIL
MINUTES OF THE REGULAR MEETING

February 20, 2008

The City Council of the City of Grand Junction convened into regular session on the 20th day of February 2008 at 7:04 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Bruce Hill, Doug Thomason, Linda Romer Todd, and Council President Jim Doody. Absent was Councilmember Gregg Palmer. 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 Coons led in the Pledge of Allegiance. Invocation was given by Leslie McAnich, Christ Center.

Appointment

Councilmember Thomason moved to appoint Robert Johnston to the Forestry Board as an alternate member for a three year term expiring November 2010. Councilmember Hill seconded the motion. Motion carried.

Citizen Comments

Cathy Horen, 1982 J Road, Fruita, and Terry Boggs, 444 Manzana Drive, Grand Junction, were present to advise the Council of a fundraiser to help Jordan James, a young man diagnosed with cancer. He attends school at West Middle School.

Randy Stouder, 303 E. Dakota Drive, said he circulated a petition which he presented to the City Clerk. He collected signatures from residents in the area. They obtained 62 signatures on the petition. The petition is to limit street lights in the Red Rocks Subdivision and stated that a similar request was granted in another nearby subdivision. He asked that Council give direction to Staff regarding the request.

CONSENT CALENDAR

Councilmember Hill read the items on the Consent Calendar, and then moved to approve the Consent Calendar with the exception of item #12. He asked that the item be pulled and reviewed under individual consideration. It was seconded by Councilmember Beckstein, and carried by roll call vote to approve Consent Items #1 through #11.

1. **Minutes of Previous Meetings**

   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**

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

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

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

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

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

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

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

6. **GOCO Grant Application for Canyon View Park**

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

7. **Contract for Water Slide Replacement at Lincoln Park-Moyer Pool**

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

8. **Contract for Enterprise Network Switch Equipment**

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

9. **Setting a Hearing on Amending the City Parking Code**

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

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

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

11. **Contract Study for Retail Recruitment and Retention**

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)

12. **Purchase of Eleven Police Patrol Vehicles – MOVED TO INDIVIDUAL CONSIDERATION**

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Purchase of Eleven Police Patrol Vehicles

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.

Councilmember Hill moved to authorize the City Purchasing Division to purchase Eleven 2008 Ford Crown Victoria "Police Interceptors", from Western Slope Auto located in Grand Junction, CO in the amount of $250,218. Councilmember Beckstein seconded the motion.

Councilmember Hill brought up the City's purchasing policy, and that the City does not have a local preference policy. However, the local vendor was only 1% more than the low bidder. He recommended the purchase be local to keep taxpayer dollars local.

President of the Council Doody agreed with Councilmember Hill to support our local economy since it was less than 1% in total difference.

Councilmember Coons stated that she also agreed with Councilmember Hill. The difference is not enough to send the money out of town.

Motion carried by roll call vote.

Change Order No. 2 for 7th Street Corridor Project

This Change Order includes extra work totaling $146,000 required during construction of the recently completed 7th 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.

Tim Moore, Public Works and Planning Director presented this item. He stated that this will finalize a contract with Mays Construction for the improvements on 7th Street. This change order covers some of the undergrounding done for Xcel Energy. It is proposed that this project be paid for with monies saved from the 24 Rd / I-70 landscaping project.

Councilmember Coons inquired if the work was already completed, and asked if the additional work was unforeseen. Mr. Moore replied that the work had already been completed, and that the additional work had been unforeseen.

Councilmember Todd moved to authorize the City Manager to approve Change Order No. 2 in the amount of $146,000 for the 7th Street Corridor Improvement Project. Councilmember Coons seconded the motion. Motion carried by roll call vote.

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

Request a continuance to annex 1.45 acres, located at 3037 D Road. The Mersman Annexation consists of 1 parcel.
Justin Kopfman, Associate Planner, asked that this item be continued to May 5, 2008.

Councilmember Hill moved to approve the request for a continuance to adopt resolution accepting the petition and the public hearing on the annexation ordinance for the Mersman Annexation to May 5, 2008. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

Public Hearing—Vacation of the North/South Alley between S. 8th and S. 9th Streets, North of Winters Avenue [File #VR-2007-050]

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

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

Senta L. Costello, Associate Planner, reviewed this item. She described the site, the location, and the surrounding uses. The adjacent neighbor to the north is Castings, Inc., and to the south is Orkin Pest Control Operations. She referred to a letter that asked that the vacation not be granted. Ms. Costello said she did not think the request met all the criteria for a vacation. It will create a dead end that goes nowhere which could create a problem. It is also a violation of the TEDs manual. Therefore Staff recommended denial, however the Planning Commission felt that since it was a short distance it was not an issue, and recommended approval.

Councilmember Hill stated that it looked like there were six criteria in Section 2.11.c of the Zoning and Development Code, and that two of the criteria not being met is the Growth Plan and the TEDs. Even though it reduces the City's maintenance, all six of the criteria need to be met. Councilmember Hill pointed out that neighbor approval is not one of the criteria. Ms. Costello agreed with Councilmember Hill.

Kirk Knowles, Knowmoore, LLC, the applicant, 749 Winters Avenue, stated that the proposed vacation area has never been used for public travel.

Councilmember Coons asked if businesses or the people traveling to work use the alley as a means of circulation. Mr. Knowles said no, and stated that where the alley adjoins Winters Avenue it is used for street parking, so the alley is generally blocked. He also stated that in the summertime this area is a long narrow weed patch.

Councilmember Todd asked Ms. Costello what kind of traffic is on the east/west street. Ms. Costello stated that she was told by Castings that they use it on occasion. In pictures she has seen of the alleys in the area, she has seen tire marks, but does not know to what extent the east/west street is being used. Ms. Costello said Mr. Bonella, owner of Castings, is present and may have a better idea.

Mark Bonella, Co-owner and President of Castings, Inc., the property to the north, stated that the piece of property is not currently being used, but it is an access to their property. He stated that there is a curb cut to the east, there are utility lines, and vacant cars in the back. The person requesting the vacation needs more space which is the reason for the request. He believes that eventually other uses will be going in that industrial area which will include truck traffic. He feels that by vacating that alley, trucks won't be able to turn around or go through. He would like to see the potential for truck traffic and safety remain there, and not block it off.

Councilmember Todd asked what utilities are there. Mr. Bonella stated gas, electric, and he believes, the water meter is also there. Councilmember Todd stated that she was looking at the water map and it doesn't show any water lines. Mr. Bonella said he wasn't sure about the water.

Mr. Bonella feels that there is a need for that alley in the future for circulation, and he would like to see it available for future use with the way the City is growing.

Councilmember Todd asked why leaving the alley alone will give Mr. Bonella more access, and why can't he use 8th Street? Mr. Bonella stated that he is not sure he could use 8th Street because he thinks there is a storm water pipe running through there.

Cheryl Moore, 749 Winters Avenue, a co-applicant, said that the radius is very tight on the alley, and a car barely fits. She said no one can get to the alley they want to vacate from the alley by Castings, Inc. From their research, there are no utilities. She agreed that they do need more property. It would be easier to extend their fence than buying new property. In order for the alleyway to go through, Castings would have to remove some buildings.

Ms. Costello said that the utilities are on the east/west section of the alley and there are none in the section proposed to be vacated.

There were no other public comments.

The public hearing was closed at 7:47 p.m.

Councilmember Hill stated that the map in the packet shows the alleyway went all the way to the east to the Mesa County property. A portion of the alley was vacated. The six criteria have not been met, and therefore he can't support the request.

Councilmember Todd said that it appears that there are two alley legs that go nowhere that are not currently being used, nor does it appear to ever have been used, so the question is its use as an alley.
Councilmember Thomason questioned the fact that there is no current connectivity, and the property owner to the east is agreeable with the vacation, therefore he is inclined to approve the vacation.

Councilmember Coons said it looks like it would be desirable to have some connectivity there, but it appears there are some traffic problems needing to be resolved. She was sympathetic to the applicant for their need of more property; however, that is not really the issue at hand.

Councilmember Beckstein asked Ms. Costello what access Castings, Inc. has to their property from the existing roads right now. Ms. Costello said that they have access off of 4th Avenue, and from the east/west alley. They do have access from both north and south.

Councilmember Beckstein asked Ms. Costello to discuss in more detail the safety issue impact on vacating the alley. Ms. Costello said that she received feedback from both the police and fire departments, and it meets their standards. The Fire Department has a standard that no distance can be greater than 150 feet, and the TEDs manual has a requirement that right-of-way can't be used for access to a property. It is Ms. Costello's understanding that Latin Anglo Alliance to the west frequently uses 8th Street as a parking area, which could be a concern for fire and police to get in, in the case of an emergency if the alley isn't available.

Councilmember Beckstein asked if 8th Street shouldn't be kept open. Ms. Costello replied yes, but they may have a permit to use it.

Councilmember Beckstein asked if the alley is vacated, will 8th Street then have to be improved. City Attorney Shaver said he is not aware of any enforcement issues on unimproved right-of-way, but he can look to see if any of the adjacent owners have obtained a revocable permit.

Councilmember Todd asked Ms. Costello how closing off an alley that has never been used would cause a more unsafe situation than what is currently there. Ms. Costello

stated that it comes down to whether or not the alley is really being used. She has seen tire tracks in pictures that have been taken within the last six months.

Councilmember Beckstein believes that this needs to be looked into more, and that 8th Street issues need to be resolved first. She can't support the request at this time.

Councilmember Todd asked how often are there multiple alleys coming off of a street. Ms. Costello replied not often, the alley was created after the plat was recorded.

Councilmember Hill said most alleys have two ways in, and the vacation will eliminate one of the ways in.
Councilmember Coons is concerned about reducing access in industrial areas.

Kirk Knowles stated that the east/west alley extends all the way west to 7th Street.

President of the Council Doody noted the request does not meet all the criteria.

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

Councilmember Todd moved to adopt Ordinance No. 4180, and ordered it published. Councilmember Thomason seconded the motion. Motion failed by roll call vote with Councilmembers Beckstein, Coons, Hill, and Council President Doody voting NO.

Public Hearing—Pinson-Hergistad Annexation and Zoning, Located at 644 ½ 29 ½ Road [File #ANX-2007-352]

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.

The public hearing was opened at 8:08 p.m.

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

Carolyn Hergistad, 565 ½ Villa Street, the applicant, came forward to point out a correction in the acreage.

There were no public comments.

The public hearing was closed at 8:10 p.m.

a. Acceptance 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 Ordinance

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

Councilmember Coons moved to adopt Resolution No. 24-08, and adopt Ordinance Nos. 4181, 4182, and 4183, and ordered them published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

Public Hearing—Rezoning the John H. Hoffman Subdivision, 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).

The public hearing was opened at 8:11 p.m.

Adam Olsen, Associate Planner, reviewed this item. He described the site, and the location. He asked that the staff report and attachments be entered into the record. The Staff and Planning Commission recommended approval.

Dennis Johnson, representing Habitat for Humanity, 225 N. 5th Street, Suite 200, stated that the request falls within the Growth Plan designation, and the R-8 zoning is more appropriate.

Mr. Olsen displayed a map of the location.

There were no public comments.

The public hearing was closed at 8:14 p.m.

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

Councilmember Thomason moved to adopt Ordinance No. 4184, and ordered it published. Councilmember Beckstein seconded the motion.

Councilmember Hill stated that the rezone request fits under the Growth Plan designation.
Councilmember Todd said she was glad to see Habitat for Humanity move for making the lots smaller, and the housing more affordable.

Motion carried by roll call vote.

Public 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).

The public hearing was opened at 8:16 p.m.

David Thornton, Principal Planner, reviewed this item. He described the site and the location. The City Council changed the Growth Plan designation a couple of months ago. He asked that the staff report and attachments be entered into the record. Both Staff and the Planning Commission recommend approval. The applicant was not present.

There were no public comments.

The public hearing was closed at 8:17 p.m.

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

Councilmember Coons moved to adopt Ordinance No. 4185 and ordered it published. Councilmember Todd seconded the motion. Motion carried by roll call vote.

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]

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).

The public hearing was opened at 8:18 p.m.

David Thornton, Principal Planner, reviewed this item. He described the site and the location, and advised that the Growth Plan Amendment was approved by City Council a couple of months ago. He asked that the staff report and attachments be entered into the record. He advised that at this time the applicant has not submitted a plan so a Mixed Use zone designation is recommended.

Robert and Marie Reigan, 2204 H Road, said the request will help the area, and allow the transitional uses in this industrial area.
There were no public comments.

The public hearing was closed at 8:21 p.m.

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

Councilmember Beckstein moved to adopt Ordinance No. 4185 and ordered it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Council President Doody called a recess at 8:22 p.m.

The meeting reconvened at 8:35 p.m.

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]

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.

The public hearing was opened at 8:36 p.m.

Scott D Peterson, Senior Planner, reviewed these two items. There are actually two requests, one is a Growth Plan Amendment, and the other is approval of an Outline Development Plan (ODP). He described the site and the location. There are two properties being included in this consideration. One property was just annexed at the last City Council meeting. He described how a portion of the property was designated as Conservation when the Growth Plan was adopted. The property is in the 201 Sewer Service Boundary, and the Persigo Agreement states that property in the 201 should be developed at an urban level of development. The existing zoning is 4 units per acre. There are ridgeline development standards that must be met. The build-out is proposed to be in 2020. The total dwelling units will be between 99 and 137. The plan includes open space and a trail system dedicated for public use that is not already in the Urban Trails System.

Mr. Peterson found that the ODP generally avoids areas of 30% slope or greater, and other areas of potential impacts such as drainage. The site analysis does reveal areas of expansive soils and rock, but a geotechnical report would be required to address the suitability of the site prior to residential development approval.

