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

Call to Order

Pledge of Allegiance
Invocation—Pastor Mike MacFarlane, New Day Ministries

Council Comments

Citizen Comments

***** CONSENT CALENDAR ***®**

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

Action: Approve the Joint Persigo Meeting Minutes of the April 30, 2008 Meeting, the May 19, 2008 and the May 21, 2008 Regular Meetings and the Minutes of the May 21, 2008 Special Session

2. **Airport Improvement Program Grants at Grand Junction Regional Airport** [Attach 2](#)

AIP-35 is for resurfacing of Runway 11/29 in preparation of a total rebuild in eight to ten years. The project will remove and replace approximately 2 inches of the runway surface and then grooved. The grant amount is \$5,301,595.00. The second grant, AIP-36 is for funding of a Master Plan study for the airport. The grant amount is \$391,980.00. The Supplemental Co-sponsorship Agreement is required by the FAA as part of the grant acceptance by the City.

*** Indicates New Item
® Requires Roll Call Vote

Action: Authorize the Mayor to Sign FAA AIP-35 Grant for a Runway Rehabilitation and AIP-36 for a Master Plan Study at Grand Junction Regional Airport and Authorize the City Manager to Sign the Supplemental Co-sponsorship Agreements for AIP-35 and AIP-36

Staff presentation: Rex Tippetts, Airport Manager

3. **Setting a Hearing on the Houghton Annexation, Located at 2964 D Road** [File #ANX-2008-120] [Attach 3](#)

Request to annex 4.02 acres, located at 2964 D Road. The Houghton Annexation consists of 1 parcel.

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

Resolution No. 73-08—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, Houghton Annexation, Located at 2964 D Road

®Action: Adopt Resolution No. 73-08

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Houghton Annexation, Approximately 4.02 Acres, Located at 2964 D Road

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

Staff presentation: Brian Rusche, Senior Planner

4. **Setting a Hearing on the Phillips-Ford Annexation, Located at 2894 Orchard Avenue** [File #ANX-2008-117] [Attach 4](#)

Request to annex 0.53 acres, located at 2894 Orchard Avenue. The Phillips-Ford Annexation consists of 1 parcel and a portion of adjacent Orchard Avenue right-of-way.

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

Resolution No. 74-08—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, Phillips-Ford Annexation, Located at 2894 Orchard Avenue, Including a Portion of the Orchard Avenue Right-of-Way

®Action: *Adopt Resolution No. 74-08*

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Phillips-Ford Annexation, Approximately 0.53 Acres, Located at 2894 Orchard Avenue, Including a Portion of Orchard Avenue Right-of-Way

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

Staff presentation: Brian Rusche, Senior Planner

5. **Setting a Hearing on the Pioneer Meadows Annexation, Located at 3126 and 3134 E Road** [File #ANX-2008-078] [Attach 5](#)

Request to annex 9.24 acres, located at 3126 and 3134 E Road. The Pioneer Meadows Annexation consists of two parcels and a portion of the E Road Right-of-way.

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

Resolution No. 75-08—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, Pioneer Meadows Annexation, Located at 3126 and 3134 E Road Including a Portion of the E Road Right-of-Way

®Action: *Adopt Resolution No. 75-08*

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Pioneer Meadows Annexation, Approximately 9.24 Acres, Located at 3126 and 3134 E Road Including a Portion of the E Road Right-of-Way

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

Staff presentation: Greg Moberg, Planning Services Supervisor

6. **Setting a Hearing on Zoning the Burnett Annexation, Located at 2846 ½ C Road** [File #ANX-2008-099] [Attach 6](#)

Request to zone the 1.09 acre Burnett Annexation, located at 2846 ½ C Road, to R-4 (Residential 4-du/ac).

Proposed Ordinance Zoning the Burnett Annexation to R-4 (Residential 4-Du/Ac), Located at 2846 ½ C Road

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

Staff presentation: Greg Moberg, Planning Services Supervisor

7. **Setting a Hearing on Zoning the Simon Annexation, Located at 3076 and 3080 F ½ Road** [File # ANX-2008-106] [Attach 7](#)

Request to zone the 6.30 acre Simon Annexation, located at 3076 and 3080 F ½ Road to R-2 (Residential 2-du/ac).

