

To access the Agenda and Backup Materials electronically, go to www.gjcity.org



**CITY COUNCIL AGENDA
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET
MONDAY, MAY 5, 2008, 7:00 P.M.**

Call to Order

Pledge of Allegiance
Invocation—Chaplain Alan Kaiser, Good News Jail and
Prison Ministry

Proclamations/Recognitions

Annual Historic Preservation Award to Hospice and Palliative Care of Western Colorado

Proclaiming May 13, 2008 as “Livestrong Day” in the City of Grand Junction

Proclaiming May 10, 2008 as “Grand Junction Letter Carriers Stamp Out Hunger Day”
in the City of Grand Junction

Election of Mayor and Mayor Pro Tem/Administer Oaths of Office

Council Comments

Citizen Comments

***** CONSENT CALENDAR ***®**

1. **Minutes of Previous Meetings**

[Attach 1](#)

*** Indicates New Item

® Requires Roll Call Vote

REVISED

Action: Approve the Minutes of the April 14, 2008 and the April 16, 2008 Regular Meeting and the Joint Persigo Meeting Minutes of the February 13, 2008 Meeting

2. **Setting a Hearing on the Simon Annexation, Located at 3076 and 3080 F ½ Road** [File #ANX-2008-106] [Attach 3](#)

Request to annex 6.30 acres, located at 3076 and 3080 F ½ Road. The Simon Annexation consists of two parcels.

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

Resolution No. 54-08—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, Simon Annexation, Located at 3076 and 3080 F ½ Road

®Action: Adopt Resolution No. 54-08

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Simon Annexation No. 1, Approximately 1.62 Acres, Located at 3076 F ½ Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Simon Annexation No. 2, Approximately 4.68 Acres, Located at 3080 F ½ Road

Action: Introduction of Proposed Ordinances and Set a Hearing for June 16, 2008

Staff presentation: Justin T. Kopfman, Associate Planner

3. **Setting a Hearing on the Burnett Annexation, Located at 2846 ½ C Road** [File #ANX-2088-099] [Attach 4](#)

Request to annex 1.09 acres, located at 2846 ½ C Road and part of the C Road right-of-way. The Burnett Annexation consists of one parcel.

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

Resolution No. 55-08—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, Burnett Annexation, Located at 2846 ½ C Road and Parts of the C Road Right-of-Way

®Action: *Adopt Resolution No. 55-08*

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Burnett Annexation, Approximately 1.09 Acres, Located at 2846 ½ C Road and Parts of the C Road Right-of-Way

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

Staff presentation: Justin T. Kopfman, Associate Planner

4. **Setting a Hearing on Zoning the Apple Glen Annexation, Located at 2366 H Road** [File #ANX-2007-306] [Attach 5](#)

Request to zone the 16.24 acre Apple Glen Annexation, located at 2366 H Road, to R-4 (Residential 4-du/ac).

Proposed Ordinance Zoning the Apple Glen Annexation to R-4 (Residential, 4 du/ac), Located at 2366 H Road

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

Staff presentation: Justin T. Kopfman, Associate Planner

5. **Setting a Hearing on Zoning the Thorson Annexation, Located at 2972 D Road** [File #ANX-2008-071] [Attach 6](#)

Request to zone the 0.81 acre Thorson Annexation, located at 2972 D Road, to R-8 (Residential 8 du/ac).

Proposed Ordinance Zoning the Thorson Annexation to R-8 (Residential 8 du/ac), Located at 2972 D Road

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

Staff presentation: Brian Rusche, Senior Planner

6. **Setting a Hearing on Rezoning Property Known as the Cobble Creek Subdivision, Located at 2524 F ½ Road** [File #PP-2007-169] [Attach 7](#)

A request for approval to rezone property located at 2524 F ½ Road from R-R (Residential Rural) to PD (Planned Development) with a default zone of R-8 and an overall density of 4.00 du/ac by approval of the Preliminary Development Plan to develop 12 dwelling units on approximately 3 acres as a Planned Development.

Proposed Ordinance Rezoning the Cobble Creek Subdivision from R-R (Residential Rural) to PD (Planned Development) Zone by Approving a Preliminary Development Plan with a Default R-8 (Residential – 8) Zone, with Deviations, for the Development of 12 Single-Family Detached Dwelling Units, Located at 2524 F ½ Road

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

Staff presentation: Lori V. Bowers, Senior Planner

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

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

7. **Public Hearing—Carter-Page Annexation and Zoning, Located at 2793 D Road** [File #ANX-2008-046] [Attach 8](#)

Request to annex and zone 6.29 acres, located at 2793 D Road, to I-2. The Carter-Page Annexation consists of 1 parcel and includes a portion of the D Road right-of-way.

a. Accepting Petition

Resolution No. 56-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Carter-Page Annexation, Located at 2793 D Road Including a Portion of the D Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4215—An Ordinance Annexing Territory to the City of Grand Junction, the Carter-Page Annexation, Approximately 6.29 Acres, Located at 2793 D Road Including a Portion of the D Road Right-of-Way

c. Zoning Ordinance

Ordinance No. 4216—An Ordinance Zoning the Carter-Page Annexation to I-2 (General Industrial), Located at 2793 D Road

®Action: Adopt Resolution No. 56-08 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 4215 and 4216

Staff presentation: Senta L. Costello, Associate Planner

8. **Public Hearing—Willow Wood Village Annexation and Zoning, Located at 3147 E Road** [File #ANX-2008-033] [Attach 9](#)

Request to annex and zone 7.94 acres, located at 3147 E Road, to R-8 (Residential 8 du/ac). The Willow Wood Village Annexation consists of 2 parcels, includes a portion of the E Road right-of-way, and is a two part serial annexation.

a. Accepting Petition

Resolution No. 57-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Willow Wood Village Annexation No. 1 and No. 2, Located at 3147 E Road Including a Portion of the E Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 4217—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Willow Wood Village Annexation No. 1, Approximately 4.45 Acres, Located at 3147 E Road

Ordinance No. 4218—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Willow Wood Village Annexation No. 2, Approximately 3.49 Acres, Located at 3147 E Road Including a Portion of the E Road Right-of-Way

c. Zoning Ordinance

Ordinance No. 4222—An Ordinance Zoning the Willow Wood Village Annexation to R-8 (Residential 8 du/ac), Located at 3147 E Road

®Action: Adopt Resolution No. 57-08 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 4217, 4218, and 4222

Staff presentation: Senta L. Costello, Associate Planner

9. **Public Hearing—Summers Annexation and Zoning, Located at 2144 Broadway** [File #ANX-2008-028] [Attach 10](#)

Request to annex and zone 0.90 acres, located at 2144 Broadway, to B-1 (Neighborhood Business). The Summers Annexation consists of 1 parcel.

a. Accepting Petition

Resolution No. 58-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Summers Annexation, Located at 2144 Broadway is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4223—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Summers Annexation, Approximately 0.90 Acres, Located at 2144 Broadway

c. Zoning Ordinance

Ordinance No. 4224—An Ordinance Zoning the Summers Annexation to B-1 (Neighborhood Business), Located at 2144 Broadway

®Action: Adopt Resolution No. 58-08 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 4223 and 4224

Staff presentation: Senta L. Costello, Associate Planner

10. **Public Hearing—Prather Annexation, Located at 243 29 Road** [File #ANX-2008-048] [Attach 11](#)

Request to annex and zone 0.55 acres, located at 243 29 Road, to R-4 (Residential 4 du/ac). The Prather Annexation consists of 1 parcel and is a 2 part serial annexation.

a. Accepting Petition

Resolution No. 59-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as Prather Annexations No. 1 and No. 2, Located at 243 29 Road is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 4225—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Prather Annexation No. 1, Approximately 0.47 Acres, Located at 243 29 Road

Ordinance No. 4226—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Prather Annexation No. 2, Approximately 0.08 Acres, Located at 243 29 Road

c. Zoning Ordinance

Ordinance No. 4227—An Ordinance Zoning the Prather Annexation to R-4, (Residential 4 du/ac), Located at 243 29 Road

®Action: Adopt Resolution No. 59-08 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 4225, 4226, and 4227

Staff presentation: Senta L. Costello, Associate Planner

11. **Public Hearing—Vacation of Public Right-of-Way, South 6' of Second Avenue West of South 9th Street** [File #VR-2007-316] [Attach 12](#)

Request to vacate the south 6' of the Second Avenue right-of-way west of S. 9th Street. The applicant is requesting the vacation in order to improve the on-site circulation of the property to the south when it's redeveloped in the near future.

Ordinance No. 4228—An Ordinance Vacating the South 6' of Right-of-Way for Second Avenue, Located West of South 9th Street

Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4228

Staff presentation: Senta L. Costello, Associate Planner

12. **Public Hearing—Lambert Annexation and Zoning, Located at 2813 C ³/₄ Road** [File #ANX-2008-045] [Attach 13](#)

Request to annex and zone 10.14 acres, located at 2813 C ³/₄ Road, to I-1 (Light Industrial). The Lambert Annexation consists of one parcel.

a. Accepting Petition

Resolution No. 60-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as Lambert Annexation, Located at 2813 C $\frac{3}{4}$ Road and a Portion of the C $\frac{3}{4}$ Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4229—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Lambert Annexation, Approximately 10.14 acres, Located at 2813 C $\frac{3}{4}$ Road and a Portion of the C $\frac{3}{4}$ Road Right-of-Way

c. Zoning Ordinance

Ordinance No. 4230—An Ordinance Zoning the Lambert Annexation to I-1 (Light Industrial), Located at 2813 C $\frac{3}{4}$ Road

®Action: Adopt Resolution No. 60-08 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 4229 and 4230

Staff presentation: Justin T. Kopfman, Associate Planner

13. **Public Hearing—Rezone the Trail Side Subdivision, Located at 381 31 $\frac{5}{8}$ Road** [File #PP-2007-321] [Attach 14](#)

A request to rezone 9.15 acres, located at 381 31 $\frac{5}{8}$ Road, from R-4 (Residential 4 du/ac) to R-5 (Residential 5 du/ac).

Ordinance No. 4231—An Ordinance Rezoning the Property Known as the Trail Side Subdivision to R-5, Residential 5 Units Per Acre, Located at 381 31 $\frac{5}{8}$ Road

Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4231

Staff presentation: Brian Rusche, Senior Planner

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

15. **Other Business**

16. **Adjournment**

Attach 1
Minutes of Previous Meetings

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

April 14, 2008

The City Council of the City of Grand Junction convened into regular session on the 14th day of April 2008 at 7:05 p.m. in the City Auditorium. Those present were Councilmembers Bruce Hill, Gregg Palmer, Doug Thomason, Linda Romer Todd, and Council President Jim Doody. Councilmembers Bonnie Beckstein and Teresa Coons were absent. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Doody called the meeting to order. Councilmember Palmer led in the Pledge of Allegiance. Invocation was given by Jim Hale, Spirit of Life Christian Fellowship.

Proclamations

Proclaiming April as “Alcohol Awareness Month” in the City of Grand Junction

Proclaiming April as “Child Abuse Prevention Month” in the City of Grand Junction

Proclaiming April as “Month of the Young Child” in the City of Grand Junction

Proclaiming April 14, 2008 as “Habitat Building Colorado Day” in the City of Grand Junction

Council Comments

There were none.

Citizen Comments

Jim Hale, Spirit of Life Christian Fellowship, 3795 G 3/10 Road, Palisade, informed City Council about the upcoming Sharefest event and also that National Day of Prayer is May 1st this year. He explained what will be happening in conjunction with the Sharefest event which involves 25 different churches reaching out to help others especially seniors and shut-ins. Arc All Mighty is the website with a password of sharefestgj to log on and see what is happening and where help is needed.

There will be two local observances of National Day of Prayer on Thursday, May 1st. One on the courthouse steps at 12:15 p.m. and the other will be at the First Nazarene Church at 7:00 p.m.

CONSENT CALENDAR

Councilmember Thomason read the items on the Consent Calendar, and then moved to approve the Consent Calendar. It was seconded by Councilmember Hill, and carried by roll call vote to approve Consent Items #1 through #14.

1. **Minutes of Previous Meetings**

Action: Approve the Minutes of the March 31, 2008, and the April 2, 2008, Regular Meetings

2. **Contracts for Spring Cleanup Program**

This approval request is for the award of contracts for the rental of dump trucks with drivers to haul debris and refuse to designated collection sites; and rental and hauling of roll-off containers to carry debris and refuse from designated collection sites to the Mesa County Landfill, as part of the City's Annual Spring Cleanup Program for 2008.

Action: Authorize the Purchasing Division to enter into contracts with J & K Trucking, LLC to provide thirteen (13) dump trucks with drivers for an estimated amount of \$82,550; and Waste Management of Colorado to provide the rental and hauling of twelve (12) roll-off containers, for an estimated amount of \$75,250, to complete the duration of the two week City Spring Cleanup Program

3. **Contract for Outsourced Printing and Copying**

Approval request for two contract awards for the City of Grand Junction outsourced printing and copying requirements.

Action: Authorize the City Purchasing Division to Award the Printing/Copying Contracts to CopyCopy and Peczuh Printing

4. **Rescinding the Mersman Annexation, Located at 3037 D Road** [File #ANX-2007-356]

Staff requests that the City Council formally rescind the Mersman Annexation petition presented to City Council on January 14, 2008 and continued (as per request) at the February 20, 2008 meeting. The annexation involved the Mersman property located at 3037 D Road.

Resolution No. 36-08—A Resolution Rescinding Resolution No. 04-08 Concerning a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, and Releasing Land Use Control, Mersman Annexation, Located at 3037 D Road

Action: Adopt Resolution No. 36-08

5. **Setting a Hearing to Rezone the Trail Side Subdivision, Located at 381 31 5/8 Road** [File #PP-2007-321]

A request to rezone 9.15 acres, located at 381 31 5/8 Road, from R-4 (Residential 4 du/ac) to R-5 (Residential 5 du/ac).

Proposed Ordinance Rezoning the Property known as the Trail Side Subdivision to R-5 (Residential 5 du/ac), Located at 381 5/8 Road

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

6. **Setting a Hearing on the Vacation of Public Right-of-Way, South 6' of Second Avenue West of South 9th Street** [File #VR-2007-316]

Request to vacate the south 6' of the Second Avenue right-of-way west of S. 9th Street.

Proposed Ordinance Vacating the South 6' of Right-of-Way for Second Avenue, Located West of South 9th Street

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

7. **Setting a Hearing Zoning the Carter-Page Annexation, Located at 2793 D Road** [File #ANX-2008-046]

Request to zone the 6.29 acre Carter-Page Annexation, located at 2793 D Road, to I-2 (General Industrial).

Proposed Ordinance Zoning the Carter-Page Annexation to I-2 (General Industrial), Located at 2793 D Road

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

8. **Setting a Hearing Zoning the Prather Annexation, Located at 243 29 Road** [File #ANX-2008-048]

Request to zone the 0.55 acre Prather Annexation, located at 243 29 Road, to R-4 (Residential 4 du/ac).

Proposed Ordinance Zoning the Prather Annexation to R-4, (Residential 4 du/ac), Located at 243 29 Road

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

9. **Setting a Hearing Zoning the Willow Wood Village Annexation, Located at 3147 E Road** [File#ANX-2008-033]

Request to zone the 7.94 acre Willow Wood Village Annexation, Located at 3147 E Road, to R-8 (Residential 8 du/ac).

Proposed Ordinance Zoning the Willow Wood Village Annexation to R-8 (Residential 8 du/ac), Located at 3147 E Road

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

10. **Setting a Hearing Zoning the Summers Annexation, Located at 2144 Broadway** [File #ANX-2008-028]

Request to zone the 0.90 acre Summers Annexation, located at 2144 Broadway, to B-1 (Neighborhood Business).

Proposed Ordinance Zoning the Summers Annexation to B-1 (Neighborhood Business), Located at 2144 Broadway

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

11. **Vacation of Easements in the Glens at Canyon View Subdivision Now Known as Sundance Village, Located at 2459 F ¼ Road** [File #FP-2007-078]

Request to vacate two sanitary sewer easements, three multi-purpose easements and one drainage easement that were dedicated as part of the Glens at Canyon View Subdivision, now known as the proposed Sundance Village.

Resolution No. 48-08—A Resolution Vacating Various Utility/Drainage Easements within Block 2 of the Glens at Canyon View, Phase I, Property Located at 2459 F ¼ Road

Action: Adopt Resolution No. 48-08

12. **Setting a Hearing Zoning the Lambert Annexation, Located at 2813 C ¾ Road** [File#ANX-2008-045]

Request to zone the 10.14 acre Lambert Annexation, located at 2813 C ¾ Road, to I-1 (Light Industrial) and includes a portion of the C ¾ Road Right-of-Way

Proposed Ordinance Zoning the Lambert Annexation to I-1 (Light Industrial), Located at 2813 C ¾ Road and a Portion of the C ¾ Road Right-of-Way.

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

13. **Setting a Hearing on the Thorson Annexation, Located at 2972 D Road** [File #ANX-2008-071]

Request to annex 0.81 acres, located at 2972 D Road. The Thorson Annexation consists of 1 parcel and a portion of the adjacent D Road right-of-way.

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

Resolution No. 49-08—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, Thorson Annexation, Located at 2972 D Road, Including a Portion of the D Road Right-of-Way

Action: Adopt Resolution No. 49-08

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, the Thorson Annexation, Approximately 0.81 Acres, Located at 2972 D Road, Including a Portion of the D Road Right-of-Way

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

14. **Installation of Art at Duck Pond and Sherwood Parks**

Through a competitive process open to Mesa County artists, the Commission on Arts and Culture has selected, and recommends commissioning, local artists Vinje Lawson and Lylamae Chedsey to create ceramic tile murals for the new restroom buildings at Sherwood Park and Duck Pond Park through the 1% for the Arts Program.

Action: Approve Selection of the Artists and Artwork for the Two Park Restroom Projects

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Public Hearing - ThreeP Development Annexation and Zoning, Located at 519 30 Road [File #ANX-2008-019]

Request to annex and zone 1.66 acres, located at 519 30 Road, to B-1 (Neighborhood Business). The ThreeP Development Annexation consists of 1 parcel and includes a portion of the 30 Road right-of-way.

The public hearing was opened at 7:30 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. The request meets the Zoning and Development Code criteria. The Planning Commission recommended approval. The applicant was present to answer questions.

There were no public comments.

The public hearing was closed at 7:32 p.m.

Councilmember Palmer noted that this is a nice opportunity for an infill project.

a. Accepting Petition

Resolution No. 50-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as ThreeP Development Annexations, Located at 519 30 Road Including a Portion of the 30 Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4213—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

c. Zoning Ordinance

Ordinance No. 4214—An Ordinance Zoning the ThreeP Development Annexation to B-1, (Neighborhood Business), Located at 519 30 Road.

Councilmember Palmer moved to adopt Resolution No. 50-08, and adopt Ordinance Nos. 4213 and 4214, and ordered them published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

Public Hearing - Schuckman Annexation and Zoning, Located at 231 28 ½ Road

[File #ANX-2008-018]

Request to annex and zone 0.87 acres, located at 231 28 ½ Road, to R-8 (Residential 8 du/ac). The Schuckman Annexation consists of 1 parcel, includes a portion of the 28 ½ Road right-of-way, and is a 3 part annexation.

Senta L. Costello, Associate Planner, advised the Schuckman's are present and are asking that their hearing be continued to May 5th. The City Council, noting the number of hearing items already scheduled for May 5th asked if May 19th would work for the Schuckman's.

Russ Shuckman, 829 West Main Street, the applicant, said he preferred the May 19th date for the continuance.

a. Accepting Petition

Resolution No. 51-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Schuckman Annexations No. 1, 2, 3, Located at 231 28 ½ Road Including a Portion of the 28 ½ Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 4215—An 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

Ordinance No. 4216—An 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

Ordinance No. 4217—An 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

c. Zoning Ordinance

Ordinance No. 4218—An Ordinance Zoning the Schuckman Annexation to R-8, (Residential 8 du/ac), Located at 231 28 ½ Road

Councilmember Hill moved to continue the public hearing and the consideration of adopting Resolution No. 51-08 and Ordinance Nos. 4215, 4216, and 4217 to May 19th. Councilmember Todd seconded the motion. Motion carried.

Public Hearing - Martin Annexation and Zoning, Located at 2107 H Road [File #ANX-2008-017]

Request to annex and zone 2.95 acres, located at 2107 H Road, to I-1 (Light Industrial). The Martin Annexation consists of 1 parcel.

The public hearing was opened at 7:36 p.m.

Justin T. Kopfman, Associate Planner, reviewed this item. He described the site and the location. He asked that the Staff report and the attachments be entered into the record. He stated the requests do meet the criteria of the Zoning and Development Code and recommended approval. The applicant was present but did not wish to speak.

There were no public comments.

The public hearing was closed at 7:38 p.m.

a. Accepting Petition

Resolution No. 52-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Martin Annexation, Located at 2107 H Road is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4219—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Martin Annexation, Approximately 2.95 acres, Located at 2107 H Road

c. Zoning Ordinance

Ordinance No. 4220—An Ordinance Zoning the Martin Annexation to I-1, (Light Industrial), Located at 2107 H Road.

Councilmember Todd moved to adopt Resolution No. 52-08, and adopt Ordinance Nos. 4219 and 4220, and ordered them published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

City Manager Laurie Kadrich highlighted the luncheon meeting with the School Board and Superintendent. She saw many opportunities for additional partnerships that will save taxpayer dollars.

Council President Doody said when he attended the groundbreaking for the Chipeta School site, those partnerships were mentioned and it was evident that not many communities have that benefit.

Councilmember Hill was pleased that the discussion about the selection of school sites and ensuring that infrastructure can be provided.

Councilmember Todd said such meetings like that one are promising for the future in the partnerships and relationships that can be developed.

City Manager Laurie Kadrich advised she is leaving for vacation and Deputy City Manager Rich Englehart will be able to assist them with any issue while she is away.

Adjournment

The meeting adjourned at 7:43 p.m.

Stephanie Tuin, MMC
City Clerk

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

April 16, 2008

The City Council of the City of Grand Junction convened into regular session on the 16th day of April 2008 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Gregg Palmer, Bruce Hill, Doug Thomason, Linda Romer Todd, and Council President Jim Doody. Also present were Deputy City Manager Rich Englehart, City Attorney John Shaver, and City Clerk Stephanie Tuin.

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

Mayor Comments

This being his last meeting as Council President, Mr. Doody expressed how much he enjoyed being Mayor for the last two years and thanked everyone for the assistance and support they provided.

Citizen Comments

There were none.

CONSENT CALENDAR

Councilmember Hill read the items on the Consent Calendar, and then moved to approve the Consent Calendar. It was seconded by Councilmember Coons, and carried by roll call vote to approve Consent Item #1 through #5.

1. **Setting a Hearing for the Vacation of a Portion of 28 ½ Road and South Grand Falls Court for the Proposed Ashbury Heights Subdivision, Located at the Southeast Corner of 28 ¼ Road and Grand Falls Drive** [PP-2006-251]

A request to vacate existing public rights-of-way (portion of 28 ½ Road and South Grand Falls Court) in anticipation of future residential subdivision development. The proposed vacation requests are located at the southeast corner of 28 ½ Road and Grand Falls Drive.

Proposed Ordinance Vacating the Rights-of-Way for South Grand Falls Court and a Portion of 28 ½ Road in the Proposed Ashbury Heights Subdivision

Action: Introduction of Proposed Ordinance and Set a Hearing for May 7, 2008

2. **Setting a Hearing on an Ordinance Creating a New Administrative Citation Process for Code Enforcement**

Code Enforcement Staff is proposing the adoption and use of an administrative citations process as another means of enforcement of City Codes. Specifically, the administrative citations process will be used for violations that affect the livability of neighborhoods and quality of life. The program would impose administrative penalties for certain violations of the Code, in turn decriminalizing the process and resulting in a more efficient and effective resolution of Code violations.

Proposed Ordinance Amending Chapter 2 of the City Code of Ordinances to Include a New Article VI, Adding an Administrative Enforcement Process to Address Violations of the City Code and Amending Chapter 16, Article III, Section 16.60 to Provide that a Notice of Violation Issued Pursuant to Chapter 2, Article VI, shall also Constitute a Notice to Abate a Nuisance and Amending Chapter 16, Article VII, Section 16-141 and Section 16-144 to Revise Definitions and Enforcement of the Stormwater Management Program

Action: Introduction of a Proposed Ordinance and Set a Hearing for May 7, 2008

3. **Setting a Hearing Amending Ordinance No. 4110 to Allow Limited Golf Cart Use in Specified Areas Around Mesa State College**

The Facilities Services Department at Mesa State College (MSC) has submitted a request to City Staff for an ordinance to allow MSC facilities maintenance and management to use golf carts to access certain college campus grounds, buildings and construction projects.

Proposed Ordinance Amending Ordinance No. 4110 to Allow Limited Golf Cart Use Near Mesa State College

Action: Introduction of a Proposed Ordinance and Set a Hearing for May 7, 2008

4. **Setting a Hearing on an Ordinance to Expand the DDA Boundaries**

The DDA recently awarded a grant to the Mesa County Library Board of Trustees. Those funds will be used for a new sign, landscaping and to help complete capital improvements to the main library building façade. The DDA and Board of Trustees agreed that receipt of the grant funds was conditioned upon the inclusion of Mesa County Library District properties into the DDA boundary.

Proposed Ordinance Expanding the Boundaries of the Grand Junction, Colorado Downtown Development Authority

Action: Introduction of a Proposed Ordinance and Set a Hearing for May 7, 2008
5. **Contract for Aeration Basin Modifications**

The purpose of the Aeration Basin SCADA project is to conserve energy and improve the secondary treatment process at Persigo. Currently, air is supplied to the aeration basins through the use of two 300 HP blowers. The system upgrade will give Staff the ability to preset a desired oxygen level in the basins, and have the system automatically adjust the blowers to maintain that level. The result will be improved effluent quality and a reduction in electrical energy consumption.

Action: Authorize the City Manager to Sign a Contract with Glacier Construction in the Amount of \$248,057 for the Aeration Basin Modifications

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

Public Hearing - Vacation of a Portion of Florida Street, Located at 2858 C ½ Road
[File #PP-2007-087]

A request to vacate an existing unimproved public right-of-way (portion of Florida Street) in anticipation of future residential subdivision development. The proposed vacation request is located at 2858 C ½ Road in Pear Park.

The public hearing was opened at 7:05 p.m.

Scott D. Peterson, Senior Planner, reviewed this item. He described the site and the location which is in the Pear Park area. The Planning Commission reviewed this item at the March 11, 2008 meeting and recommended approval. He described the area to be vacated and why it was originally dedicated. There are no existing utilities in the right-of-way but the applicants will rededicate a right-of-way for Florida Street in alignment with the existing Florida Street. The existing right-of-way will be platted for residential lots. The request meets the criteria of the Zoning and Development Code.

Councilmember Todd asked about the retention pond location shown on the aerial photo. Mr. Peterson said there is an irrigation pond there. If this pond is required for the White Willows Subdivision, it will be reviewed by the engineering department.

The applicant was not present.

There were no public comments.

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

Ordinance No. 4221—An Ordinance Vacating a Portion of the Florida Street Right-of-Way, Located at 2858 C ½ Road

Councilmember Coons moved to adopt Ordinance No. 4221 and ordered it published. Councilmember Palmer seconded the motion. Motion carried by roll call vote.

Hearing on an Appeal of the Planning Commission's Approval of Redlands Place Subdivision Preliminary Plan, Located at 413 South Camp Road [File #PP-2007-218]

An appeal has been filed regarding the Planning Commission's decision to approve the Redlands Place Subdivision Preliminary Plan, located at 413 South Camp Road. The subdivision consists of 104 single-family lots on 52.2 acres in an R-2 (Residential 2 du/ac) zone district, utilizing the cluster provisions provided in Section 6.7.D.5 of the Zoning and Development Code. This appeal is pursuant to Section 2.18.E of the Zoning and Development Code, which specifies that the City Council is the appellate body of the Planning Commission. According to Section 2.18.E.4.h. no new evidence or testimony may be presented, except City Staff may be asked to interpret materials contained in the record.

Council President Doody detailed the history of the appeal. He listed the four points that must be considered by the City Council for the appeal. He then asked the City Council to discuss the matter or address questions to Staff.

Councilmember Hill noted that these appeals can seem quite clumsy so he clarified that the City Council reviews the complete record looking for one of the four criteria. The appeal letter addressed the basis of the appeal. The first being that the cluster provision was granted which the appellant feels it was in conflict with the City Zoning and Development Code as it is based on a percentage of land that is unbuildable. The second area of disagreement is that the subdivision does not appear to comply with Code in regard to clustering.

In reviewing the record, it was clear to Councilmember Hill that the Planning Commission spent a significant amount of time getting clarification from Staff on those provisions. The Code allows the clustering to be granted regardless of whether part of the site is buildable or not. There seemed to be confusion as to the definition of housing clustering and the clustering provisions. What this triggered was that R-4 setbacks are being used in this R-2 zoning. It doesn't make this R-4 density.

Councilmember Hill stated the first point to be reviewed is whether the decision-maker may have acted in a manner inconsistent with the provisions of this Code or applicable local, state or federal law. In his opinion that is not the case, it met the criteria of the Code. The second point is the decision-maker may have made erroneous findings of fact based on the evidence and testimony. He felt that was not the case. The third point is the decision-maker may have failed to fully consider mitigating measures or revisions offered by the applicant that would have brought the proposed project into compliance. Councilmember Hill did not believe that applied so there was no basis to find on that point. The fourth point is that the decision-maker may have acted arbitrarily, capriciously, and/or abused its discretion. He said that is not the case in the majority opinion and the

Planning Commission weighed very heavily on their decision and had some conversation on their opinion of that part of the Code. Some agreed that to be what was in the Code but disagreed with the Code and voted in dissension on that basis but the majority understood the Code and implemented the Code. So under this item, there is no basis to find the decision-maker acted inappropriately. In conclusion, he has no basis in which to support the appeal.

Councilmember Palmer asked the City Attorney about the cost of open space and if the open space needs to be usable space. City Attorney John Shaver said the Code does not differentiate and for the purposes of calculations there is nothing in the Code that requires that a determination be made as to the usability of the open space. It is still developable, even though the developer may have to take steps to make it so. As far as a technical analysis, he deferred to the Senior Planner Lori Bowers.

Council President Doody noted the Council has seen that before where Leech Creek was part of a subdivision's open space.

City Attorney Shaver advised that they don't identify what can and what cannot be developed based on the land condition.

Senior Planner Lori Bowers said she agrees with Attorney Shaver. The open space for this project was very definite due to topography. Since the developer has set aside the wetlands as open space, they did not look at it further, but it will be a condition of approval on the plat. The requirement for open space does vary depending on the density of the subdivision.

Councilmember Coons asked about the way the clustering was proposed, if there are different requirements for clustering.

Ms. Bowers said there is a suggestion in the Code via an illustration regarding clustering, but it is only an illustration. The first sentence in the clustering provision is that the purpose is to protect environmentally sensitive areas which is what this application does.

Councilmember Todd said she reviewed the Planning Commission meeting three times. She found the Planning Commission body did act in a very consistent manner and they did not make erroneous decisions. They did not make arbitrary and capricious decisions. She agreed with Councilmember Hill that point three does not apply.

Councilmember Coon stated the City Council's role is to determine if the decision is inconsistent or if it violates the Code. She cannot rule in a positive way on this appeal.

Councilmember Palmer agreed he did not find any basis to find against the Planning Commission decision.

Councilmember Thomason said these matters are all about the criteria and he sees no reason to vote in the positive.

Councilmember Beckstein agreed and does not believe they were arbitrarily decided and agrees they do meet the Code.

Council President Doody commended Councilmember Hill for making the points so clearly.

City Attorney Shaver advised the Council to make a motion in the affirmative and then vote in order to complete the record.

Councilmember Beckstein moved to consider the appeal of a Planning Commission's approval of Redlands Place Subdivision Preliminary Plan. Councilmember Palmer seconded the motion. Motion failed by unanimous roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting adjourned at 7:34 p.m.

Stephanie Tuin, MMC
City Clerk

Attach 3

Setting a Hearing on the Simon Annexation, Located at 3076 and 3080 F ½ Road

CITY OF GRAND JUNCTION

| CITY COUNCIL AGENDA | | | |
|-----------------------------------|--|----------|-------------------|
| Subject | Simon Annexation - Located at 3076 and 3080 F ½ Road | | |
| File # | ANX-2008-106 | | |
| Meeting Day, Date | Monday, May 5, 2008 | | |
| Placement on the Agenda | Consent | X | Individual |
| Date Prepared | April 7, 2008 | | |
| Author Name & Title | Justin T. Kopfman – Associate Planner | | |
| Presenter Name & Title | Justin T. Kopfman – Associate Planner | | |

Summary: Request to annex 6.30 acres, located at 3076 and 3080 F ½ Road. The Simon Annexation consists of two parcels.