The proposal conforms to the Redlands Area Plan as follows: the achievement of a high quality development in the Redlands in terms of public improvements, site planning, and architectural design, the park and recreation open space policies and plan that includes

integrating onsite biking and hiking trails with those existing on adjacent City property as well as along Monument Road as identified on the Urban Trails Master Plan, thus meeting requirements and policies of the Redlands Area Plan. The Planning Commission and Staff find that the request meets the criteria and conforms to the Growth Plan criteria and is recommending approval. The applicant is available for comments.

Councilmember Hill stated in summary that the Conservation designation is not in error so the other criteria must be met, and the topographical and other concerns will be handled through plan review.

Mr. Peterson confirmed and added that any building will have to be set back 200 feet from the ridgeline unless other visual evidence is submitted that there will be no impact. The ODP/PD locks the developer to a certain number of units.

Councilmember Coons asked about the very visible houses built on the ridgelines across the street, and is that area treated differently. Mr. Peterson replied that those were built prior to the 2000 Zoning Code requirements relative to ridgelines.

Bob Blanchard, 706 Jasmine Lane, representing the applicant, Conquest Developments, said there are two applications for consideration. He presented a vicinity map that showed the larger area where Monument Road bisects the property. The property is entirely within the Urban Growth Boundary. The request is to designate the property as Residential Low which is ½ to 2 acres per unit. He reviewed the criteria. If there is no error, then all six of the criteria need to be met. He did believe an error was made as a Conservation designation which does not allow development; a zone designation of CSR allows for that. Conservation designation is reserved for open space, wildlife habitat, and environmental conservation purposes. Very few privately owned parcels are designated Conservation. When designating private property as Conservation, usually one has concurrence of the property owner, and an action plan for the property. Neither of these things occurred when the designation was originally placed on this property. In addition, property within the Urban Growth Area is supposed to be developed at an urban level of density, and maintaining the designation makes it inconsistent with existing City policy. Lastly, Mr. Blanchard related the error to current growth trends.

Mr. Blanchard then addressed the other six criteria: 1) Subsequent events that invalidate that designation. In 1996 the property was designated Conservation. In 1998 the Persigo Agreement was adopted. While defining the joint planning area this property was placed in the Urban Growth Plan boundary. In 2002 the Redlands Area Plan was revised. This property was discussed by the City Council in 2001 and 2002. The fallacy was that there was a continuation of an inappropriate designation which does not allow development on property that four years prior had been placed inside the Urban Growth Plan designated for urban level development. 2) The character of the area has changed. There are changes going on with Redlands Mesa approved since 1996, Mariposa Drive was improved, and there are other subdivisions in the near vicinity that have been approved. The County also recently approved road improvements to Monument Road. 3) This application is consistent with the plans that the City has on record for this site as Mr. Blanchard previously discussed when he explained the Growth Plan, the Redlands Area Plan, and the Persigo Agreement. 4) Public facilities can be made available. Sewer can

be provided from South Redlands Road, and Ute Water has a 10 inch water line that runs the length of the property and Monument Road. He pointed out that Monument Road is designated as a minor arterial road. With traffic counts taken in December 2006, the traffic on Monument Road does not surpass 60% of its design capacity as a minor arterial, so the infrastructure exists. In addition, the recreational infrastructure is adjacent to the site. 5) Available land within that same requested designation is always looked at in the area, and when one considers the surrounding property there is very little in that area nearby that is available for future development. 6) The community benefits would be significant from the extension of water and sewer, and construction of new trails.
Also part of the request is the Outline Development Plan for the entire 148 acres. The ODP shows how the property will be developed, the density for each parcel or pod, and shows that 44 to 45 acres will be maintained as open space. Those areas where there are slopes of 30% or greater which cannot be developed are not counted in the open space. There are three access points; the third being a stub street that has been an issue with the neighbors.

The criteria for approval of an Outline Development Plan must include the Growth Plan criteria, and the rezone criteria, and include compatibility. Compatible does not always mean “the same as”, which is another benefit for showing the ODP to see what the developer is willing to do to be compatible with the adjoining areas. Planned Development requirements need to be compatible for density. The corridor guidelines, public services and facilities, circulation and access, screening and buffering were addressed. The owner has visited the neighbors because of concerns expressed. He asked for approval, and that there are others available to speak on additional questions.

Council President Doody opened the floor, beginning with three speakers in opposition, and then three in favor. He asked that they try not to repeat the same points.

David Mueller, 114 Mira Monte, spoke regarding access as it relates to the density proposed. The density proposal calls for between 99 and 137 homes. The review comments included assurance that Mira Monte will not be an access point. The City Development Engineer and the City Fire Department said that they would require that Mira Monte be a second access. The City Development Engineer said that they could plat up to 100 homes with only one access provided. There is a second proposed access, which is Mira Monte. The Fire Department said over 60 lots would require this second access pursuant to the TEDs Standard. This needs to be clarified. There is no right-of-way or public access on Mira Monte Road. This road ends before the stub-in location. The owners have a prescriptive easement for access to their property. He doesn’t know how that stub street can be considered as the second access, as it appears that it should limit the density. The notion that Mira Monte will be a secondary access will be met with probable legal action. The ODP access is only along Monument Road. Mr. Mueller said he was baffled that there has never been a determination that there is legal access for the density proposed, and he has brought this up at every meeting, but it has never been resolved.

Susan Gamble, 305 E. Dakota Drive, said she disagreed that the owners did not have input to the Conservation zoning at the time it was adopted. The Conservation zoning was adopted prior to 1996 and then reaffirmed by the Growth Plan and the zoning was in

place at the time the property was purchased in 2005. In order to amend the Growth Plan several criteria in Section 2.5 c must be met. Because the Staff has determined that there was no error in the Growth Plan, then Criteria B through G must be met.

Ms. Gamble addressed the criteria and her findings. Addressing Criteria B, she stated that in 1996 City growth had been taken into account as a big part of the Growth Plan as testified to by former Planning Commissioner John Elmer. Criteria C, character of the Redlands had changed. Redlands Mesa was already being developed in 2002 when Redlands Area Plan was adopted. The other developments are also following the Growth Plan, and are consistent with the Growth Plan. Regarding Criteria D, she said that just because it is within the Urban Growth Boundary it does not mean it must be developed, and it is zoned Conservation, one house per five acres. It was confirmed again by Mr. Elmer of the 1996 Planning Commission that the zoning in the Redlands was carefully considered and was not in error. The intent was to preserve the plant, wildlife, and the existing topography of the area.

Ms. Gamble said that the lack of adequate facilities required by criteria E, are the schools. Wingate and Redlands Middle Schools are both already over capacity. If this area was developed in Conservation density, the impact on the schools would be minimized. Criteria F states that an inadequate land is available. She stated names of several subdivisions that are available for development. Criteria G states that the community will derive benefits from the amendment. By changing the designation to Residential Low will allow sprawl which is not a benefit. She said that none of the Criteria B through G have been met and said the Council should not approve either application.

Randy Stouder, 303 E. Dakota, apologized to the City Council members for comments he made at the last Persigo meeting, stating they were supposed to be humorous. He said he reviewed the criteria. There are significant topographical issues and ridgeline issues. He thought the property should be conserved or developed lightly. Conservation recognizes development. The surrounding land is BLM and City land, not vacant land. There is a lot of history on most of these parcels. There were notes in 2002 mentioning this parcel, and the owner withdrew any proposal for a different Growth Plan designation. The Monument brings in many visitors, and he reviewed the criteria and distributed a handout of his review of the criteria (attached). He does not believe that growth pressure is a good reason to increase development. The Redlands Area Plan is a good plan. He shared his suggestions on a different idea for the sewer extension. He also had some concerns regarding flooding, as there was a peak flow event in 1978 that went right through this site.

Greg Jouflas, 113 Mira Monte, wanted to speak in opposition, and Council President Doody asked Mr. Jouflas to wait his turn.

Council President Doody asked for three in favor of the proposal to speak.

Steven Kesler, 494 Tiara Drive, said there are good people speaking on both sides of the issues. He noted the Planners have substantial training, and there are others with less training trying to answer very complex questions. He lauded the workmanship of Daren Caldwell of Conquest Development. He pointed out that no one could have predicted the

growth taking place now which is why the area is behind growth for housing. There is a huge amount of open space in this development and this plan would not impede the views of the Mesa, the Monument, and the Bookcliffs. The City Council should listen to the professionals as they have a community to take care of and this will be a beautiful project.

Jana Gerow, 2350 G Road, said it is great to do work with a developer like this who is sensitive, takes into consideration the issues being brought up by the neighbors, and addresses their concerns.

Since there were no others to speak in favor, Council President Doody asked if there were more of those opposed.

Greg Jouflas, 113 Mira Monte Road, said certain criteria must be met, and he disagrees that they have been met. One reason this was designated Conservation was to protect the visual corridor on Monument Road. That hasn't changed or been invalidated, and it should be protected. The changes in the neighborhood that have been cited are on the north side of Monument Road. He asked for denial as they have not met the criteria. In addition, the Outline Development Plan has too high of density, and it will change the character of the area. He also has concerns with the impact to Mira Monte as a second access once they exceed the threshold of units built.

Britt Smith, 214 Mira Monte Road, said the character of this property has not changed, and when discussed in 1996, this property was specifically addressed, and it was stated that Monument Road could not handle additional volume of traffic. He asked that, specifically, the zoning request be rejected.

Catherine Eicher, 140 Mira Monte, adjacent to the subject project, disagreed there was an error in the original plan and under the Redlands Area Plan that was adopted in 2002, the designation was reaffirmed for a number of reasons. There is a lot of rock in the ground and any blasting that may have to be done might affect her well which is 850 feet down. This area is full of wildlife and is a beautiful area. She does not think that this is the time to make piecemeal changes when the Comprehensive Plan is in the works.

Sue Harris, 214 Mira Monte, had pictures of the area that showed the natural drainages onto her property. She expressed her concerns regarding these issues and she referred to statements in the staff report.

Bonnie Steele, 2499 Random Hills Lane, agreed there was no error made in the original plan, and that the designation is also supported by the Redlands Area Plan. Although she agreed the developer has been very cooperative, Pod 3 would generate 6 to 8 dwelling units which will have access off Random Hills Lane, thereby increasing the traffic by two-fold.

Bill Ogle, 116 Mira Monte, is against a change in the zoning. This has been a Conservation area longer than 1996, and he does not believe there is an error in the classification; it should remain the way it is. There is a large amount of development along

Monument Road and Mariposa Lane. There is only one Three Sisters, and they need to keep it like it is, and should not allow access to Mira Monte.

There were no other public comments.

The public hearing was closed at 10:16 p.m.

Council President Doody called a recess at 10:16 p.m.

The meeting was reconvened at 10:28 p.m.

Bob Blanchard, the developer's representative, said this development will not take any traffic to the east because there is no clear access. The ODP shows a potential of a stub street and the aerial appears to show right-of-way. The PD Code requires additional access which they have tried to resolve with City Staff. The stub street is adequate, and the additional right-of-way will only come as those properties develop. They are not required to improve that access. There are three documents that deal with additional access requirements. The number threshold comes from three different documents. There are only 79 parcels that will access the single access and they can develop up to 100 with the stub street. If they go over 100 units they must have a fully developed second access. There is no doubt this area is unique. If this property stays private then the environmentally sensitive area can be designated. They are aware of the flooding issues, and agree that it is not an easy parcel to develop. Regarding traffic on Monument Road, it is a minor arterial that is at 55% of design capacity with all movements except for one being rated as C (acceptable). The corridor is still a visually attractive corridor and is an approach to the Monument. They agree there are drainage issues but the Code requires that they maintain historic run-off so there is no additional impact. He understands the concerns of the neighborhood and is not going to direct any traffic through that neighborhood.

Councilmember Beckstein asked for clarification on the number of units for a second access. Mr. Blanchard replied that with only 20 units over the 60 they could get fire apparatus down the access way, and still provide that emergency opportunity.

Councilmember Todd asked, regarding Pod 3, was there consideration given for access on Random Hills. Mr. Blanchard responded that it was physically impossible to get more than 2-3 homes there so there will not be 6-8 homes there.

Tim Moore, Public Works and Planning Director, said that Mr. Blanchard did a nice job of explaining, from the Public Works perspective they would like to see no more than 100 homes on one access, for service delivery sake, but really need to have the interconnectivity to adjacent lots to enhance emergency response. There has to be a real potential for a second access therefore the requirement for a stub street.

Mr. Moore said that some discretion is used and the number of units accessing a dead-end street varies by community. They were comfortable with the 100 units as the threshold in Grand Junction.

Chuck Mathis, Fire Department, said on a residential street, a dead-end cul-de-sac, a developer is allowed 30 houses, and up to 60 if the houses have sprinklers. They looked at what is reasonable, and determined the same limit as multi-family in the Fire Code when there is a second access. He noted that such access is not strictly for the Fire Department, but it has to be access for everyone.

Councilmember Hill asked about the zone designation of Conservation, the interpretation of the Code, and the densities that go with it.

City Attorney John Shaver said Mr. Blanchard is correct and there is no ability to develop attached to it, only by the zone district of CSR. The Growth Plan doesn't have to provide the ability to develop, there may be other reasons for the designation, and it could have been a holding zone, with the understanding that as growth patterns change it might be changed. CSR allows for something to be done so it isn't a "taking". It has to be some reasonable use that allows 1 unit per five acres. He is not compelled to say it was an error, but there are other analyses for that designation being placed on the property. It is not unreasonable to say it was a holding zone. CSR is the zone that implements the designation.

Councilmember Coons asked if there was a designation prior to 1996. City Attorney Shaver said he did not know.

Councilmember Todd said the County zoning is R-4. She inquired about the zoning options. City Attorney Shaver said the City, by annexation, can zone to the County zoning, or to the zoning that would implement the Growth Plan designation.

Councilmember Hill asked if CSR is one unit for 1-5 acres, Rural is one unit per 5 to 35 acres, 2 to 4 is units per acre versus acres per unit, so what does .93 mean? Mr. Peterson said it was less than one dwelling unit per acre. CSR would be acres to dwelling unit. Rural is 5 acres per dwelling unit.