Proposed Ordinance Zoning the Simon Annexation to R-2 (Residential 2-Du/Ac), Located at 3076 and 3080 F ½ Road

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

Staff presentation: Greg Moberg, Planning Services Supervisor

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

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

8. **Public Hearing—Andy’s Liquor Mart Growth Plan Amendment** [File #GPA-2008-058] [Attach 8](#)

Request adoption of a resolution to amend the Growth Plan Future Land Use Map for property known as 145 Belford Avenue, 925 N. 2nd Street, and 927 N. 2nd Street from Residential High (12+ du/ac) to Commercial.

Resolution No. 76-08—A Resolution Amending the Growth Plan of the City of Grand Junction to Designate Approximately 0.324 Acres Located at 145 Belford Avenue and 925 and 927 North Second Street, Known as the Andy’s Liquor Mart Growth Plan Amendment, from Residential High (12+ Du/Ac) to Commercial

®Action: *Adopt Resolution No. 76-08*

Staff presentation: Brian Rusche, Senior Planner

9. **Non-Scheduled Citizens & Visitors**
10. **Other Business**
11. **Adjournment**

Attach 1

Minutes of Previous Meetings

**CITY OF GRAND JUNCTION CITY COUNCIL
and
BOARD OF COUNTY COMMISSIONERS FOR MESA COUNTY**

JOINT PERSIGO MEETING MINUTES

APRIL 30, 2008

Call to Order

The Grand Junction City Council and the Mesa County Commissioners Joint Persigo meeting was called to order by President of the Council Jim Doody at 5:38 p.m. on April 30, 2008 in the City Auditorium. Councilmember Hill led in the pledge of allegiance.

City Councilmembers present were Teresa Coons, Bruce Hill, Gregg Palmer, Linda Romer Todd, Doug Thomason, and City Council President Jim Doody. Absent was Councilmember Bonnie Beckstein.

From Mesa County, County Commissioner Chair Janet Rowland and Commissioners Craig Meis and Steve Acquafresca were present.

Also present were City Staffers Deputy City Manager Rich Englehart, City Attorney John Shaver, Public Works and Planning Director Tim Moore, Utilities and Street Systems Director Greg Trainor, Utilities Engineer Bret Guillory, Communications Coordinator Sam Rainquet, Principal Planner David Thornton, GIS Analyst Steve Smith, and City Clerk Stephanie Tuin.

County Staffers present were County Administrator Jon Peacock, Assistant County Planning and Development Director Kurt Larsen, County Attorney Lyle Dechant, Public Works Director Pete Baier, Assistant County Attorney David Frankel, County Attorney Staff Brenda Stratton, and Clerk to the Board Bert Raley.

County Commission Chair Janet Rowland reviewed the planning of this meeting and then asked County Administrator Peacock to review the history of this process including what has happened since the February 13, 2008 meeting.

Mr. Peacock detailed what took place in the interim including the use of the consultants who are conducting research for the Comprehensive Plan. The consultants developed some recommendations for the areas being considered at this meeting. He noted that only certain areas were advertised for consideration for inclusion into the boundary. Any inclusion of those areas does not approve the land use designations being recommended. Final land use and zoning decisions are made at a later time by the Planning Commissions and City Council.

Public Works and Planning Director Tim Moore then described the series of public meetings that were held and how the information was gathered. The meetings were well attended (approximately 250 total). A sub area concept was developed with four scenarios. He explained each of those scenarios: business as usual; low density; high density; and village center scenarios. The participants were polled on their preference. The polling indicated how the different concepts should be laid out in the two areas. He reiterated that the scenarios are conceptual.

Mr. Moore concluded by saying that they are still working on the Comprehensive Plan which will cover a much greater area.

County Administrator Peacock recapped that the consideration tonight is only in the two areas that were advertised and whether they should be included in the Persigo boundary. Any approvals tonight will not be land use decisions.