Budget: N/A

Action Requested/Recommendation: Adopt a Resolution referring the petition for the Simon Annexation and introduce the proposed Ordinances and set a hearing for June 16, 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 Ordinances

Background Information: See attached Staff Report/Background Information

| STAFF REPORT / BACKGROUND INFORMATION | | | | |
|---------------------------------------|--------------|--|------------|-----------|
| Location: | | 3076 & 3080 F ½ Road | | |
| Applicants: | | Owner: Ken and Mary Simon Developer: Doug Skelton | | |
| Existing Land Use: | | Agricultural | | |
| Proposed Land Use: | | Residential | | |
| Surrounding Land Use: | North | Agricultural | | |
| | South | Agricultural/Residential | | |
| | East | Agricultural/Residential | | |
| | West | Agricultural | | |
| Existing Zoning: | | RSF-R (Residential Single Family Rural) | | |
| Proposed Zoning: | | R-2 (Residential 2-du/ac) | | |
| Surrounding Zoning: | North | RSF-R (Residential Single Family Rural) | | |
| | South | RSF-R (Residential Single Family Rural) | | |
| | East | RSF-R (Residential Single Family Rural) | | |
| | West | RSF-R (Residential Single Family Rural) | | |
| Growth Plan Designation: | | Residential Low | | |
| Zoning within density range? | | X | Yes | No |

Staff Analysis:

ANNEXATION:

This annexation area consists of 6.30 acres of land and is comprised of two parcels. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

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

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

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

The following annexation and zoning schedule is being proposed.

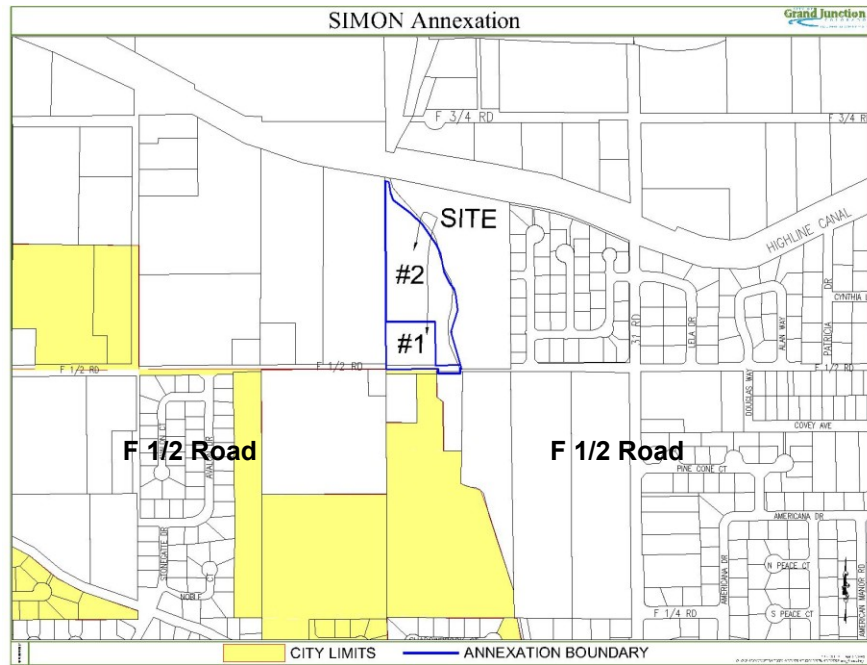
| <u><i>ANNEXATION SCHEDULE</i></u> | |
|-----------------------------------|---|
| May 5, 2008 | Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use |
| May 13, 2008 | Planning Commission considers Zone of Annexation |
| June 2, 2008 | Introduction of a proposed Ordinance on Zoning by City Council |
| June 16, 2008 | Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council |
| July 18, 2008 | Effective date of Annexation and Zoning |

SIMON ANNEXATION SUMMARY

| | | |
|---------------------------------------|---|---|
| File Number: | ANX-2008-106 | |
| Location: | 3076 and 3080 F ½ Road | |
| Tax ID Number: | 2943-041-00-168 2943-041-00-169 | |
| Parcels: | 2 | |
| Estimated Population: | 4 | |
| # of Parcels (owner occupied): | 2 | |
| # of Dwelling Units: | 2 | |
| Acres land annexed: | 6.30 acres (274,573.64 square feet) | |
| Developable Acres Remaining: | 6.026 acres (263,822.16 square feet) | |
| Right-of-way in Annexation: | .247 acres (10,751.48 square feet) | |
| Previous County Zoning: | RSF-R (Residential Single Family Rural) | |
| Proposed City Zoning: | R-2 (Residential 2-du/ac) | |
| Current Land Use: | Agricultural/Residential | |
| Future Land Use: | Residential Low | |
| Values: | Assessed: | \$12,446 |
| | Actual: | \$150,920 |
| Address Ranges: | 3076 to 3082 F ½ Road Even Only | |
| Special Districts: | Water: | Clifton Water |
| | Sewer: | Persigo 201 |
| | Fire: | Clifton Fire |
| | Irrigation/ Drainage: | Mesa County Irrigation Grand Valley Drainage |
| | School: | District 51 |
| | Pest: | Grand River Mosquito |

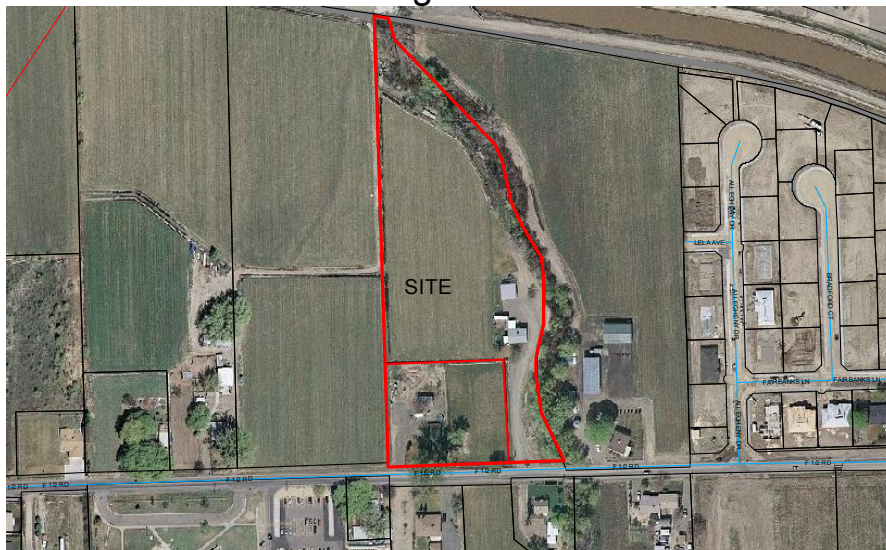
Annexation/Site Location Map

Figure 1



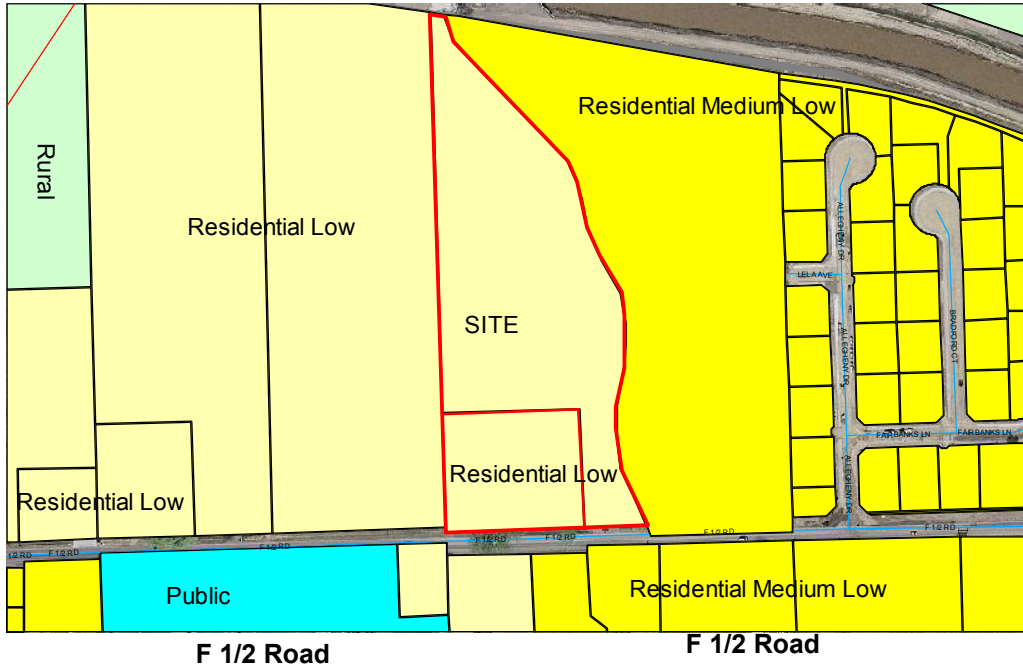
Aerial Photo Map

Figure 2



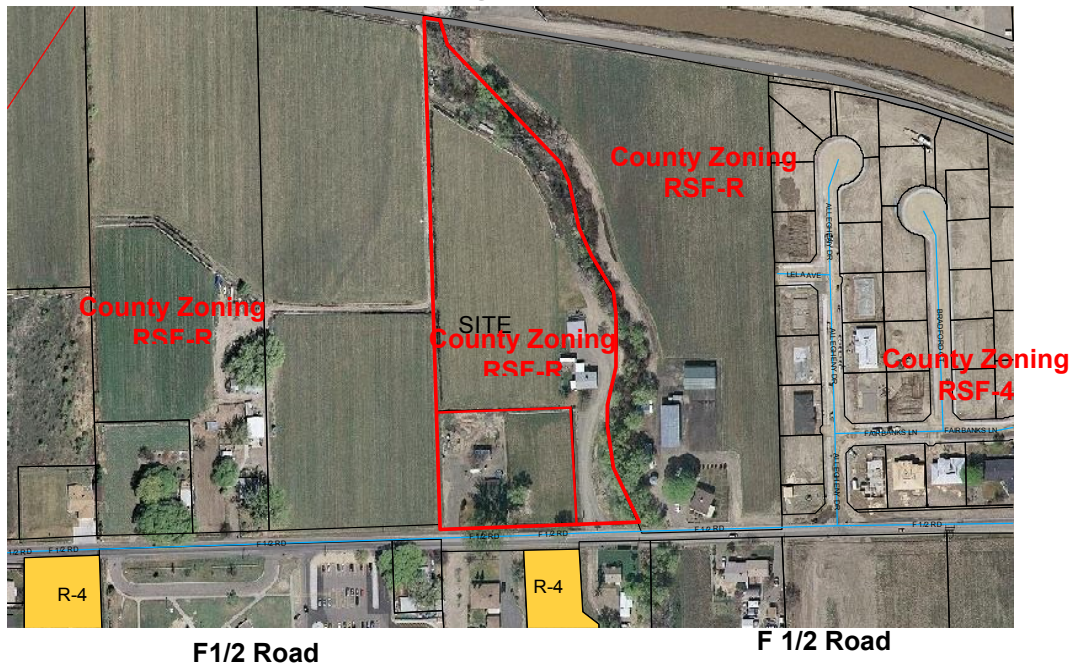
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



County Zoning
RSF-R

**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 5th of May, 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**

SIMON ANNEXATION

LOCATED AT 3076 AND 3080 F ½ ROAD

WHEREAS, on the 5th day of May, 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:

SIMON ANNEXATION NO. 1

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

Beginning at the Southwest corner of the SE 1/4 NE 1/4 of said Section 4 and assuming the South line of the SE 1/4 NE 1/4 of said Section 4 to bear N89°58'59"E with all bearings contained herein relative thereto; thence N00°13'10"W a distance of 248.00 feet along the West line of the SE 1/4 NE 1/4 of said Section 4; thence N89°58'59"E a distance of 262.42 feet; thence S00°13'12"E a distance of 228.00 feet; thence N89°58'59"E a distance of 129.78 feet along a line being 20.00 feet North of and parallel with the South line of the SE 1/4 NE 1/4 of said Section 4; thence S15°27'40"E a distance of 20.75 feet to a point on the South line of the SE 1/4 NE 1/4 of said Section 4; thence S89°58'59"W a distance of 8.31 feet along the SE 1/4 NE 1/4 of said Section 4; thence S00°11'24"E a distance of 25.00 feet; thence S89°58'59"W a distance of 114.10 feet along a line being 25.00 feet South of and parallel with the South line of the SE 1/4 NE 1/4 of said Section 4 to a point on the Easterly line of Thunder Hog Estates Annexation No. 2, Ordinance No. 3909, City of Grand Junction; thence N00°15'04"W a distance of 25.00 feet along the Easterly line of said Thunder Hog Estates Annexation No. 2 to a point on the South line of the SE 1/4 NE 1/4 of said Section 4; thence S89°58'59"W a distance of 275.22 feet along the South line of the SE 1/4 NE 1/4 of said Section 4, said line also being the North line of said Thunder Hog Estates Annexation No. 2 to the Point of Beginning

Said parcel contains 1.62 acres (1,336.59 sq. ft.), more or less, as described.

AND

SIMON ANNEXATION NO. 2

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

Commencing at the Southwest corner of the SE 1/4 NE 1/4 of said Section 4 and assuming the West line of the SE 1/4 NE 1/4 of said Section 4 to bear N00°13'10"W with all bearings contained herein relative thereto; thence N00°13'10"W a distance of 248.00 feet along the West line of the SE 1/4 NE 1/4 of said Section 4 to the Point of Beginning; thence N00°13'10"W a distance of 743.63 feet along the West line of the SE 1/4 NE 1/4 of said Section 4 to the Southwest corner of Right of Way of U.S. Government Highline Canal, as same is recorded in Book 1505, Page 762, public records of Mesa County, Colorado; thence S80°28'06"E a distance of 19.89 feet along the South line of said Right of Way; thence along the approximate centerline of Lewis Wash the following fourteen (14) courses: (1) S09°42'39"E a distance of 59.97 feet; (2) S18°38'00"E a distance of 41.06 feet; (3) S54°08'10"E a distance of 113.30 feet; (4) S45°52'19"E a distance of 88.37 feet; (5) S34°09'35"E a distance of 132.84 feet; (6) S23°37'54"E a distance of 50.69 feet; (7) S10°34'42"E a distance of 91.57 feet; (8) S25°53'11"E a distance of 68.33 feet; (9) S35°40'10"E a distance of 43.82 feet; (10) S14°28'05"E a distance of 37.92 feet; (11) S06°08'39"E a distance of 73.89 feet; (12) S17°19'50"W a distance of 115.52 feet; (13) S02°40'35"E a distance of 6.92 feet; (14) S15°27'40"E a distance of 177.91 feet to the Northeasterly corner of Simon Annexation No. 1, City of Grand Junction; thence S89°58'59"W a distance of 129.78 feet along a line being 20.00 feet North and parallel with the South line of the SE 1/4 NE 1/4 of said Section 4, said line also being the Northerly line of said Simon Annexation No. 1; thence N00°13'12"W a distance of 228.00 feet along the Easterly line of said Simon Annexation No. 1; thence S89°58'59"W a distance of 262.42 feet along the Northerly line of said Simon Annexation No. 1 to the Point of Beginning

Said parcel contains 4.68 acres (203,990.60 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 16th day of June, 2008, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Public Works and Planning Department of the City.

ADOPTED the _____ day of _____, 2008.

Attest:

President of the Council

City Clerk

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

City Clerk

| <i>DATES PUBLISHED</i> |
|--------------------------------|
| Wednesday, May 7, 2008 |
| Wednesday, May 14, 2008 |
| Wednesday, May 21, 2008 |
| Wednesday, May 28, 2008 |

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

SIMON ANNEXATION NO. 1

APPROXIMATELY 1.62 ACRES

LOCATED AT 3076 F ½ ROAD

WHEREAS, on the 5th day of May, 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 16th day of June, 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:

SIMON ANNEXATION NO. 1

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

Beginning at the Southwest corner of the SE 1/4 NE 1/4 of said Section 4 and assuming the South line of the SE 1/4 NE 1/4 of said Section 4 to bear N89°58'59"E with all bearings contained herein relative thereto; thence N00°13'10"W a distance of 248.00 feet along the West line of the SE 1/4 NE 1/4 of said Section 4; thence N89°58'59"E a distance of 262.42 feet; thence S00°13'12"E a distance of 228.00 feet; thence N89°58'59"E a distance of 129.78 feet along a line being 20.00 feet North of and parallel with the South line of the SE 1/4 NE 1/4 of said Section 4; thence

S15°27'40"E a distance of 20.75 feet to a point on the South line of the SE 1/4 NE 1/4 of said Section 4; thence S89°58'59"W a distance of 8.31 feet along the SE 1/4 NE 1/4 of said Section 4; thence S00°11'24"E a distance of 25.00 feet; thence S89°58'59"W a distance of 114.10 feet along a line being 25.00 feet South of and parallel with the South line of the SE 1/4 NE 1/4 of said Section 4 to a point on the Easterly line of Thunder Hog Estates Annexation No. 2, Ordinance No. 3909, City of Grand Junction; thence N00°15'04"W a distance of 25.00 feet along the Easterly line of said Thunder Hog Estates Annexation No. 2 to a point on the South line of the SE 1/4 NE 1/4 of said Section 4; thence S89°58'59"W a distance of 275.22 feet along the South line of the SE 1/4 NE 1/4 of said Section 4, said line also being the North line of said Thunder Hog Estates Annexation No. 2 to the Point of Beginning

Said parcel contains 1.62 acres (1,336.59 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**

SIMON ANNEXATION NO. 2

APPROXIMATELY 4.68 ACRES

LOCATED AT 3080 F ½ ROAD

WHEREAS, on the 5th day of May, 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 16th day of June, 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:

SIMON ANNEXATION NO. 2

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

Commencing at the Southwest corner of the SE 1/4 NE 1/4 of said Section 4 and assuming the West line of the SE 1/4 NE 1/4 of said Section 4 to bear N00°13'10"W with all bearings contained herein relative thereto; thence N00°13'10"W a distance of 248.00 feet along the West line of the SE 1/4 NE 1/4 of said Section 4 to the Point of Beginning; thence N00°13'10"W a distance of 743.63 feet along the West line of the SE 1/4 NE 1/4 of said Section 4 to the Southwest corner of Right of Way of U.S. Government Highline Canal, as same is recorded in Book 1505, Page 762, public records of Mesa County, Colorado; thence S80°28'06"E a distance of 19.89 feet along

the South line of said Right of Way; thence along the approximate centerline of Lewis Wash the following fourteen (14) courses: (1) S09°42'39"E a distance of 59.97 feet; (2)

S18°38'00"E a distance of 41.06 feet; (3) S54°08'10"E a distance of 113.30 feet; (4) S45°52'19"E a distance of 88.37 feet; (5) S34°09'35"E a distance of 132.84 feet; (6) S23°37'54"E a distance of 50.69 feet; (7) S10°34'42"E a distance of 91.57 feet; (8) S25°53'11"E a distance of 68.33 feet; (9) S35°40'10"E a distance of 43.82 feet; (10) S14°28'05"E a distance of 37.92 feet; (11) S06°08'39"E a distance of 73.89 feet; (12) S17°19'50"W a distance of 115.52 feet; (13) S02°40'35"E a distance of 6.92 feet; (14) S15°27'40"E a distance of 177.91 feet to the Northeasterly corner of Simon Annexation No. 1, City of Grand Junction; thence S89°58'59"W a distance of 129.78 feet along a line being 20.00 feet North and parallel with the South line of the SE 1/4 NE 1/4 of said Section 4, said line also being the Northerly line of said Simon Annexation No. 1; thence N00°13'12"W a distance of 228.00 feet along the Easterly line of said Simon Annexation No. 1; thence S89°58'59"W a distance of 262.42 feet along the Northerly line of said Simon Annexation No. 1 to the Point of Beginning

Said parcel contains 4.68 acres (203,990.60 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 Burnett Annexation, Located at 2846 ½ C Road

CITY OF GRAND JUNCTION

| CITY COUNCIL AGENDA | | | |
|-----------------------------------|---|----------|-------------------|
| Subject | Burnett Annexation - Located at 2846 ½ C Road | | |
| File # | ANX-2008-099 | | |
| Meeting Day, Date | Monday, May 5, 2008 | | |
| Placement on the Agenda | Consent | X | Individual |
| Date Prepared | April 6, 2008 | | |
| Author Name & Title | Justin T. Kopfman – Associate Planner | | |
| Presenter Name & Title | Justin T. Kopfman – Associate Planner | | |

Summary: Request to annex 1.09 acres, located at 2846 ½ C Road and part of the C Road right-of-way. The Burnett Annexation consists of one parcel.

Budget: N/A

Action Requested/Recommendation: Adopt a Resolution referring the petition for the Barnett Annexation and introduce the proposed Ordinance and set a hearing for June, 16, 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: | | 2846 ½ C Road | | |
| Applicants: | | Owner: Dale A. Burnett Representative: Rob Burnett | | |
| Existing Land Use: | | Residential | | |
| Proposed Land Use: | | Residential | | |
| Surrounding Land Use: | North | Residential | | |
| | South | Residential | | |
| | East | Residential | | |
| | West | Residential | | |
| Existing Zoning: | | RSF-4 (Residential Single Family 4-du/ac) | | |
| Proposed Zoning: | | R-4 (Residential 4-du/ac) | | |
| Surrounding Zoning: | North | RSF-4 (Residential Single Family 4-du/ac) | | |
| | South | County PUD | | |
| | East | RSF-4 (Residential Single Family 4-du/ac) | | |
| | West | RSF-4 (Residential Single Family 4-du/ac) | | |
| Growth Plan Designation: | | Residential Medium | | |
| Zoning within density range? | | X | Yes | No |

Staff Analysis:

ANNEXATION:

This annexation area consists of 1.09 acres of land and is comprised of one parcel. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

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

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

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

The following annexation and zoning schedule is being proposed.

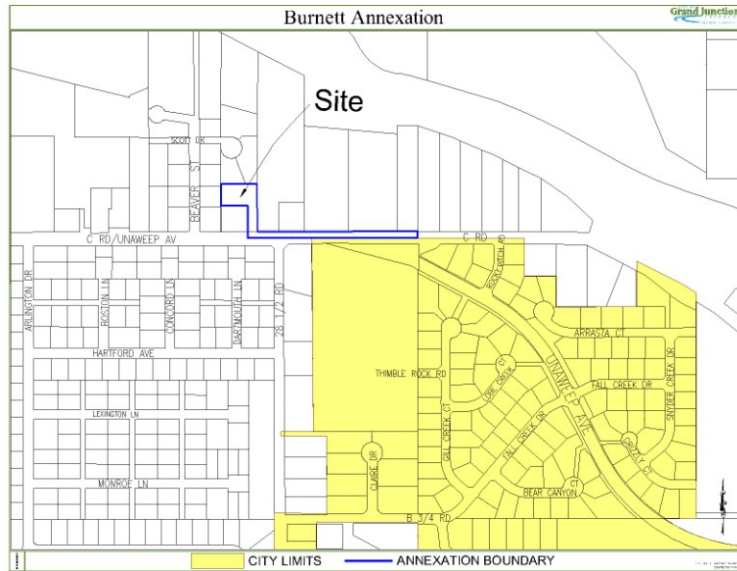
| <i>ANNEXATION SCHEDULE</i> | |
|-----------------------------------|---|
| May 5, 2008 | Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use |
| May 13, 2008 | Planning Commission considers Zone of Annexation |
| June 2, 2008 | Introduction Of A Proposed Ordinance on Zoning by City Council |
| June 16, 2008 | Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council |
| July 18, 2008 | Effective date of Annexation and Zoning |

BURNETT ANNEXATION SUMMARY

| | | |
|---------------------------------------|---|--|
| File Number: | ANX-2008-099 | |
| Location: | 2846 ½ C Road | |
| Tax ID Number: | 2943-193-00-202 | |
| Parcels: | 1 | |
| Estimated Population: | 2 | |
| # of Parcels (owner occupied): | 1 | |
| # of Dwelling Units: | 1 | |
| Acres land annexed: | 1.09 acres (47,313.97 square feet) | |
| Developable Acres Remaining: | .54 acres (23,522.4 square feet) | |
| Right-of-way in Annexation: | .55 acres (24,128.61 square feet) | |
| Previous County Zoning: | RSF-4 (Residential Single Family 4-du/ac) | |
| Proposed City Zoning: | R-4 (Residential 4 du/ac) | |
| Current Land Use: | Vacant/Residential | |
| Future Land Use: | Residential Medium | |
| Values: | Assessed: | \$22, 140 |
| | Actual: | \$278,110 |
| Address Ranges: | 2846 ½ to 2848 even only | |
| Special Districts: | Water: | Ute Water |
| | Sewer: | Orchard Mesa Sanitation |
| | Fire: | Grand Junction Rural |
| | Irrigation/ Drainage: | Orchard Mesa Irrigation Orchard Mesa Drainage |
| | School: | District 51 |
| | Pest: | Grand River Mosquito |

Annexation/Site Location Map

Figure 1



Aerial Photo Map

Figure 2



**CITY OF GRAND JUNCTION, COLORADO
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 16th of June, 2008, the following Resolution was adopted:

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**

BURNETT ANNEXATION

LOCATED AT 2846 1/2 C ROAD AND PARTS OF THE C ROAD RIGHT-OF-WAY

WHEREAS, on the 5th day of May, 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:

BURNETT ANNEXATION

A certain parcel of land located in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) and the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of Section 19, Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Beginning at the Southeast corner of the SE 1/4 SW 1/4 of said Section 19 and assuming the South line of the SE 1/4 SW 1/4 of said Section 19 to bear N89°58'27"W with all bearings contained herein relative thereto; thence N89°58'27"W a distance of 192.80 feet along the South line of the SE 1/4 SW 1/4 of said Section 19; thence N00°01'33"E a distance of 152.00 feet; thence N89°58'27"W a distance of 127.00 feet to a point on the East line of Lot 2 of Broadview Subdivision, as same is recorded in Plat Book 7, Page 90, public records of Mesa County, Colorado; thence N00°01'33"E a distance of 102.95 feet along the East line of said Broadview Subdivision to the Southwest corner of Lot 3 of Scott Circle Subdivision, as same is recorded in Plat Book 13, Page 95, public records of Mesa County, Colorado; thence S89°58'27"E a distance of 172.00 feet along the South line of said Scott Circle Subdivision; thence S00°01'33"W a distance of 224.95 feet; thence S89°58'27"E a distance of 147.74 feet along a line being 30.00 feet North and parallel with the South line of the SE 1/4 SW 1/4 of said Section 19; thence S89°57'14"E a distance of 610.18 feet along a line being 30.00 feet North and parallel with the South line of the SW 1/4 SE 1/4 of said Section 19; thence S00°02'43"W a distance of 30.00 feet to a point on the South line of the SW 1/4 SE 1/4 of said Section 19; thence N89°57'14"W a distance of 610.16 feet along the South line of the SW 1/4 SE 1/4 of said Section 19 to the Point of Beginning

Said parcel contains 1.09 acres (47,313.97 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 16th day of June, 2008, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Public Works and Planning Department of the City.

ADOPTED the _____ day of _____, 2008.

Attest:

President of the Council

City Clerk

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

City Clerk

| <i>DATES PUBLISHED</i> |
|--------------------------------|
| Wednesday, May 7, 2008 |
| Wednesday, May 14, 2008 |
| Wednesday, May 21, 2008 |
| Wednesday, May 28, 2008 |

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

BURNETT ANNEXATION

APPROXIMATELY 1.09 ACRES

LOCATED AT 2846 1/2 C ROAD AND PARTS OF C ROAD RIGHT-OF-WAY

WHEREAS, on the 5th day of May, 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 16th day of June, 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:

BURNETT ANNEXATION

A certain parcel of land located in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) and the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of Section 19, Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Beginning at the Southeast corner of the SE 1/4 SW 1/4 of said Section 19 and assuming the South line of the SE 1/4 SW 1/4 of said Section 19 to bear N89°58'27"W with all bearings contained herein relative thereto; thence N89°58'27"W a distance of 192.80 feet along the South line of the SE 1/4 SW 1/4 of said Section 19; thence N00°01'33"E a distance of 152.00 feet; thence N89°58'27"W a distance of 127.00 feet to a point on the East line of Lot 2 of Broadview Subdivision, as same is recorded in Plat Book 7, Page 90, public records of Mesa County, Colorado; thence N00°01'33"E a

distance of 102.95 feet along the East line of said Broadview Subdivision to the Southwest corner of Lot 3 of Scott Circle Subdivision, as same is recorded in Plat Book 13, Page 95, public records of Mesa County, Colorado; thence S89°58'27"E a distance of 172.00 feet along the South line of said Scott Circle Subdivision; thence S00°01'33"W a distance of 224.95 feet; thence S89°58'27"E a distance of 147.74 feet along a line being 30.00 feet North and parallel with the South line of the SE 1/4 SW 1/4 of said Section 19; thence S89°57'14"E a distance of 610.18 feet along a line being 30.00 feet North and parallel with the South line of the SW 1/4 SE 1/4 of said Section 19; thence S00°02'43"W a distance of 30.00 feet to a point on the South line of the SW 1/4 SE 1/4 of said Section 19; thence N89°57'14"W a distance of 610.16 feet along the South line of the SW 1/4 SE 1/4 of said Section 19 to the Point of Beginning

Said parcel contains 1.09 acres (47,313.97 sq. ft.), more or less, as described.

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

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

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

Attest:

President of the Council

City Clerk

Attach 5

Setting a Hearing on Zoning the Apple Glen Annexation, Located at 2366 H Road

CITY OF GRAND JUNCTION

| CITY COUNCIL AGENDA | | | |
|-----------------------------------|---|----------|-------------------|
| Subject | Zoning the Apple Glen Annexation - Located at 2366 H Road | | |
| File # | ANX-2007-306 | | |
| Meeting Day, Date | Monday, May 5, 2008 | | |
| Placement on the Agenda | Consent | X | Individual |
| Date Prepared | March 18, 2008 | | |
| Author Name & Title | Justin T. Kopfman – Associate Planner | | |
| Presenter Name & Title | Justin T. Kopfman – Associate Planner | | |

Summary: Request to zone the 16.24 acre Apple Glen Annexation, located at 2366 H Road, to R-4 (Residential 4-du/ac).

Budget: N/A

Action Requested/Recommendation: Introduce a proposed Ordinance and set a public hearing for May 19, 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. 201 Persigo Boundary Map
5. Zoning Ordinance

Background Information: See attached Staff Report/Background Information

| STAFF REPORT / BACKGROUND INFORMATION | | | | |
|---------------------------------------|--------------|--|------------|-----------|
| Location: | | 2366 H Road | | |
| Applicants: | | Owner: Steven Hejl | | |
| Existing Land Use: | | Vacant/Residential | | |
| Proposed Land Use: | | Residential | | |
| Surrounding Land Use: | North | Residential | | |
| | South | Residential | | |
| | East | Residential | | |
| | West | School/Vacant | | |
| Existing Zoning: | | County RSF-R (Residential Single Family Rural) | | |
| Proposed Zoning: | | City R-4 (Residential 4 - du/ac) | | |
| Surrounding Zoning: | North | County AFT | | |
| | South | County RSF-R | | |
| | East | County RSF-R/AFT | | |
| | West | County RSF-R/AFT | | |
| Growth Plan Designation: | | Residential Medium Low | | |
| Zoning within density range? | | X | Yes | No |

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the R-4 (Residential 4 du/ac) zone district is consistent with the Growth Plan designation of Residential Medium Low. The existing County zoning is 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: Current growth trends in the Grand Valley the past few years could not anticipate the last revised Growth Plan when adopted. There was no way to predict the rapid residential growth of the Grand Valley nor the current energy related boom

and housing needs spawned thereby. Because of the issues stated above, I feel there is a need for a higher density in this area and R-4 (Residential 4-du/ac) is appropriate, adequate and reasonable; given existing infrastructure.

Because this property is located within the Persigo 201 sewer service urban boundary and has access to both water and sewer services (water and sewer are located in H Road), the Persigo agreement encourages urban development in this area to take advantage of this public infrastructure and to decrease the negative effects of urban sprawl.

- 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. An 8" sewer line is located in H Road with the capacity to service approximately 750 homes. Currently, use of this line is at less than 50% capacity. This availability of infrastructure, and the presumption of an urban residential character of this area created by the Persigo Agreement, constitutes a sufficient change in the character and condition of the area to warrant zoning this property to R-4 (Residential 4-du/ac).