Council President Doody asked for clarification of this as compared to conservation easement. City Attorney Shaver said a conservation easement is not a designation or a zone, but it is the sale of the development rights to an entity which will protect the property from development. They are two separate things, not necessarily tied together.

Councilmember Thomason said a lot of the conservation easement land is AFT (agricultural/farming/transitional).

Councilmember Todd said sometimes designations split the property. In this case the landowner did not ask for this designation.

Councilmember Todd said regarding sprawl, this project is about as close in for a development as one can get. The City is working toward infill. The other designations in nearby properties are higher, and access was well addressed. This a good use of this property. The plan is preserving some of the aspects of the Three Sister points. There are underlying development rights, and the developer is looking at the aesthetics. There is a need for housing in the community.

Councilmember Thomason said there is compelling discussions for both sides and he is very familiar with this area. He doesn't view it as a pure conservation piece as it is privately owned, and able to be developed in a sensitive manner. The fact that it is going to be a residential low development and its proximity to shopping, he is in favor.

Councilmember Beckstein lauded those that presented. Changes are never easy. Staff said there is no error, but other criteria were met. Issues such as traffic and roads have been looked at and there will be a harmonious blend of residential with natural landscape, so she can support it.

Councilmember Hill said he is still hung up on the criteria. He holds the Growth Plan in high regard. The plan didn't have a growth factor in it for criteria change. One doesn't designate Conservation on someone else's property as it is a "taking", and he has trouble finding that it was an error. The property is still developable and when looking at other criteria some can be met. Developments that only have one way in are uncomfortable for him from a safety standpoint. The issue tonight is whether the criteria have been met and he doesn't think it has been.
Councilmember Coons said Conservation should not allow any development. This property can be developed reasonably, and there is development on the south side. She said she was struggling with this one. She said there is something wrong with the Conservation definition if it allows development, and it sounds like an error.

Council President Doody said he does not know how this project was designated Conservation, or how it happened. One side of the hill used to be a shooting range, so he doesn't know how it was made Conservation. He appreciated everyone's input.

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

Councilmember Todd moved to adopt Resolution No. 25-08, and Ordinance No. 4187, and ordered it published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote with Coucilmember Hill voting NO.

Non-Scheduled Citizens & Visitors

David Mueller thanked Council for their careful analysis and consideration of the issues. It is his belief that Mira Monte will be a defacto access, and the neighborhood will be destroyed, and there will be inter-neighborhood conflicts that they were trying to avoid.

Other Business

Councilmember Todd advised Mitch and Catherine Godsman wanted to express their

appreciation to the Council for the time and effort they put into their positions.

Adjournment

The meeting adjourned at 11:30 p.m.

Stephanie Tuin, MMC
City Clerk

Submitted by Randy Stouder at the
February 20, 2008 City Council meeting

Town Council 2-20-08
3 Sisters Growth Plan Amendment & Outline Development Plan

Zoning and Development Code Section 2.5C:

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

Staff agrees that no mistake was made

b) Subsequent events have invalidated the original premises and findings;

Nothing has changed in this area for a long time. Just take a drive up Monument Road! Staff argues that we need to grow faster and denser because we have recently started growing faster and denser. Huh?!!

Growth pressure is not a subsequent event that should be used to invalidate good planning. The RAP has been directing growth to appropriate areas for over 5 years now including the developments that are occurring over the hill to the north.

Criteria "f" addresses other areas where this type of development can occur on parcels that are currently vacant--big hunks of land on the Redlands.

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;

Staff states that there is increased development in the area since the adoption of the growth plan mentioning specific developments already in place or on the books to develop relatively soon, and mentions Mariposa improvements.

If you look at the Future Land Use Map in the RAP you can see that Mariposa, Redlands Mesa and at least one other development not yet built are all shown as currently platted. Thus it appears that the decision makers that placed the Conservation designation on the 3 Sisters property must have known about and considered these conditions.

Also, the developments mentioned by staff are generally out of sight of Monument Road and are located in a different drainage basin with adequate existing infrastructure. These developments were clearly known, accounted for, and are approved at planned densities consistent in the RAP.

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

Staff simply dodged this criteria altogether and tends to fall back on the Persigo push for "Urban" densities when other arguments are not available.

Where is the discussion of clearly stated RAP goals and policies regarding preservation of Monument Road as a "visually important corridor" where we wish to "minimize the visibility of development". A corridor where "in addition to ridgeline views along the corridor, the views along either side of Monument Road are also of importance." "Protect the foreground, middle ground, and background visual/aesthetic character of the Redlands Area" and "Avoid inappropriate development in Natural Hazard areas." The site has expansive and rocky soils, flood issues, a landslide deposits, ridgelines, important foreground views up to the Monument and very high potential to impact wildlife values.

e) Public and Community facilities are adequate to serve the type and scope of the land use proposed;

Sewer is almost a mile (.8 mile) away at S. Redlands Road and if extended will butcher the new paving that was just completed last summer.

There is no viable second access which is usually sought by staff along with neighborhood connectivity.

f) An inadequate supply of suitably designated land is available in the Community to accommodate the proposed land use;

How about Red Rocks Valley or Redlands Place that are/will be developing on South Camp Road. What about the inbuilt lots in Redlands Mesa and the two other developments that staff mentioned in that same area. What about the hundreds of acres off Broadway that are yet to be developed. There are tons of examples of developed and developing subdivisions that are supplying more of this type of development than we can absorb at the moment.

g) The Community or area will derive benefits from the proposed amendment;

This development benefits no one but the developer. This is sprawl that will have an adverse impact on the Monument Road corridor both visually and road safety wise—especially for cyclists and tourists.

There might be some community benefit if the developer were to arrive at a reasonable density for the upper portion of the project by Mira Monte and was to propose sewer and road improvements that would improve a deficient situation especially related to septic systems.

GRAND JUNCTION CITY COUNCIL

SPECIAL SESSION MINUTES

FEBRUARY 22, 2008

The City Council of the City of Grand Junction, Colorado met in Special Session on Friday, February 22, 2008 at 2:30 p.m. in the Administration Conference Room, 2nd Floor, City Hall, 250 N. 5th Street. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Bruce Hill, Doug Thomason, Linda Romer Todd, and President of the Council Jim Doody. Absent was Councilmember Gregg Palmer. Staff present was City Manager Laurie Kadrich and City Attorney John Shaver.

Council President Doody called the meeting to order.

Councilmember Beckstein moved to go into executive session to discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest pursuant to Section 402 (4) (a) of Colorado's open meetings act relative to the Big Pipe project and they will not be returning to open session. Councilmember Thomason seconded the motion. The motion carried.

The City Council convened into executive session at 2:38 p.m.

Stephanie Tuin, MMC
City Clerk

Attach 2
Setting a Hearing on the ThreeP Development Annexation

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA				
Subject	ThreeP Development Annexation - Located at 519 30 Road			
File #	ANX-2008-019			
Meeting Day, Date	Monday - March 3, 2008			
Placement on the Agenda	**Consent**	**X**	**Individual**	
Date Prepared	February 20, 2008			
Author Name & Title	Senta L. Costello – Associate Planner			
Presenter Name & Title	Senta L. Costello – Associate Planner			

Summary: Request to annex 1.66 acres, located at 519 30 Road. The ThreeP Development Annexation consists of 1 parcel.

Budget: N/A

Action Requested/Recommendation: Adopt a Resolution referring the petition for the ThreeP Development Annexation and introduce the proposed Ordinance and set a hearing for April 14, 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					
Location:		519 30 Road			
Applicants:		Owner: 3 P Development, LLC – Pam Pine Representative – River City Consultants – Tracy Moore			
Existing Land Use:		Single Family Residential			
Proposed Land Use:		Neighborhood Business			
Surrounding Land Use:	**North**	Single Family Residential			
	South	Multi-Family Residential			
	East	Office; Commercial; Single Family Residential			
	West	Single Family Residential			
Existing Zoning:		County B-2			
Proposed Zoning:		City B-1 (Neighborhood Business)			
Surrounding Zoning:	**North**	County B-2			
	South	City B-1 (Neighborhood Business)			
	East	County B-2 / City C-1 (Light Commercial)			
	West	County RMF-8 (Residential Multi-Family 8 du/ac)			
Growth Plan Designation:		Commercial			
Zoning within density range?		**X**	**Yes**		**No**

Staff Analysis:

ANNEXATION:

This annexation area consists of 1.66 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 ThreeP Development Annexation is eligible to be annexed because of compliance with the following:

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

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

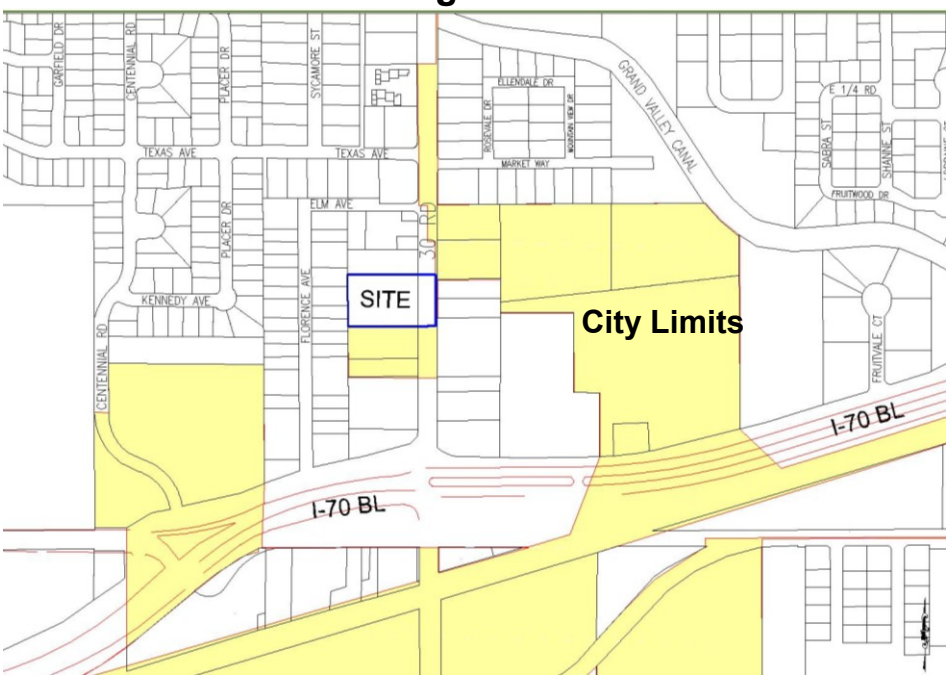
The following annexation and zoning schedule is being proposed.

ANNEXATION SCHEDULE	
March 3, 2008	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
March 25, 2008	Planning Commission considers Zone of Annexation
March 31, 2008	Introduction Of A Proposed Ordinance on Zoning by City Council
April 14, 2008	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
May 16, 2008	Effective date of Annexation and Zoning

THREEP DEVELOPMENT ANNEXATION SUMMARY		
File Number:		ANX-2008-019
Location:		519 30 Road
Tax ID Number:		2943-084-00-031
Parcels:		1
Estimated Population:		0
# of Parcels (owner occupied):		0
# of Dwelling Units:		1
Acres land annexed:		1.66 acres
Developable Acres Remaining:		1.05 acres
Right-of-way in Annexation:		16,272.28 sq. ft. of 30 Road right-of-way
Previous County Zoning:		B-2
Proposed City Zoning:		B-1 (Neighborhood Business)
Current Land Use:		Single Family Residential
Future Land Use:		Neighborhood Business
Values:	**Assessed:**	= $18,150
	Actual:	= $227,930
Address Ranges:		519 30 Road only
Special Districts:	**Water:**	Ute Water
	Sewer:	Fruitvale Sanitation District
	Fire:	Grand Junction Rural Fire District
	Irrigation/Drainage:	Grand Valley Irrigation/Grand Valley Drainage
	School:	Mesa County School District #51
	Pest:	None

Annexation/Site Location Map

Figure 1

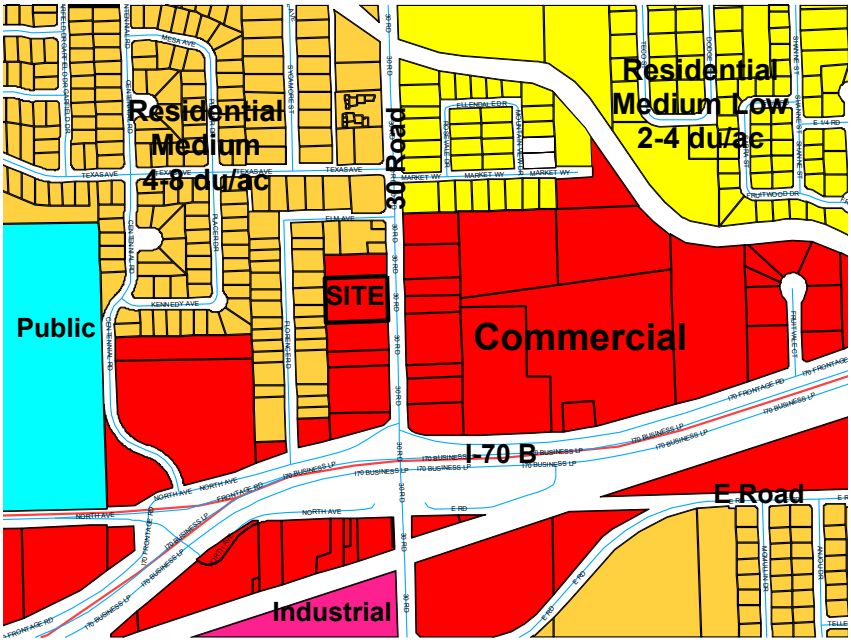


Aerial Photo Map

Figure 2

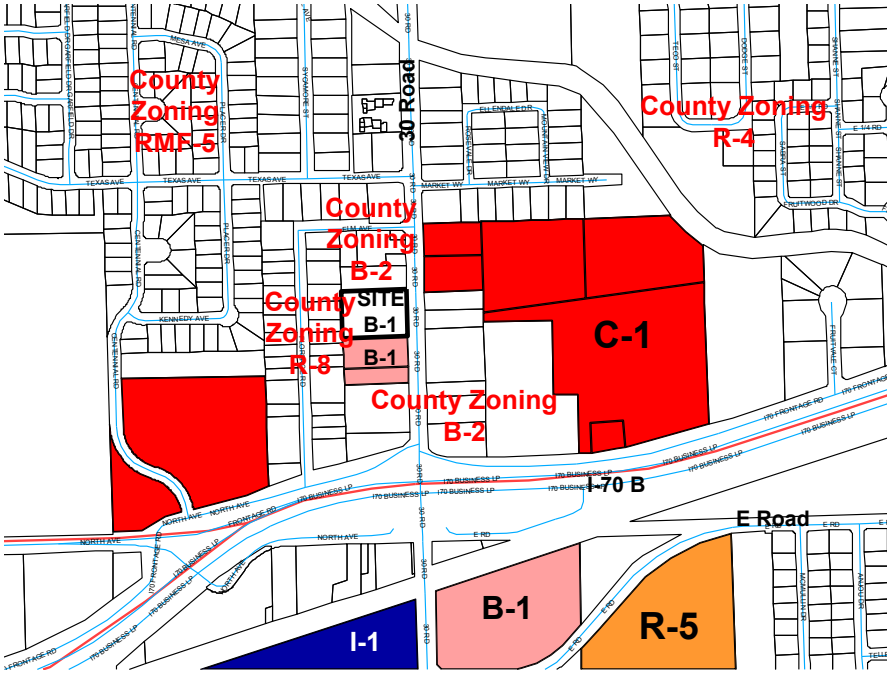
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



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

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

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 3rd of March, 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

THREEP DEVELOPMENT ANNEXATION

LOCATED AT 519 30 ROAD INCLUDING A PORTION OF THE 30 ROAD RIGHT-OF-WAY

WHEREAS, on the 3rd day of March, 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:

THREEP DEVELOPMENT ANNEXATION

A certain parcel of land located in the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section 8 and the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 9, Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Commencing at the Northwest corner of said Section 9 and assuming the East line of the SE 1/4 SE 1/4 of said Section 8 to bear S00°07'39"E with all bearings contained herein relative thereto; thence S00°07'39"E a distance of 279.86 feet along East line of the SE 1/4 SE 1/4 of said Section 8 to the Point of Beginning; thence S89°55'38"E a distance of 32.00 feet to a point on the Westerly line of Rold Annexation, Ordinance No. 3538, City of Grand Junction; thence S00°07'39"E a distance of 195.95 feet along the Westerly line of said Rold Annexation; thence S89°52'21"W a distance of 32.00 feet along the Northerly line of said Rold Annexation to a point on the East line of the SE 1/4 SE 1/4 of said Section 8; thence S00°07'40"E a distance of 3.94 feet along the East line of the SE 1/4 SE 1/4 of said Section 8, said line also being the Westerly line of said Rold Annexation; thence N89°56'13"W a distance of 330.57 feet along the Northerly line of D M South Annexation No. 2, Ordinance No. 3456, City of Grand Junction, to a point on the East line of Lot 11 of Ford Subdivision, as same is recorded in Plat Book 7, Page 50, public records of Mesa County, Colorado; thence N00°06'38"W a distance of 200.00 feet along the East line of said Ford Subdivision; thence S89°55'38"E a distance of 330.51 feet to a point on the East line of the SE 1/4 SE 1/4 of said Section 8, said point also being the Point of Beginning.
Said parcel contains 1.66acres (72,380.02 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 14th day of April, 2008, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.

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

ADOPTED the _____ day of _____, 2008.

Attest:

_____
President of the Council

_____
City Clerk

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

City Clerk

DATES PUBLISHED
March 5, 2008
March 12, 2008
March 19, 2008
March 26, 2008

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

THREEP DEVELOPMENT ANNEXATION

APPROXIMATELY 1.66 ACRES

LOCATED AT 519 30 ROAD INCLUDING A PORTION OF THE 30 ROAD RIGHT-OF-WAY

WHEREAS, on the 3rd day of March, 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 14th 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:

THREEP DEVELOPMENT ANNEXATION

A certain parcel of land located in the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section 8 and the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 9, Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Commencing at the Northwest corner of said Section 9 and assuming the East line of the SE 1/4 SE 1/4 of said Section 8 to bear S00°07'39"E with all bearings contained herein relative thereto; thence S00°07'39"E a distance of 279.86 feet along East line of the SE 1/4 SE 1/4 of said Section 8 to the Point of Beginning; thence S89°55'38"E a distance of 32.00 feet to a point on the Westerly line of Rold Annexation, Ordinance No. 3538, City of Grand Junction; thence S00°07'39"E a distance of 195.95 feet along the Westerly line of said Rold Annexation; thence S89°52'21"W a distance of 32.00 feet along the Northerly line of said Rold Annexation to a point on the East line of the SE 1/4 SE 1/4 of said Section 8; thence S00°07'40"E a distance of 3.94 feet along the East

line of the SE 1/4 SE 1/4 of said Section 8, said line also being the Westerly line of said Rold Annexation; thence N89°56'13"W a distance of 330.57 feet along the Northerly line of D M South Annexation No. 2, Ordinance No. 3456, City of Grand Junction, to a point on the East line of Lot 11 of Ford Subdivision, as same is recorded in Plat Book 7, Page 50, public records of Mesa County, Colorado; thence N00°06'38"W a distance of 200.00 feet along the East line of said Ford Subdivision; thence S89°55'38"E a distance of 330.51 feet to a point on the East line of the SE 1/4 SE 1/4 of said Section 8, said point also being the Point of Beginning.

Said parcel contains 1.66acres (72,380.02 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 3
Setting a Hearing on the Schuckman Annexation

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA				
Subject	Schuckman Annexation - Located at 231 28 1/2 Road			
File #	ANX-2008-018			
Meeting Day, Date	Monday – March 3, 2008			
Placement on the Agenda	**Consent**	**X**	**Individual**	
Date Prepared	February 20, 2008			
Author Name & Title	Senta L. Costello – Associate Planner			
Presenter Name & Title	Senta L. Costello – Associate Planner			

Summary: Request to annex 0.87 acres, located at 231 28 1/2 Road. The Schuckman Annexation consists of 1 parcel and is a 3 part serial annexation.

Budget: N/A

Action Requested/Recommendation: Adopt a Resolution referring the petition for the Schuckman Annexation and introduce the proposed Ordinance and set a hearing for April 14, 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					
Location:		231 28 1/2 Road			
Applicants:		Russell & Norma Schuckman			
Existing Land Use:		Duplex			
Proposed Land Use:		Additional Duplex			
Surrounding Land Use:	**North**	Duplex			
	South	Single Family Residential			
	East	Single Family Residential			
	West	Single Family Residential			
Existing Zoning:		County RSF-4 (Residential Single Family 4 du/ac)			
Proposed Zoning:		City R-8 (Residential 8 du/ac)			
Surrounding Zoning:	**North**	County RSF-4 (Residential Single Family 4 du/ac)			
	South	County RSF-4 (Residential Single Family 4 du/ac)			
	East	County RSF-4 (Residential Single Family 4 du/ac)			
	West	County RMF-5 (Residential Multi-Family 5 du/ac)			
Growth Plan Designation:		Residential Medium 4-8 du/ac			
Zoning within density range?		**X**	**Yes**		**No**

Staff Analysis:

ANNEXATION:

This annexation area consists of 0.87 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 Schuckman Annexation is eligible to be annexed because of compliance with the following:

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

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

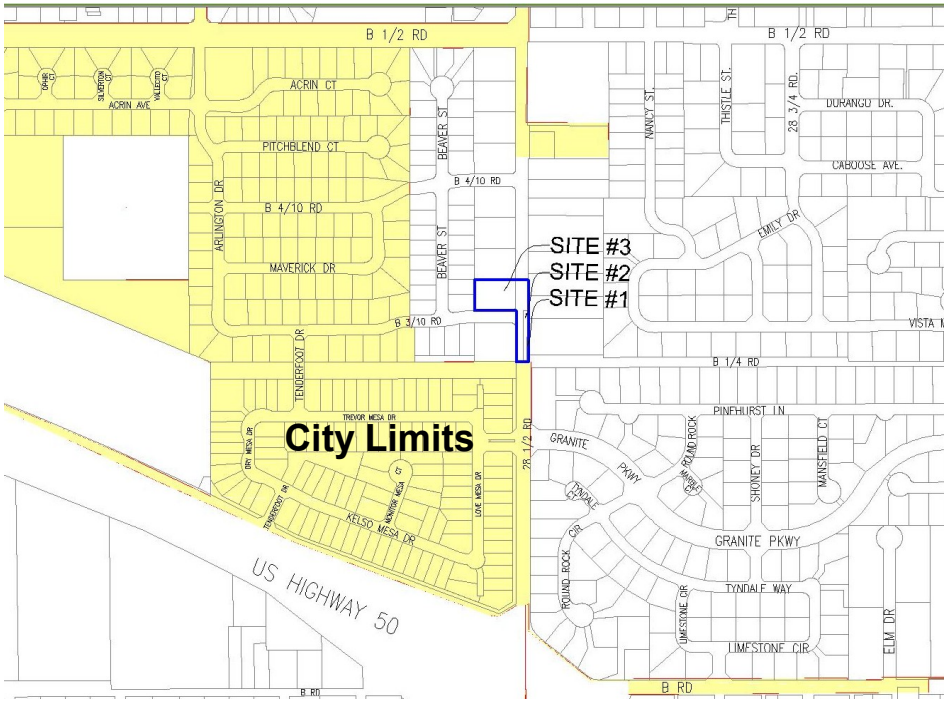
The following annexation and zoning schedule is being proposed.

ANNEXATION SCHEDULE	
March 3, 2008	Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use
March 25, 2008	Planning Commission considers Zone of Annexation
March 31, 2008	Introduction of a proposed Ordinance on Zoning by City Council
April 14, 2008	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
May 16, 2008	Effective date of Annexation and Zoning

SCHUCKMAN ANNEXATION SUMMARY		
File Number:		ANX-2008-018
Location:		231 28 1/2 Road
Tax ID Number:		2943-303-16-004
Parcels:		1
Estimated Population:		4
# of Parcels (owner occupied):		1
# of Dwelling Units:		2
Acres land annexed:		0.87 acres
Developable Acres Remaining:		0.25 acres
Right-of-way in Annexation:		16565.97 acres
Previous County Zoning:		RSF-4 (Residential Single-Family 4 du/ac)
Proposed City Zoning:		R-8 (Residential 8 du/ac)
Current Land Use:		Duplex
Future Land Use:		Duplex + New duplex
Values:	**Assessed:**	= $14,610
	Actual:	= $183,620
Address Ranges:		231 28 1/2 Road
Special Districts:	**Water:**	Ute Water
	Sewer:	Orchard Mesa Sanitation
	Fire:	Grand Junction Rural
	Irrigation:	Orchard Mesa Irrigation
	School:	Mesa County School District #51
	Pest:	Grand Rural Mosquito