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.

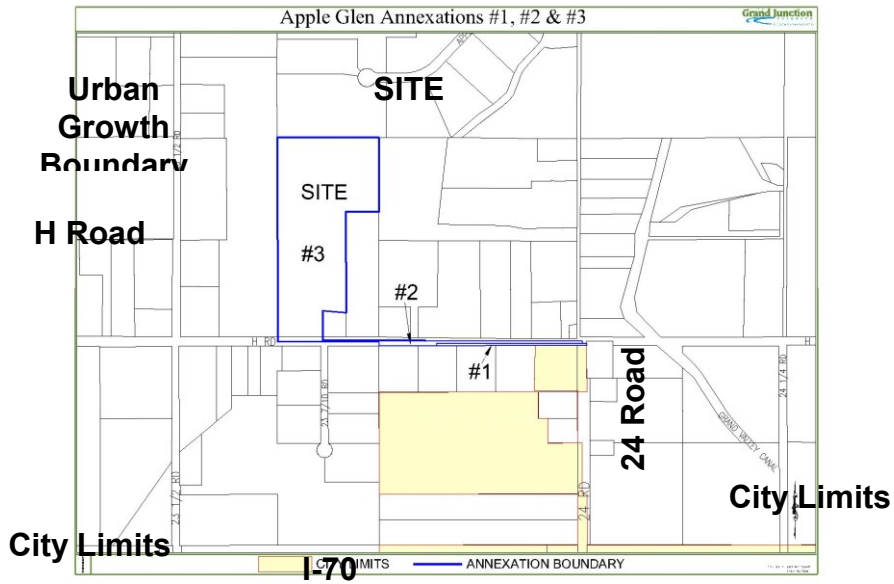
- a. R-2 (Residential 2-du/ac)

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 April 8, 2008, finding the zoning to the R-4 (Residential 4-du/ac) district to be consistent with the Growth Plan, RSF-R (Residential Single Family Rural) and Sections 2.6 and 2.14 of the Zoning and Development Code.

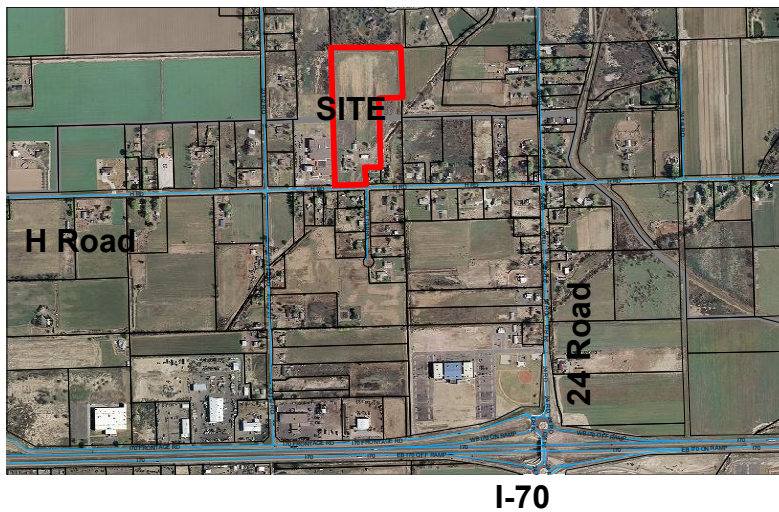
Site Location Map

Figure 1



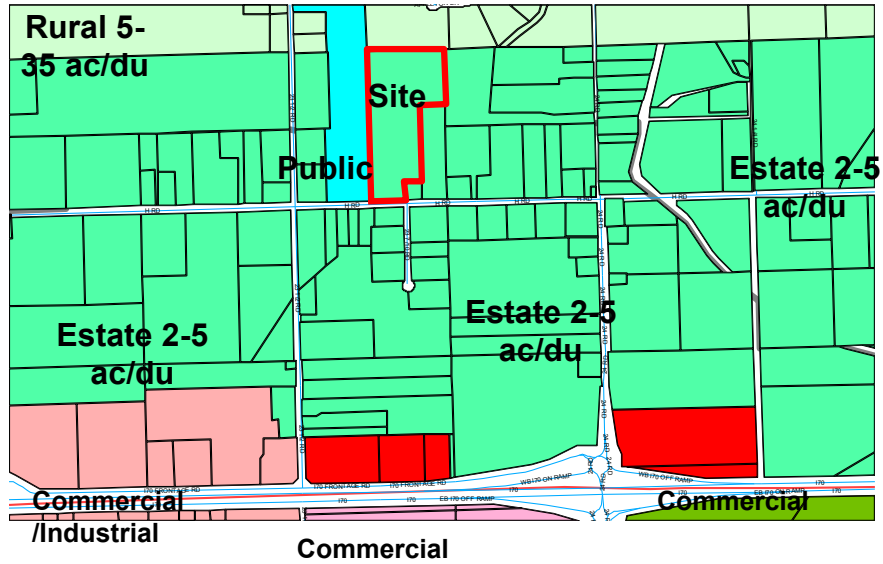
Aerial Photo Map

Figure 2



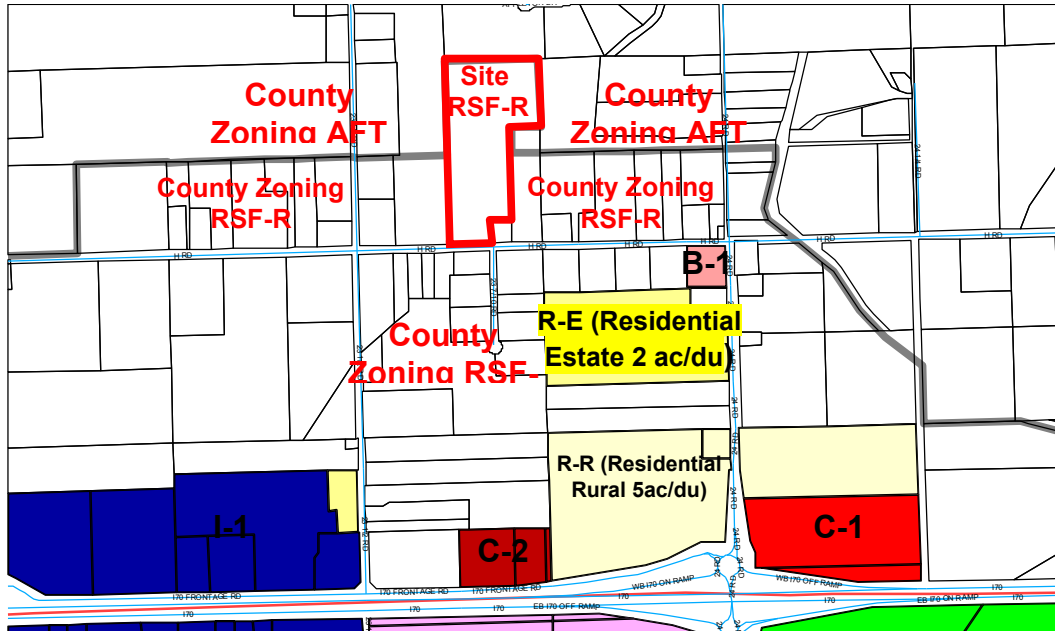
Future Land Use Map

Figure 3



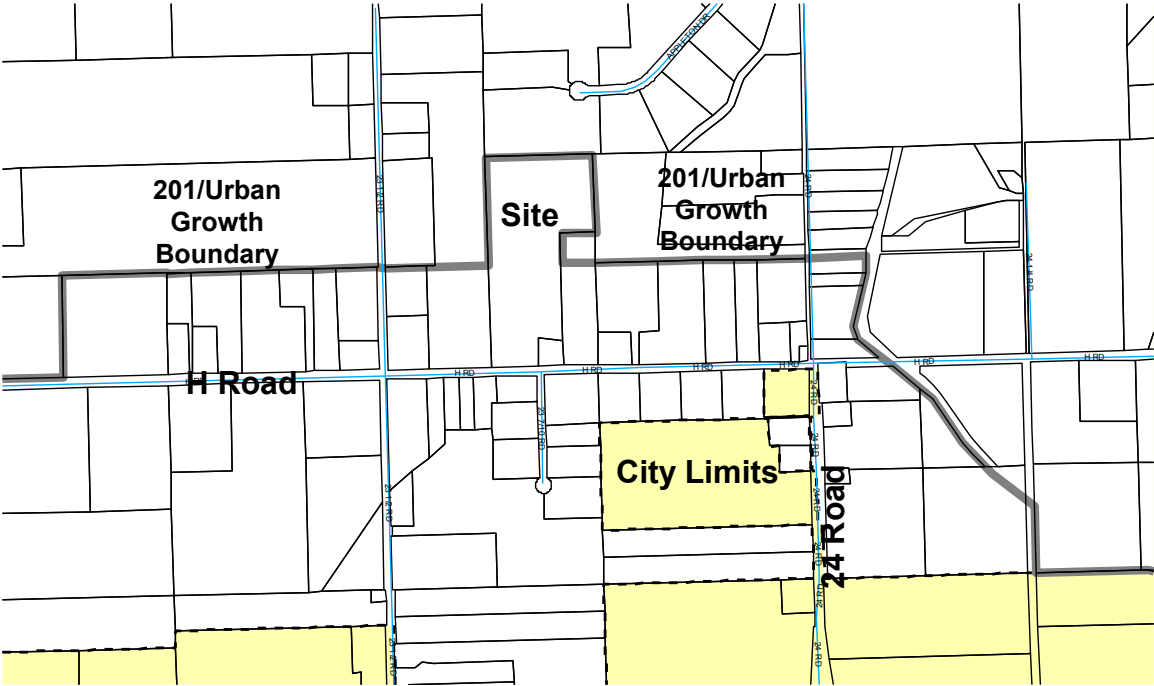
Existing City and County Zoning Map

Figure 4



201/Urban Growth Boundary Map

Figure 5



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

LOCATED AT 2366 H 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 Apple Glen Annexation to the R-4 (Residential 4-du/ac) zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

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

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

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

APPLE GLEN ANNEXATION

APPLE GLEN ANNEXATION NO. 1

A certain parcel of land lying in the Northeast Quarter Northeast Quarter (NE 1/4 NE 1/4) of Section 32 and the Northwest Quarter (NW 1/4) of Section 33, Township 1 North, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Northeast corner of said Section 32 and assuming the North line of the NE 1/4 NE 1/4 of said Section 32 bears S 89°58'27" E with all other bearings shown here on being relative thereto; thence from said Point of Commencement, S 00°02'59" W along the East line of the NE 1/4 NE 1/4 of said Section 32 a distance of 15.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, N 89°48'31" W along a line 15.00 feet South of and parallel with the North line of the NW

1/4 of said Section 33, a distance of 30.04 feet; thence S 00°11'29" W a distance of 15.00 feet; thence N 89°48'31" W along a line 30.00 feet South of and parallel with the

North line of the NW 1/4 of said Section 33 a distance of 30.00 feet to a point on the East line of the NE 1/4 NE 1/4 of said Section 32; thence N 89°58'27" W along the North

right of way for H Road, being a line 30.00 feet South of and parallel with the North line of the NE 1/4 NE 1/4 of said Section 32, a distance of 945.00 feet; thence N 00°01'33" E a distance of 15.00 feet; thence S 89°58'27" E along a line 15.00 feet South of and parallel with the North line of the NE 1/4 NE 1/4 of said Section 32, a distance of 945.01 feet, more or less, to the Point of Beginning.

CONTAINING 0.34 Acres or 14,625 Sq. Ft., more or less, as described.

AND

APPLE GLEN ANNEXATION NO. 2

A certain parcel of land lying in the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) and the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) of Section 32, Township 1 North, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northeast corner of said Section 32 and assuming the North line of the NE 1/4 NE 1/4 of said Section 32 bears S 89°58'27" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, S 00°02'59" W along the East line of the NE 1/4 NE 1/4 of said Section 32, a distance of 15.00 feet; thence N 89°58'27" W along a line 15.00 feet South of and parallel with the North line of the NE 1/4 NE 1/4 of said Section 32, a distance of 945.01 feet; thence S 00°01'33" W a distance of 15.00 feet; thence N 89°58'27" W along the South right of way for H Road, being a line 30.00 feet South of and parallel with the North line of the NE 1/4 NE 1/4 of said Section 32, a distance of 372.77 feet to a point on the West line of the NE 1/4 NE 1/4 of said Section 32; thence N 00°03'26" E along the West line of the NE 1/4 NE 1/4 of said Section 32, a distance of 25.00 feet; thence N 89°57'52" W along a line 5.00 feet South of and parallel with the North line of the NW 1/4 NE 1/4 of said Section 32, a distance of 658.88 feet; thence N 00°01'45" E a distance of 5.00 feet to a point on the North line of the NW 1/4 NE 1/4 of said Section 32; thence S 89°57'52" E along the North line of the NW 1/4 NE 1/4 of said Section 32, a distance of 658.88 feet to a point on the East line of the NW 1/4 NE 1/4 of said Section 32; thence S 89°58'27" E along the North line of the NE 1/4 NE 1/4 of said Section 32, a distance of 1317.77 feet, more or less, to the Point of Beginning.

CONTAINS 0.66 Acres or 28,652 Sq. Ft., more or less, as described.

AND

APPLE GLEN ANNEXATION NO. 3

A certain parcel of land lying in the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) and the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of

Section 29, Township 1 North, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southwest corner of the SE 1/4 SE 1/4 of said Section 29 and assuming the South line of the SE 1/4 SE 1/4 of said Section 29 bears S 89°58'27" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 89°57'52" W along the South line of the SW 1/4 SE 1/4 of said Section 29, a distance of 658.88 feet;

Thence N 00°01'45" E along the West line of that certain parcel of land described in Book 3871, Page 964, Public Records of Mesa County, Colorado, a distance of 1319.59 feet to a point on the North line of the SW 1/4 SE 1/4 of said Section 29; thence S 89°57'17" E along the North line of the SW 1/4 SE 1/4 of said Section 29, a distance of 659.48 feet to a point being the Northeast corner of the SW 1/4 SE 1/4 of said Section 29; thence S 00°03'19" W along the East line of the SW 1/4 SE 1/4 of said Section 29, a distance of 479.42 feet; thence N 89°57'43" W a distance of 214.97 feet to a point on the East line of that certain parcel of land described in Book 3871, Page 964, Public Records of Mesa County, Colorado; thence S 00°03'19" W along said East line, a distance of 655.12 feet; thence N 84°22'02" W a distance of 150.71 feet; thence S 00°03'19" W a distance of 194.65 feet; thence S 89°57'52" E along a line 5.00 feet North of and parallel with the South line of the SW 1/4 SE 1/4 of said Section 29, a distance of 364.97 feet to a point on the East line of the SW 1/4 SE 1/4 of said Section 29; thence S 89°58'27" E along a line 5.00 feet North of and parallel with the South line of the SE 1/4 SE 1/4 of said Section 29, a distance of 300.00 feet; thence S 00°01'233" W a distance of 5.00 feet; thence N 89°58'27" W along the South line of the SE 1/4 SE 1/4 of said Section 29, a distance of 300.00 feet, more or less, to the Point of Beginning.

CONTAINING 15.24 Acres or 663,702 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

Setting a Hearing on Zoning the Thorson Annexation, Located at 2872 D Road

CITY OF GRAND JUNCTION

| <i>CITY COUNCIL AGENDA</i> | | | |
|-----------------------------------|--|---|------------|
| Subject | Zoning the Thorson Annexation - Located at 2972 D Road | | |
| File # | ANX-2008-071 | | |
| Meeting Day, Date | Monday, May 5, 2008 | | |
| Placement on the Agenda | Consent | X | Individual |
| Date Prepared | April 14, 2008 | | |
| Author Name & Title | Brian Rusche – Senior Planner | | |
| Presenter Name & Title | Brian Rusche – Senior Planner | | |

Summary: Request to zone the 0.81 acre Thorson Annexation, located at 2972 D Road, to R-8 (Residential 8 du/ac).

Budget: N/A

Action Requested/Recommendation: Introduce a proposed Ordinance and set a public hearing for May 19, 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: | | 2972 D Road | | |
| Applicants: | | 2972 D Road, LLC – Ben Hill, manager | | |
| Existing Land Use: | | Single Family Residential | | |
| Proposed Land Use: | | Residential – to be incorporated into future subdivision | | |
| Surrounding Land Use: | North | Undeveloped Residential | | |
| | South | Agricultural with one single family residence | | |
| | East | Single Family Residential | | |
| | West | Undeveloped Residential | | |
| Existing Zoning: | | County RSF-R (Residential Single Family Rural 1du/5ac) | | |
| Proposed Zoning: | | City R-8 (Residential 8 du/ac) | | |
| Surrounding Zoning: | North | City R-8 (Residential 8 du/ac) | | |
| | South | City R-8 (Residential 8 du/ac) | | |
| | East | County RSF-R (Residential Single Family Rural 1du/5ac) | | |
| | West | City R-8 (Residential 8 du/ac) | | |
| Growth Plan Designation: | | Residential Medium (4-8 du/ac) | | |
| Zoning within density range? | X | Yes | | No |

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the R-8 (Residential 8 du/ac) district is consistent with the Growth Plan designation of Residential Medium (4-8 du/ac). The existing County zoning is RSF-R (Residential Single Family Rural 1du/5ac).

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. The request is consistent with the Growth Plan.

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 properties on the north and west are zoned R-8 and will be incorporated with the subject property into a future residential subdivision. The property to the south, across D Road, is also zoned R-8 and is anticipated to become a residential subdivision. An existing single-family residence at 2974 D Road sits on 0.672 acres east of the subject property and will remain in County RSF-R zoning. Further east is Westland Estates, zoned R-4.

The R-8 Zone is consistent with the Growth Plan designation of Residential Medium (4-8 du/ac), which is the prevalent land use designation north of D Road from 29 Road east to 32 Road. This designation was affirmed in the Pear Park Neighborhood Plan, adopted by the City in January 2005. Therefore, the proposed R-8 Zone is compatible with the neighborhood and conforms to and furthers the Growth Plan.

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

Response: The property will be incorporated into a larger residential subdivision. Adequate public facilities will be supplied at the time of further development of the property. There is an existing 8" Ute water line and an existing 8" sanitary sewer line in D Road adjacent to the property.

At the neighborhood meeting of March 4, 2008, concerns were expressed about the future subdivision being accessed solely through adjacent subdivisions (Westland Estates and Flintridge). Discussion of access onto D Road from the future subdivision, of which this property will be a part, will be a part of the subdivision process. The request to annex and zone the property does not determine access routes to and within a subdivision. Appropriate access to the development will need to be provided as part of the subdivision approval.

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

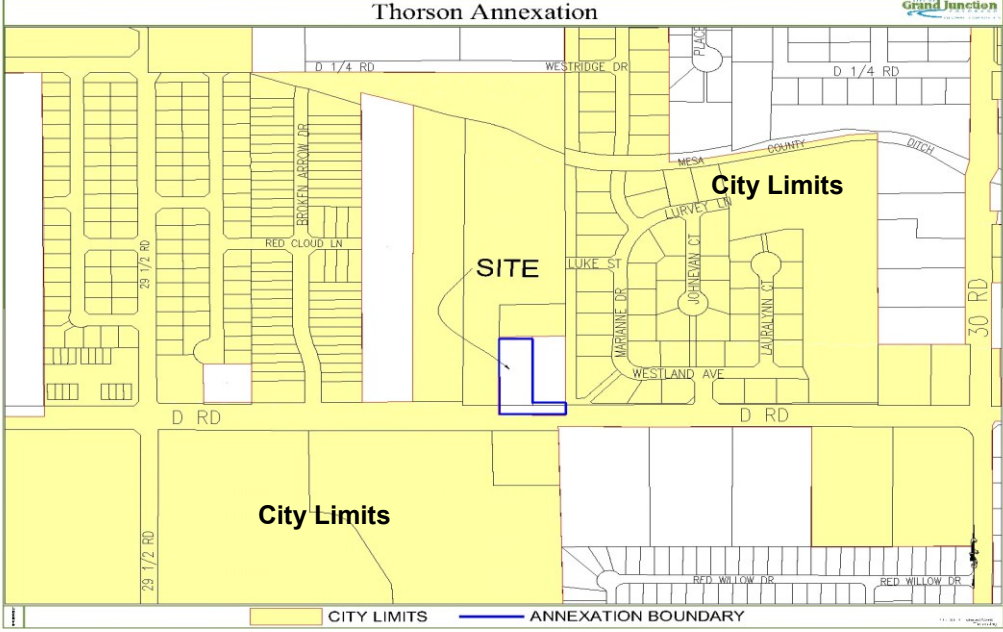
- b. R-4
- c. R-5

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

PLANNING COMMISSION RECOMMENDATION: On April 22, 2008 the Planning Commission recommended approval of the requested zone of annexation to the City Council, finding that zoning to the R-8 district to be consistent with the Growth Plan and Sections 2.6 and 2.14 of the Zoning and Development Code.

Annexation - Site Location Map

Figure 1



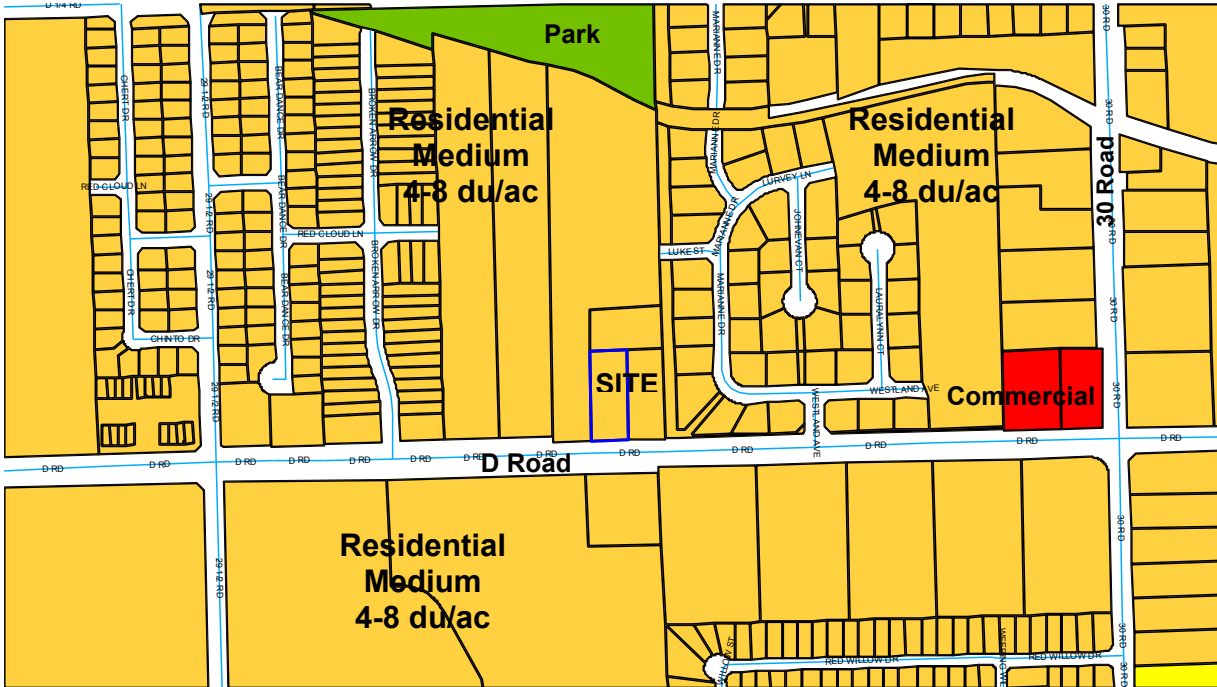
Aerial Photo Map

Figure 2



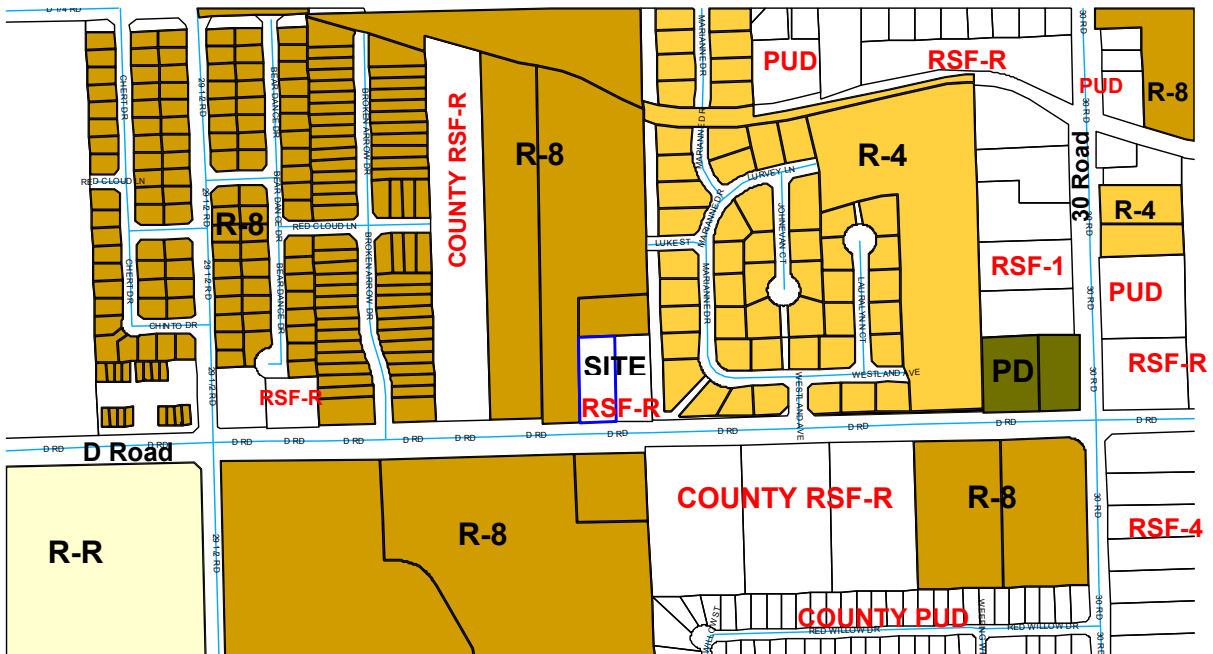
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

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

LOCATED AT 2972 D 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 Thorson Annexation to the R-8 (Residential 8 du/ac) zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the R-8 (Residential 8 du/ac) zone district is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

The following property be zoned R-8 (Residential 8 du/ac).

THORSON ANNEXATION

A certain parcel of land located in the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of Section 17, 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 the SW 1/4 SE 1/4 of said Section 17 and assuming the East line of the SW 1/4 SE 1/4 of said Section 17 to bear N00°01'01"W with all bearings contained herein relative thereto; thence N00°01'01"W a distance of 5.00 feet along the East line of the SW 1/4 SE 1/4 of said Section 17 to the Point of Beginning; thence S89°58'44"W a distance of 210.00 feet along a line being 5.00 feet North and parallel with the South line of the SW 1/4 SE 1/4 of said Section 17, said line also being the Northerly line of Parham Annexation, Ordinance No. 3349, City of Grand Junction; thence N00°01'01"W a distance of 290.00 feet along a line being the Easterly line of Costopoulos Annexation, Ordinance No. 4032, City of Grand Junction; thence N89°58'44"E a distance of 105.00 feet along a line being the Southerly line of said Costopoulos Annexation to the Northwest corner of that certain parcel of land described in Book 4183, Page 736, public records of Mesa County, Colorado; thence S00°01'01"E along the West line of said parcel of land a distance of 245.00 feet;

thence N89°58'44"E along the South line of said parcel of land a distance of 105.00 feet to a point on the East line of the SW 1/4 SE 1/4 of said Section 17, said point also being a point on the West line of Westland Estates Filing Two, as same is described in Plat Book 19, Pages 331 and 332, public records of Mesa County, Colorado; thence S00°01'01"E a distance of 45.00 feet along a line being the East line of the SW 1/4 SE 1/4 of said Section 17, said line also being the Westerly line of said Parham Annexation to the Point of Beginning.

Said parcel contains 0.81 acres (35,175.00 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 7

Setting a Hearing on Rezoning Property Known as the Cobble Creek Subdivision,
Located at 2524 F ½ Road

CITY OF GRAND JUNCTION

| CITY COUNCIL AGENDA | | | |
|-----------------------------------|--|----------|-------------------|
| Subject | Cobble Creek Subdivision Planned Development – Located at 2524 F ½ Road | | |
| File # | PP- 2007-169 | | |
| Meeting Day, Date | Monday, May 5, 2008 | | |
| Placement on the Agenda | Consent | X | Individual |
| Date Prepared | April 23, 2008 | | |
| Author Name & Title | Lori V. Bowers, Senior Planner | | |
| Presenter Name & Title | Lori V. Bowers, Senior Planner | | |

Summary: A request for approval to rezone property located at 2524 F ½ Road from R-R (Residential Rural) to PD (Planned Development) with a default zone of R-8 and an overall density of 4.00 du/ac by approval of the Preliminary Development Plan to develop 12 dwelling units on approximately 3 acres as a Planned Development.

Budget: N/A

Action Requested/Recommendation: Introduction of a Proposed Ordinance rezoning the property to Planned Development and set a public hearing for May 19, 2008.

Attachments:

1. Site Location Map / Aerial Photo Map
2. Future Land Use Map / Existing City and County Zoning Map
3. Applicant's response
4. Renderings of housing type
5. Example of setback variations
6. Preliminary Plan for subdivision
7. Planned Development Ordinance

Background Information: attached

| BACKGROUND INFORMATION | | | | | |
|-------------------------------|-------|--|-----|--|----|
| Location: | | 2524 F ½ Road | | | |
| Applicants: | | Owner: Divine Guidance, LLC. Representative: Development Construction Services. | | | |
| Existing Land Use: | | Single family residential | | | |
| Proposed Land Use: | | Residential subdivision | | | |
| Surrounding Land Use: | North | Valley Meadows West Subdivision | | | |
| | South | Western Colorado Community College and Qwest | | | |
| | East | Westwood Ranch Subdivision | | | |
| | West | Diamond Ridge Subdivision | | | |
| Existing Zoning: | | R-R (Residential – Rural, 1 unit per 5 acres) | | | |
| Proposed Zoning: | | PD (Planned Development – 4 units per ac) | | | |
| Surrounding Zoning: | North | PD (Planned Development – 2.7 du/ac) | | | |
| | South | I-O (Industrial / office park) | | | |
| | East | PD (Planned Development – 4.3 du/ac) | | | |
| | West | PD (Planned Development – 4.2 du/ac) | | | |
| Growth Plan Designation: | | RM (Residential Medium 4 – 8) | | | |
| Zoning within density range? | | X | Yes | | No |

STAFF ANALYSIS:

Background

On March 25, 2008, the Planning Commission reviewed the Cobble Creek Planned Development. There was considerable discussion and public testimony presented during the Public Hearing. The Planning Commission remanded the applicant to go back and further refine their plan, considering the comments and suggestions provided by the neighbors and the Commission. This report has been modified to reflect the changes now proposed by the applicant.

The property was annexed into the City in 2000 as part of the Clark/Wilson Enclave. It is a long narrow lot; approximately 120 feet wide by 1300 feet in length. The site is bounded on the west by Diamond Ridge Subdivision, Filing Two, and on the east by Westwood Ranch, Filing Two. Valley Meadows West is directly north. The property

has direct access to F ½ Road. The northeastern portion of the side bordering the existing irrigation canal is labeled as Tract C and also described on the plan as "Title in Dispute."

The City Attorney's office opines, based on a review of the conveyance documents in the chain of title and Colorado case law interpreting boundaries defined by waterways, that the land is owned to the centerline of the canal by the Applicant. Grand Valley Irrigation Company (hereinafter GVIC), however, has asserted that it owns the canal bed and seventy-five feet of land on both sides of the canal in fee simple, based on a 1890 water deed reserving a "right-of-way" for canal maintenance. According to the City Attorney's office, this document creates nothing more than an easement in favor of GVIC and does not create fee simple ownership. Tract C has been included in the proposed subdivision's open space, connecting to open space provided by adjacent subdivisions. Although no development, structures or trails are currently shown in this area, a future pedestrian trail connection may be made through Tract C, depending upon the resolution or compromise of the title dispute. At this time, the public pedestrian trail easement required by the Urban Trails Master Plan is dedicated outside the 75 foot disputed area.