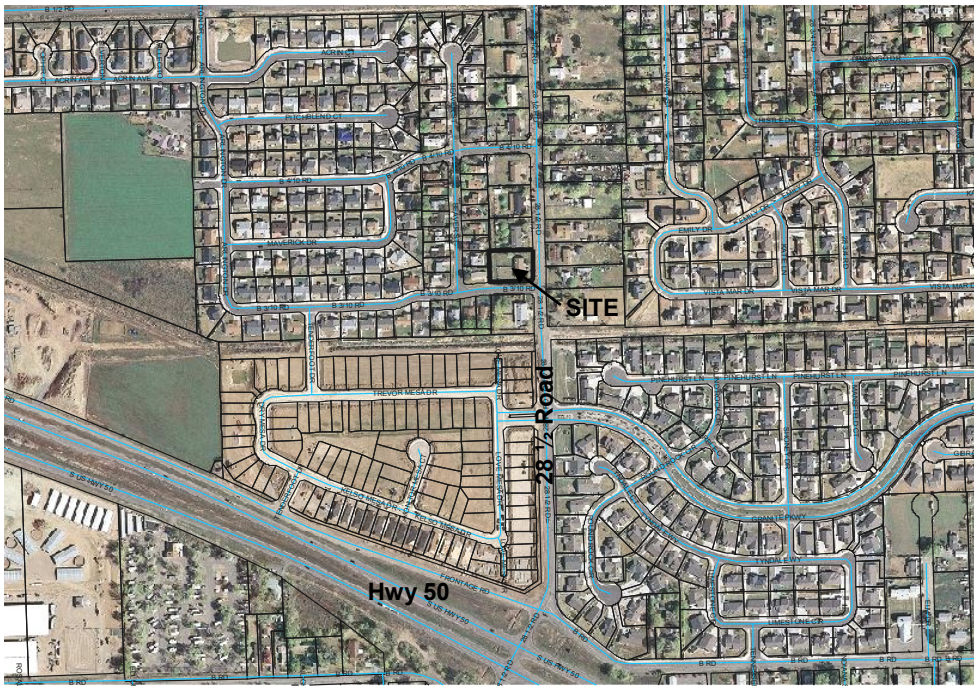
Annexation/Site Location Map

Figure 1



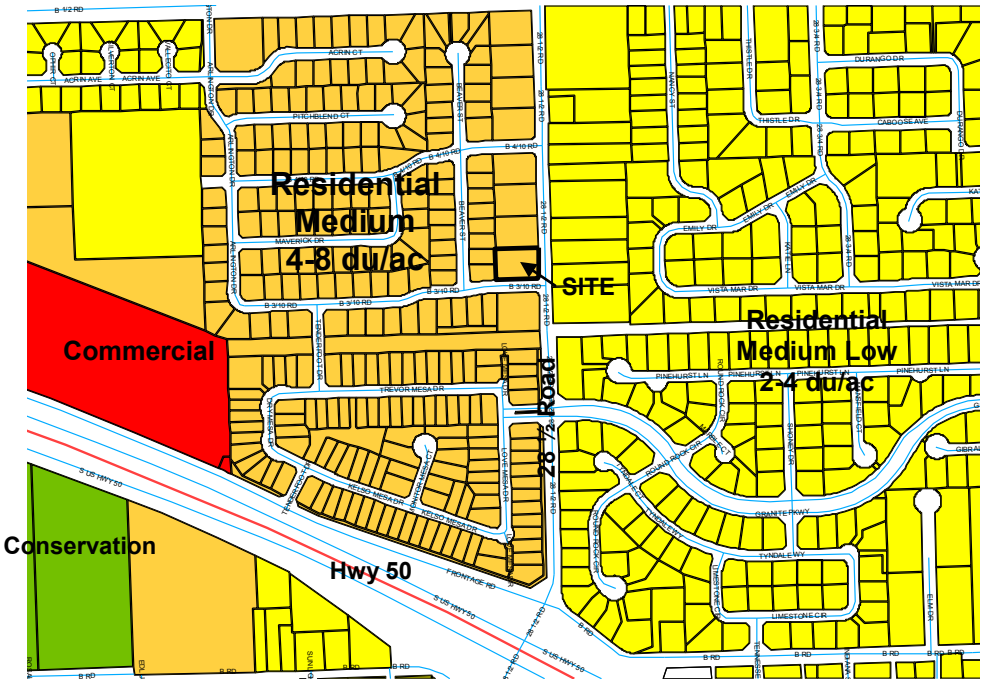
Aerial Photo Map

Figure 2



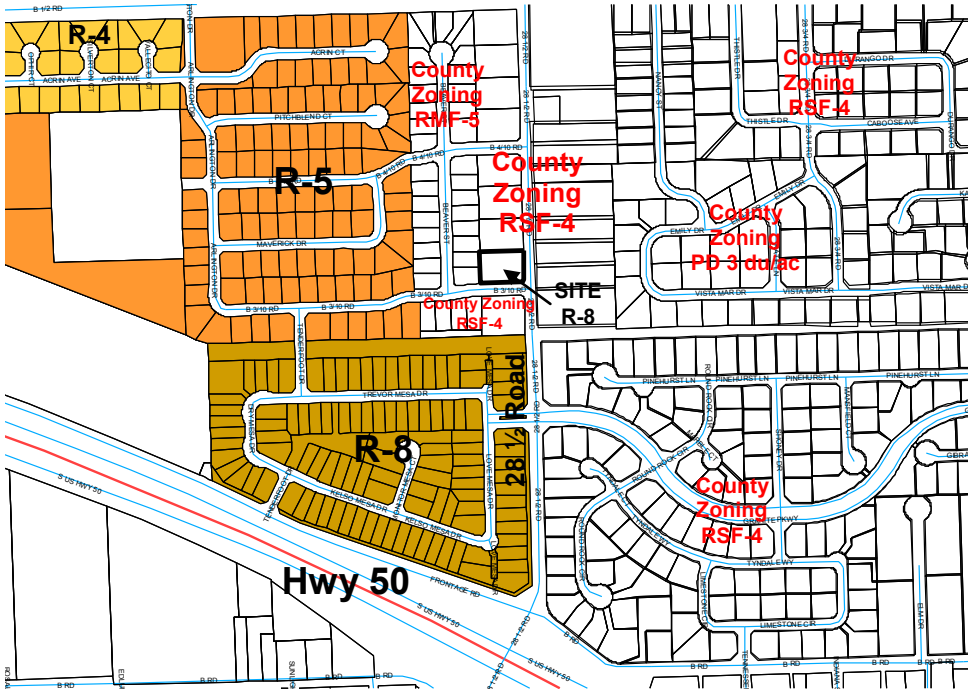
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



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

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

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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

SCHUCKMAN ANNEXATIONS NO 1,2,3

LOCATED AT 231 28 1/2 ROAD INCLUDING A PORTION OF THE 28 1/2 ROAD RIGHT-OF-WAY

WHEREAS, on the 3rd day of March, 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:

SCHUCKMAN 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 30, Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Beginning at the Southwest corner of the NW 1/4 SE 1/4 of said Section 30 and assuming the South line of the NW 1/4 SE 1/4 of said Section 30 to bear N89°53'49"W with all bearings contained herein relative thereto; thence N89°57'44"W a distance of 30.00 feet along South line of the NE 1/4 SW 1/4 of said Section 30, said line also being the North line of Grand Bud Annexation, Ordinance No. 3583, City of Grand Junction to the Southeast corner of Lot 1 of Orchard Villas Subdivision Filing No. 1, as same is recorded in Plat Book 11, Page 209, public records of Mesa County, Colorado; thence N00°04'16"E a distance of 5.00 feet along a line being 30.00 feet West and parallel with the West line of the NE 1/4 SW 1/4 of said Section 30, said line also being the East line of Lot 1 of said Orchard Villas Subdivision Filing No. 1; thence S89°57'44"E a distance of 30.00 feet along a line being 5.00 feet North and parallel with the South line of the NE 1/4 SW 1/4 of said Section 30; thence S89°53'49"E a distance of 15.00 feet along a line being 5.00 feet North and parallel with the South line of the NW 1/4 SE 1/4 of said Section 30; thence N00°04'16"E a distance of 94.00 feet along a line being 15.00 feet East and parallel with the West line of the NE 1/4 SW 1/4 of said Section 30; thence S89°53'49"E a distance of 5.00 feet; thence S00°04'16"W a distance of 99.00 feet along a line being 20.00 feet East and parallel with the West line of the NE 1/4 SW 1/4 of said Section 30, to a point on the South line of the NW 1/4 SE 1/4 of said Section 30; thence N89°53'49"W a distance of 20.00 feet along the South

line of the NW 1/4 SE 1/4 of said Section 30, said line also being the North line of said Grand Bud Annexation to the Point of Beginning.

Said parcel contains 0.02 acres (719.93 sq. ft.), more or less, as described.

SCHUCKMAN 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 30, Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Commencing at the Southeast corner of Lot 1 of Orchard Villas Subdivision Filing No. 1, as same is recorded in Plat Book 11, Page 209, public records of Mesa County, Colorado and assuming the South line of the NW 1/4 SE 1/4 of said Section 30 to bear N89°53'49"W with all bearings contained herein relative thereto; thence N00°04'16"E a distance of 5.00 feet along a line being 30.00 feet West and parallel with the West line of the NE 1/4 SW 1/4 of said Section 30, said line also being the East line of Lot 1 of said Orchard Villas Subdivision Filing No. 1; thence S89°57'44"E a distance of 30.00 feet along a line being 5.00 feet North and parallel with the South line of the NE 1/4 SW 1/4 of said Section 30, to a point on the West line of the NE 1/4 SW 1/4 of said Section 30, said point also being the Point of Beginning; thence N00°04'16"E a distance of 200.16 feet along the West line of the NE 1/4 SW 1/4 of said Section 30; thence S89°54'25"E a distance of 20.00 feet; thence S00°04'16"W a distance of 106.17 feet along a line being 20.00 feet East and parallel with the West line of the NE 1/4 SW 1/4 of said Section 30, to a point on the North line of Schuckman Annexation No. 1, City of Grand Junction; thence N89°53'49"W a distance of 5.00 feet along the North line of said Schuckman Annexation No. 1; thence S00°04'16"W a distance of 94.00 feet along a line being 15.00 feet East and parallel with the West line of the NE 1/4 SW 1/4 of said Section 30, said line also being the Westerly line of said Schuckman Annexation No. 1; thence N89°53'49"W a distance of 15.00 feet along a line being 5.00 feet North and parallel with the South line of the NW 1/4 SE 1/4 of said Section 30, said line also being the Northerly line of said Schuckman Annexation No. 1 to the Point of Beginning.

Said parcel contains 0.08 acres (3,533.10 sq. ft.), more or less, as described.

SCHUCKMAN ANNEXATION NO. 3

A certain parcel of land located in the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 30 and the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 30, Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Commencing at the Southeast corner of Lot 1 of Orchard Villas Subdivision Filing No. 1, as same is recorded in Plat Book 11, Page 209, public records of Mesa County, Colorado and assuming the South line of the NW 1/4 SE 1/4 of said Section 30 to bear N89°53'49"W with all bearings contained herein relative thereto; thence N00°04'16"E a distance of 5.00 feet along a line being 30.00 feet West and parallel with the West line of the NE 1/4 SW 1/4 of said Section 30, said line also being the East line of Lot 1

of said Orchard Villas Subdivision Filing No. 1 to the Point of Beginning; thence N00°04'16"E a distance of 200.19 feet along a line being 30.00 feet West and parallel with the West line of the NE 1/4 SW 1/4 of said Section 30, said line also being the East line of Lot 1 of said Orchard Villas Subdivision Filing No. 1; thence N89°54'25"W a distance of 169.00 feet along the South line of Lot 4 of said Orchard Villas Subdivision Filing No. 1 to the Southwest corner of said Lot 4; thence N00°04'16"E a distance of 125.00 feet along the West line of Lot 4 of said Orchard Villas Subdivision Filing No. 1 to the Northwest corner of said Lot 4; thence S89°54'25"E a distance of 218.92 feet along the North line of Lot 4 of said Orchard Villas Subdivision Filing No. 1; thence S00°04'16"W a distance of 125.00 feet along a line being 20.00 feet East and parallel with the West line of the NE 1/4 SW 1/4 of said Section 30, to a point on the North line of Schuckman Annexation No. 2, City of Grand Junction; thence N89°54'25"W a distance of 20.00 feet along the North line of said Schuckman Annexation No. 2, to a point on the West line of the NE 1/4 SW 1/4 of said Section 30; thence S00°04'16"W a distance of 200.16 feet along the West line of the NE 1/4 SW 1/4 of said Section 30, said line also being the Westerly line of said Schuckman Annexation No. 2; thence N89°57'44"W a distance of 30.00 feet along a line being 5.00 feet North and parallel with the South line of the NE 1/4 SW 1/4 of said Section 30, said line also being the Northerly line of said Schuckman Annexation No. 1 to the Point of Beginning.

Said parcel contains 0.77 acres (33,352.02 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 14th day of April, 2008, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.

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

ADOPTED the _____ day of _____, 2008.

Attest:

_____
President of the Council

_____
City Clerk

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

City Clerk

DATES PUBLISHED
March 5, 2008
March 12, 2008
March 19, 2008
March 26, 2008

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

SCHUCKMAN ANNEXATION NO. 1

APPROXIMATELY 0.02 ACRES

LOCATED WITHIN THE 28 1/2 ROAD RIGHT-OF-WAY

WHEREAS, on the 3rd day of March, 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 14th 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:

SCHUCKMAN 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 30, Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Beginning at the Southwest corner of the NW 1/4 SE 1/4 of said Section 30 and assuming the South line of the NW 1/4 SE 1/4 of said Section 30 to bear N89°53'49"W with all bearings contained herein relative thereto; thence N89°57'44"W a distance of 30.00 feet along South line of the NE 1/4 SW 1/4 of said Section 30, said line also being the North line of Grand Bud Annexation, Ordinance No. 3583, City of Grand Junction to the Southeast corner of Lot 1 of Orchard Villas Subdivision Filing No. 1, as same is recorded in Plat Book 11, Page 209, public records of Mesa County, Colorado; thence N00°04'16"E a distance of 5.00 feet along a line being 30.00 feet West and parallel with the West line of the NE 1/4 SW 1/4 of said Section 30, said line also being the East line of Lot 1 of said Orchard Villas Subdivision Filing No. 1; thence S89°57'44"E a distance of 30.00 feet along a line being 5.00 feet North and parallel

with the South line of the NE 1/4 SW 1/4 of said Section 30; thence S89°53'49"E a distance of 15.00 feet along a line being 5.00 feet North and parallel with the South line of the NW 1/4 SE 1/4 of said Section 30; thence N00°04'16"E a distance of 94.00 feet along a line being 15.00 feet East and parallel with the West line of the NE 1/4 SW 1/4 of said Section 30; thence S89°53'49"E a distance of 5.00 feet; thence S00°04'16"W a distance of 99.00 feet along a line being 20.00 feet East and parallel with the West line of the NE 1/4 SW 1/4 of said Section 30, to a point on the South line of the NW 1/4 SE 1/4 of said Section 30; thence N89°53'49"W a distance of 20.00 feet along the South line of the NW 1/4 SE 1/4 of said Section 30, said line also being the North line of said Grand Bud Annexation to the Point of Beginning.

Said parcel contains 0.02 acres (719.93 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

SCHUCKMAN ANNEXATION NO. 2

APPROXIMATELY 0.08 ACRES

LOCATED WITHIN THE 28 1/2 ROAD RIGHT-OF-WAY

WHEREAS, on the 3rd day of March, 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 14th 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:

SCHUCKMAN 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 30, Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Commencing at the Southeast corner of Lot 1 of Orchard Villas Subdivision Filing No. 1, as same is recorded in Plat Book 11, Page 209, public records of Mesa County, Colorado and assuming the South line of the NW 1/4 SE 1/4 of said Section 30 to bear N89°53'49"W with all bearings contained herein relative thereto; thence N00°04'16"E a distance of 5.00 feet along a line being 30.00 feet West and parallel with the West line of the NE 1/4 SW 1/4 of said Section 30, said line also being the East line of Lot 1 of said Orchard Villas Subdivision Filing No. 1; thence S89°57'44"E a distance of 30.00 feet along a line being 5.00 feet North and parallel with the South line of the NE 1/4 SW 1/4 of said Section 30, to a point on the West line of the NE 1/4 SW 1/4 of said Section 30, said point also being the Point of Beginning; thence N00°04'16"E a distance of 200.16 feet along the West line of the NE 1/4 SW 1/4 of said Section 30; thence

S89°54’25”E a distance of 20.00 feet; thence S00°04’16”W a distance of 106.17 feet along a line being 20.00 feet East and parallel with the West line of the NE 1/4 SW 1/4 of said Section 30, to a point on the North line of Schuckman Annexation No. 1, City of Grand Junction; thence N89°53’49”W a distance of 5.00 feet along the North line of said Schuckman Annexation No. 1; thence S00°04’16”W a distance of 94.00 feet along a line being 15.00 feet East and parallel with the West line of the NE 1/4 SW 1/4 of said Section 30, said line also being the Westerly line of said Schuckman Annexation No. 1; thence N89°53’49”W a distance of 15.00 feet along a line being 5.00 feet North and parallel with the South line of the NW 1/4 SE 1/4 of said Section 30, said line also being the Northerly line of said Schuckman Annexation No. 1 to the Point of Beginning.

Said parcel contains 0.08 acres (3,533.10 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

SCHUCKMAN ANNEXATION NO. 3

APPROXIMATELY 0.77 ACRES

LOCATED AT 231 28 1/2 ROAD AND INCLUDING A PORTION OF THE 28 1/2 ROAD RIGHT-OF-WAY

WHEREAS, on the 3rd day of March, 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 14th 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:

SCHUCKMAN ANNEXATION NO. 3

A certain parcel of land located in the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 30 and the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 30, Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Commencing at the Southeast corner of Lot 1 of Orchard Villas Subdivision Filing No. 1, as same is recorded in Plat Book 11, Page 209, public records of Mesa County, Colorado and assuming the South line of the NW 1/4 SE 1/4 of said Section 30 to bear N89°53'49"W with all bearings contained herein relative thereto; thence N00°04'16"E a distance of 5.00 feet along a line being 30.00 feet West and parallel with the West line of the NE 1/4 SW 1/4 of said Section 30, said line also being the East line of Lot 1 of said Orchard Villas Subdivision Filing No. 1 to the Point of Beginning; thence N00°04'16"E a distance of 200.19 feet along a line being 30.00 feet West and parallel with the West line of the NE 1/4 SW 1/4 of said Section 30, said line also being the

East line of Lot 1 of said Orchard Villas Subdivision Filing No. 1; thence N89°54'25"W a distance of 169.00 feet along the South line of Lot 4 of said Orchard Villas Subdivision Filing No. 1 to the Southwest corner of said Lot 4; thence N00°04'16"E a distance of 125.00 feet along the West line of Lot 4 of said Orchard Villas Subdivision Filing No. 1 to the Northwest corner of said Lot 4; thence S89°54'25"E a distance of 218.92 feet along the North line of Lot 4 of said Orchard Villas Subdivision Filing No. 1; thence S00°04'16"W a distance of 125.00 feet along a line being 20.00 feet East and parallel with the West line of the NE 1/4 SW 1/4 of said Section 30, to a point on the North line of Schuckman Annexation No. 2, City of Grand Junction; thence N89°54'25"W a distance of 20.00 feet along the North line of said Schuckman Annexation No. 2, to a point on the West line of the NE 1/4 SW 1/4 of said Section 30; thence S00°04'16"W a distance of 200.16 feet along the West line of the NE 1/4 SW 1/4 of said Section 30, said line also being the Westerly line of said Schuckman Annexation No. 2; thence N89°57'44"W a distance of 30.00 feet along a line being 5.00 feet North and parallel with the South line of the NE 1/4 SW 1/4 of said Section 30, said line also being the Northerly line of said Schuckman Annexation No. 1 to the Point of Beginning.

Said parcel contains 0.77 acres (33,352.02 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 Martin Annexation, Located at 2107 H Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA				
Subject	Martin Annexation - Located at 2107 H Road			
File #	ANX-2008-017			
Meeting Day, Date	Monday, March 3, 2008			
Placement on the Agenda	**Consent**	**X**	**Individual**	
Date Prepared	February 22, 2008			
Author Name & Title	Justin T. Kopfman – Associate Planner			
Presenter Name & Title	Justin T. Kopfman – Associate Planner			

Summary: Request to annex 2.95 acres, located at 2107 H Road. The Martin Annexation consists of 1 parcel.

Action Requested/Recommendation: Adopt a Resolution referring the petition for the Martin Annexation and introduce the proposed Ordinance and set a hearing for Monday, April 14, 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					
Location:		2107 H Road			
Applicants: < Prop owner, developer, representative>		Owners: Russ and Shelia Martin			
Existing Land Use:		Residential/Agricultural			
Proposed Land Use:		Industrial			
Surrounding Land Use:	**North**	Agricultural & Residential			
	South	Residential			
	East	Commercial			
	West	Residential			
Existing Zoning:		County RSF-R (Residential Single Family Rural)			
Proposed Zoning:		I-1 (Light Industrial)			
Surrounding Zoning:	**North**	County AFT			
	South	County RSF-R			
	East	County C-2			
	West	County RSF-R & I-1			
Growth Plan Designation:		Commercial Industrial			
Zoning within density range?		**X**	**Yes**		**No**

Staff Analysis:

ANNEXATION:

This annexation area consists of 2.95 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 Martin Annexation is eligible to be annexed because of compliance with the following:

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

c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
d) The area is or will be urbanized in the near future;
e) The area is capable of being integrated with the City;

f) No land held in identical ownership is being divided by the proposed annexation;

g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of $200,000 or more for tax purposes is included without the owners consent.

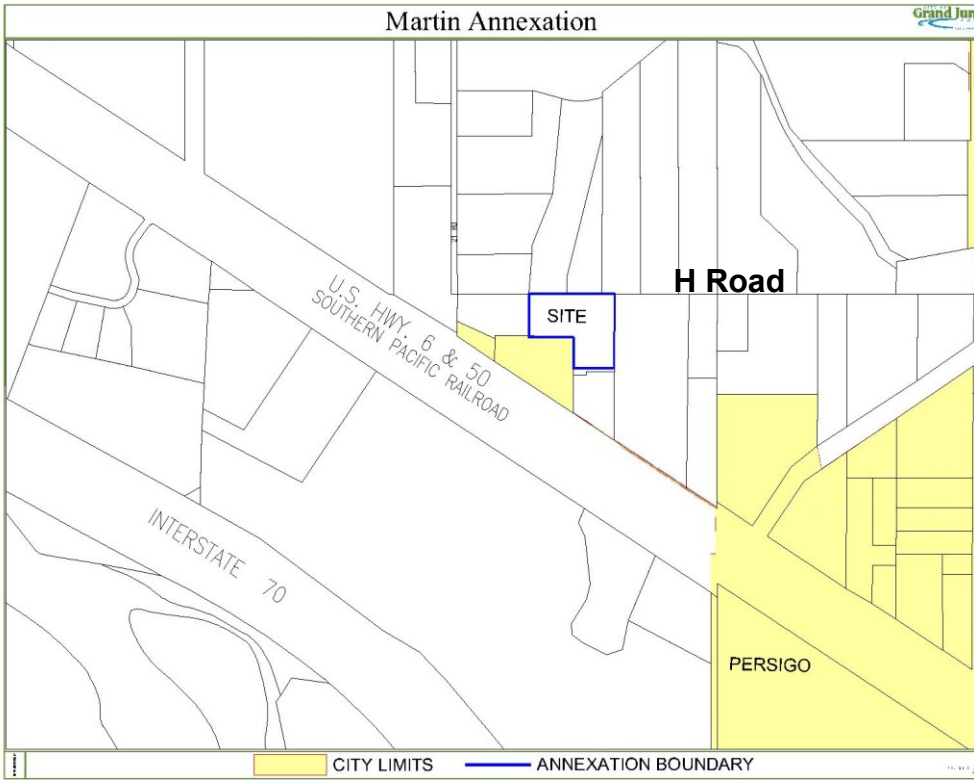
The following annexation and zoning schedule is being proposed.

ANNEXATION SCHEDULE	
March 3, 2008	Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use
March 11, 2008	Planning Commission considers Zone of Annexation
March 31, 2008	Introduction of a proposed Ordinance on Zoning by City Council
April 14, 2008	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
May 16, 2008	Effective date of Annexation and Zoning

MARTIN ANNEXATION SUMMARY		
File Number:		ANX-2008-017
Location:		2107 H Road
Tax ID Number:		2697-362-00-090
Parcels:		1
Estimated Population:		3
# of Parcels (owner occupied):		1
# of Dwelling Units:		1
Acres land annexed:		2.95 acres (128,670 square feet)
Developable Acres Remaining:		2.65 acres (115,578 square feet)
Right-of-way in Annexation:		.30 acres (13,092 square feet)
Previous County Zoning:		RSF-R (Residential Single Family Rural)
Proposed City Zoning:		I-1 (Light Industrial)
Current Land Use:		Residential
Future Land Use:		Commercial Industrial
Values:	**Assessed:**	$14,380
	Actual:	$180,700
Address Ranges:		2107 H Road
Special Districts:	**Water:**	Ute Water
	Sewer:	City Persigo 201
	Fire:	Lower Valley Fire District
	Irrigation/ Drainage:	Grand Valley Irrigation Grand Junction Drainage District
	School:	District 51
	Pest:	

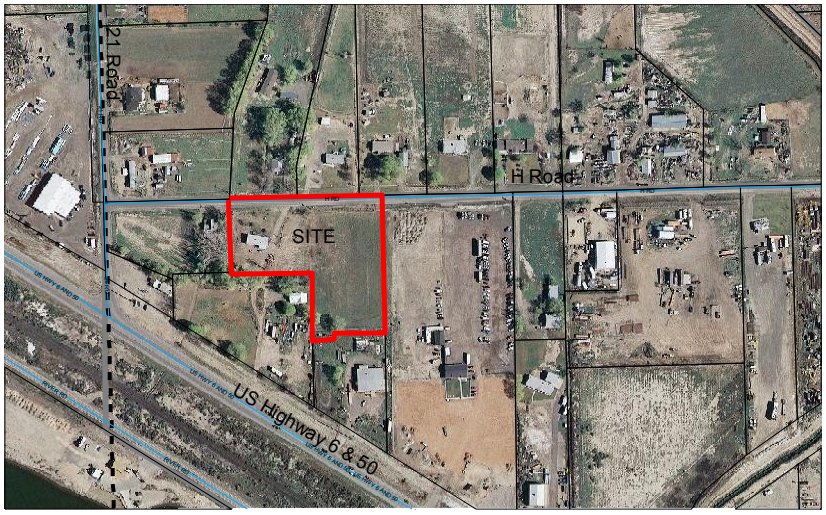
Site Location Map

Figure 1



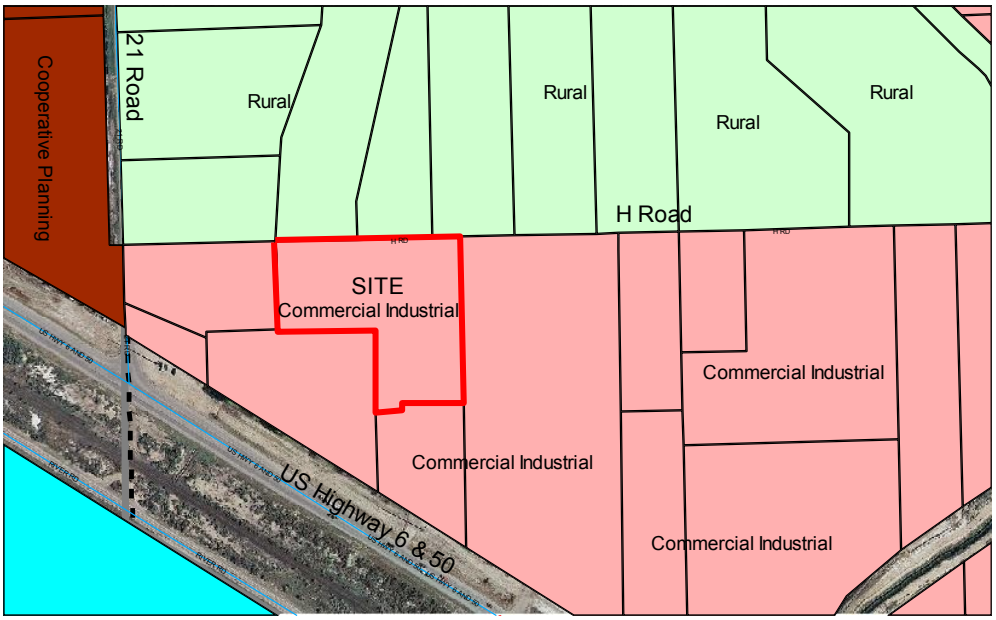
Aerial Photo Map

FIGURE 2



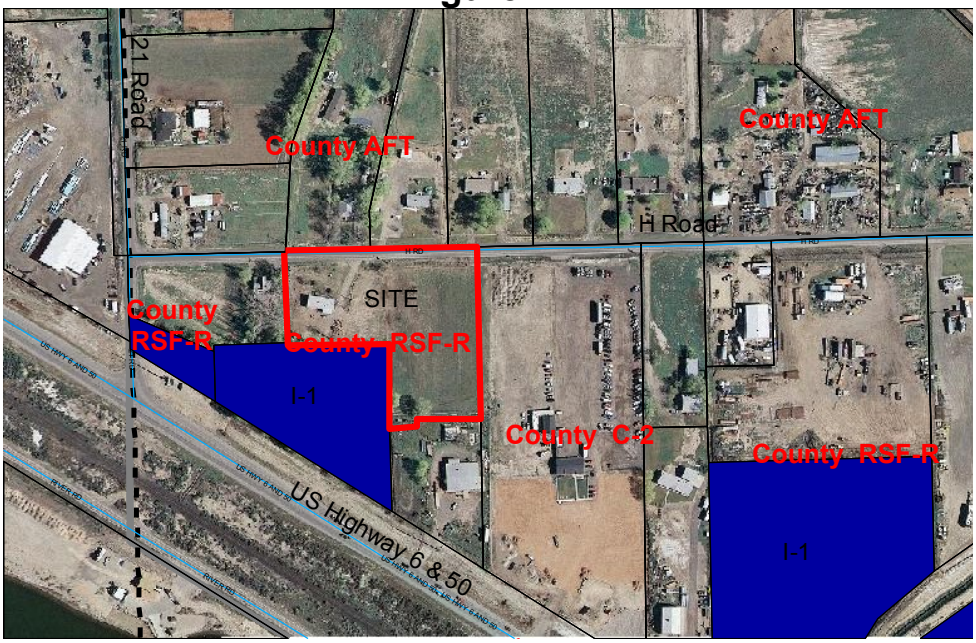
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



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

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 3rd of March, 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

MARTIN ANNEXATION

LOCATED AT 2107 H ROAD

WHEREAS, on the 3rd day of March, 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:

MARTIN ANNEXATION

A certain parcel of land located in the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section 36, Township One North, Range Two West of the Ute Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Commencing at the Northwest corner of said Section 36 and assuming the North line of the NW 1/4 NW 1/4 of said Section 36 to bear S89°52'49"E with all bearings contained herein relative thereto; thence S89°52'49"E a distance of 363.00 feet along the North line of the NW 1/4 NW 1/4 of said Section 36 to the Point of Beginning; thence S89°52'49"E a distance of 436.41 feet along the North line of the NW 1/4 NW 1/4 of said Section 36; thence S00°00'49"E a distance of 379.21 feet; thence N89°52'49"W a distance of 207.47 feet to a point on the Westerly line of Baldwin Annexation No. 2, Ordinance No. 3983, City of Grand Junction; thence N00°00'49"W a distance of 160.83 feet along the Westerly line of said Baldwin Annexation No. 2; thence N89°52'49"W a distance of 228.94 feet along the Northerly line of said Baldwin Annexation No. 2; thence N00°00'49"W a distance of 218.38 feet to the Point of Beginning.