Although the Applicant is not seeking incentives to develop under the "Infill and Redevelopment" program, this land certainly is a classic infill project. The parcel is bordered on all sides by development that has occurred within the last 10 years. All utilities and street access are available immediately adjacent to the parcel. Generally, infill sites are vacant because they were considered of insufficient size for development, because an existing building located on the site was demolished, or because there were other more desirable or less costly sites for development. This site houses a mobile home, which will be removed prior to the final plat being recorded. The subdivisions on either side of the proposed development never stubbed a street for access to this linear parcel so the site is left to have a roadway along one side and lots on the other side. Due to the size and shape of the parcel and the fact that it is difficult to develop and still meet the minimum density required by the Growth Plan, a planned development zoning provides the best options for development of this currently under utilized property.

A pre-application conference was held in December of 2006 regarding this proposal. In March of 2007 a petition was presented to the City Planning Department signed by twenty-two neighbors opposing a change in zoning for the property. Other letters were received in opposition to the project after the neighborhood meeting was held. Since March of 2007, twelve additional letters of opposition have been submitted to the City. Copies of these letters are available for review in the project file. As mentioned above, on March 25th, numerous people spoke during the Public Hearing. Attached to this report is the applicant's response to their concerns.

Density

The Growth Plan designates this property as Residential Medium (4 to 8 du/ac). The Applicant is proposing to subdivide the site into 12 lots as part of a Planned Development with a default zone of R-8. If approved, the overall density of 4 dwelling units per acre is consistent with the Growth Plan designation of Residential Medium. The densities of adjacent subdivisions are Diamond Ridge to the west with a density of 4.2 units per acre and Westwood Ranch to the east at a density of 4.3 units per acre.

Access

Due to the linear shape of the lot and the fact that neither subdivision to the east or west provided a stub street for future access to this site, there is only one access from F ½ Road into the subdivision. Currently the plat shows a 26 foot by 26 foot triangle that must be acquired from the property to the west (located at the northwest corner of the intersection between Cobblestone Way and F ½ Road) for the installation of the curb return. This 26 foot triangle is required to allow Cobblestone Way to meet the Transportation Engineering Design Standards (TEDS). The adjoining property owner has submitted a letter of intent but the property but does not want to transfer the property until the proposed development has been approved.

Road Design

The Applicant requested 4 TEDS exceptions.

1. Non-standard curb return and handicap ramp design on the west side of the subdivision entrance.
2. Extend length of cul-de-sac to 913 feet.
3. Reduce spacing between subdivision entrance and access on opposite side of F ½ Road from 150 feet to 140.86 feet.
4. Reduce spacing between subdivision entrance and adjacent access to the west from 150 feet to 112.18 feet.

The TEDS Exception Committee denied request 1 and approved requests 2, 3 and 4.

The proposed residential street will have twenty-eight feet of asphalt with a landscaping strip along the west side and a sidewalk along the residential east side of the street. A cul-de-sac terminates the street on the northern end. There is no need for future connections to adjacent properties as the property is bounded on three sides by existing subdivisions. The landscape strip along the west side of the street will be owned and maintained by the Home Owners Association.

Open Space / Park

Tract B is located adjacent to open space previously dedicated by the adjacent subdivisions of Westwood Ranch and Diamond Ridge. The Applicant is proposing that this 15-foot wide Tract which will provide for future trail connections in this area be dedicated to the City of Grand Junction.

Lot Layout

Due to the shape of the parcel the lot layout is linear and has been designed for single-family detached dwellings. The minimum lot size is 4,971 square feet and the largest lot is 6,701 square feet in size. The default zoning of R-8 allows for a minimum lot size of 4,000 square feet. All of the lots exceed the minimum lot width of 40 feet. The applicant's are now proposing through the PD Ordinance to increase the rear setback to 15-feet, and the front setback to 15-feet. Some garages will be recessed to maintain a 20-foot depth from the property line, while others will be flush with the house, with a 15-foot setback. Single story homes are proposed and will become part of the PD Ordinance.

Landscaping

A landscaped strip (Tract C) will be provided along the west side of Cobblestone Way adjacent to the Diamond Ridge Subdivision, the distance from north to south to Lot 4. Privacy fencing currently exists in the rear yards of the lots located in the Diamond Ridge Subdivision adjacent Tract C. The landscaping will add an additional buffer to the subdivision to the west. Tract A is a required detention pond that will be landscaped and give the appearance as an entryway for the subdivision. The open space area at the far northern end of the subdivision (Tract D) will also be landscaped. Tracts A, C and D will be conveyed to and maintained by the Home Owners Association.

STANDARDS AND CRITERIA

Consistency with the review criteria of Section 2.6 A. of the Zoning and Development Code.

A request to rezone property must only occur if:

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

It is unknown if the existing zoning on the parcel was an error at the time the property was annexed into the City or if it honored the existing County zoning at the time of annexation. What is known is that the current zoning does not meet the requirements of the Growth Plan and to re-develop this parcel requires a rezone, concurrent with the Future Land Use Map designation of Residential Medium. The Applicants request the zoning designation of PD (Planned Development) with a default zoning

designation of R-8. The Applicants wish to stress the point that their density will be at 4 dwelling units per acre, not 8.

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

The character of the neighborhood to the east and west is residential with an approximate density of 4.3 dwelling units per acre. Therefore the proposed development is consistent with the neighborhood.

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

The Growth Plan designates this property as Residential Medium (4 to 8 du/ac). The Applicant is proposing to subdivide the site at a density of 4 dwelling units per acre. Therefore this proposal is consistent with the Growth Plan.

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

All public facilities and services are currently available and can be extended through the subdivision to meet the impacts of the Planned Development.

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

Due to the growth demands currently being experienced in Grand Junction, there is little need for R-R zoned land and a much greater need for land allowing higher residential densities. Therefore the supply of comparably zoned land is inadequate to accommodate the community's needs.

6. The community will benefit from the proposed zone.

The community will benefit from the proposed zoning by providing a density that is compatible the surrounding developments.

Consistency with the review criteria of Section 2.12.C.2. of the Zoning and Development Code.

A preliminary development plan application shall demonstrate conformance with all of the following:

1. The ODP review criteria in Section 2.12.B;

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

The Growth Plan designates this property as Residential Medium (4 to 8 du/ac). The Applicant is proposing to subdivide the site at a density of 4 dwelling units per acre. Therefore this proposal is consistent with the Growth Plan. There are no major streets associated with this proposal and the property does not lie within an area of the City identified in a special area plan. Therefore the request meets all applicable plans and policies.

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

The proposed development meets the criteria provided in Section 2.6 of the Zoning and Development Code.

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

The proposed development meets the requirements of Chapter Five. The Applicant is proposing approximately .74 acres (32,560 square feet) of open space equaling approximately 24.9% of the overall site. The parcel is currently surrounded by existing privacy fences from the adjacent subdivisions therefore no additional privacy fencing is required. The proposed development is compatible to the adjacent subdivisions. The landscaping shall be required on all tracts and shall meet the requirements of Chapter Six. Off-street parking will meet the Code requirements of two spaces per dwelling unit. Based on approval of the TEDS exceptions, the proposed street will meet the remaining standards when the 26 foot triangle located west of the intersection is dedicated.

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

There are no applicable corridor guidelines or overlay districts that cover this property.

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

All public services and facilities are currently available. Multi-purpose easements are shown on the preliminary development plan that will provide adequate room for the extension of the existing facilities.

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

There is adequate circulation to serve the subdivision.

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

Typically, residential zones abutting residential zones do not require additional buffering or screening. However, the Applicant is proposing additional landscaping along the western side of Cobblestone Way providing additional buffering to the adjacent properties to the west.

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

The entire property will be developed at a gross density of 4 dwelling units per acre.

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

A default zone of R-8 is proposed, with a modification of the rear and front setbacks to 15 feet. Only single story structures will be allowed. Minimum lot sizes remain above the bulk standard requirement of 4,000 square feet.

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

The property will be developed in one phase.

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

The property is less than 20 acres in size. Section 5.4.E. of the Zoning and Development Code calls for a minimum of five acres for a planned development unless the Planning Commission

recommends, and the City Council finds that a smaller site is appropriate for the development as a PD.

2. The applicable preliminary subdivision plan criteria in Section 2.8.B;

A preliminary plat can only be approved when it is in compliance with all of the following:

- a. The Growth Plan, Grand Valley Circulation Plan, Urban Trails Plan and other adopted plans.

The Growth Plan for this area is Residential Medium, 4 to 8 du/ac. With the existing zoning at R-R, a rezone must take place to develop the property in compliance with the Growth Plan. The zoning designation of PD may apply when a unique single-use project is desired and is not available through application of the standards established in Chapter Three. There are no major streets associated with this proposal and the property does not lie within an area of the City identified in a special area plan. Therefore the request meets applicable plans and policies.

- b. The Subdivision standards Chapter Six.

All of the subdivision standards have been met.

- c. The Zoning standards contained in Chapter Three.

The Zoning standards found in Chapter 3 have been met.

- d. Other standards and requirements of the Zoning and Development Code and all other City policies and regulations.

Standards of the Zoning and Development Code have been met as well as the requirements for the Transportation Engineering Design Standards (TEDS).

- e. Adequate public facilities and services will be available concurrent with the subdivision.

Adequate public facilities and service are available and are adequate to the subdivision.

- f. The project will have little or no adverse or negative impacts upon the natural or social environment.

The proposed subdivision, with detached single-family dwellings, will have no adverse or negative impacts on the natural or social.

- g. Compatibility with existing and proposed development on adjacent properties.

The subdivision will provide single-family detached housing, therefore making it compatible with the adjacent subdivisions.

- h. Adjacent agricultural property and land uses will not be harmed.

There are no adjacent agricultural lands.

- i. Is neither piecemeal development nor premature development of agricultural land or other unique areas.

This is an infill property, therefore it is not premature.

- j. There is adequate land to dedicate for provision of public services.

The preliminary development plan shows that there is adequate room for easements for all public services that will be provided for the development of this subdivision.

- k. This project will not cause an undue burden on the City for maintenance or improvement of land and/or facilities.

The project will not cause an undue burden on the City as all open space areas and detention pond will be conveyed to and maintained by the Home Owners Association.

- 3. The applicable site plan review criteria in Section 2.2.D.4;

Site plan review criteria is not applicable to this project, only the subdivision criteria that was addressed above applies.

- 4. The approved ODP, if applicable;

There is no ODP, therefore this is not applicable.

- 5. The approved PD rezoning ordinance, if adopted with an ODP;

Not applicable. There is no approved ODP.

6. An appropriate, specific density for all areas included in the preliminary plan approval;

Due to the small size of this parcel, the density of 4 dwelling units per acre is for the entire site.

7. The area of the plan is at least five (5) acres in size or as specified in an applicable approved ODP.

The property is less than 5 acres in size. Section 5.4.E. of the Zoning and Development Code calls for a minimum of five acres for a planned development unless the Planning Commission recommends, and the City Council finds that a smaller site is appropriate for the development as a PD.

Long-Term Community Benefit

The intent and purpose of the PD zone is to provide flexibility not available through strict application and interpretation of the standards established in Chapter 3 of the Code. The Code also states that PD zoning should be used only when long-term community benefits, which may be achieved through high quality planned development, will be derived. Long-term benefits include, but are not limited to:

1. More effective infrastructure;
2. Reduced traffic demands;
3. A greater quality and quantity of public and/or private open space;
4. Other recreational amenities;
5. Needed housing types and/or mix;
6. Innovative design;
7. Protection and/or preservation of natural resources, habitat areas and natural features; and/or Public art.

The following are the community benefits as identified by the Applicant:

1. A more effective use of existing utilities, streets and sidewalks (infrastructure), with an intensity of development similar to adjacent neighborhoods.
2. The PD zoning allows for the Applicant to commit to a site layout with single family home lots that compliment the size and value of those adjacent subdivisions, thus satisfying concerns expressed by neighbors NOT wanting multifamily housing with detached single story homes.

3. The location of this property and adjacency to the mall, other planned shopping areas and a hospital expansion allow for reduced traffic demands.
4. The PD zoning layout provided allows the Applicants to provide a native open space on the north end of the property, which allows a walking connection with a trail access from the west via Diamond Ridge subdivision and adjacency to an existing open space in Westwood Ranch Subdivision to the east.
5. Cobble Creek Subdivision will have .807 acres of open space or 24.9%. The required open space for a development this size (3.247 acres) per Chapter 6.3.B of the Zoning Code is 10% or .3247 of an acre. Cobble Creek will have more than 1 ½ times the required open space. The maximum amount of open space on all surrounding subdivision is 13.91% in Westwood Ranch filing #1, #A & #2. The average % of open space on all surrounding subdivisions is 8.14%. The Cobble Creek Development % of open space is more than one and two-thirds that all surrounding subdivision. This information was taken from the recorded plats for these developments. The percentage of open space provided in this is a public benefit to the project.
6. Though the narrowness of the lot has led staff to allow for reduced street widths the Applicants have worked with elements of the PD design to leave full size streets with sidewalk on one side), to allow for recreational uses of walking, strolling children in buggies, movement of wheel chairs from homes to open space, etc. without having to be in the street.
7. A needed type of housing has been provided by the use of the PD zoning of the property and the site plan design allowed by the PD. This includes lesser setbacks for the front yard and larger setbacks for the back yard, than that of the straight zone. This will implement smaller yards, yet shared open space. Research by the owners shows a need for senior and less mobile housing users. This allows the Applicants to provide a need for reasonably priced homes for retired and working couples, which allow for them to own a single family home on their own lot, with a minimal size yard. This public benefit has the Applicants more closely reviewing builder home layouts that are innovative, providing efficient storage areas, green spaces and allow for some units to be fully accessible for a number of needs.
8. The PD zoning encourages preservation of natural features, which encourages the Applicants to protect the native open space at the north end of the site, where birds, squirrels and other native animals live near the canal.

The proposed development has met the following long-term community benefits:

1. More effective infrastructure;
2. A greater quality and quantity of public and/or private open space;
3. Needed housing types and/or mix; and

4. Innovative design.

FINDINGS, CONCLUSIONS AND CONDITIONS:

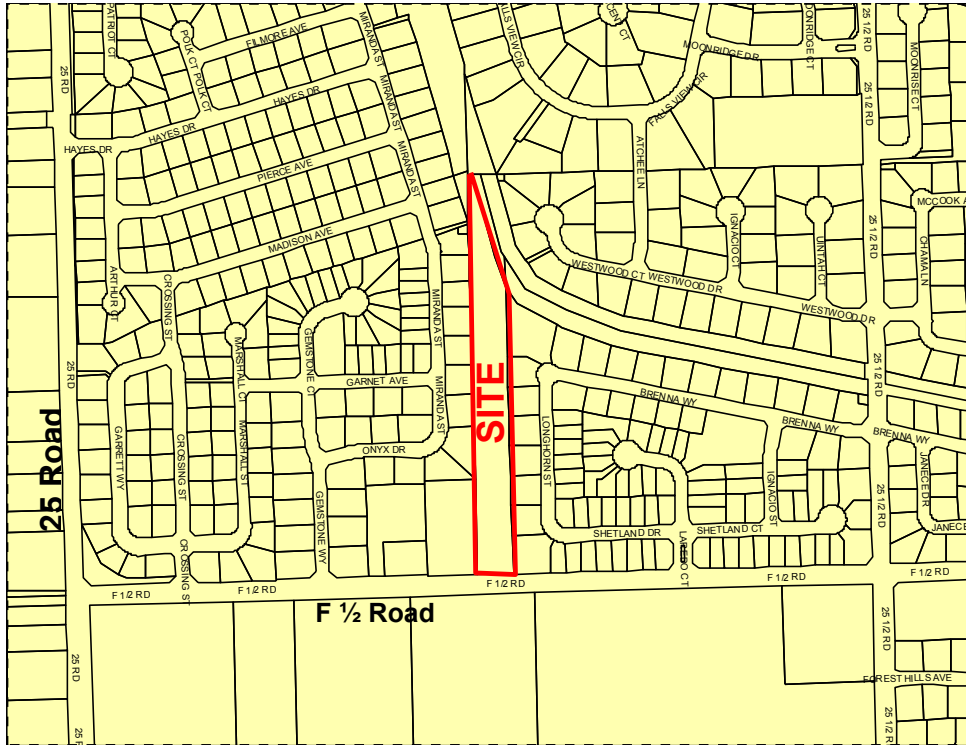
After reviewing the Cobble Creek Planned Development application, PP-2007-169, for a rezone to PD, I make the following findings of fact, conclusions and conditions:

1. The requested rezone is consistent with the Growth Plan.
2. The review criteria of Section 2.6.A. of the Zoning and Development Code have been met.
3. The review criteria of Section 2.12.C.2. of the Zoning and Development Code have been met.
4. The proposed development provides long-term community benefits above and beyond those required to mitigate the impacts of development and complies with Chapter 5 of the Zoning and Development Code.
5. Prior to final plat approval, a 26 foot by 26 foot triangle must be acquired from the property to the west for the installation of the curb return to allow Cobblestone Way to meet the Transportation Engineering Design Standards.

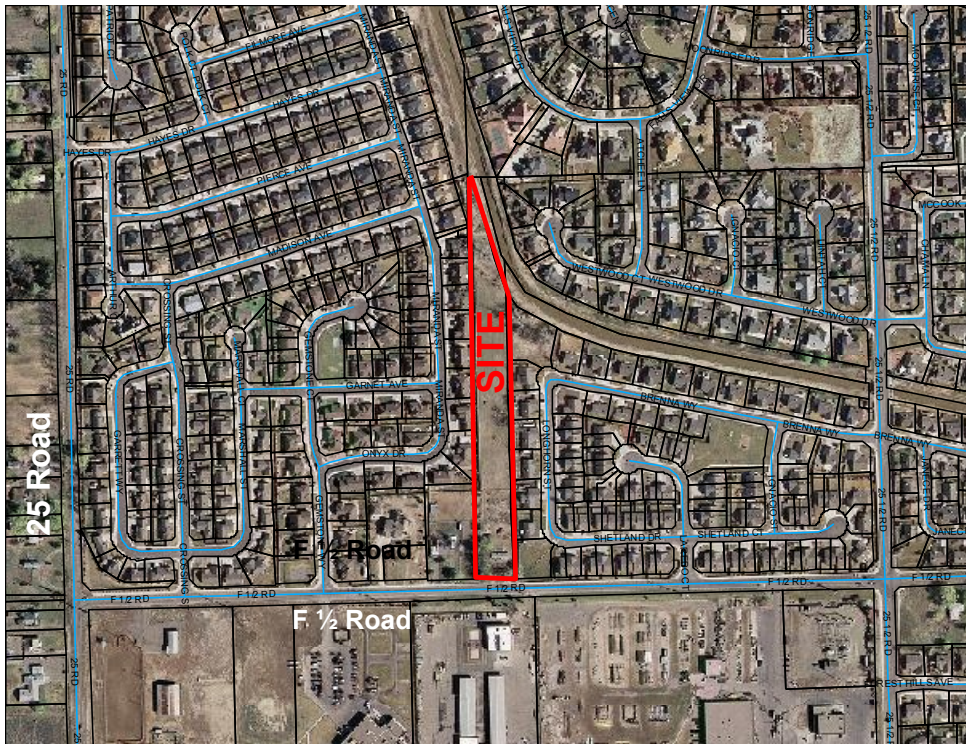
PLANNING COMMISSION RECOMMENDATION:

At their regularly scheduled meeting of April 22, 2008; the Planning Commission forwards a recommendation of approval to the City Council, for the requested rezone from R-R to PD and approval of the Preliminary Development Plan for Cobble Creek Subdivision, file number PP-2007-469, with the findings, conclusions and conditions as listed in the Staff Report.

Site Location Map

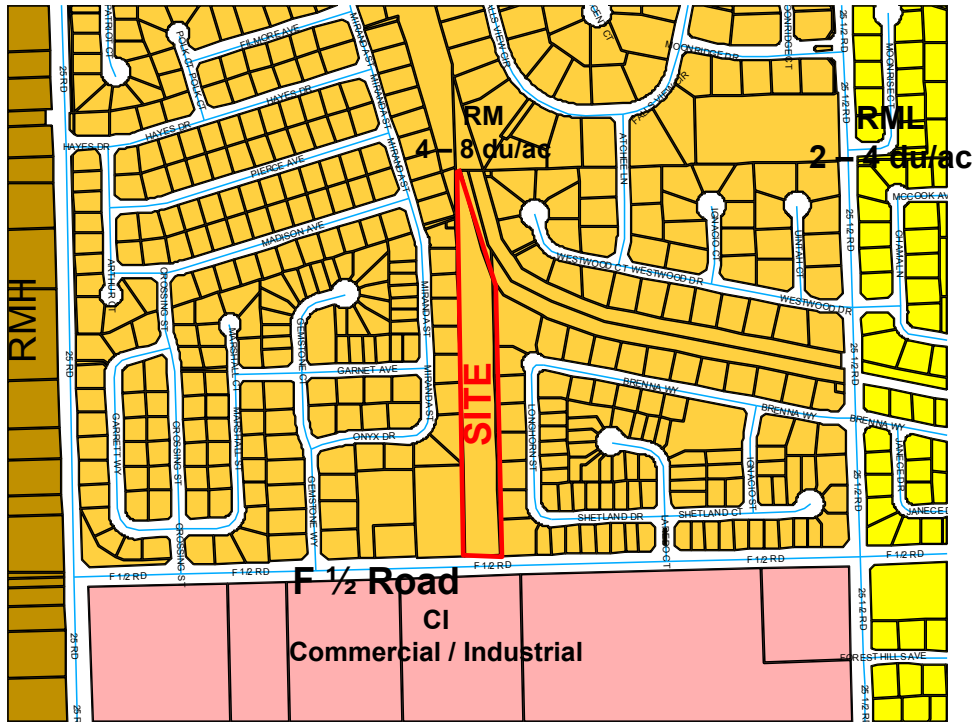


Aerial Photo Map



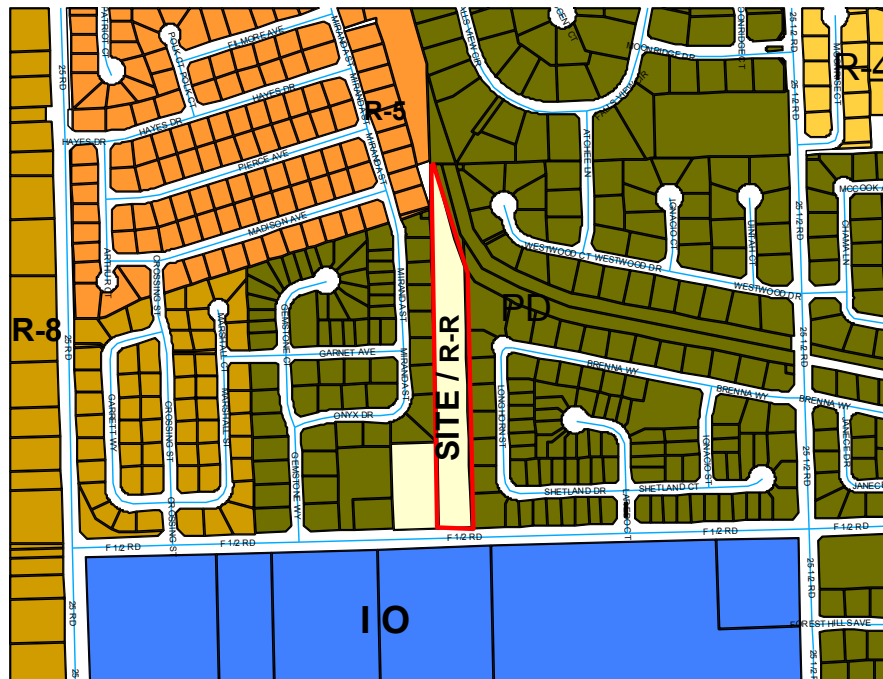
Future Land Use Map

2524 F 1/2 Road



Existing City and County Zoning

2524 F 1/2 Road



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."

**General Project Report
Response to Planning Commission Comments of March 25, 2008**

Cobble Creek Subdivision

2524 F ½ Road, Grand Junction, Colorado

Planned Development

- A. General Project Description** – This is a request for a Planned Development for City of Grand Junction Plan file #PP-2007-169 for Parcel No. 2945-032-00-118, which consists of 3.002 acres, into 12 separate lots from the south to the north to be used for single family residential homes. The parcel is zoned RSF-R with a future land use of residential medium. We also propose to rezone this land from RSF-R to Planned Development (PD) combining design elements from other zones.
- B. Response to Planning Commission Comments of March 25, 2008** – In response to concerns expressed from the neighbors and direction given by the planning commission, the owners (Divine Guidance, LLC) of the project – Cobble Creek Subdivision – respectfully clarify their intentions and would like to provide drawings and sketches to support their design modifications.
- 1) Changes to the building setbacks have been proposed with the rear set back moving forward 5 feet and the front set back moving forward 5 feet. Thus giving the same depth and size of building envelope, but providing additional distance from the rear property line to the closest portion of the building/home. See the attached sketch, with the PD setbacks to be the newly revised setbacks for the subdivision (Exhibit A attached.).
 - 2) Houses will be designed to include some houses flush with the set backs and others where the garages recessed or a portion of the front façade recessed. See the second attachment showing a rendered site plan with conceptual layouts of homes on lots with the revised setbacks. (Exhibit B attached.)
 - 3) Building Elevations have been provided with a couple of possible designs for the homes. These show that all the homes are designed with single story or ranch plan layout. To satisfy concerns by the neighbors Divine Guidance LLC is willing to place a requirement for single story homes with in the Development Guidelines for the subdivision and will assure all homes are built following this requirement for single story homes – ONLY. (Exhibit C attached.)
 - 4) Other clarifications include –
 - A.) Verification that the green space along the western boundary of the subdivision is 6' of green space behind the curb. This green space will extend from the northern boundary of the subdivision to a point where the sidewalk curves back in to allow for walking access along the entrance off of F-1/2 Road (across from lot 4).
 - B.) In response to concerns from neighbors that artwork will not be maintained, the owners have agreed to remove the proposed art work at the detention area on the south side of the property.

We appreciate the opportunity to address the concerns that were referred back to us from the March 25 meeting and trust that with these modifications and additional information we will gain Planning Commissions full support to move forward with the project.

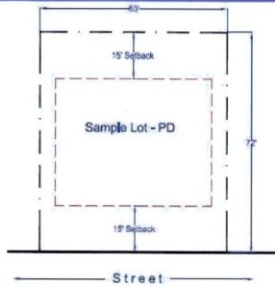


COBBLE CREEK
HOME ELEVATIONS

F 1/2 Rd.

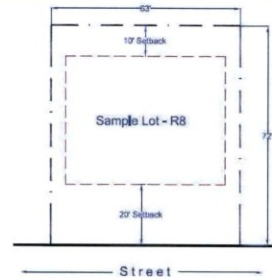


Cobble Creek Design Comparison: Proposed PD to R-8 standards



Proposed PD Bulk Requirements

| | |
|--------------|----------|
| Lot Area | 4,000 sf |
| Lot Coverage | 70% |
| Front Yard | 15' |
| Side Yard | 5' |
| Rear Yard | 15' |



Current R8 Bulk Requirements

| | |
|--------------|----------|
| Lot Area | 4,000 sf |
| Lot Coverage | 70% |
| Front Yard | 20' |
| Side Yard | 5' |
| Rear Yard | 10' |

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE REZONING THE COBBLE CREEK SUBDIVISION FROM R-R (RESIDENTIAL RURAL) TO PD (PLANNED DEVELOPMENT) ZONE BY APPROVING A PRELIMINARY DEVELOPMENT PLAN WITH A DEFAULT R-8 (RESIDENTIAL – 8) ZONE, WITH DEVIATIONS, FOR THE DEVELOPMENT OF 12 SINGLE-FAMILY DETACHED DWELLING UNITS, LOCATED AT 2524 F 1/2 ROAD

Recitals:

A request for a rezone from R-R (Residential – Rural, 1 dwelling unit per 5 acres) to PD (Planned Development) on approximately 3.0 acres by approval of a Preliminary Development Plan (Plan) with a default R-8 zone, with deviations, has been submitted in accordance with the Zoning and Development Code (Code).

This Planned Development zoning ordinance will establish the standards, default zoning (R-8) and deviations and adopt the Preliminary Development Plan for Cobble Creek Subdivision. If this approval expires or becomes invalid for any reason, the property shall be fully subject to the default standards of the R-8 zone district.

In public hearings, the Planning Commission and City Council reviewed the request for the proposed Preliminary Development Plan approval and determined that the Plan satisfied the criteria of the Code and is consistent with the purpose and intent of the Growth Plan. Furthermore, it was determined that the proposed Plan has achieved “long-term community benefits” by proposing more effective infrastructure, a greater quantity of public open space, needed housing types and innovative design.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE AREA DESCRIBED BELOW IS REZONED TO PLANNED DEVELOPMENT WITH THE FOLLOWING STANDARDS, DEFAULT ZONE AND DEVIATIONS:

- A. Beginning at the SW corner of the SE 1/4 NW 1/4 of Section 3 T1S R1W of the Ute Meridian, thence East 116 ft, thence North to the right of way of the Grand Valley Irrigation Canal, thence Northerly along the West right of way line of said Canal to the North boundary line of the said SE 1/4 NW 1/4, thence West to the West boundary line of the said SE 1/4 NW 1/4, thence South to the Point of Beginning;

EXCEPTING THEREFROM those portions thereof conveyed to the City of Grand Junction for Public Roadway and Utilities Right-of-Way purposes by instruments recorded March 22, 2001 in Book at Pages 451 and 453, Mesa County, Colorado.

Also known by the street and number as 2524 F 1/2 Road, Grand Junction, Colorado 81505.

Said parcel contains 3.002 acres more or less.

- B. Cobble Creek Subdivision Preliminary Development Plan is approved with the Findings of Facts, Conclusions and Conditions listed in the Staff Presentations dated May 5, 2008 and May 19, 2008 including attachments and Exhibits.
- C. The default zoning will be R-8 with the following deviations:
 - a. Minimum front yard setbacks shall be 15 feet;
 - b. Minimum rear yard setbacks shall be 15 feet;
 - c. All structures shall be limited to a single story.

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

ADOPTED on second reading this _____ day of _____ 2008.

President of the Council

ATTEST:

Stephanie Tuin
City Clerk

Attach 8

Public Hearing – Carter Page Annexation and Zoning, Located at 2793 D Road

CITY OF GRAND JUNCTION

| CITY COUNCIL AGENDA | | | |
|-----------------------------------|---|--|---------------------|
| Subject | Carter-Page Annexation - Located at 2793 D Road | | |
| File # | ANX-2008-046 | | |
| Meeting Day, Date | Monday, May 5, 2008 | | |
| Placement on the Agenda | Consent | | Individual X |
| Date Prepared | April 16, 2008 | | |
| Author Name & Title | Senta L. Costello – Associate Planner | | |
| Presenter Name & Title | Senta L. Costello – Associate Planner | | |

Summary: Request to annex and zone 6.29 acres, located at 2793 D Road, to I-2. The Carter-Page Annexation consists of 1 parcel and includes a portion of the D Road right-of-way.

Budget: N/A

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

Attachments:

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

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION

| | | | |
|-------------------------------------|--------------|---|----|
| Location: | | 2793 D Road | |
| Applicants: | | Owners: Carter Holdings Inc/LW Page Holdings Inc – Corey Carter Representative: Vortex Engineering – Robert W Jones II | |
| Existing Land Use: | | Vacant/Junkyard | |
| Proposed Land Use: | | Commercial/Industrial Use | |
| Surrounding Land Use: | North | Railroad | |
| | South | Industrial development | |
| | East | Single Family Residential/vacant | |
| | West | Single Family Residential | |
| Existing Zoning: | | County I-2 (General Industrial) | |
| Proposed Zoning: | | Requested - I-2 (General Industrial) Recommended – I-1 (Light Industrial) | |
| Surrounding Zoning: | North | City I-1 (Light Industrial) | |
| | South | County I-2 (General Industrial) | |
| | East | County I-2 (General Industrial)/RSF-R (Residential Single Family 1 du/5 ac | |
| | West | County I-2 (General Industrial)/RSF-R (Residential Single Family 1 du/5 ac | |
| Growth Plan Designation: | | Industrial | |
| Zoning within density range? | X | Yes | No |

Staff Analysis:

ANNEXATION:

This annexation area consists of 6.29 acres of land and is comprised of 1 parcel. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

It is staff's opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Carter-Page 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 owner's consent.