Said parcel contains 2.95acres (128,670.27 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 14th day of April, 2008, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.

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

ADOPTED the _____ day of _____, 2008.

Attest:

_____
President of the Council

_____
City Clerk

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

City Clerk

DATES PUBLISHED
March 5, 2008
March 12, 2008
March 19, 2008
March 26, 2008

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

MARTIN ANNEXATION

APPROXIMATELY 2.95 ACRES

LOCATED AT 2107 H ROAD

WHEREAS, on the 3rd day of March, 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 14th 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:

MARTIN ANNEXATION

A certain parcel of land located in the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section 36, Township One North, Range Two West of the Ute Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Commencing at the Northwest corner of said Section 36 and assuming the North line of the NW 1/4 NW 1/4 of said Section 36 to bear S89°52'49"E with all bearings contained herein relative thereto; thence S89°52'49"E a distance of 363.00 feet along the North line of the NW 1/4 NW 1/4 of said Section 36 to the Point of Beginning; thence S89°52'49"E a distance of 436.41 feet along the North line of the NW 1/4 NW 1/4 of said Section 36; thence S00°00'49"E a distance of 379.21 feet; thence N89°52'49"W a distance of 207.47 feet to a point on the Westerly line of Baldwin

Annexation No. 2, Ordinance No. 3983, City of Grand Junction; thence N00°00'49"W a distance of 160.83 feet along the Westerly line of said Baldwin Annexation No. 2; thence N89°52'49"W a

distance of 228.94 feet along the Northerly line of said Baldwin Annexation No. 2; thence N00°00'49"W a distance of 218.38 feet to the Point of Beginning.

Said parcel contains 2.95acres (128,670.27 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 Zoning the Garden Grove-Turley Annexation

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA				
Subject	Zoning Garden Grove-Turley Annexation – Located at 2962 A ½ Road			
File #	ANX-2007-338			
Meeting Day, Date	Monday, March 3, 2008			
Placement on the Agenda	**Consent**	**X**	**Individual**	
Date Prepared	February 22, 2008			
Author Name & Title	Justin T. Kopfman – Associate Planner			
Presenter Name & Title	Justin T. Kopfman – Associate Planner			

Summary: Request to zone the 4.94 acre Garden Grove-Turley Annexation, located at 2962 A ½ Road, to R-4 (Residential 4-du/ac).

Action Requested/Recommendation: Introduce a proposed Ordinance and set a public hearing for Monday, March 17, 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. Zoning Ordinance

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION					
Location:		2962 A ½ Road			
Applicants: < Prop owner, developer, representative>		Owner: Richard M. Turley Representative: Ray Pickard			
Existing Land Use:		Residential/Vacant			
Proposed Land Use:		Residential			
Surrounding Land Use:	**North**	School and Vacant			
	South	Vacant and Residential			
	East	Residential			
	West	Residential			
Existing Zoning:		County RSF-R (Residential Single Family Rural)			
Proposed Zoning:		City R-4 (Residential 4-du/ac)			
Surrounding Zoning:	**North**	County RSF-R (Residential Single Family Rural) & R-4 (Residential 4-du/ac)			
	South	County RSF-R (Residential Single Family Rural)			
	East	County RSF-R (Residential Single Family Rural) & R-4 (Residential 4-du/ac)			
	West	County RSF-R (Residential Single Family Rural)			
Growth Plan Designation:		Residential Medium Low 4-8 du/ac			
Zoning within density range?		**X**	**Yes**		**No**

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the City R-4 (Residential 4-du/ac) zone district is consistent with the Growth Plan designation of Residential Medium Low 4-8 du/ac. The existing County zoning is County RSF-R (Residential Single Family Rural). 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 zoning of R-4 is consistent with the future growth plan, compatible with the neighborhood and meets the policies and requirements of the zoning and development code. The proposed zone is also consistent with the goals and objectives of residential medium to medium low density in the Orchard Mesa Neighborhood Plan.

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

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

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

Policy 10.2: The City will consider the needs of the community at large and the needs of individual neighborhoods when making development decisions.

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.

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

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

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

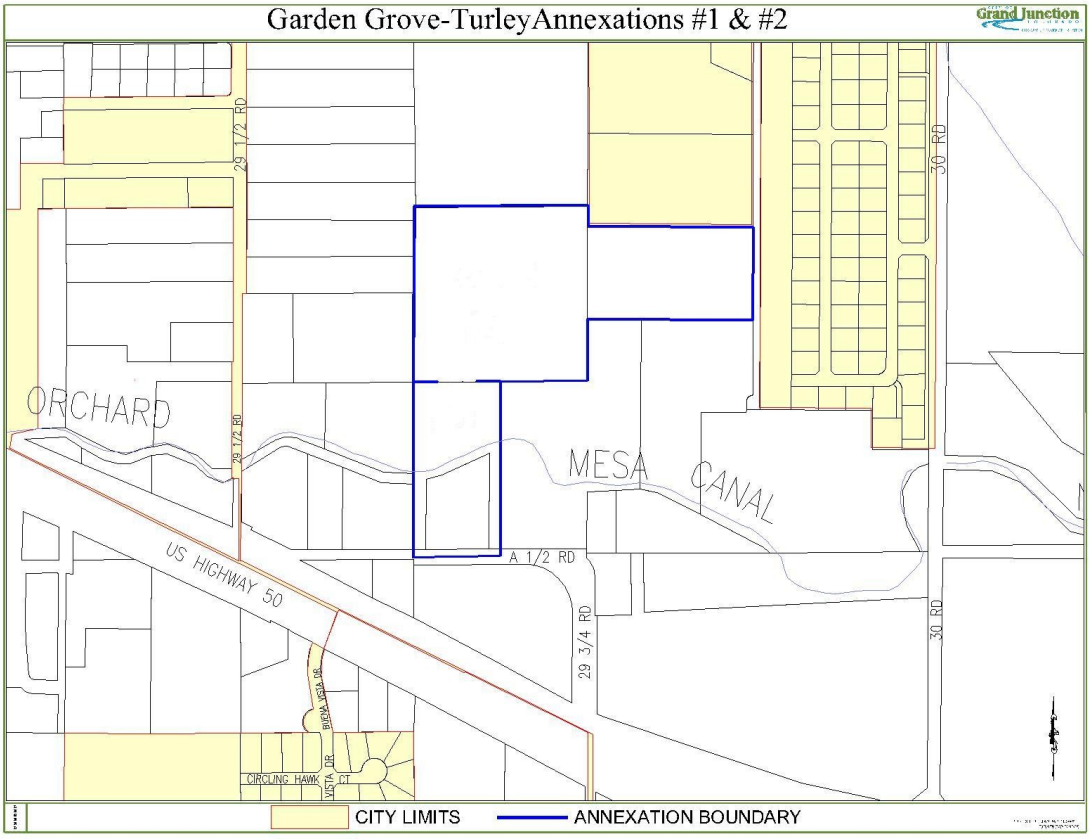
a. R-2 (Residential 2-du/ac)

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

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommended approval of the requested zone of annexation to the City Council on January 22, 2008, finding the zoning to the City R-4 (Residential 4-du/ac) district to be consistent with the Growth Plan, County RSF-R (Residential Single Family Rural) and Sections 2.6 and 2.14 of the Zoning and Development Code.