The following annexation and zoning schedule is being proposed.

| <u>ANNEXATION SCHEDULE</u> | |
|-----------------------------------|---|
| March 31, 2008 | Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use |
| April 8, 2008 | Planning Commission considers Zone of Annexation |
| April 14, 2008 | Introduction Of A Proposed Ordinance on Zoning by City Council |
| May 5, 2008 | Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council |
| June 6, 2008 | Effective date of Annexation and Zoning |

CARTER-PAGE ANNEXATION SUMMARY

| | | |
|---------------------------------------|--|---|
| File Number: | ANX-2008-046 | |
| Location: | 2793 D Road | |
| Tax ID Number: | 2945-241-00-006 | |
| Parcels: | 1 | |
| Estimated Population: | 0 | |
| # of Parcels (owner occupied): | 0 | |
| # of Dwelling Units: | 0 | |
| Acres land annexed: | 6.29 acres | |
| Developable Acres Remaining: | 3.92 acres | |
| Right-of-way in Annexation: | 103,502.08 sq ft of the D road right-of-way | |
| Previous County Zoning: | I-2 (General Industrial) | |
| Proposed City Zoning: | Requested - I-2 (General Industrial) Recommended – I-1 (Light Industrial) | |
| Current Land Use: | Vacant | |
| Future Land Use: | Commercial/Industrial Use | |
| Values: | Assessed: | = \$52,200 |
| | Actual: | = \$180,010 |
| Address Ranges: | 2793 D Road only | |
| Special Districts: | Water: | Ute Water |
| | Sewer: | Central Grand Valley Sanitation District |
| | Fire: | Grand Junction Rural |
| | Irrigation/Drainage: | Grand Valley Irrigation/Grand Valley Drainage |
| | School: | Mesa County School District #51 |
| | Pest: | Grand River Mosquito |

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the I-2 (General Industrial) district is consistent with the Growth Plan designation of Industrial as is the recommended I-1 (Light Industrial). The existing County zoning is I-2 (General Industrial). 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 current Future Land Use designation is Industrial. This designation is implemented by the I-O (Industrial-Office), I-1 (Light Industrial), I-2 (Heavy Industrial), and M-U (Mixed-Use) zone districts. The South Downtown Plan proposes changing the Future Land Use designation to Commercial/Industrial. The Commercial/Industrial designation is implemented by the C-2 (General Commercial), I-O (Industrial-Office), I-1 (Light Industrial), and M-U (Mixed-Use) zone districts. The only difference between the 2 designations is the Commercial/Industrial designation allows C-2 and not I-2, the Industrial designation is just the opposite, allowing the I-2 and not the C-2.

The City has been working on developing a plan for the South Downtown area. Through the discussions for this plan, the area where this property is located was determined to be most appropriate for commercial/industrial type uses and proposed changing the Future Land Use Map to the Commercial Industrial designation. The Commercial/Industrial designation supports zone districts which accommodate a majority of the uses seen developing in the area and allows for a greater range of uses. With the construction of the Riverside Parkway through the area, there was also a desire to see cleaner, less intensive uses develop in the South Downtown neighborhood. While the Plan has not been adopted the premise behind the proposed designation is still valid. Based on this, the requested I-2 zone district is not being supported and the I-1 zone district is being recommended to Planning Commission and City Council.

- 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. There is an existing 15" sewer line and a 12" water line in the D Road right-of-way.

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

- d. I-1 (recommended)
- e. I-O
- f. M-U

PLANNING COMMISSION RECOMMENDATION: At its April 8, 2008 meeting, the Planning Commission recommended approval of the staff recommended zone of annexation to the City Council, finding the zoning to the I-1 (Light Industrial) zone district to be consistent with the Growth Plan and Sections 2.6 and 2.14 of the Zoning and Development Code.

DRAFT GRAND JUNCTION PLANNING COMMISSION
APRIL 8, 2008 MINUTES
6:00 p.m. to 6:56 p.m.

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

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

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

Also present was Jamie Beard (Assistant City Attorney).

Lynn Singer was present to record the minutes.

There were 7 interested citizens present during the course of the hearing.

ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

There were no announcements, presentations and/or visitors.

CONSENT AGENDA

- 1. Minutes of the Previous Meetings**
Available for consideration were the minutes of the March 11, 2008 Planning Commission meeting.
- 2. Second Avenue Vacation – Vacation of Right-of-Way**
Request a recommendation of approval to City Council to vacate the southern 6' of Second Avenue between 8th Street and 9th Street
- 3. Prather Annexation – Zone of Annexation**
Request a recommendation of approval to City Council to zone .556 acres from County RSF-4 (Residential Single Family 4 du/ac) to a City R-4 (Residential 4 du/ac).
- 4. Willow Wood Village Annexation - Zone of Annexation**
Request a recommendation of approval to City Council to zone 7.8 acres total: 1.7 acres from County RMF-8 (Residential Multi-family 8 du/ac) and 6.1 acres from County RSF-R (Residential Single Family Rural to a City R-8 (Residential 8 du/ac) zone district.

5. Apple Glen Annexation – Zone of Annexation

Request a recommendation of approval to City Council to zone 14.95 acres from County RSF-E (Residential Single Family Estate) to a City R-4 (Residential 4 du/ac) zone district.

6. Lambert Annexation – Zone of Annexation

Request a recommendation of approval to City Council to zone 9.7 acres from County RSF-R (Residential Single Family Rural) to a City I-1 (Light Industrial) zone district.

Chairman Cole briefly explained the Consent Agenda and invited the public, planning commissioners, and staff to speak if they wanted any item pulled for additional discussion. Lisa Cox, Planning Manager, clarified that there are two parts to the Minutes – a verbatim section pertaining only to the Redlands Place Subdivision and the standard synopsis version. After discussion, there were no objections or revisions received from the audience or Planning Commissioners on any of the Consent Agenda items.

MOTION: (Commissioner Pitts) “Mr. Chairman, I move for the adoption of the Consent Agenda as presented.”

Commissioner Lowrey seconded the motion. A vote was called and the motion passed unanimously by a vote of 6 - 0.

FULL HEARING

Public Hearing Items

7. Carter Page Annexation – Zone of Annexation

Request a recommendation of approval to City Council to zone 3.8 acres from County I-2 (General Industrial) to a City I-2 zone district.

FILE #: ANX-2008-046

PETITIONER: Corey Carter – Carter/LW Page Holdings

LOCATION: 2793 D Road

STAFF: Senta Costello

STAFF’S PRESENTATION

Senta Costello, Public Works and Planning Department, made a PowerPoint presentation regarding the Carter Page Annexation. She said the subject property is across the street from existing City limits and the property is partially vacant and used for storage of automobiles. She further stated that across the street on the north side of D Road is land owned by the railroad. The Future Land Use designation for the property is Industrial and the property is surrounded by Industrial; to the south and east is Commercial Industrial designation as well as some Public. Ms. Costello further pointed out that current County zoning is I-2 with RSF-R to the east and west and County I-2 to the west and some pockets of City zoned I-2 and I-1 in the area.

Ms. Costello stated that the applicant was requesting an I-2 designation while staff had recommended an I-1 zone district. She explained that an industrial designation could be implemented by a variety of zone districts including the I-O, I-1, I-2 and Mixed Use. She said that the proposed South Downtown Plan recommended the area to the west of 28 Road specifically along the D Road frontage be changed to a Commercial Industrial designation. Ms. Costello also stated that the Commercial Industrial designation could be implemented by a C-2, I-O, I-1 or Mixed Use but the I-2 zone district was not an option with the Commercial Industrial designation. In the Industrial designation, the C-2 is not an option. She said that the commercial/industrial recommendation was primarily to reduce the visual and noise impacts along the Redlands Parkway corridor and to try to encourage lower impact type uses. According to Ms. Costello, the South Downtown Plan was originally slated to be adopted in December of last year but should be adopted this May.

APPLICANT'S PRESENTATION

Craig Parker with Vortex Engineering appeared on behalf of applicant. He said that the I-2 was requested because it would be consistent with the Growth Plan. He also pointed out that the South Downtown Plan has not yet been adopted. He stated that the lot is unique in that it is 1300 feet long by 130 feet wide and one of the results of an I-1 zoning is a 5 foot setback which would be problematic for maintenance and would cut the use of the lot quite a bit. He stated that the applicant would like to annex as I-2.

QUESTIONS

Commissioner Dibble asked if there was anything with I-1 that could not be done with the I-2. Mr. Parker said that they are proposing a mini-storage which is allowable in an I-1.

Commissioner Pitts asked if storage units would be allowable in a Mixed Use. Senta Costello said that storage units are an allowed use in the Mixed Use zone district with a Conditional Use Permit.

Commissioner Pitts asked about the setbacks in a Mixed Use. Ms. Costello said that the side yard setback in the Mixed Use zone district is 15 feet versus 5 feet in the I-1.

Jamie Beard, Assistant City Attorney, stated that if there is a Conditional Use Permit application where applicant requested to do something other than the required setbacks that would be a factor to be considered with a conditional use for compatibility purposes; however, in looking at the I-1 or the I-2 zone districts in this particular situation, neither would require a Conditional Use Permit for a mini-storage use.

QUESTIONS

Chairman Cole asked if applicant could apply for a variance in an I-1. Ms. Beard said that they could apply for a variance but they would have to meet the requirements which would require that they show it is not a self-inflicted hardship.

Commissioner Wall asked what the purpose of the side yard setbacks was. Ms.

Costello said that it acts as a buffer area so there are not buildings butting right up against each other.

Commissioner Wall asked if a fence is required between them. Ms. Costello said that they are not required to have a fence in between.

Commissioner Dibble asked what other uses could there be that might be different than the I-1 uses. Ms. Costello said that in most cases the I-1 allows a broader scope as opposed to the I-2 which is more restrictive under some cases. She further stated that the I-2 requires Conditional Use Permits for some uses.

Commissioner Dibble asked if the setbacks were the primary reason the I-1 was recommended. Senta said that typically the I-2 requires a conditional use which gives them a little more say in what goes in and how it goes in, such as buffering and mitigation. She said that landscaping materials, nurseries and greenhouses are allowed within an I-1 zone district which requires a CUP within the I-2 zone district. Additionally, heavy vehicle repair would require a Conditional Use Permit in an I-1 whereas it is an allowed use in an I-2.

Commissioner Dibble asked if outdoor storage is considered equally in both the I-1 and I-2. Ms. Costello said that they were.

Commissioner Dibble asked if cleaner, less intensive uses are desired because of the Riverside Parkway and asked for an example. Ms. Costello said that an example would be vehicle repair which would require a Conditional Use Permit in the I-1 zone district. It would go through the public hearing process and would give staff the ability to require mitigation to the surrounding property owners and is an allowed use in the I-2. Animal care and boarding sales would require a CUP in an I-1 but are allowed uses in the I-2.

Chairman Cole asked if a development plan was required for the property. Ms. Costello said that they do have one submitted; however, for discussion of zoning, only the appropriateness of the zone district as a whole could be considered.

Chairman Cole asked if the 5 foot setbacks could be considered a maintenance problem with regard to storage units. Ms. Costello said that she could only address the other storage units that she has reviewed, most of which all have setbacks with landscaping strips adjacent between the building and the property line.

Commissioner Dibble asked if the range of uses is greater or lesser for I-2 than I-1. Senta said that there is a broader scope of allowed uses in an I-1 but it is the more intense uses that are allowed in the I-2 which would require a Conditional Use Permit in the I-1.

Commissioner Dibble asked what she meant by intense. Ms. Costello said that it could include such things as noise and vibration.

STAFF'S REBUTTAL

Ms. Costello said that if it is zoned I-2 and the South Downtown Plan does get adopted, then the property would no longer be in conformance with the Future Land Use Map.

QUESTIONS

Commissioner Dibble asked if the setback would be only on one side of the property, the linear side. Ms. Costello said that they would have two front yard setbacks – one off of D Road and one off of C-3/4. They are being required to dedicate right-of-way along the C-3/4 line so there would be a 15 foot setback off of D Road and off of the C-3/4 Road, the north and south property lines. The 5 foot setback would only apply to the east and the west property lines.

Commissioner Dibble asked if the setbacks would be tarmac or landscaped. Ms. Costello said that the Code requires that all setbacks be landscaped for mini-storage units.

Commissioner Dibble asked if any developed property borders the subject property to the east and west. Ms. Costello said that there is none currently.

PUBLIC COMMENT

No one spoke in favor or in opposition to this request.

DISCUSSION

Commissioner Dibble said that there were some uses that could be in an I-2 that are not in an I-1. He said that he was concerned that if the property was zoned I-2 and the property was then sold, uses other than storage units could be allowed.

QUESTIONS

Commissioner Pavelka-Zarkesh asked if the setback for all uses in the I-1 is a standard 5 foot setback as opposed to the I-2 where there is no setback. Senta Costello said that in the I-1 it is a standard 5 foot setback unless it is adjacent to an abutting residential zone or use in which case it would be 10 feet; however, in the I-2 that does not apply. The only place that they have any kind of setback required is adjacent to their landscape strip. In that case there would be a requirement to have a 6 foot wide, 50 foot deep landscape strip from the front property line.

Commissioner Pavelka-Zarkesh asked if both zone districts are required to have a landscaped front yard. Ms. Costello confirmed that was correct.

Commissioner Pavelka-Zarkesh asked if by having no setback on the side yards a situation could be created where if it is I-1 to I-2 you have buildings back to back with no fire break; whereas if you have an I-1 there would be a fire break between the buildings. Senta confirmed that there would be a minimum of 10 feet between the buildings. She said that if it is less than 6 feet from the property line, buildings would have to be constructed to meet the fire rated walls according to Code but there would be no separation between the buildings. She also pointed out that the other issue when there

are zero lot line buildings is maintenance of the back side of the buildings. Chairman Cole asked if the 10 foot setbacks would be enforced since properties bordering the subject property are Residential. Ms. Costello said that those setbacks would typically be enforced.

DISCUSSION

Commissioner Dibble said that he thought this property is in transition for Industrial.

Commissioner Lowrey said that he was struggling with making this conform to a plan that doesn't exist yet, the South Downtown Plan, and believed that the rules and the Code sections that are in place at the time an applicant applies are what should be followed. He said that he was also bothered by a 5 foot setback along both sides of this very long property which would create a lot of wasted land. He said that he thought there was a hardship because of the shape of the lot and did not believe that it was a self-inflicted hardship because the shape of the lot was a condition that existed. Therefore, he said that he believed there would be the possibility for a variance but a variance runs with the land.

Commissioner Pitts said that he thought the 5 foot setbacks would be a waste of land when there is not enough Commercial land.

Commissioner Dibble said that things such as the Riverside Parkway and the area need to be considered. Commissioner Dibble said that if this area was to be developed less than the heavy industrial, it should be zoned I-1.

Commissioner Lowrey said that if the storage units were built, the likelihood that the use would change was very remote.

Commissioner Dibble said that the probabilities of what this area should be developed at needs to be looked at and considered.

Chairman Cole said that he was leaning toward the I-1 designation in which case the applicant could apply for a variance to allow the setback.

Commissioner Lowrey stated that he agreed with Commissioner Dibble to consistently have I-1 zoning in this area regardless of whether or not the South Downtown Plan is adopted.

Commissioner Wall said that although there is a plan for the area it was not in effect yet and an applicant should be able to go forward with the zoning that was in effect. He said that another thing to look at was the amount of businesses that could go in there. Commissioner Wall said that I-1 has more opportunities to put more businesses in there than the I-2. Additionally, he said that the I-1 has more options.

There was discussion regarding whether or not two separate motions would be necessary because the applicant had applied for I-2. Jamie Beard stated that since this

is a zone of annexation, just one motion for the zone that the Commission was going to recommend to City Council would be sufficient.

MOTION: (Commissioner Lowrey): “Mr. Chairman, on the Carter Page Zone of Annexation, ANX-2008-046, I move that the Planning Commission forward to the City Council a recommendation of approval of an I-1 (Industrial zone district) for the Carter Page Annexation with the facts and conclusions listed in the Staff Report and pursuant to the discussion of the Planning Commission during deliberations.”

Commissioner Pitts seconded the motion. A vote was called and the motion passed unanimously by a vote of 6 - 0.

General Discussion/Other Business

There was a brief discussion regarding the upcoming retreat scheduled for April 10, 2008.

Nonscheduled Citizens and/or Visitors

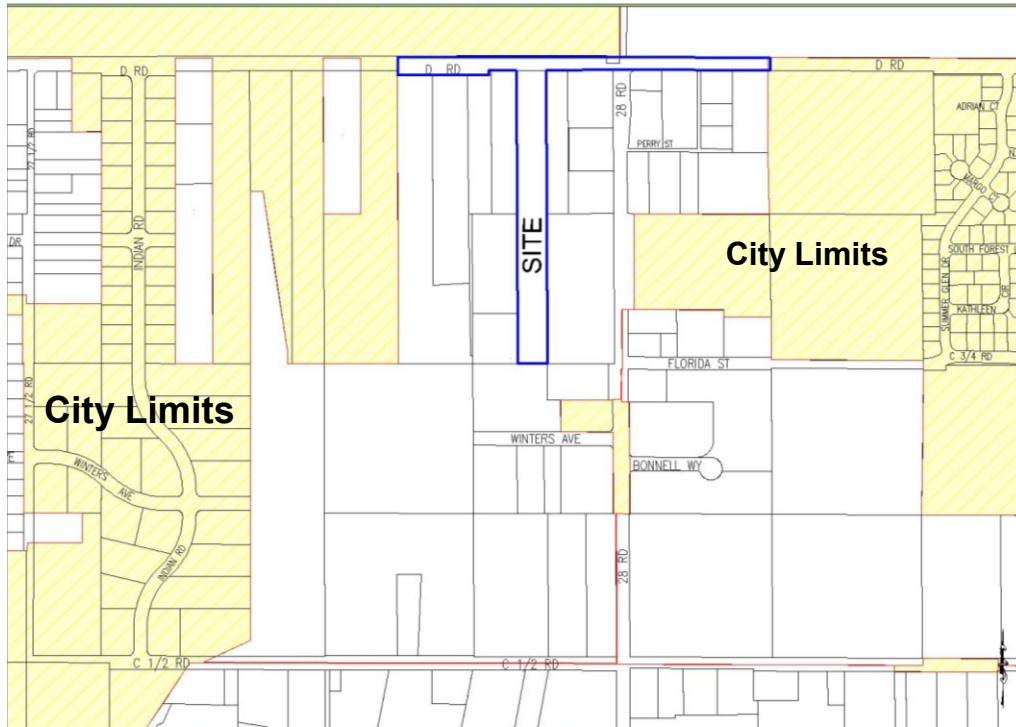
There were no nonscheduled citizens and/or visitors.

Adjournment

With no objection and no further business, the Planning Commission Meeting was adjourned at 6:56 p.m.

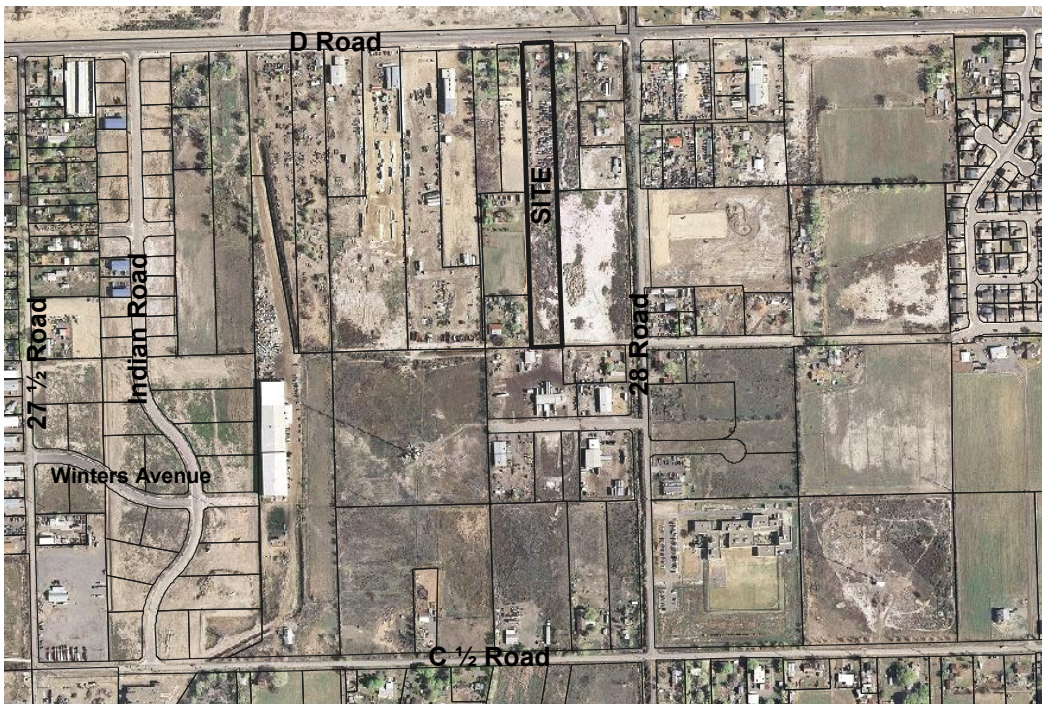
Annexation-Site Location Map

Figure 1



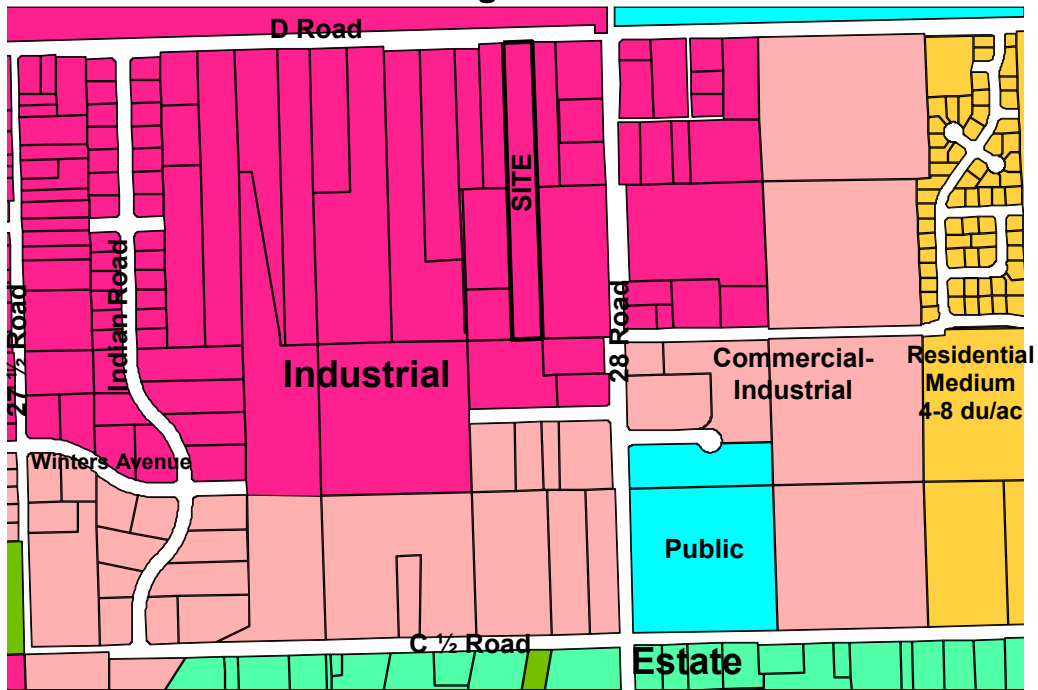
Aerial Photo Map

Figure 2



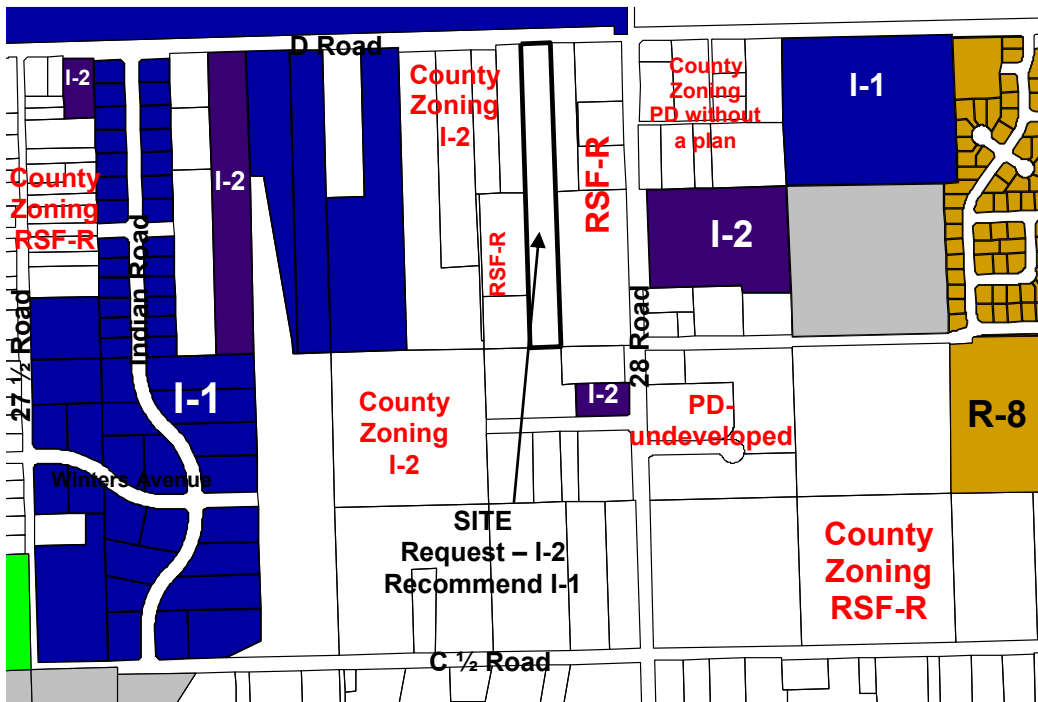
Future Land Use Map

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."

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

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

CARTER-PAGE ANNEXATION

**LOCATED AT 2793 D ROAD INCLUDING A PORTION OF THE D ROAD RIGHT-OF-
WAY**

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 31st day of March, 2008, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

CARTER-PAGE ANNEXATION

A certain parcel of land located in the Northeast Quarter (NE 1/4) of Section 24, Southeast Quarter (SE 1/4) of Section 13, Southwest Quarter (SW 1/4) of Section 18, and the Northwest Quarter (NW 1/4) of Section 19, Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Northeast corner of said Section 24 and assuming the East line of the NE 1/4 NE 1/4 of said Section 24 to bear N00°13'45"W with all bearings contained herein relative thereto; thence N00°05'00"E a distance of 28.00 feet along the East line of the SE 1/4 SE 1/4 of said Section 13 to the Point of Beginning; thence S89°39'16"E a distance of 663.37 feet along a line being 28.00 feet North and parallel with the North line of the NW 1/4 NW 1/4 of said Section 19, said line also being the South line of Darren Davidson Annexation, Ordinance No. 3205, City of Grand Junction; thence S00°24'20"E a distance of 58.00 feet along the East line of the NW 1/4 NW 1/4 NW 1/4 of said Section 19, said line also being the West line of Cooper-Tucker Annexation, Ordinance No. 4158, City of Grand Junction; thence N89°39'16"W a distance of 663.82 feet to a point on the East line of the NE 1/4 NE 1/4 of said Section 24, said line being 30.00 feet South and parallel with the North line of the NW 1/4 NW 1/4 of said Section 19; thence N89°59'19"W a distance of 327.61 feet along a line being 30.00 feet South and parallel with the North line of the NE 1/4 NE 1/4 of said Section 24; thence along the following three (3) courses: (1) S00°10'27"E a distance of 1294.20 feet to a point in the South line of the NE 1/4 NE 1/4 of said Section 24 (2) N89°52'15"W a distance of 131.60 feet along the South line of the NE 1/4 NE 1/4 of said Section 24 (3) N00°10'28"W a distance of 1293.93 feet; thence N89°59'19"W a distance of 122.20

feet along a line being 30.00 feet South and parallel with the North line of the NE 1/4 NE 1/4 of said Section 24; thence S00°01'17"E a distance of 20.00 feet; thence N89°59'19"W a distance of 401.07 feet along a line being 50.00 feet South and parallel with the North line of the NE 1/4 NE 1/4 of said Section 24; thence N00°06'38"W a distance of 78.00 feet along the East line of Home Lumber Annexation, Ordinance No. 4059, City of Grand Junction; thence S89°59'19"E a distance of 982.67 feet along a line being 28.00 feet North and parallel with the North line of the NE 1/4 NE 1/4 of said Section 24, said line also being the South line of said Darren Davidson Annexation to a point on the East line of the SE 1/4 SE 1/4 of said Section 13, said point also being the Point of Beginning

Said parcel contains 6.29 acres (273,799.30 sq. ft.), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 5th day of May, 2008; and

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

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

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

ADOPTED this ____ day of _____, 2008.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

CARTER-PAGE ANNEXATION

APPROXIMATELY 6.29 ACRES

**LOCATED AT 2793 D ROAD INCLUDING A PORTION OF THE D ROAD RIGHT-OF-
WAY**

WHEREAS, on the 31st 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 5th day of May, 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:

CARTER-PAGE ANNEXATION

A certain parcel of land located in the Northeast Quarter (NE 1/4) of Section 24, Southeast Quarter (SE 1/4) of Section 13, Southwest Quarter (SW 1/4) of Section 18, and the Northwest Quarter (NW 1/4) of Section 19, Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Northeast corner of said Section 24 and assuming the East line of the NE 1/4 NE 1/4 of said Section 24 to bear N00°13'45"W with all bearings contained herein relative thereto; thence N00°05'00"E a distance of 28.00 feet along the East line of the SE 1/4 SE 1/4 of said Section 13 to the Point of Beginning; thence S89°39'16"E a distance of 663.37 feet along a line being 28.00 feet North and parallel with the North line of the NW 1/4 NW 1/4 of said Section 19, said line also being the South line of

Darren Davidson Annexation, Ordinance No. 3205, City of Grand Junction; thence S00°24'20"E a distance of 58.00 feet along the East line of the NW 1/4 NW 1/4 NW 1/4 of said Section 19, said line also being the West line of Cooper-Tucker Annexation, Ordinance No. 4158, City of Grand Junction; thence N89°39'16"W a distance of 663.82 feet to a point on the East line of the NE 1/4 NE 1/4 of said Section 24, said line being 30.00 feet South and parallel with the North line of the NW 1/4 NW 1/4 of said Section 19; thence N89°59'19"W a distance of 327.61 feet along a line being 30.00 feet South and parallel with the North line of the NE 1/4 NE 1/4 of said Section 24; thence along the following three (3) courses: (1) S00°10'27"E a distance of 1294.20 feet to a point in the South line of the NE 1/4 NE 1/4 of said Section 24 (2) N89°52'15"W a distance of 131.60 feet along the South line of the NE 1/4 NE 1/4 of said Section 24 (3) N00°10'28"W a distance of 1293.93 feet; thence N89°59'19"W a distance of 122.20 feet along a line being 30.00 feet South and parallel with the North line of the NE 1/4 NE 1/4 of said Section 24; thence S00°01'17"E a distance of 20.00 feet; thence N89°59'19"W a distance of 401.07 feet along a line being 50.00 feet South and parallel with the North line of the NE 1/4 NE 1/4 of said Section 24; thence N00°06'38"W a distance of 78.00 feet along the East line of Home Lumber Annexation, Ordinance No. 4059, City of Grand Junction; thence S89°59'19"E a distance of 982.67 feet along a line being 28.00 feet North and parallel with the North line of the NE 1/4 NE 1/4 of said Section 24, said line also being the South line of said Darren Davidson Annexation to a point on the East line of the SE 1/4 SE 1/4 of said Section 13, said point also being the Point of Beginning

Said parcel contains 6.29 acres (273,799.30 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 31st day of March, 2008 and ordered published.

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

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE CARTER-PAGE ANNEXATION TO
I-2 (GENERAL INDUSTRIAL)**

LOCATED AT 2793 D 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 Carter-Page Annexation to the I-1 (Light Industrial) zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the I-2 (General Industrial) zone district is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

The following property be zoned I-2 (General Industrial).

CARTER-PAGE ANNEXATION

E 4A of W2E2NE4NE4 SEC 24 1S 1W

INTRODUCED on first reading the 14th day of April, 2008 and ordered published.

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

ATTEST:

President of the Council

City Clerk

Attach 9

Public Hearing – Willow Wood Village Annexation and Zoning, Located at 3147 E Road

CITY OF GRAND JUNCTION

| CITY COUNCIL AGENDA | | | |
|-----------------------------------|--|--------------------------|---|
| Subject | Willow Wood Village Annexation and Zoning - Located at 3147 E Road | | |
| File # | ANX-2008-033 | | |
| Meeting Day, Date | Monday, May 5, 2008 | | |
| Placement on the Agenda | Consent | <input type="checkbox"/> | Individual <input checked="" type="checkbox"/> |
| Date Prepared | March 4, 2008 | | |
| Author Name & Title | Senta L. Costello – Associate Planner | | |
| Presenter Name & Title | Senta L. Costello – Associate Planner | | |

Summary: Request to annex and zone 7.94 acres, located at 3147 E Road, to R-8 (Residential 8 du/ac). The Willow Wood Village Annexation consists of 2 parcels, includes a portion of the E Road right-of-way, and is a two part serial annexation.

Budget: N/A

Action Requested/Recommendation: Adopt Resolution accepting the petition for the Willow Wood Village Annexation and hold a public hearing and consider final passage of the Annexation Ordinances and Zoning Ordinance.

Attachments:

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

Background Information: See attached Staff Report/Background Information

| STAFF REPORT / BACKGROUND INFORMATION | | | | | |
|---------------------------------------|--------------|--|------------|--|-----------|
| Location: | | 3147 E Road | | | |
| Applicants: | | Owner/Developer: Gary Rinderle Construction Inc Representative: Robert Engelke | | | |
| Existing Land Use: | | Vacant | | | |
| Proposed Land Use: | | Residential Development | | | |
| Surrounding Land Use: | North | Residential Development | | | |
| | South | Residential Development | | | |
| | East | Agricultural | | | |
| | West | Residential Development | | | |
| Existing Zoning: | | County RMF-8 (Residential Multi-Family 8 du/ac) and RSF-R (Residential Single Family 1 du/5 ac) | | | |
| Proposed Zoning: | | City R-8 (Residential 8 du/ac) | | | |
| Surrounding Zoning: | North | County RMF-8 (Residential Multi-Family 8 du/ac) | | | |
| | South | City R-8 (Residential 8 du/ac) | | | |
| | East | County RMF-8 (Residential Multi-Family 8 du/ac) and RSF-R (Residential Single Family 1 du/5 ac) | | | |
| | West | County PD 4.4 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 7.94 acres of land and is comprised of 2 parcels. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

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

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

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

The following annexation and zoning schedule is being proposed.

| <u>ANNEXATION SCHEDULE</u> | |
|-----------------------------------|---|
| March 17, 2008 | Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use |
| April 8, 2008 | Planning Commission considers Zone of Annexation |
| April 14, 2008 | Introduction of a proposed Ordinance on Zoning by City Council |
| May 5, 2008 | Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council |
| June 6, 2008 | Effective date of Annexation and Zoning |

WILLOW WOOD VILLAGE ANNEXATION SUMMARY

| | | |
|---------------------------------------|---|--|
| File Number: | ANX-2008-033 | |
| Location: | 3147 E Road | |
| Tax ID Number: | 2943-152-00-171/2943-152-00-172 | |
| Parcels: | 2 | |
| Estimated Population: | 0 | |
| # of Parcels (owner occupied): | 0 | |
| # of Dwelling Units: | 0 | |
| Acres land annexed: | 7.94 acres | |
| Developable Acres Remaining: | 7.8 acres | |
| Right-of-way in Annexation: | 6060.6 sq. ft. of E Road right-of-way | |
| Previous County Zoning: | County RMF-8 (Residential Multi-Family 8 du/ac) and RSF-R (Residential Single Family 1 du/5 ac) | |
| Proposed City Zoning: | City R-8 (Residential 8 du/ac) | |
| Current Land Use: | Vacant | |
| Future Land Use: | Residential Development | |
| Values: | Assessed: | = \$40,030 |
| | Actual: | = \$216,580 |
| Address Ranges: | 3144-3148 D 3/4 Road (even only) 3147-3149 E Road (odd only) | |
| Special Districts: | Water: | Clifton Water |
| | Sewer: | Clifton Sanitation #2 |
| | Fire: | Clifton Fire |
| | Irrigation/Drainage: | Grand Valley Irrigation/Grand Valley Drainage |
| | School: | Mesa County School District #51 |
| | Pest: | Grand River Mosquito/Upper Grand Valley Pest Control |

Staff Analysis:

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

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

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

Response: The R-8 (Residential 8 du/ac) is compatible with the surrounding developed properties which consist of lots ranging in size from 1/6 to 1/8 of an acre and large parcel with development potential in the future.

- 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. There is a 10" Clifton Water line and an 8" Clifton Sanitation #2 sewer line existing in E Road.

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

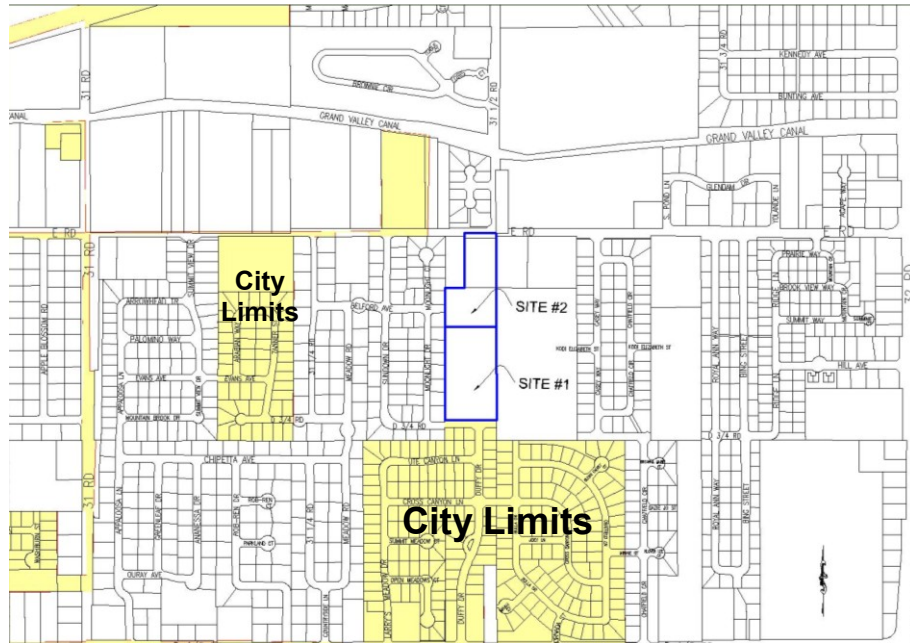
- g. R-4
- h. R-5

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

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the R-8 (Residential 8 du/ac) district to be consistent with the Growth Plan and Sections 2.6 and 2.14 of the Zoning and Development Code.

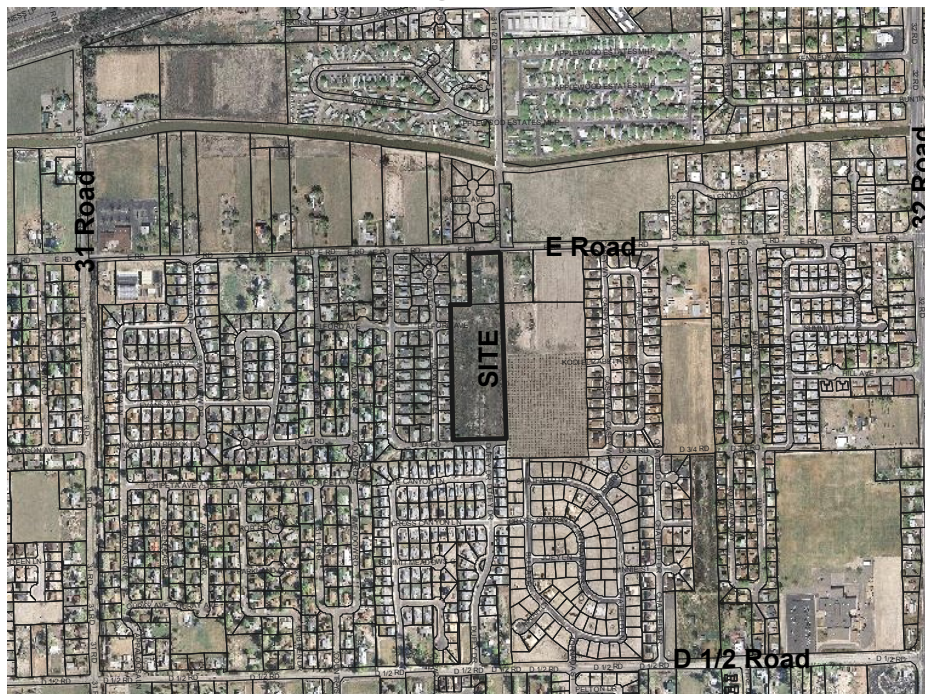
Annexation-Site Location Map

Figure 1



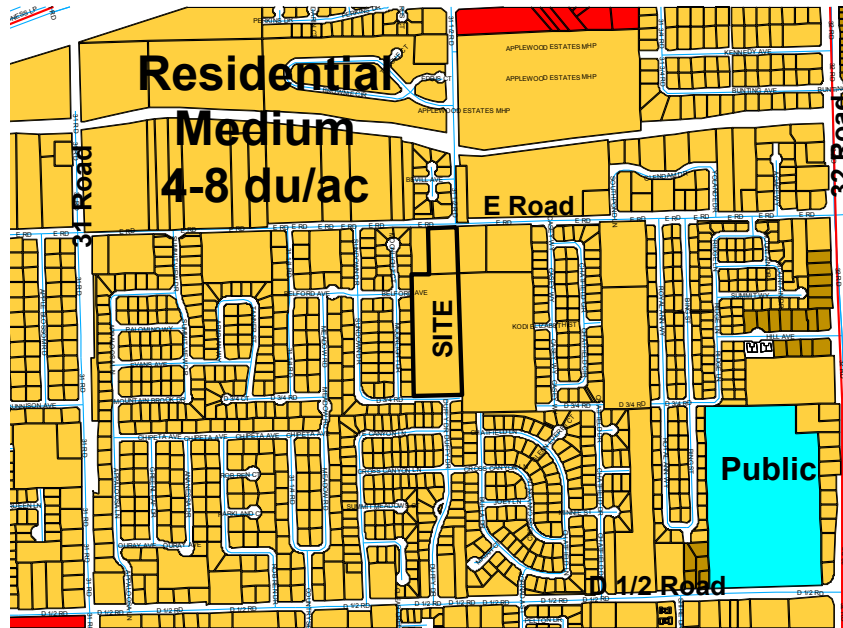
Aerial Photo Map

Figure 2



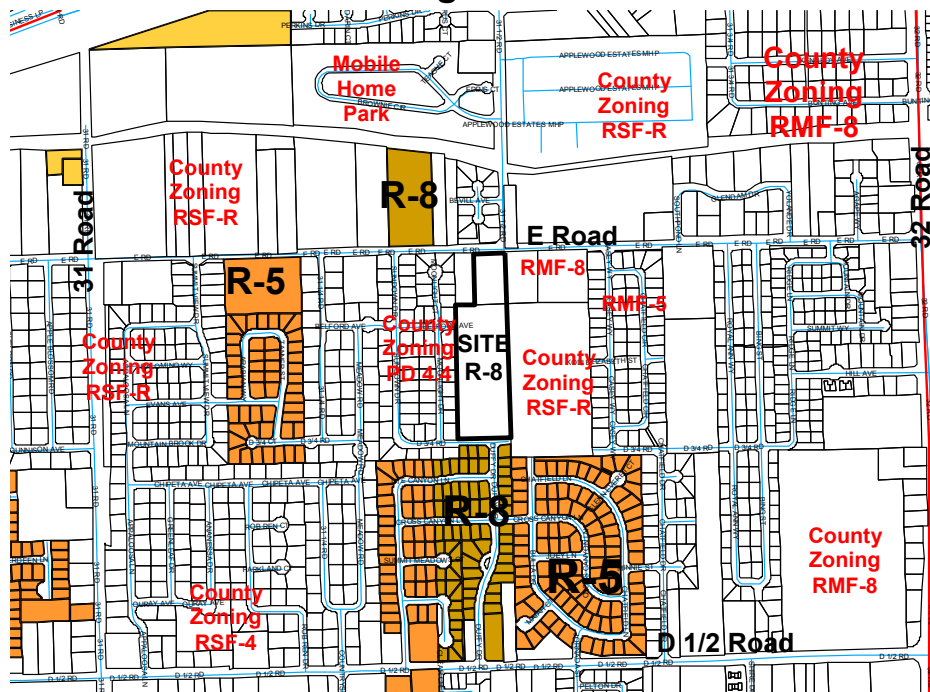
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



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

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

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

WILLOW WOOD VILLAGE ANNEXATION NO 1 AND NO 2

**LOCATED AT 3147 E ROAD INCLUDING A PORTION OF THE E ROAD
RIGHT-OF-WAY**

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 17th day of March, 2008, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

WILLOW WOOD VILLAGE ANNEXATION NO. 1

A certain parcel of land located in the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section 15, 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 Northwest corner of Summit View Meadows Subdivision, as same is recorded in Plat Book 19, Page's 323 and 324, public records of Mesa County, Colorado, said point also being the Northwest corner of Summit View Meadows Annexation, Ordinance No. 3460, City of Grand Junction and assuming the East line of the NE 1/4 NW 1/4 of said Section 15 to bear S00°03'03"E with all bearings contained herein relative thereto; thence N00°02'25"W a distance of 593.08 feet along the East line of Sundown Village No. 2 Subdivision, as same is recorded in Plat Book 15, Page's 35 and 36, public records of Mesa County, Colorado; thence S89°52'21"E a distance of 327.13 feet to a point on the East line of the NE 1/4 NW 1/4 of said Section 15; thence S00°03'03"E a distance of 593.09 feet along the East line of the NE 1/4 NW 1/4 of said Section 15 to the Northeast corner of said Summit View Meadows Subdivision, said point also being the Northeast corner of said Summit View Meadows Annexation; thence N89°52'21"W a distance of 327.24 feet along the North line of said Summit View Meadows Subdivision, said line also being the North line of said Summit View Meadows Annexation to the Point of Beginning.

Said parcel contains 4.45 acres (194,047.91 sq. ft.), more or less, as described.

WILLOW WOOD VILLAGE ANNEXATION NO. 2

A certain parcel of land located in the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section 15, 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 Summit View Meadows Subdivision, as same is recorded in Plat Book 19, Page's 323 and 324, public records of Mesa County, Colorado, said point also being the Northwest corner of Summit View Meadows Annexation, Ordinance No. 3460, City of Grand Junction and assuming the East line of the NE 1/4 NW 1/4 of said Section 15 to bear S00°03'03"E with all bearings contained herein relative thereto; thence N00°02'25"W a distance of 593.08 feet along the East line of Sundown Village No. 2 Subdivision, as same is recorded in Plat Book 15, Page's 35 and 36, public records of Mesa County, Colorado to the Point of Beginning; thence N00°02'25"W a distance of 249.97 feet along the East line of said Sundown Village No. 2 Subdivision to the Southwest corner of that certain Parcel of land described in Book 4203, Page 10, public records of Mesa County, Colorado; thence S89°50'37"E along the South line of said Parcel of land a distance of 125.00 feet; thence N00°02'25"W along the East line of said Parcel of land a distance of 348.46 feet to a point on the North line of the NE 1/4 NW 1/4 of said Section 15; thence S89°51'00"E a distance of 202.02 feet along the North line of the NE 1/4 NW 1/4 of said Section 15 to the Northeast corner of the NE 1/4 NW 1/4 of said Section 15; thence S00°03'03"E a distance of 598.29 feet along the East line of the NE 1/4 NW 1/4 of said Section 15 to the Northeast corner of Willow Wood Village Annexation No. 1, City of Grand Junction; thence N89°52'21"W a distance of 327.13 feet along the North line of said Willow Wood Village Annexation No. 1 to the Point of Beginning.

Said parcel contains 3.49 acres (152,149.65 sq. ft.), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 5th day of May, 2008; and

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

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

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

ADOPTED this ____ day of _____, 2008.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

WILLOW WOOD VILLAGE ANNEXATION NO. 1

APPROXIMATELY 4.45 ACRES

LOCATED AT 3147 E ROAD

WHEREAS, on the 17th 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 5th day of May, 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:

WILLOW WOOD VILLAGE ANNEXATION NO. 1

A certain parcel of land located in the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section 15, 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 Northwest corner of Summit View Meadows Subdivision, as same is recorded in Plat Book 19, Page's 323 and 324, public records of Mesa County, Colorado, said point also being the Northwest corner of Summit View Meadows Annexation, Ordinance No. 3460, City of Grand Junction and assuming the East line of the NE 1/4 NW 1/4 of said Section 15 to bear S00°03'03"E with all bearings contained herein relative thereto; thence N00°02'25"W a distance of 593.08 feet along the East line of Sundown Village No. 2 Subdivision, as same is recorded in Plat Book 15, Page's 35 and 36, public records of Mesa County, Colorado; thence S89°52'21"E a distance of 327.13 feet to a point on the East line of the NE 1/4 NW 1/4 of said Section 15;

thence S00°03'03"E a distance of 593.09 feet along the East line of the NE 1/4 NW 1/4 of said Section 15 to the Northeast corner of said Summit View Meadows Subdivision, said point also being the Northeast corner of said Summit View Meadows Annexation; thence N89°52'21"W a distance of 327.24 feet along the North line of said Summit View Meadows Subdivision, said line also being the North line of said Summit View Meadows Annexation to the Point of Beginning.

Said parcel contains 4.45 acres (194,047.91 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 17th day of March, 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**

WILLOW WOOD VILLAGE ANNEXATION NO. 2

APPROXIMATELY 3.49 ACRES

**LOCATED AT 3147 E ROAD INCLUDING A PORTION OF THE E ROAD RIGHT-OF-
WAY**

WHEREAS, on the 17th 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 5th day of May, 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:

WILLOW WOOD VILLAGE ANNEXATION NO. 2

A certain parcel of land located in the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section 15, 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 Summit View Meadows Subdivision, as same is recorded in Plat Book 19, Page's 323 and 324, public records of Mesa County, Colorado, said point also being the Northwest corner of Summit View Meadows Annexation, Ordinance No. 3460, City of Grand Junction and assuming the East line of the NE 1/4 NW 1/4 of said Section 15 to bear S00°03'03"E with all bearings contained herein relative thereto; thence N00°02'25"W a distance of 593.08 feet along the East line of Sundown Village No. 2 Subdivision, as same is recorded in Plat Book 15, Page's 35 and 36, public records of Mesa County, Colorado to the Point of Beginning; thence

N00°02'25"W a distance of 249.97 feet along the East line of said Sundown Village No. 2 Subdivision to the Southwest corner of that certain Parcel of land described in Book 4203, Page 10, public records of Mesa County, Colorado; thence S89°50'37"E along the South line of said Parcel of land a distance of 125.00 feet; thence N00°02'25"W along the East line of said Parcel of land a distance of 348.46 feet to a point on the North line of the NE 1/4 NW 1/4 of said Section 15; thence S89°51'00"E a distance of 202.02 feet along the North line of the NE 1/4 NW 1/4 of said Section 15 to the Northeast corner of the NE 1/4 NW 1/4 of said Section 15; thence S00°03'03"E a distance of 598.29 feet along the East line of the NE 1/4 NW 1/4 of said Section 15 to the Northeast corner of Willow Wood Village Annexation No. 1, City of Grand Junction; thence N89°52'21"W a distance of 327.13 feet along the North line of said Willow Wood Village Annexation No. 1 to the Point of Beginning.

Said parcel contains 3.49 acres (152,149.65 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 17th day of March, 2008 and ordered published.

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

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

LOCATED AT 3147 E 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 Willow Wood Village Annexation to the R-8 (Residential 8 du/ac) zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the R-8 (Residential 8 du/ac) zone district is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

The following property be zoned R-8 (Residential 8 du/ac).

WILLOW WOOD VILLAGE ANNEXATION

A certain parcel of land located in the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section 15, 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 Northwest corner of Summit View Meadows Subdivision, as same is recorded in Plat Book 19, Page's 323 and 324, public records of Mesa County, Colorado, said point also being the Northwest corner of Summit View Meadows Annexation, Ordinance No. 3460, City of Grand Junction and assuming the East line of the NE 1/4 NW 1/4 of said Section 15 to bear S00°03'03"E with all bearings contained herein relative thereto; thence N00°02'25"W a distance of 593.08 feet along the East line of Sundown Village No. 2 Subdivision, as same is recorded in Plat Book 15, Page's 35 and 36, public records of Mesa County, Colorado; thence S89°52'21"E a distance of 327.13 feet to a point on the East line of the NE 1/4 NW 1/4 of said Section 15; thence S00°03'03"E a distance of 593.09 feet along the East line of the NE 1/4 NW 1/4 of said Section 15 to the Northeast corner of said Summit View Meadows Subdivision,

said point also being the Northeast corner of said Summit View Meadows Annexation; thence N89°52'21"W a distance of 327.24 feet along the North line of said Summit View Meadows Subdivision, said line also being the North line of said Summit View Meadows Annexation to the Point of Beginning.

Said parcel contains 4.45 acres (194,047.91 sq. ft.), more or less, as described.

AND

A certain parcel of land located in the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section 15, 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 Summit View Meadows Subdivision, as same is recorded in Plat Book 19, Page's 323 and 324, public records of Mesa County, Colorado, said point also being the Northwest corner of Summit View Meadows Annexation, Ordinance No. 3460, City of Grand Junction and assuming the East line of the NE 1/4 NW 1/4 of said Section 15 to bear S00°03'03"E with all bearings contained herein relative thereto; thence N00°02'25"W a distance of 593.08 feet along the East line of Sundown Village No. 2 Subdivision, as same is recorded in Plat Book 15, Page's 35 and 36, public records of Mesa County, Colorado to the Point of Beginning; thence N00°02'25"W a distance of 249.97 feet along the East line of said Sundown Village No. 2 Subdivision to the Southwest corner of that certain Parcel of land described in Book 4203, Page 10, public records of Mesa County, Colorado; thence S89°50'37"E along the South line of said Parcel of land a distance of 125.00 feet; thence N00°02'25"W along the East line of said Parcel of land a distance of 348.46 feet to a point on the North line of the NE 1/4 NW 1/4 of said Section 15; thence S89°51'00"E a distance of 202.02 feet along the North line of the NE 1/4 NW 1/4 of said Section 15 to the Northeast corner of the NE 1/4 NW 1/4 of said Section 15; thence S00°03'03"E a distance of 598.29 feet along the East line of the NE 1/4 NW 1/4 of said Section 15 to the Northeast corner of Willow Wood Village Annexation No. 1, City of Grand Junction; thence N89°52'21"W a distance of 327.13 feet along the North line of said Willow Wood Village Annexation No. 1 to the Point of Beginning.

Said parcel contains 3.49 acres (152,149.65 sq. ft.), more or less, as described.

INTRODUCED on first reading the 14th day of April, 2008 and ordered published.

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

ATTEST:

President of the Council

City Clerk

CITY OF GRAND JUNCTION

| CITY COUNCIL AGENDA | | | |
|-----------------------------------|--|--|---------------------|
| Subject | Summers Annexation and Zoning - Located at 2144 Broadway | | |
| File # | ANX-2008-028 | | |
| Meeting Day, Date | Monday May 5, 2008 | | |
| Placement on the Agenda | Consent | | Individual X |
| Date Prepared | February 28, 2008 | | |
| Author Name & Title | Senta L. Costello – Associate Planner | | |
| Presenter Name & Title | Senta L. Costello – Associate Planner | | |

Summary: Request to annex and zone 0.90 acres, located at 2144 Broadway, to B-1 (Neighborhood Business). The Summers Annexation consists of 1 parcel.

Budget: N/A

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

Attachments:

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

Background Information: See attached Staff Report/Background Information

| STAFF REPORT / BACKGROUND INFORMATION | | | | |
|---------------------------------------|--------------|---|------------|-----------|
| Location: | | 2144 Broadway | | |
| Applicants: | | Owner: Clint Summers Representative: Austin Civil Group - Troy | | |
| Existing Land Use: | | Vacant commercial | | |
| Proposed Land Use: | | Car wash | | |
| Surrounding Land Use: | North | Safeway shopping center | | |
| | South | Single Family Residential | | |
| | East | Gas station/Single Family Residential | | |
| | West | Ace Hardware/Single Family Residential | | |
| Existing Zoning: | | County C-1 (Commercial) | | |
| Proposed Zoning: | | City B-1 (Neighborhood Business) | | |
| Surrounding Zoning: | North | County C-1 (Commercial) | | |
| | South | County RSF-4 (Residential Single Family 4 du/ac) | | |
| | East | County C-1 (Commercial)/PD (Residential 3.4 du/ac) | | |
| | West | City B-1 (Neighborhood Business)/County RSF-4 (Residential Single Family 4 du/ac) | | |
| Growth Plan Designation: | | Commercial | | |
| Zoning within density range? | | X | Yes | No |

Staff Analysis:

ANNEXATION:

This annexation area consists of 0.90 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 Summers Annexation is eligible to be annexed because of compliance with the following:

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

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

The following annexation and zoning schedule is being proposed.

| <i>ANNEXATION SCHEDULE</i> | |
|-----------------------------------|---|
| March 17, 2008 | Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use |
| March 25, 2008 | Planning Commission considers Zone of Annexation |
| April 14, 2008 | Introduction of a proposed Ordinance on Zoning by City Council |
| May 5, 2008 | Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council |
| June 6, 2008 | Effective date of Annexation and Zoning |

SUMMERS ANNEXATION SUMMARY

| | | |
|---------------------------------------|-----------------------------|-----------------------------|
| File Number: | | ANX-2008-028 |
| Location: | | 2144 Broadway |
| Tax ID Number: | | 2947-232-14-004 |
| Parcels: | | 1 |
| Estimated Population: | | 0 |
| # of Parcels (owner occupied): | | 0 |
| # of Dwelling Units: | | 0 |
| Acres land annexed: | | 0.90 acres |
| Developable Acres Remaining: | | 0.90 acres |
| Right-of-way in Annexation: | | 0.00 acres |
| Previous County Zoning: | | C-1 (Commercial) |
| Proposed City Zoning: | | B-1 (Neighborhood Business) |
| Current Land Use: | | Vacant Commercial |
| Future Land Use: | | Car Wash |
| Values: | Assessed: | = \$34,110 |
| | Actual: | = \$117,610 |
| Address Ranges: | | 2144 Broadway only |
| Special Districts: | Water: | Ute Water |
| | Sewer: | City |
| | Fire: | Grand Junction Rural Fire |
| | Irrigation/Drainage: | Redlands Water & Power |
| | School: | Mesa Co School District #51 |
| | Pest: | Grand River Mosquito |

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the B-1 (Neighborhood Business) district is consistent with the Growth Plan density of Commercial. The existing County zoning is C-1 (Commercial). Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

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

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

Response: The proposed zone district is compatible with the other neighborhood commercial and residential properties in the area. The zoning will further the goals and policies of the Growth Plan because the property can develop using existing infrastructure rather than “leap frog” development and meets the requirements of the Code and other City regulations.

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

Response: Adequate public facilities are available or will be supplied at the time of further development of the property. A 4” water line is located in Broadway and an 8” sewer line is located in Monument Village Drive.

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

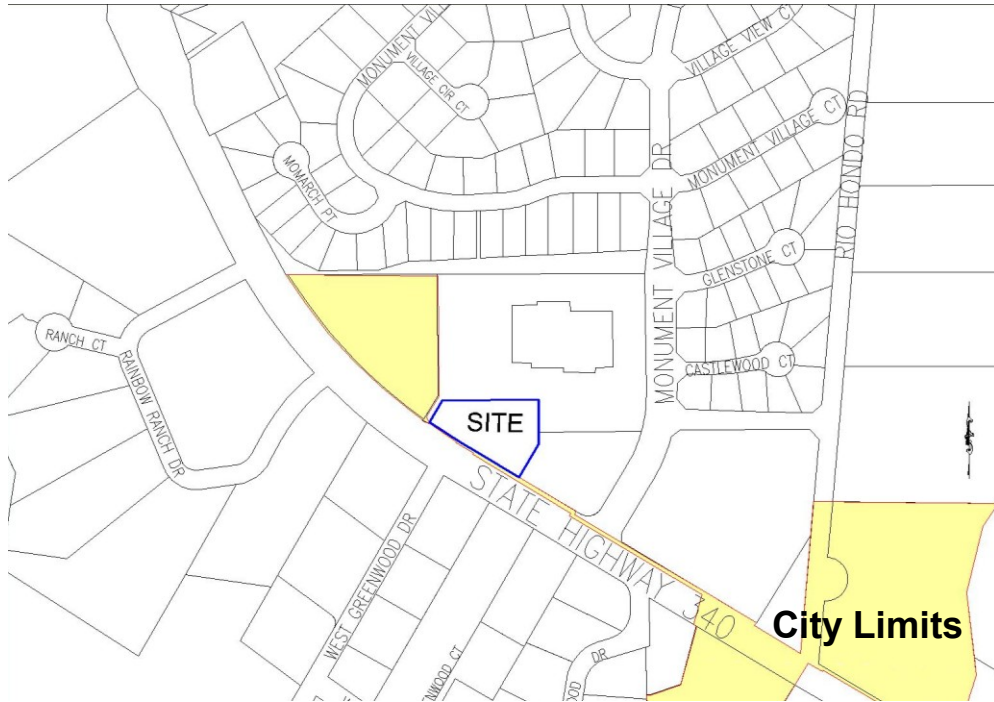
- i. R-O
- j. C-1
- k. C-2
- l. M-U

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

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

Annexation-Site Location Map

Figure 1



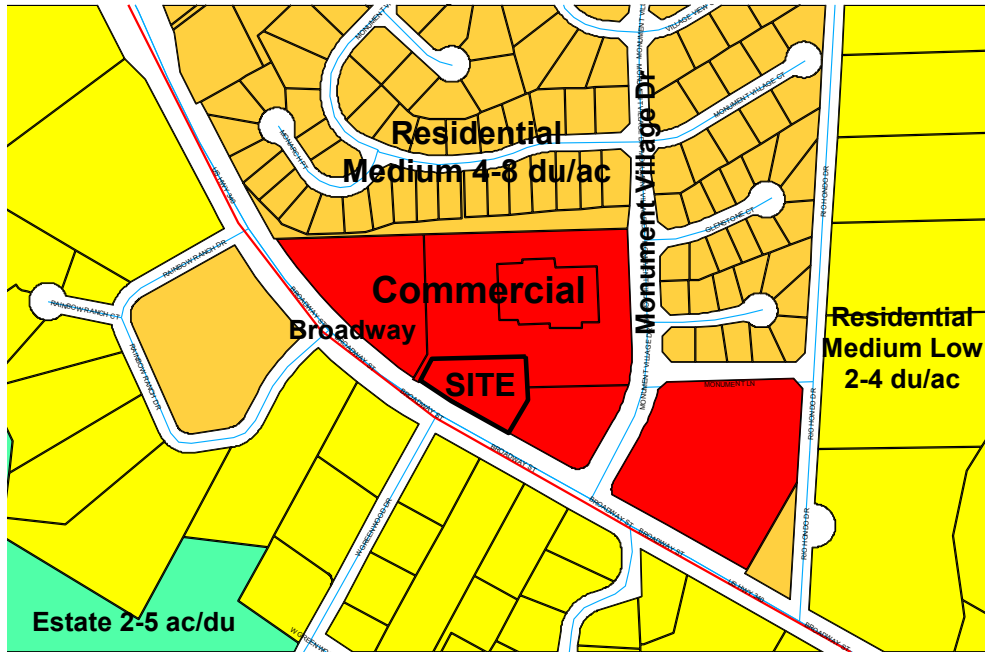
Aerial Photo Map

Figure 2



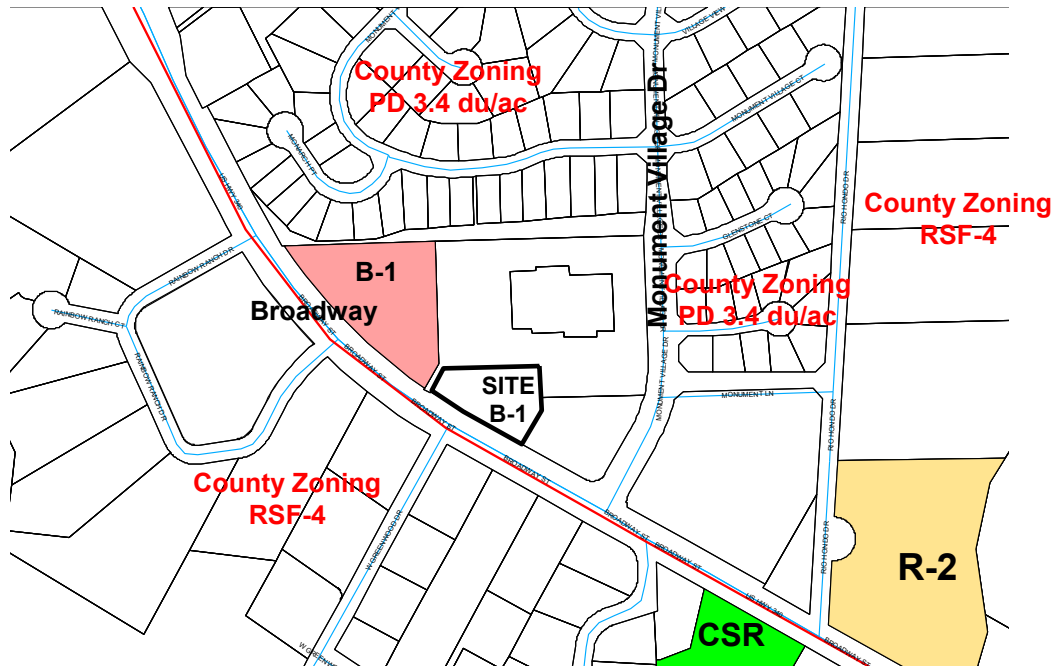
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



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

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

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

SUMMERS ANNEXATION

LOCATED AT 2144 BROADWAY

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 17th day of March, 2008, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

SUMMERS ANNEXATION

A certain parcel of land located in the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of Section 23, Township Eleven South, Range One Hundred and One West of the 6TH Principal Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Lot One Monument Village Shopping Center, Filing 2, as same is recorded in Plat Book 15, Pages 59-60, public records of Mesa County, Colorado.