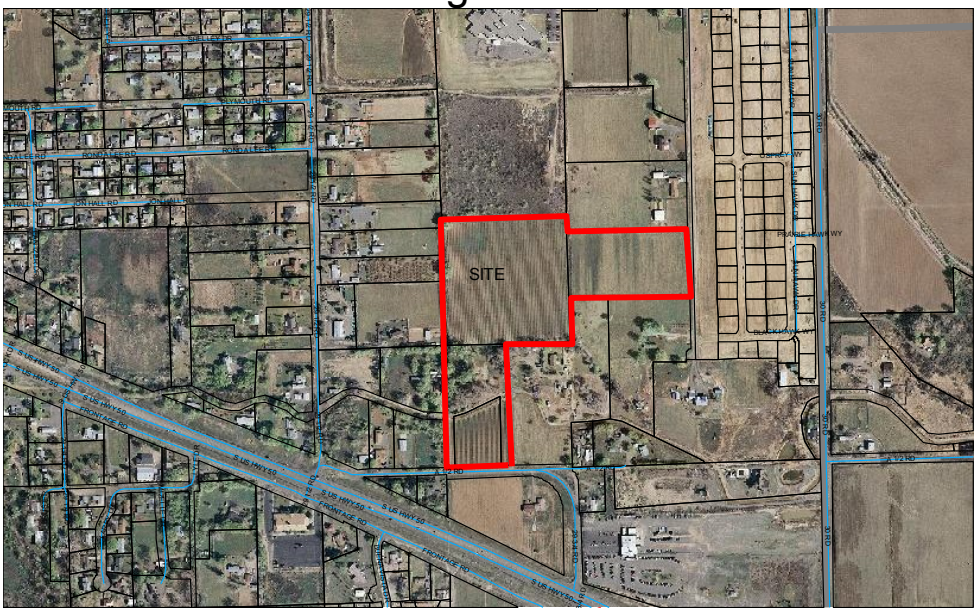
Annexation/Site Location Map

Figure 1



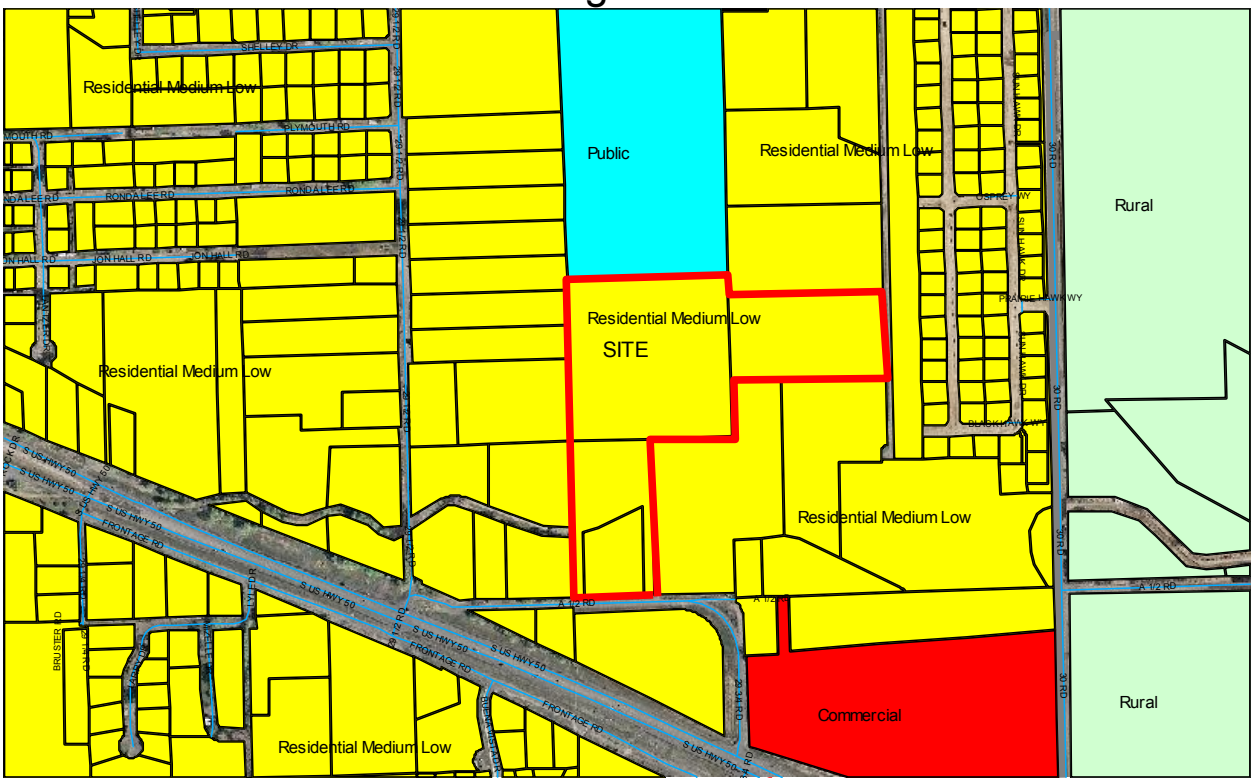
Aerial Photo Map

Figure 2



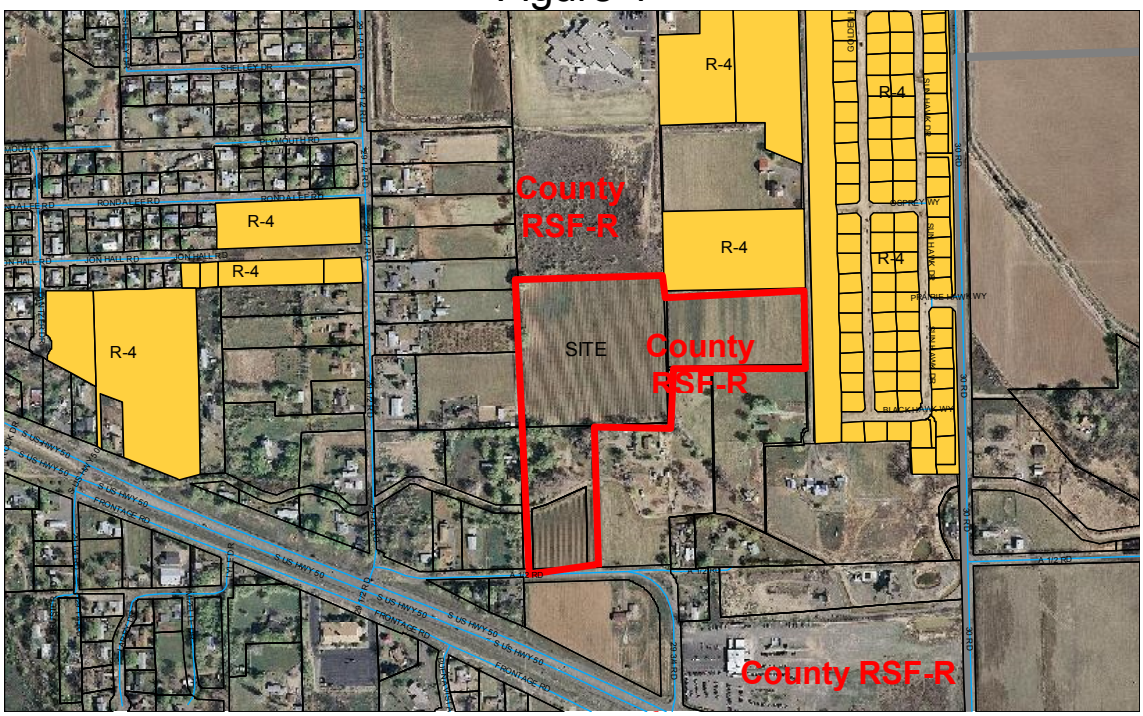
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE ZONING THE GARDEN GROVE-TURLEY ANNEXATION TO R-4 (RESIDENTIAL 4-DU/AC)

LOCATED AT 2962 A 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 Garden Grove-Turley Annexation to the City R-4 (Residential 4-du/ac) zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

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

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

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

GARDEN GROVE-TURLEY ANNEXATION NO. 1

A certain parcel of land located in the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) and the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section 32, 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 the SE 1/4 NE 1/4 of said Section 32 and assuming the West line of the SE 1/4 NE 1/4 of said Section 32 to bear S00°17'10"W with all bearings contained herein relative thereto; thence S00°17'10"W along the West line of the SE 1/4 NE 1/4 of said Section 32, a distance of 80.65 feet; thence S89°44'28"E a distance of 622.33 feet; thence S00°15'32"W a distance of 349.00 feet;

thence N89°44'28"W to a point on the West line of the SE 1/4 NE 1/4 of said Section 32, a distance of 622.49 feet; thence S00°17'10"W along the West line of SE 1/4 NE 1/4 of said Section 32, a distance of 228.51 feet; thence S89°35'19"W a distance of 656.15 feet; thence N00°07'14"E along the East line, and the Southerly projection thereof, of Country Estates, as same as recorded in Plat Book 11, Page 129, public records of Mesa County, Colorado, to a point on the North line of the SW 1/4 NE 1/4 of said

Section 32, a distance of 660.49 feet; thence N89 °47'36"E along the North line of the SW 1/4 NE 1/4 of said Section 32, a distance of 657.98 feet to the Point of Beginning.

Said parcel contains 14.93 acres (650,413.19 sq. ft.), more or less, as described.

AND

GARDEN GROVE-TURLEY ANNEXATION NO. 2

A certain parcel of land located in the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) of Section 32, Township One South, Range One East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Commencing at the Northwest corner of the SE 1/4 NE 1/4 of said Section 32 and assuming the West line of the SE 1/4 NE 1/4 of said Section 32 to bear S00°17'10"W with all bearings contained herein relative thereto; thence S00°17'10"W along the West line of the SE 1/4 NE 1/4 of said Section 32, a distance of 658.16 feet; thence S89°35'19"W a distance of 329.06 feet to the Point of Beginning; thence S00°07'11"W to a point on the South line of the SE 1/4 NE 1/4 of said Section 32, a distance of 657.81 feet; thence S89°37'30"W along the South line of the SE 1/4 NE 1/4 of said Section 32, a distance of 327.10 feet; thence N00°07'14"E along the East line, and the Southerly projection thereof, of Hoffman Minor Subdivision, as recorded in Plat Book 14, Page 34, public records of Mesa County, Colorado, a distance of 657.60 feet; thence N89°35'19"E a distance of 327.09 feet to the point of beginning.

CONTAINING Said parcel contains 4.71 acres (205,355.59 sq. ft.), more or less, as described.

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

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

ATTEST:

_____
President of the Council

_____
City Clerk

Attach 6
Contract for Dividing Wall and Ceiling Replacement at TRCC
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA				
Subject	Dividing Wall & Ceiling Replacement at Two Rivers CC			
File #				
Meeting Day, Date	Monday, March 3, 2008			
Placement on the Agenda	**Consent**	**X**	**Individual**	
Date Prepared	February 26, 2008			
Author Name & Title	Scott Hockins, Purchasing Supervisor			
Presenter Name & Title	Jay Valentine, Assistant Financial Operations Manager Joe Stevens, Parks and Recreation Director			

Summary: This approval request is for the award of a contract for the replacement of the dividing wall, the addition of a second dividing wall and the upgrade and replacement of the lighting system and ceiling grid at Two Rivers Convention Center.

Budget: Two Rivers Convention Center has $635,000 budgeted for this piece of the project with the remaining $27,000 coming form the General Fund Contingency Budget.

Action Requested/Recommendation: Authorize the Purchasing Division to enter into a contract with PNCI Construction, Inc. to complete the replacement of the dividing wall and ceiling at Two Rivers Convention Center in the amount of $662,000.

Attachments: N/A

Background Information: The existing dividing wall at Two Rivers Convention Center is well past it's useful and "safe" life. Breakdowns of this moving wall happen frequently and at anytime. In 2006 TRCC spent close to $10,000 on repairs to the wall. This project also calls for an additional dividing wall to be installed in the River Rooms. This additional wall will allow the Colorado Room to be split in half, allowing for the availability of another room and the potential for additional revenues. In addition to the operable dividing walls, the acoustical ceiling will be replaced and multi-event lighting will be added to the exhibit hall. A formal invitation for bids was issued, advertised in The Daily Sentinel, and sent to a source list of contractors including the Western Colorado Contractors Association (WCCA). Three companies submitted formal bids in the following amounts:

- PNCI Construction, Grand Junction $662,000
- Vostatek Construction, Grand Junction $739,320
- Tusca II, Grand Junction $757,300

Attach 7
Contract for Neighborhood Services Remodel
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA				
Subject	Neighborhood Services Remodel			
File #				
Meeting Day, Date	Monday, March 3, 2008			
Placement on the Agenda	**Consent**	**X**	**Individual**	
Date Prepared	February 25, 2008			
Author Name & Title	Scott Hockins, Purchasing Supervisor			
Presenter Name & Title	Jay Valentine, Assistant Financial Operations Manager Greg Trainor, Utility and Street Systems Director			

Summary: This approval request is for the award of a construction contract for the Neighborhood Services building remodel.

Budget: The Facilities Fund has $250,000 budgeted for this planned expenditure.

Action Requested/Recommendation: Authorize the City Purchasing Division to enter into a contract with Phelps Construction, in the amount of $136,334, for the completion of the Neighborhood Services building remodel.

Attachments: N/A

Background Information: Neighborhood Services is a Division that was created during the Public Works and Community Development restructuring in 2007, and includes the Code Enforcement division. This remodel will enable Neighborhood Services to have appropriate office space for increased staff size and will provide better public access. The project will include all labor, materials, and equipment necessary to add additional office and conference room space. A formal invitation for bids was issued, advertised in The Daily Sentinel, and sent to a source list of contractors including the Western Colorado Contractors Association (WCCA). Six companies submitted formal bids in the following amounts:

- Phelps Construction, Grand Junction $136,334.00
- PNCI Construction, Inc., Grand Junction $162,000.00
- Covenant Construction, Palisade $183,300.00
- K&G Enterprises, Grand Junction $192,000.00
- Sixby/Baldwin G.C, Inc, Grand Junction $196,650.53
- Tusca II, Grand Junction $198,700.00

Attach 8
Funding Recommendations for Arts and Cultural Events and Projects
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA									
Subject	Grand Junction Commission on Arts and Culture funding recommendations for arts and cultural events and projects.								
Meeting Date	March 3, 2008								
Date Prepared	February 14, 2008				File #				
Author	Allison Sarmo				Cultural Arts Coordinator				
Presenter Name	Allison Sarmo				Cultural Arts Coordinator				
Report results back to Council	X	**No**		**Yes**	**When**				
Citizen Presentation	X	**Yes**		**No**	**Name**	Chair Kat Rhein & Commission			
	Workshop	**X**	**Formal Agenda**		**Consent**		**Individual Consideration**		

Summary: Commission on Arts and Culture recommendations to the City Council for grants to support arts and cultural events, projects, and programs in Grand Junction.

Budget: $39,000 (in budget – $30,000 City and $9,000 from CO Council on the Arts)

Action Requested/Recommendation: Approve these recommendations for grants:

Cinema at the Avalon Colorado Independence Film Festival Satellite Showings	$ 5,000
KAFM Community Radio Arts & Entertainment Calendar	$ 4,500
Museum of Western CO - Two Rivers Chautauqua Festival	$ 2,175
RMPBS - KRMJ "Western Bounty" Arts Segments	$ 2,000
Western CO Center for the Arts Summer Art Camp	$ 2,000
Grand Jct. Symphony Orchestra "The Nutcracker"	$ 2,000
Western CO Botanical Gardens Summer Concerts	$ 2,000
Super Rad Art Jam 2008	$ 2,000
Art Mobile of Colorado Traveling Art Exhibits & Lessons	$ 1,500
GJ Downtown Partnership Art & Jazz Festival	$ 1,500
Western Colorado Watercolor Society National Juried Exhibit	$ 1,500
High Desert Opera New Year's Eve Gala	$ 1,300
Two Chairs Theater Company Play "The Guys"	$ 1,200
Aspen Dance Connection Colorado Choreographers Showcase	$ 1,000
Grand Junction Centennial Band Music Purchases	$ 1,000
Bookcliff Barbershop Harmony Chorus Youth in Harmony Education	$ 1,000
Artspace & Open Studios Arts Management Classes	$ 1,000
Grand Valley Community Theatre Play "My Fair Lady"	$ 1,000

Center for Independence Arts & Crafts Classes	$	1,000
Western Colorado Chorale Fall Concert	$	750
Colorado Flute Association Flute Workshop	$	600
Western Slope Chamber Music Series Fall Concert	$	600
GJ Music Teachers' Association 25th Annual Sonatina Festival	$	575
CO Plateau Mt. Bike Assoc. Downtown Bike Festival	$	500
Messiah Chorale Society of GJ Handel's "Messiah"	$	500
Caprock Academy Art History/Art Education	$	500
The Schumann Singers Madrigals & Folk Concert	$	300

Attachments: None

Background Information: The Arts Commission's annual granting program has been in place since 1992 and was instituted in lieu of the Arts Commission producing its own cultural events, and also as a way to increase high quality arts and cultural projects.

The general goal of the grant program is "more arts for more people" and the grants tend to focus on building arts audiences through arts education, encouraging new events or the expansion of existing events, encouraging activities with broad community benefit or with cultural opportunities for underserved populations, and collaborative ventures like major festivals and city-wide programming.

This year the Commission received a record number of requests (27) but with $9,000 in extra funding from the state, is able to recommend full funding for five project requests, and partial funding for all the rest. The Commission's grant program goals and objectives are:

Goals: (in order of priority)

- Develop a broad and diverse audience base for the arts.
- Encourage cooperation, collaboration, and partnerships within the arts community.
- Support programs reflective of Grand Junction's diverse cultural heritage.
- Increase the artistic, management, and marketing capabilities of local arts organizations.
- Promote projects with the potential for self-sufficiency.

Objectives:

- Encourage artistic excellence.
- Increase arts activities and enhance cultural amenities by encouraging new projects, programs, organizations, and artistic endeavors.
- Encourage projects which educate the public about the art form.
- Increase opportunities for Grand Junction artists and organizations to perform, present, exhibit.
- Foster the development of fundraising capabilities for new, emerging organizations and events.

In addition to City and State monies, the grant applicants expect to leverage another $164,000 in donations from other outside sources. Also the events and projects expect to earn $203,000 in ticket sales, concessions, sales, etc.

Over the last few years the number of requests continues to increase – this year's 27 requests are up two more than 2007, four more than 2006, and nine more than 2005. The amounts being requested have also increased from $50,000 in 2005 to $67,000 this year.