Said parcel contains 0.90 acres (39,167.17 sq. ft.), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 14th day of May, 2008; and

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

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

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

ADOPTED this ____ day of _____, 2008.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

SUMMERS ANNEXATION

APPROXIMATELY 0.90 ACRES

LOCATED AT 2144 BROADWAY

WHEREAS, on the 17th 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 5th day of May, 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:

SUMMERS ANNEXATION

A certain parcel of land located in the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of Section 23, Township Eleven South, Range One Hundred and One West of the 6TH Principal Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Lot One Monument Village Shopping Center, Filing 2, as same is recorded in Plat Book 15, Pages 59-60, public records of Mesa County, Colorado.

Said parcel contains 0.90 acres (39,167.17 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 17th day of March, 2008 and ordered published.

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

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE SUMMERS ANNEXATION TO
B-1 (NEIGHBORHOOD BUSINESS)**

LOCATED AT 2144 BROADWAY

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 Summers Annexation to the B-1 (Neighborhood Business) 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 B-1 (Neighborhood Business) 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 B-1 (Neighborhood Business).

SUMMERS ANNEXATION

A certain parcel of land located in the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of Section 23, Township Eleven South, Range One Hundred and One West of the 6TH Principal Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Lot One Monument Village Shopping Center, Filing 2, as same is recorded in Plat Book 15, Pages 59-60, public records of Mesa County, Colorado.

Said parcel contains 0.90 acres (39,167.17 sq. ft.), more or less, as described.

INTRODUCED on first reading the 14th day of April, 2008 and ordered published.

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

ATTEST:

President of the Council

City Clerk

CITY OF GRAND JUNCTION

| CITY COUNCIL AGENDA | | | |
|-----------------------------------|--|--|---------------------|
| Subject | Prather Annexation and Zoning - Located at 243 29 Road | | |
| File # | ANX-2008-048 | | |
| Meeting Day, Date | Monday, May 5, 2008 | | |
| Placement on the Agenda | Consent | | Individual X |
| Date Prepared | March 11, 2008 | | |
| Author Name & Title | Senta L. Costello – Associate Planner | | |
| Presenter Name & Title | Senta L. Costello – Associate Planner | | |

Summary: Request to annex and zone 0.55 acres, located at 243 29 Road, to R-4 (Residential 4 du/ac). The Prather Annexation consists of 1 parcel and is a 2 part serial annexation.

Budget: N/A

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

Attachments:

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

Background Information: See attached Staff Report/Background Information

| STAFF REPORT / BACKGROUND INFORMATION | | | | | |
|---------------------------------------|--------------|---|------------|--|-----------|
| Location: | | 243 29 Road | | | |
| Applicants: | | Larry S. Prather | | | |
| Existing Land Use: | | Single Family Residential | | | |
| Proposed Land Use: | | Single Family Residential – 2 lot residential subdivision | | | |
| Surrounding Land Use: | North | Single Family Residential | | | |
| | South | Single Family Residential | | | |
| | East | Single Family Residential | | | |
| | West | Single Family Residential | | | |
| Existing Zoning: | | County RSF-4 (Residential Single Family 4 du/ac) | | | |
| Proposed Zoning: | | City R-4 (Residential 4 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 RSF-4 (Residential Single Family 4 du/ac) | | | |
| Growth Plan Designation: | | Residential Medium Low 2-4 du/ac | | | |
| Zoning within density range? | | X | Yes | | No |

Staff Analysis:

ANNEXATION:

This annexation area consists of 0.55 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 Prather 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 owner's consent.

The following annexation and zoning schedule is being proposed.

| <i>ANNEXATION SCHEDULE</i> | |
|-----------------------------------|---|
| March 31, 2008 | Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use |
| April 8, 2008 | Planning Commission considers Zone of Annexation |
| April 14, 2008 | Introduction of a proposed Ordinance on Zoning by City Council |
| May 5, 2008 | Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council |
| June 6, 2008 | Effective date of Annexation and Zoning |

| <u>PRATHER ANNEXATION SUMMARY</u> | |
|--|---|
| File Number: | ANX-2008-048 |
| Location: | 243 29 Road |
| Tax ID Number: | 2943-304-00-123 |
| Parcels: | 1 |
| Estimated Population: | 0 |
| # of Parcels (owner occupied): | 0 |
| # of Dwelling Units: | 1 (under construction) |
| Acres land annexed: | 0.55 acres |
| Developable Acres Remaining: | 0.332 acres |
| Right-of-way in Annexation: | 0.00 acres |
| Previous County Zoning: | RSF-4 (Residential Single Family 4 du/ac) |
| Proposed City Zoning: | R-4 (Residential 4 du/ac) |
| Current Land Use: | Single Family Residential |
| Future Land Use: | Single Family Residential – 2 lot residential subdivision |
| Values: | Assessed: = \$7,390 |
| | Actual: = \$92,790 |
| Address Ranges: | 243-245 29 Road (odd only) |
| Special Districts: | Water: Ute Water |
| | Sewer: Orchard Mesa Sanitation Dist |
| | Fire: GJ Rural Fire Dist |
| | Irrigation: Orchard Mesa Irrigation Dist |
| | School: Mesa County School Dist #51 |
| | Pest: Grand River Mosquito |

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the R-4 (Residential 4 du/ac) district is consistent with the Growth Plan designation of Residential Medium Low 2-4 du/ac. The existing County zoning is RSF-4 (Residential Single Family 4 du/ac). 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 surrounding properties are zoned with the County equivalent of the requested R-4 and are developed with lots ranging from $\frac{1}{4}$ to $\frac{1}{2}$ acres in size.

- 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. There is an existing 8" water line and an 8" sewer line existing in 29 Road. The property is also served by XCel Energy and cable.

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.

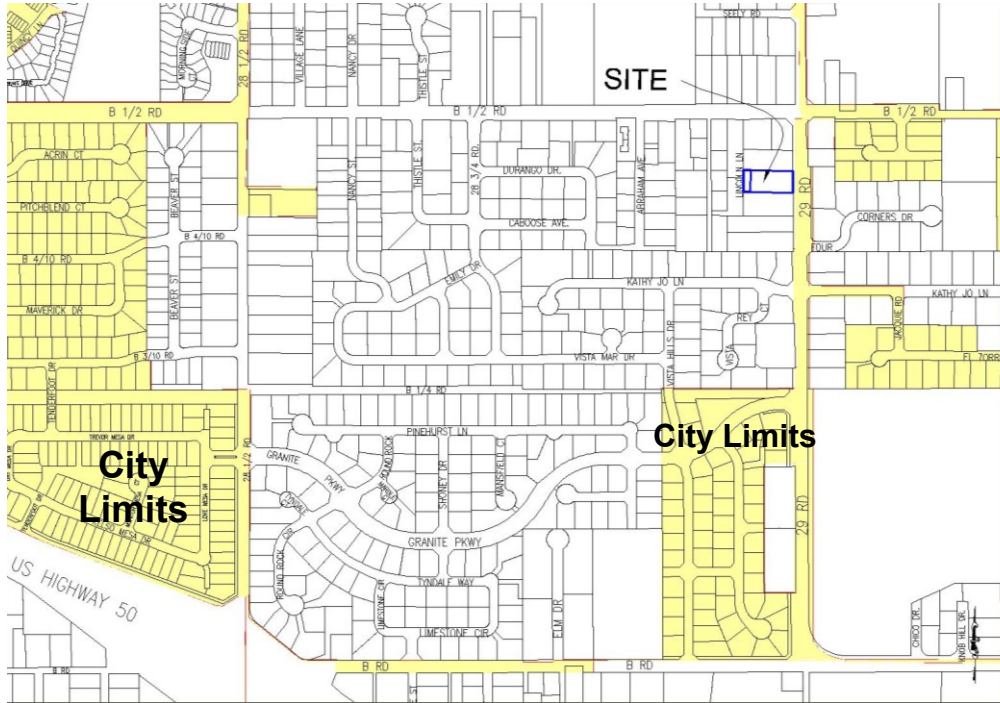
m. R-2

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

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

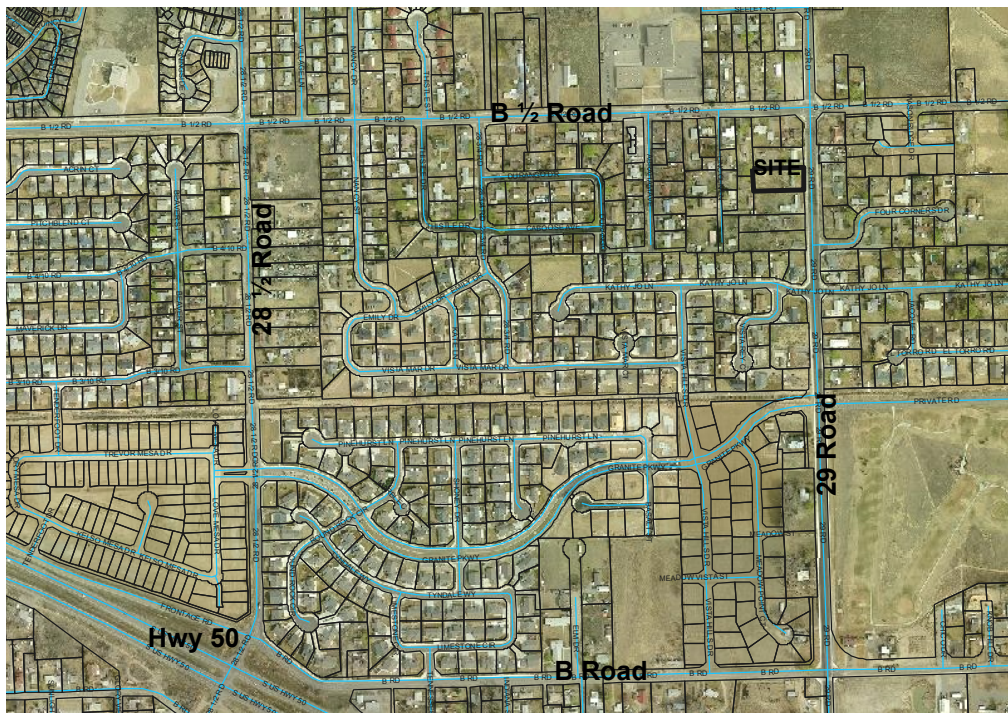
Annexation-Site Location Map

Figure 1



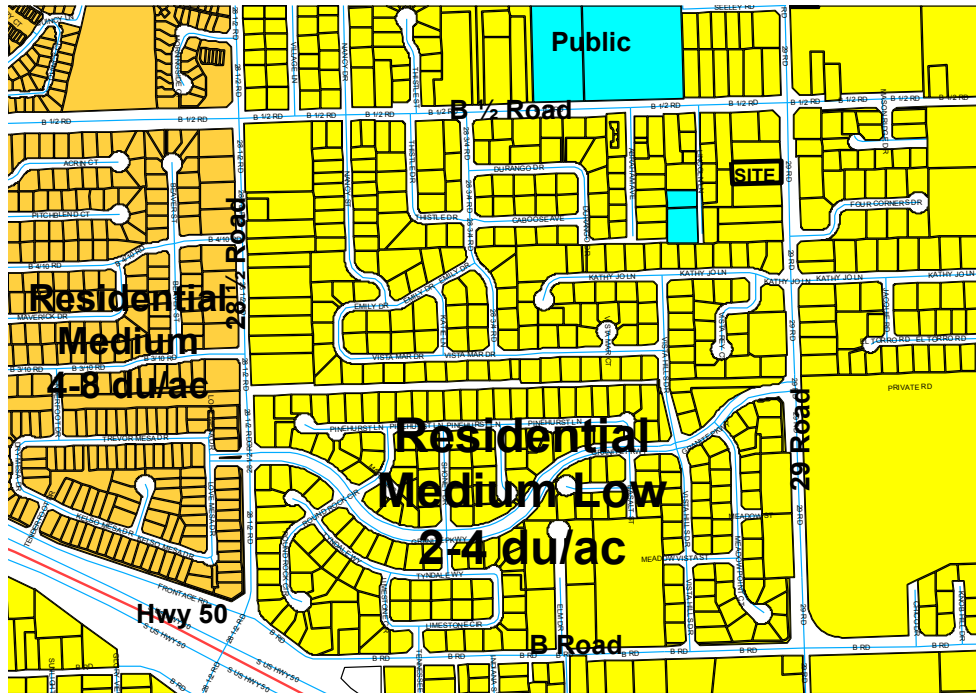
Aerial Photo Map

Figure 2



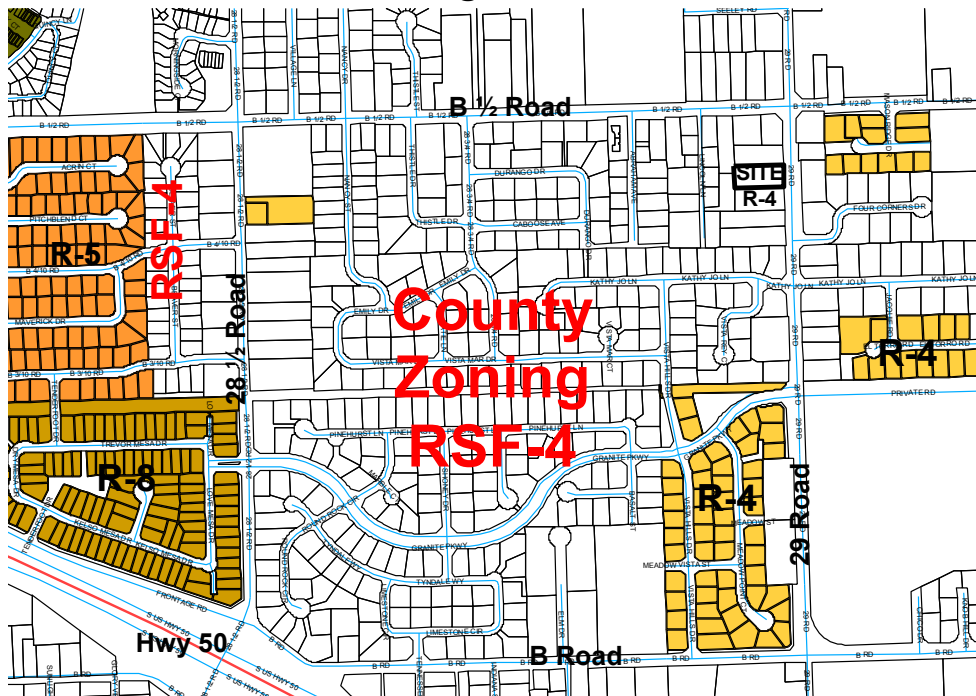
Future Land Use Map

Figure 3



Existing City and County Zoning 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."

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

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

PRATHER ANNEXATIONS NO 1 AND NO 2

LOCATED AT 243 29 ROAD

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 31st day of March, 2008, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

PRATHER ANNEXATION NO 1

A certain parcel of land located in the Northeast Quarter of the Southeast Quarter (NE 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 Northeast corner of the NE 1/4 SE 1/4 of said Section 30 and assuming the East line of the NE 1/4 SE 1/4 of said Section 30 to bear S00°10'08"E with all bearings contained herein relative thereto; thence S00°10'08"E a distance of 30.00 feet along the East line of the NE 1/4 SE 1/4 of said Section 30, said line also being the Westerly line of Larson Annexation No. 3, Ordinance No. 3425, City of Grand Junction; thence S89°56'52"W a distance of 30.00 feet to the Northeast corner of Lot 17 of The Grand Junction Orchard Mesa Land Company's Orchard Subdivision, as same is recorded in Plat Book 1, Page 26, public records of Mesa County, Colorado, said line also being the Northerly line of said Larson Annexation No. 3; thence S00°10'08"E along the East line of said Grand Junction Orchard Mesa Land Company's Orchard Subdivision a distance of 250.00 feet, said line being 30.00 feet West and parallel with the East line of the NE 1/4 SE 1/4 of said Section 30, said line also being the Westerly line of said Larson Annexation No. 3 to the Point of Beginning; thence S00°10'08"E along the East line of said Grand Junction Orchard Mesa Land Company's Orchard Subdivision a distance of 103.00 feet, said line being 30.00 feet West and parallel with the East line of the NE 1/4 SE 1/4 of said Section 30, said line also being the Westerly line of said Larson Annexation No. 3; thence along the following (3) three courses: (1) S89°49'52"W a distance of 200.00 feet (2)

N00°10'08"W a distance of 103.00 feet (3) N89°49'52"E a distance of 200.00 feet to the Point of Beginning.

Said parcel contains 0.47 acres (20,600.00 sq. ft.), more or less, as described.

PRATHER ANNEXATION NO 2

A certain parcel of land located in the Northeast Quarter of the Southeast Quarter (NE 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 Northeast corner of the NE 1/4 SE 1/4 of said Section 30 and assuming the East line of the NE 1/4 SE 1/4 of said Section 30 to bear S00°10'08"E with all bearings contained herein relative thereto; thence S00°10'08"E a distance of 30.00 feet along the East line of the NE 1/4 SE 1/4 of said Section 30, said line also being the Westerly line of Larson Annexation No. 3, Ordinance No. 3425, City of Grand Junction; thence S89°56'52"W a distance of 30.00 feet to the Northeast corner of Lot 17 of The Grand Junction Orchard Mesa Land Company's Orchard Subdivision, as same is recorded in Plat Book 1, Page 26, public records of Mesa County, Colorado, said line also being the Northerly line of said Larson Annexation No. 3; thence S00°10'08"E along the East line of said Grand Junction Orchard Mesa Land Company's Orchard Subdivision a distance of 250.00 feet, said line being 30.00 feet West and parallel with the East line of the NE 1/4 SE 1/4 of said Section 30, said line also being the Westerly line of said Larson Annexation No. 3; thence S89°49'52"W a distance of 200.00 feet along the North line of Prather Annexation No. 1, City of Grand Junction to the Point of Beginning; thence S00°10'08"E a distance of 103.00 feet along the West line of said Prather Annexation No. 1; thence along the following (3) three courses: (1) S89°49'52"W a distance of 35.00 feet (2) N00°10'08"W a distance of 103.00 feet (3) N89°49'52"E a distance of 35.00 feet to the Point of Beginning

Said parcel contains 0.47 acres (20,600.00 sq. ft.), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 5th day of May, 2008; and

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

which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

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

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

ADOPTED this ____ day of _____, 2008.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

PRATHER ANNEXATION NO 1

APPROXIMATELY 0.47 ACRES

LOCATED AT 243 29 ROAD

WHEREAS, on the 31st 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 5th day of May, 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:

PRATHER ANNEXATION NO 1

A certain parcel of land located in the Northeast Quarter of the Southeast Quarter (NE 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 Northeast corner of the NE 1/4 SE 1/4 of said Section 30 and assuming the East line of the NE 1/4 SE 1/4 of said Section 30 to bear S00°10'08"E with all bearings contained herein relative thereto; thence S00°10'08"E a distance of 30.00 feet along the East line of the NE 1/4 SE 1/4 of said Section 30, said line also being the Westerly line of Larson Annexation No. 3, Ordinance No. 3425, City of Grand Junction; thence S89°56'52"W a distance of 30.00 feet to the Northeast corner of Lot 17 of The Grand Junction Orchard Mesa Land Company's Orchard Subdivision, as

same is recorded in Plat Book 1, Page 26, public records of Mesa County, Colorado, said line also being the Northerly line of said Larson Annexation No. 3; thence S00°10'08"E along the East line of said Grand Junction Orchard Mesa Land Company's Orchard Subdivision a distance of 250.00 feet, said line being 30.00 feet West and parallel with the East line of the NE 1/4 SE 1/4 of said Section 30, said line also being the Westerly line of said Larson Annexation No. 3 to the Point of Beginning; thence S00°10'08"E along the East line of said Grand Junction Orchard Mesa Land Company's Orchard Subdivision a distance of 103.00 feet, said line being 30.00 feet West and parallel with the East line of the NE 1/4 SE 1/4 of said Section 30, said line also being the Westerly line of said Larson Annexation No. 3; thence along the following (3) three courses: (1) S89°49'52"W a distance of 200.00 feet (2) N00°10'08"W a distance of 103.00 feet (3) N89°49'52"E a distance of 200.00 feet to the Point of Beginning.

Said parcel contains 0.47 acres (20,600.00 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 31st day of March, 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**

PRATHER ANNEXATION NO 2

APPROXIMATELY 0.08 ACRES

LOCATED AT 243 29 ROAD

WHEREAS, on the 31st 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 5th day of May, 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:

PRATHER ANNEXATION NO 2

A certain parcel of land located in the Northeast Quarter of the Southeast Quarter (NE 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 Northeast corner of the NE 1/4 SE 1/4 of said Section 30 and assuming the East line of the NE 1/4 SE 1/4 of said Section 30 to bear S00°10'08"E with all bearings contained herein relative thereto; thence S00°10'08"E a distance of 30.00 feet along the East line of the NE 1/4 SE 1/4 of said Section 30, said line also being the Westerly line of Larson Annexation No. 3, Ordinance No. 3425, City of Grand Junction; thence S89°56'52"W a distance of 30.00 feet to the Northeast corner of Lot 17 of The Grand Junction Orchard Mesa Land Company's Orchard Subdivision, as

same is recorded in Plat Book 1, Page 26, public records of Mesa County, Colorado, said line also being the Northerly line of said Larson Annexation No. 3; thence S00°10'08"E along the East line of said Grand Junction Orchard Mesa Land Company's Orchard Subdivision a distance of 250.00 feet, said line being 30.00 feet West and parallel with the East line of the NE 1/4 SE 1/4 of said Section 30, said line also being the Westerly line of said Larson Annexation No. 3; thence S89°49'52"W a distance of 200.00 feet along the North line of Prather Annexation No. 1, City of Grand Junction to the Point of Beginning; thence S00°10'08"E a distance of 103.00 feet along the West line of said Prather Annexation No. 1; thence along the following (3) three courses: (1) S89°49'52"W a distance of 35.00 feet (2) N00°10'08"W a distance of 103.00 feet (3) N89°49'52"E a distance of 35.00 feet to the Point of Beginning

Said parcel contains 0.08 acres (3,484.8 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 31st day of March, 2008 and ordered published.

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

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

LOCATED AT 243 29 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 Prather Annexation to the R-4 (Residential 4 du/ac) zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

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

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

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

PRATHER ANNEXATION

BEG 250FT S OF NE COR LOT 17 G J O M LD CO SUB SEC 301S 1E W 235FT S
103FT E 235FT N TO BEG

INTRODUCED on first reading the 14th day of April, 2008 and ordered published.

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

ATTEST:

President of the Council

City Clerk

Attach 12

Public Hearing – Vacation of Public ROW, South 6’ of Second Avenue West of South 9th Street

CITY OF GRAND JUNCTION

| CITY COUNCIL AGENDA | | | |
|-----------------------------------|---|--------------------------|---|
| Subject | Vacation of Public Right-of-Way – Located South 6’ of Second Avenue West of S. 9 th Street | | |
| File # | VR-2007-316 | | |
| Meeting Day, Date | Monday, May 5 , 2008 | | |
| Placement on the Agenda | Consent | <input type="checkbox"/> | Individual <input checked="" type="checkbox"/> |
| Date Prepared | April 11, 2008 | | |
| Author Name & Title | Senta L. Costello – Associate Planner | | |
| Presenter Name & Title | Senta L. Costello – Associate Planner | | |

Summary: Request to vacate the south 6’ of the Second Avenue right-of-way west of S. 9th Street. The applicant is requesting the vacation in order to improve the on-site circulation of the property to the south when it’s redeveloped in the near future.

Budget: N/A

Action Requested/Recommendation: Hold a public hearing and consider final passage and publication of the proposed vacation ordinance.

Attachments:

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

Background Information: See attached report

| BACKGROUND INFORMATION | | | |
|-------------------------------------|--------------|---|--------------------------|
| Location: | | South 6' of Second Avenue west of S 9 th Street | |
| Applicants: | | Applicant: Allen Munro, LLC Representative: Austin Civil Group – Troy Gorham | |
| Existing Land Use: | | Undeveloped Second Avenue right-of-way | |
| Proposed Land Use: | | Redevelopment of the property to the south of Second Avenue | |
| Surrounding Land Use: | North | Vacant Industrial | |
| | South | Munro Pump warehouse | |
| | East | American Linen/Commercial-Industrial uses | |
| | West | Vacant Industrial | |
| Existing Zoning: | | I-2 (General Industrial) | |
| Proposed Zoning: | | I-2 (General Industrial) | |
| Surrounding Zoning: | North | I-2 (General Industrial) | |
| | South | I-2 (General Industrial) | |
| | East | I-2 (General Industrial) | |
| | West | I-2 (General Industrial) | |
| Growth Plan Designation: | | Industrial | |
| Zoning within density range? | | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | | Yes | No |

Staff Analysis:

1. Background

The street was created as a part of the Milldale Subdivision platted in 1903. The Milldale Subdivision was annexed as the South Alley S. of S. Ave annexation in 1909. Second Avenue is currently undeveloped right-of-way. The owner of the property to the south plans to redevelop the property and would like to incorporate this area of Second Avenue into the property in order to improve on-site circulation and building/landscaping

placement. Improvements will be required for the currently unimproved Second Avenue right-of-way with the proposed redevelopment of the applicant's property.

2. Consistency with the Growth Plan

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

- Goal 5: To ensure that urban growth and development make efficient use of investments in streets, utilities and other public facilities.
 - Policy 5.2: The City and County will encourage development that uses existing facilities and is compatible with existing development.
 - Policy 5.3: The City and County may accommodate extensions of public facilities to serve development that is adjacent to existing facilities. Development in areas which have adequate public facilities in place or which provide needed connections of facilities between urban development areas will be encouraged. Development that is separate from existing urban services (“leap-frog” development) will be discouraged.
- Goal 6: To promote the cost-effective provision of services for businesses and residents by all service providers.
 - Policy 6.4 – The City and County will encourage consolidations of services whenever such consolidations will result in improved service efficiencies while maintaining adopted level of service standards.
- Goal 10: To retain valued characteristics of different neighborhoods within the community.
 - Policy 10.2: The City and County will consider the needs of the community at large and the needs of individual neighborhoods when making development decisions.

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

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

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

Applicant's Response: Vacation of the street right-of-way does not impact any street plan or policies adopted by the City of Grand Junction. Vacating the right-of-way actually helps comply with Transportation Engineering Design Standards (TEDS) by providing a route for delivery trucks to access the property without backing through the 9th Street right-of-way.

Staff's Response: The request is in conformance with the Growth Plan, major street plan, and other adopted plans and policies of the City. With the redevelopment of the applicant's property, access on South 9th Street will be relocated to Second Avenue. This will eliminate a grandfathered circulation pattern that does not meet current TEDS standards. Also see #2 above for Growth Plan consistency details.

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

Applicant's Response: No parcels will be landlocked from vacation. A thirty-foot right-of way would still exist to access the adjacent parcels.

Staff's Response: There will not be any parcels landlocked if the vacation is approved. The applicant's original application was to vacate the south 30' of Second Avenue. Through review comments that request was changed to 6'. Vacating the south 6' will leave a 54' wide right-of-way. The minimum for a local Industrial street is 48'.

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

Applicant's Response: No parcels will be landlocked from vacation. A thirty-foot right-of-way would still exist to access the adjacent parcels.

Staff's Response: Access will not be restricted to any parcels as a result of the vacation. The applicant's original application was to vacate the south 30' of Second Avenue. Through review comments that request was changed to 6'. Vacating the south 6' will leave a 54' wide right-of-way. The minimum for a local Industrial street is 48'.

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

Applicant's Response: This vacation will not impact any health, safety, or public welfare. The quality of public facilities (i.e. utilities) will not be impacted by this project because the roadway currently does not exist.

Staff's Response: The vacation will not cause any adverse impacts on the health, safety and/or welfare of the general community and the quality of public facilities and services provided to any parcel of land will not be reduced.

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

Applicant's Response: Vacation of the right-of-way will not inhibit service to any parcel.

Staff's Response: Adequate public facilities and services will be maintained.

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

Applicant's Response: Vacation of the right-of-way reduces street maintenance requirements and improves street circulation by providing site access location to properties off the busy Ninth Street area.

Staff's Response: The vacation eliminates a portion of existing/future maintenance requirements for Second Avenue,

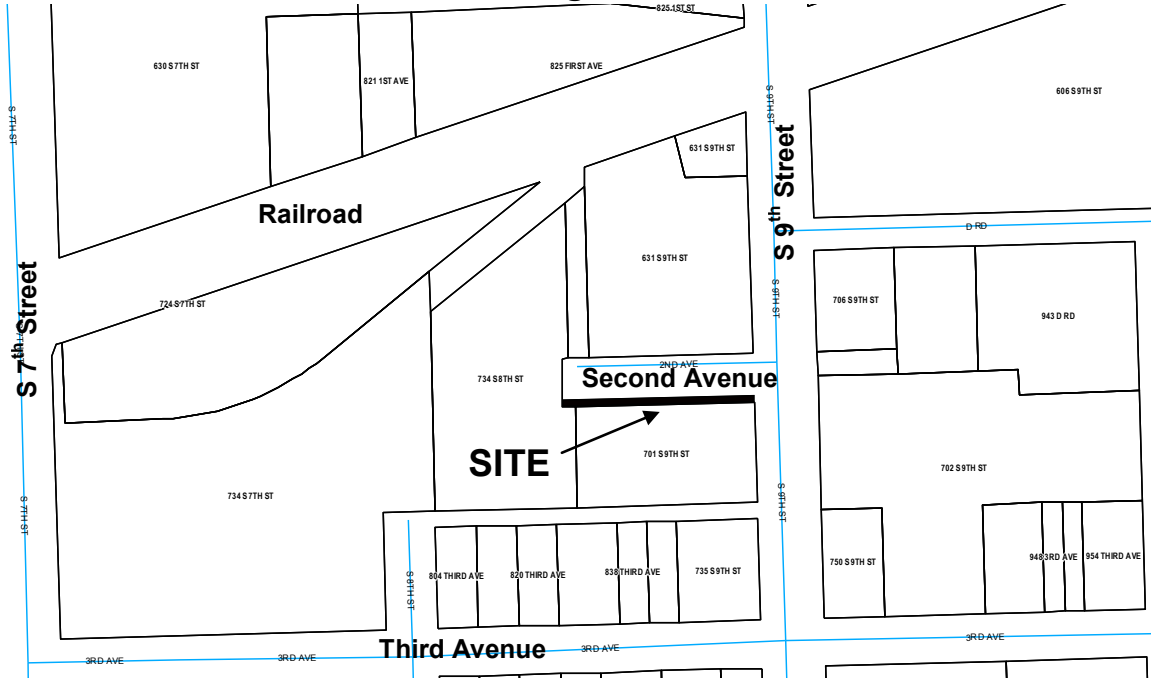
FINDINGS OF FACT/CONCLUSIONS: After reviewing the Second Avenue Vacation application, VR-2007-316 for the vacation of a public right-of-way, I make the following findings of fact and conclusions:

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

PLANNING COMMISSION RECOMMENDATION: On April 8, 2008, Planning Commission forwarded a recommendation of approval of the requested right-of-way vacation, VR-2007-316 to the City Council with the findings and conclusions listed above.

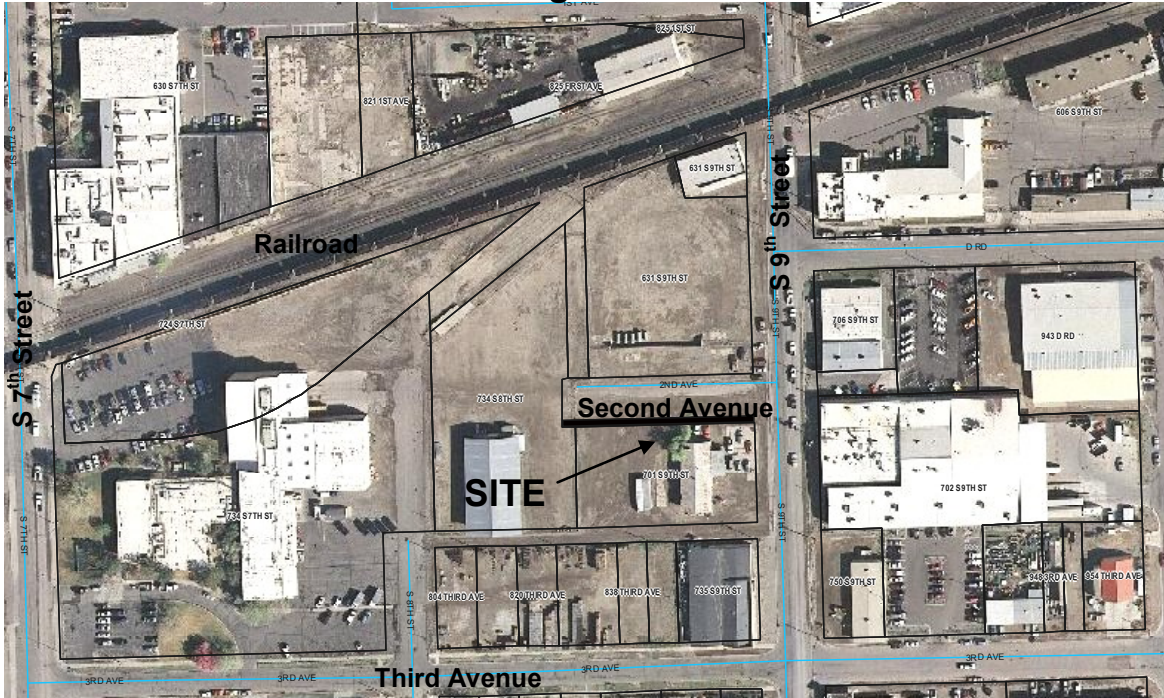
Site Location Map

Figure 1



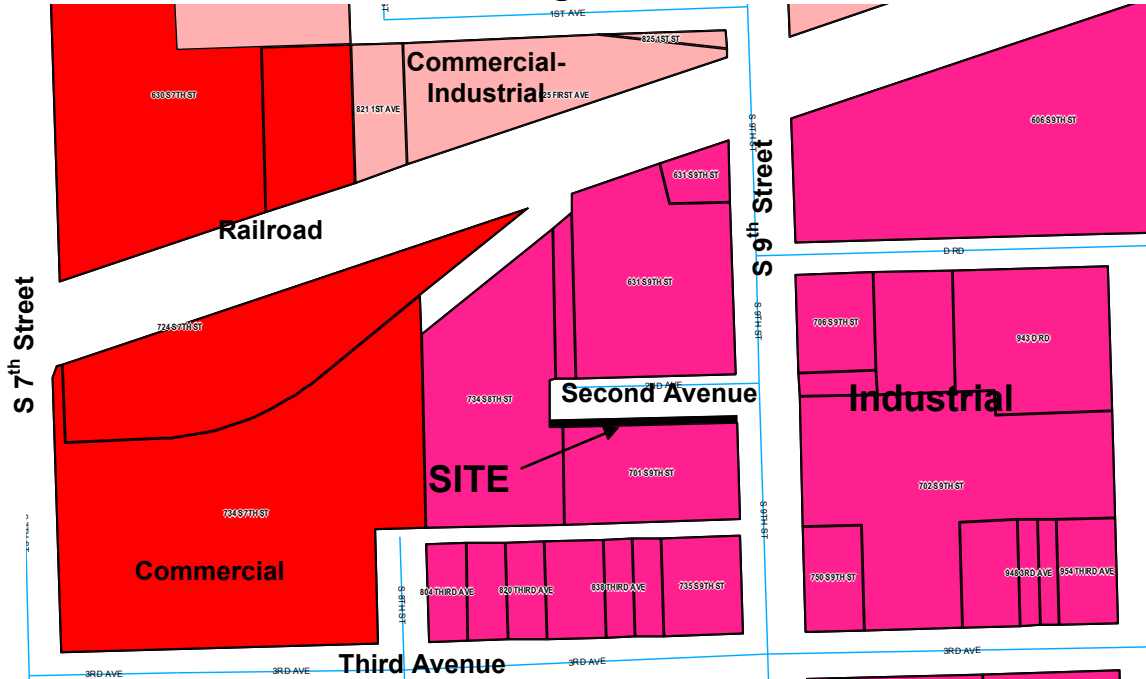
Aerial Photo Map

Figure 2



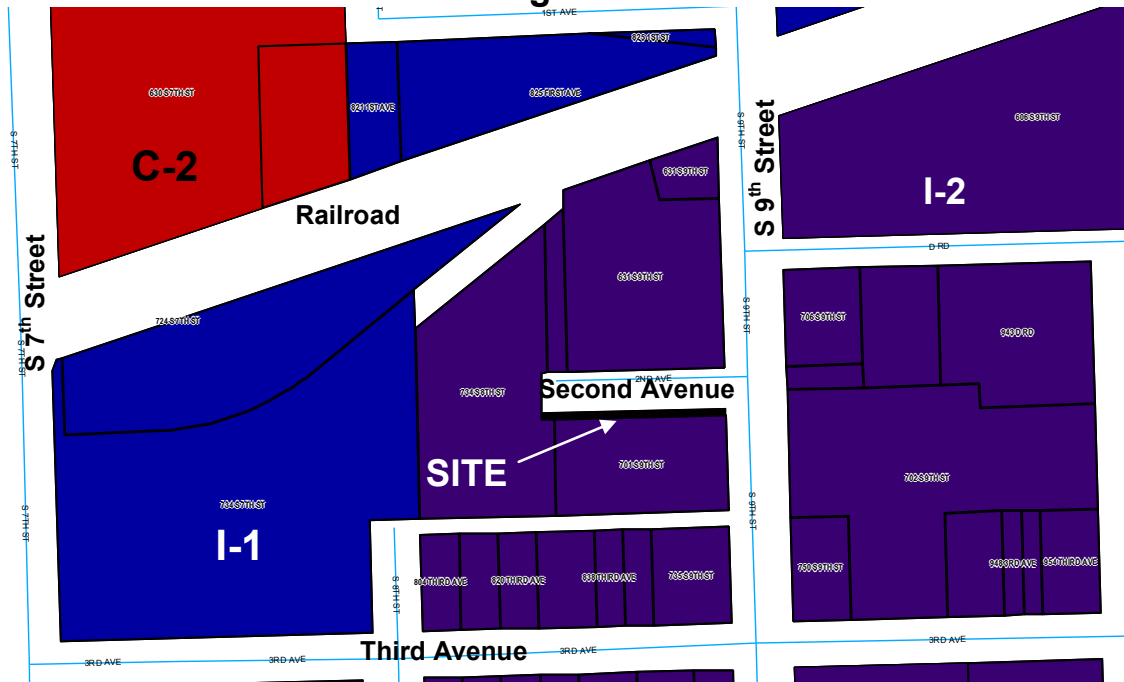
Future Land Use Map

Figure 3



Existing City Zoning Map

Figure 4



CITY OF GRAND JUNCTION

ORDINANCE NO.

**AN ORDINANCE VACATING THE SOUTH 6' OF RIGHT-OF-WAY FOR
SECOND AVENUE**

LOCATED WEST OF S 9TH STREET

Recitals:

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

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

The Planning Commission, having heard and considered the request, found the criteria of the Code to have been met, and recommends that the vacation be approved.

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

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

1. Applicants shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents.

Dedicated right-of-way to be vacated:

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

That part of Second Avenue within the Milldale Subdivision, City of Grand Junction, County of Mesa, State of Colorado. Described as follows:

The South 6.00 feet of Second Avenue contiguous to Lot 5 thru Lot 13, Block 12 , Milldale Subdivision as recorded in Plat Book 2, Page 29, recorded at the Mesa County Clerk and Records, Grand Junction, Colorado.

Containing 1340.5 square feet or 0.03 acres as described.

Introduced for first reading on this 14th day of April, 2008

PASSED and ADOPTED this _____ day of _____, 2008.

ATTEST:

President of City Council

City Clerk

Attach 13

Public Hearing Lambert Annexation and Zoning, Located at 2813 C ¾ Road

CITY OF GRAND JUNCTION

| CITY COUNCIL AGENDA | | | |
|-----------------------------------|--|--------------------------|---|
| Subject | Lambert Annexation and Zoning - Located at 2813 C ¾ Road | | |
| File # | ANX-2008-045 | | |
| Meeting Day, Date | Monday, May 5, 2008 | | |
| Placement on the Agenda | Consent | <input type="checkbox"/> | Individual <input checked="" type="checkbox"/> |
| Date Prepared | April 2, 2008 | | |
| Author Name & Title | Justin T. Kopfman – Associate Planner | | |
| Presenter Name & Title | Justin T. Kopfman – Associate Planner | | |

Summary: Request to annex and zone 10.14 acres, located at 2813 C ¾ Road, to I-1 (Light Industrial). The Lambert Annexation consists of one parcel.

Budget: N/A

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

Attachments:

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

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION

| | | | | |
|-------------------------------------|--------------|---|-----|----|
| Location: | | 2813 C ¾ Road | | |
| Applicants: | | Owner: Steve and Wanda Lambert Developer: Kevin Bray Representative: Brooke Bray – Zeck Homes | | |
| Existing Land Use: | | Residential | | |
| Proposed Land Use: | | Industrial | | |
| Surrounding Land Use: | North | Vacant | | |
| | South | Industrial | | |
| | East | Agricultural | | |
| | West | Commercial | | |
| Existing Zoning: | | County RSF-R (Residential Single Family Rural) | | |
| Proposed Zoning: | | I-1 (Light Industrial) | | |
| Surrounding Zoning: | North | None (Zoning in Process) | | |
| | South | County RSF-R (Residential Single Family Rural) | | |
| | East | R-8 (Residential 8-du/ac) | | |
| | West | County PUD/Commercial-Industrial | | |
| Growth Plan Designation: | | Commercial Industrial | | |
| Zoning within density range? | | X | Yes | No |

Staff Analysis:

ANNEXATION:

This annexation area consists of 10.14 acres of land and is comprised of one parcel. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

It is staff's opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Lambert 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 owner's consent.

The following annexation and zoning schedule is being proposed.

| <u><i>ANNEXATION SCHEDULE</i></u> | |
|-----------------------------------|---|
| March 31, 2008 | Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use |
| April 8, 2008 | Planning Commission considers Zone of Annexation |
| April 14, 2008 | Introduction of a proposed Ordinance on Zoning by City Council |
| May 5, 2008 | Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council |
| June 6, 2008 | Effective date of Annexation and Zoning |

| LAMBERT ANNEXATION SUMMARY | | |
|---------------------------------------|----------------------------------|--|
| File Number: | | ANX-2008-045 |
| Location: | | 2813 C ¾ Road |
| Tax ID Number: | | 2943-192-00-142 |
| Parcels: | | 1 |
| Estimated Population: | | 3 |
| # of Parcels (owner occupied): | | 1 |
| # of Dwelling Units: | | 1 |
| Acres land annexed: | | 10.14 acres (441,597.10 square feet) |
| Developable Acres Remaining: | | 10.1243 acres (441,014.5 square feet) |
| Right-of-way in Annexation: | | .0157 acres (687.87 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: | \$18,090 |
| | Actual: | \$227,350 |
| Address Ranges: | | 2813-2829 (odd only) C ¾ Road |
| Special Districts: | Water: | Ute Water |
| | Sewer: | Central Grand Valley Sanitation |
| | Fire: | Grand Junction Rural |
| | Irrigation/ Drainage: | Grand Valley Irrigation Grand Valley Drainage |
| | School: | District 51 |
| | Pest: | Grand River Mosquito District |

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the I-1 (Light Industrial) zone district is consistent with the Growth Plan designation of Commercial Industrial. The existing County zoning is 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 zone district is compatible with the surrounding developed properties. Within the surrounding area, many of the adjacent commercial and industrial properties have been zoned accordingly to meet the Future Land Use Designation of Commercial/Industrial with some having begun to develop Industrial type use developments.

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. A 12 " Ute Water Line is available. An 18 " Sanitary Sewer Line is available.

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

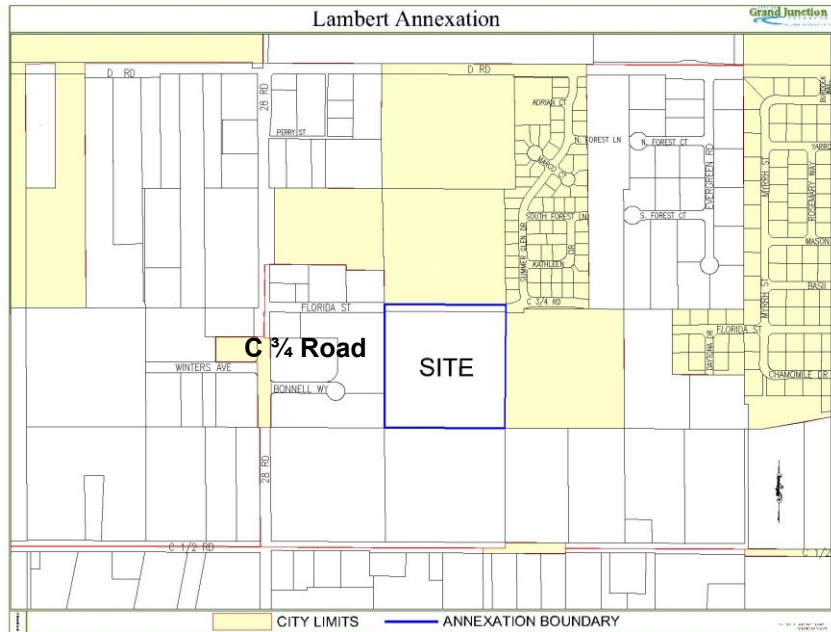
- n. I-O (Industrial Office)
- o. C-2 (General Commercial)

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

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommended approval of the requested zone of annexation to the City Council on April 8, 2007, finding the zoning to the I-1 (Light Industrial) district to be consistent with the Growth Plan, 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



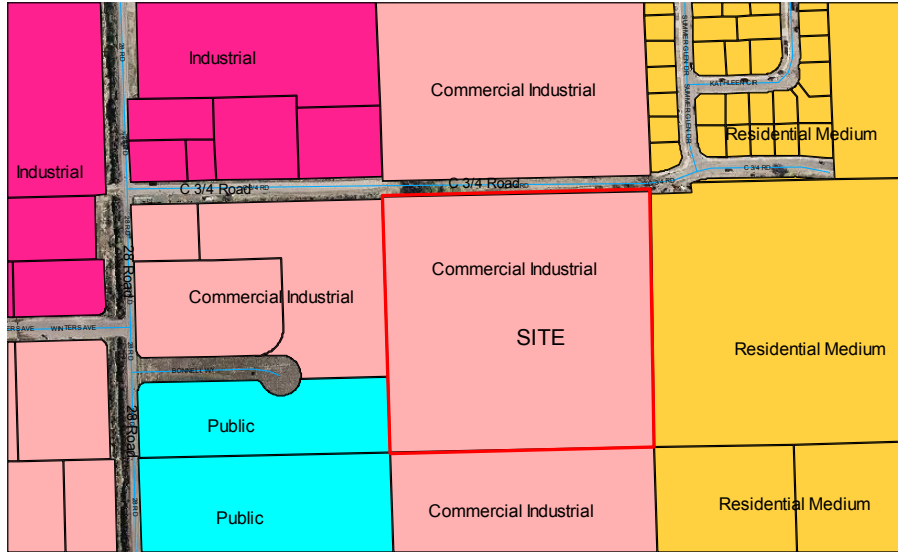
Aerial Photo Map

Figure 2



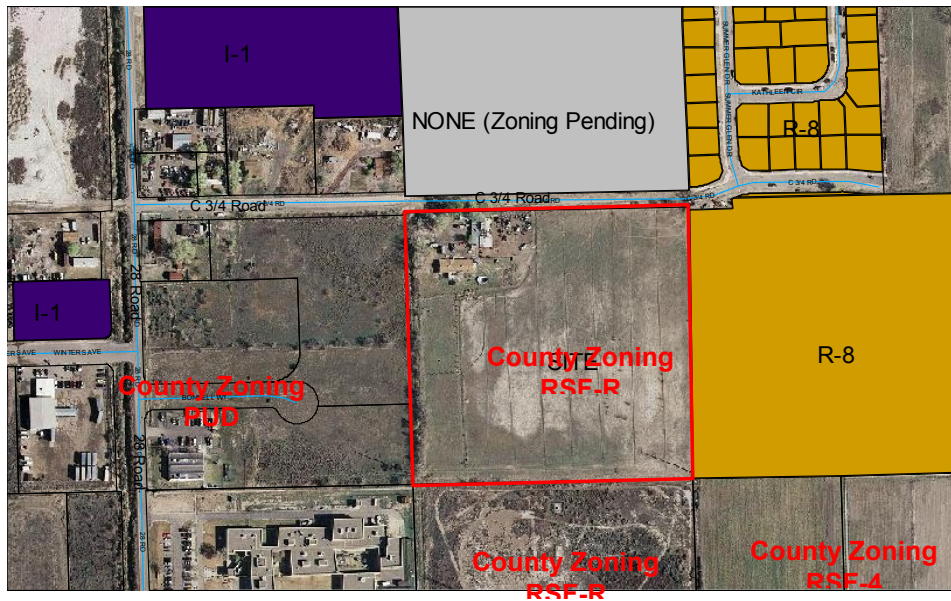
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

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

LAMBERT ANNEXATION

**LOCATED AT 2813 C 3/4 ROAD AND A PORTION OF THE
C 3/4 ROAD RIGHT-OF-WAY**

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 31st day of March, 2008, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

LAMBERT ANNEXATION

A certain parcel of land located in the Northeast Quarter of the Southwest Quarter of the Northwest Quarter (NE 1/4 SW 1/4 NW 1/4) of Section 19, Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado and being more particular described as follows:

The NE 1/4 SW 1/4 NW 1/4 of said Section 19.

Said parcel contains 10.14 acres (441,597.10 sq. ft.), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 5th day of May, 2008; and

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

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

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

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

ADOPTED this ____ day of _____, 2008.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

LAMBERT ANNEXATION

APPROXIMATELY 10.14 ACRES

**LOCATED AT 2813 C 3/4 ROAD AND A PORTION OF THE
C 3/4 ROAD RIGHT-OF-WAY**

WHEREAS, on the 31st 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 5th day of May, 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:

LAMBERT ANNEXATION

A certain parcel of land located in the Northeast Quarter of the Southwest Quarter of the Northwest Quarter (NE 1/4 SW 1/4 NW 1/4) of Section 19, Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado and being more particular described as follows:

The NE 1/4 SW 1/4 NW 1/4 of said Section 19.

Said parcel contains 10.14 acres (441,597.10 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 31st day of March, 2008 and ordered published.

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

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE LAMBERT ANNEXATION TO
I-1 (LIGHT INDUSTRIAL)**

LOCATED AT 2813 C 3/4 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 Lambert Annexation to the I-1 (Light Industrial) zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

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

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

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

A certain parcel of land located in the Northeast Quarter of the Southwest Quarter of the Northwest Quarter (NE 1/4 SW 1/4 NW 1/4) of Section 19, Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado and being more particular described as follows:

The NE 1/4 SW 1/4 NW 1/4 of said Section 19.

Said parcel contains 10.14 acres (441,597.10 sq. ft.), more or less, as described.

INTRODUCED on first reading the 14th day of April, 2008 and ordered published.

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

ATTEST:

President of the Council

City Clerk

Attach 14

Public Hearing Rezone the Trail Side Subdivision, Located at 381 5/8 Road

CITY OF GRAND JUNCTION

| CITY COUNCIL AGENDA | | | |
|-----------------------------------|--|--------------------------|---|
| Subject | Trail Side Subdivision Rezone – Located at 381 31 5/8 Road | | |
| File # | PP-2007-321 | | |
| Meeting Day, Date | May 5, 2008 | | |
| Placement on the Agenda | Consent | <input type="checkbox"/> | Individual <input checked="" type="checkbox"/> |
| Date Prepared | April 25, 2008 | | |
| Author Name & Title | Adam Olsen, Senior Planner | | |
| Presenter Name & Title | Brian Rusche, Senior Planner | | |

Summary: A request to rezone 9.15 acres, located at 381 31 5/8 Road, from R-4 (Residential 4 du/ac) to R-5 (Residential 5 du/ac).

Budget: N/A

Action Requested/Recommendation: Hold a public hearing and consider final passage of the ordinance rezoning 9.15 acres, located at 381 31 5/8 Road from R-4 (Residential 4 du/ac) to R-5 (Residential 5 du/ac).

Background Information: See attached report.

Attachments:

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

| BACKGROUND INFORMATION | | | | | |
|------------------------------|-------|--|-----|--|----|
| Location: | | 381 31 5/8 Road | | | |
| Applicants: | | Ankarlo Hilldav LLC-Owner Davidson Homes-Representative | | | |
| Existing Land Use: | | Vacant | | | |
| Proposed Land Use: | | Residential | | | |
| Surrounding Land Use: | North | Residential/Church | | | |
| | South | Residential/Agriculture | | | |
| | East | Industrial | | | |
| | West | Residential/Vacant | | | |
| Existing Zoning: | | R-4 (Residential 4 du/ac) | | | |
| Proposed Zoning: | | R-5 (Residential 5 du/ac) | | | |
| Surrounding Zoning: | North | R-4 (Residential 4 du/ac), RSF-R (County) | | | |
| | South | AFT (County) | | | |
| | East | C-2 (General Commercial), I-1 (Light Industrial) | | | |
| | West | R-8 (Residential 8 du/ac) | | | |
| Growth Plan Designation: | | RM (Residential Medium 4-8 du/ac) | | | |
| Zoning within density range? | | x | Yes | | No |

Staff Analysis:

1. Background

This area consists of 9.15 acres and was platted as Lot 2, Ankarlo Subdivision. The property was annexed in 2005 under the Ankarlo Annexation and zoned R-4 (Residential 4 du/ac). The property owner, in conjunction with Housing Resources of Western Colorado, has submitted a preliminary subdivision plan consisting of single-family detached units conforming to the R-5 zone district standards. That proposal is running concurrent with this rezone request. However, before the preliminary subdivision plan may proceed further, the rezone request must be acted upon.

2. Consistency with the Growth Plan

The requested zone district of R-5 is consistent with the Future Land Use designation of Residential Medium (4-8 du/ac).

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

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

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

The existing zoning was not in error at the time of adoption. The property owners requested the R-4 zone district upon annexation, which is also compatible with the Future Land Use designation for this area.

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

Properties that have been recently annexed and zoned R-8, C-2 and I-1 in the City are present to the west and east. To the east of this request, the area is becoming more commercial and industrial in nature. County zoning of RSF-4 is present to the north. The R-5 zone designation is compatible with the existing City zoning designations in the area.

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

The R-5 zone district is compatible with the neighborhood and will not create adverse impacts. The Future Land Use Map designates this area as RM (Residential Medium 4-8 du/ac). The proposed River Trail Subdivision, located to the west, is zoned R-8 (Residential 8 du/ac). The City Council's Strategic Plan emphasizes the importance of affordable housing in the City. One of the objectives is to identify, develop and promote relationships with public agencies, not-for-profits and the private sector in providing affordable housing. This objective is met as the property owner and Housing Resources of Western Colorado have paired to allow this development to help alleviate the need for workforce housing in the community.

The R-5 zone district is in conformance with the following goals and policies of the Growth Plan and the Pear Park Neighborhood Plan:

Growth Plan:

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

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

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

Pear Park Plan:

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

The Pear Park Plan designates this area “Residential Medium”, with densities ranging from four to eight units per acre. The R-5 zone district falls within the “Residential Medium” density range.

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

Adequate public facilities are available or will be made available at the time of further development of the property. Water and sewer lines are located in 31 5/8 Road.

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

This is located within an area of Pear Park that is rapidly developing. Proposed subdivisions will be built at densities comparable to that of the R-5 zone district. Any land comparably zoned in the City, in this area, is developing or has been developed. The R-5 zone district will allow development at densities comparable to that of existing developments nearby.

6. The community will benefit from the proposed zone.

The community will benefit from the proposed zone as it will allow density to be added to an area of the City which is under intense development pressure. The R-5 zone district will allow densities comparable to that of the existing subdivisions in the vicinity.

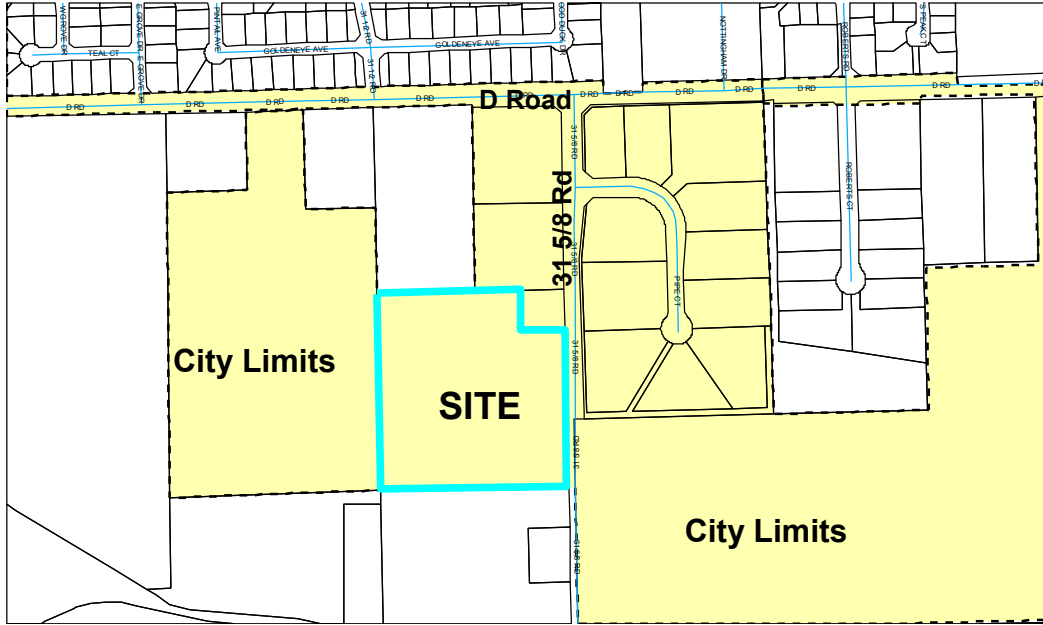
PLANNING COMMISSION RECOMMENDATION:

The Planning Commission recommended approval of the requested rezone, PP-2007-321, to the City Council with the following findings of fact and conclusions:

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

Site Location Map

Figure 1



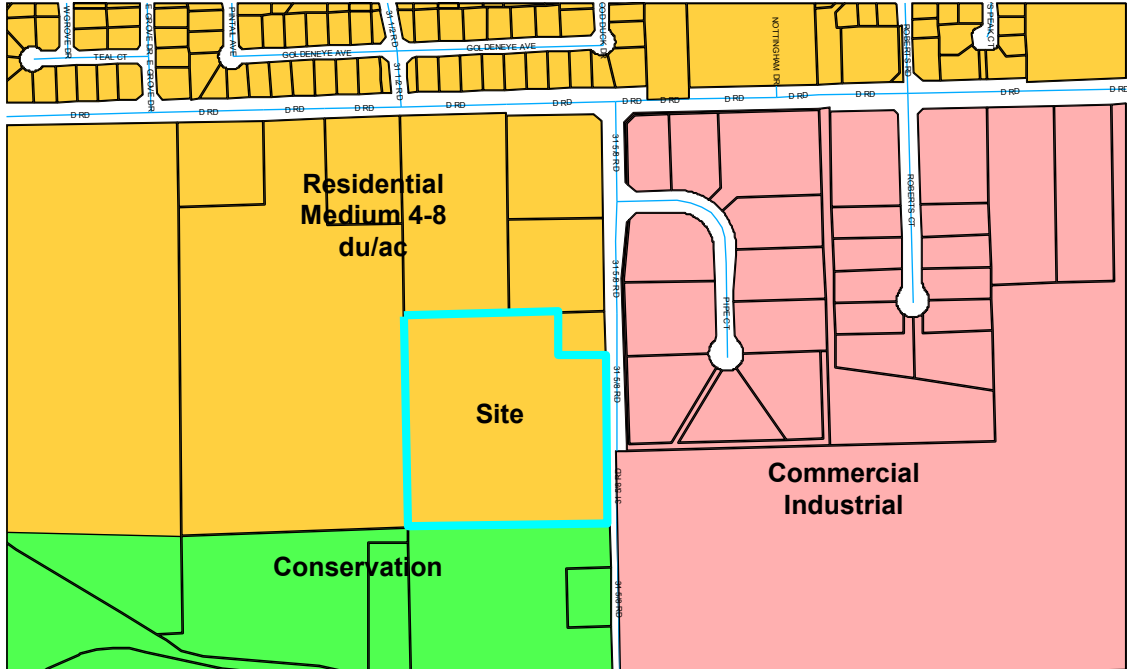
Aerial Photo Map

Figure 2



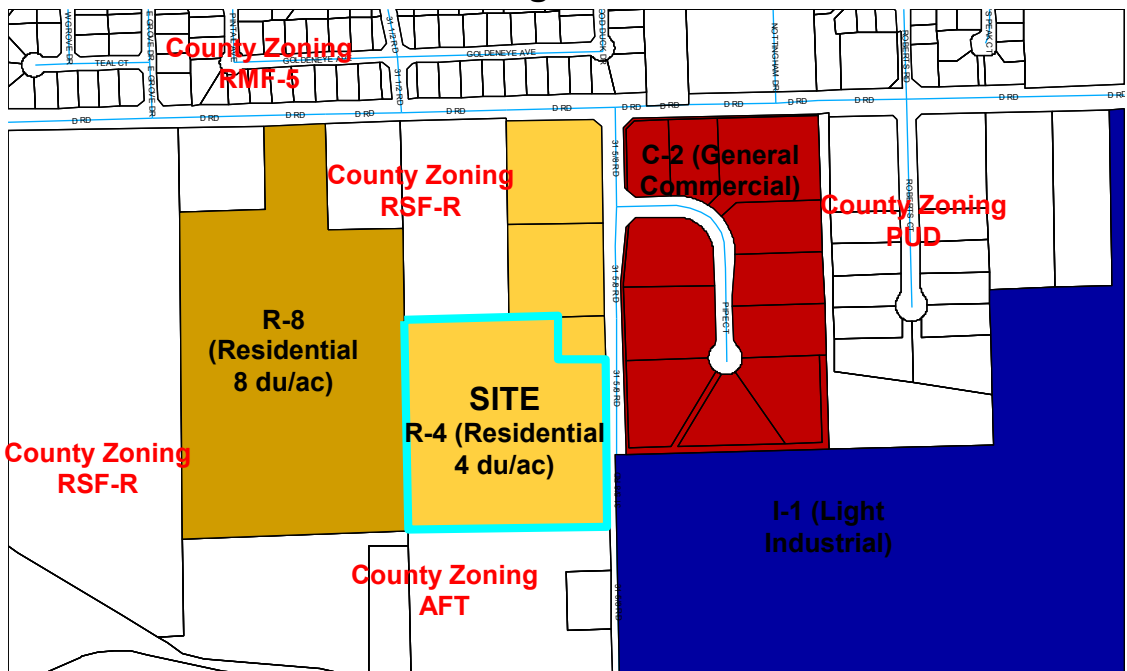
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE REZONING THE PROPERTY KNOWN AS THE
TRAIL SIDE SUBDIVISION TO
R-5, RESIDENTIAL 5 UNITS PER ACRE**

LOCATED AT 381 31 5/8 ROAD

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended approval of rezoning the Trail Side Subdivision Rezone to the R-5, Residential 5 Units/Acre Zone District finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning & Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the R-5, Residential 5 Units/Acre Zone District is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning & Development Code.

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

The following property be zoned R-5, Residential 5 Units/Acre:

Lot 2, Ankarlo Subdivision, being a replat of Parcel 1A Ankarlo Simple Land Division situated in the NW ¼, NE ¼ in Section 22, Township 1 South, Range 1 East of the Ute Meridian, Grand Junction, Mesa County, Colorado.

Said parcel contains 9.15 acres more or less.

Introduced on first reading this 14th day of April, 2008 and ordered published.

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

ATTEST:

President of the Council

City Clerk