He outlined the options for the joint board: add all, add none, or add a portion of the areas advertised. Additional areas can be considered at another time. He suggested the whole body discuss the matter and come to a consensus for one motion.

Commissioner Meis asked for clarification on the northwest study area that runs up to J Road. Mr. Peacock said the areas advertised were based on the number of properties that wanted to be included (properties designated in green). Commissioner Meis then asked how the zoning is then changed. Public Works and Planning Director Moore explained that the City will be looking at the Comprehensive Plan for guidance. To clarify, the underlying zoning remains the same until the owner requests the change.

Councilmember Todd inquired if the options are that the developer can use the existing County zoning or the new Future Land Use Designation. City Attorney Shaver explained that it is a recommendation that it is zoned consistent with the Future Land Use Designation but the City Council makes the final decision.

Councilmember Todd provided an example to which City Attorney Shaver reiterated it is the Council's determination. He noted that once the property is in the 201 boundary, it should be developed to City standards. Generally, it is zoned consistent with the Growth Plan.

Councilmember Coons added that there is the option but it is not the applicant's option, it is for the City Council to decide. City Attorney Shaver concurred.

Councilmember Hill noted that it is the joint planning area, that is, both Planning Commissions will plan these new areas if taken into the boundary. The designation can be changed but it is difficult to change because it went through a public process. That is why it is so important to stick to the Plan.

Commissioner Chair Rowland then outlined the proceedings and how they will take public comment. The board will take five in favor and five opposed.

Public Hearing – Concerning 201 Sewer Service Area boundary adjustments in the northwest area and southeast area

The public hearing was opened at 6:10 p.m.

Comments in favor:

Dale Beede, 2059 Baseline Road, represented two owners that are in the northwest area and are in favor of the expansion of the boundary.

Dave Zollner, 2545 Canaan Way, is in favor of expanding the sewer boundary. However, his concern is that the Persigo Agreement handcuffs the ability to maintain some rural densities in those areas. His understanding is the once the property is in the boundary, it is in the hands of the City. There is no ability for a family to divide an acre off to sell to a child. He suggested that the Persigo Agreement be changed to allow, but not require, the higher densities.

Bond Jacobs, 888 21 Road, owns 40 acres on the south side of I Road and the east side of 21 Road. He is in favor of the boundary change.

Jeffrey Fleming, 2419 Hidden Valley Drive, representing owners of properties owned by Peach Hill, LLC, located between 24 ½ and 25 Road, north of I-70, asked for consideration of additional areas. In 2006, they had submitted an application for expansion with Mesa County but when these meetings were scheduled they halted their process. The property meets all the guidelines of all the plans. They request the 45.5 acres be considered as additional area in the 201 boundary.

Steve Kesler, 494 Tiara Drive, said many are very passionate about this but there are many people not here. He has the same concerns about expanding the boundary, i.e. traffic and open space, etc. Affordable housing is also very important. Few people can afford a lot these days. There are very few people making a living as a farmer these days. There has to be considerations for sewer to have the densities so houses can be built that are affordable.

Comments opposed:

Jim Schnell, 3285 C ½ Road, in Orchard Mesa, asked that if any of the board had ex parte communication on the issue that they recuse themselves from voting. Much of the land in both regions has been designated as unique agricultural lands, lands that cannot be duplicated elsewhere. Agricultural interest represents a significant part of the

economy of the valley, and needs to be an accommodation of expansion need and preservation of irrigated farmlands. Regarding the Orchard Mesa agricultural land, the property owners there would prefer the high density areas be maintained west of 30 Road, and keep east of 30 Road as agricultural.

Darrel Sartin, 989 Priscilla's Way, off of J Road and 22 Road, was pleased to note Jeff Winston's proposal brought the boundaries into the northwest area. He is surprised to see the "top hat" going up to J Road. He is basically in favor of the expansion but not quite as far north as proposed. His concern was continuity to the existing homes and that the Comprehensive Plan is not complete. He would be more comfortable if that were in place.

Pam McLaughlin, 2275 Homestead Drive, agreed with Mr. Sartin; she would like to see the northwest area zone 1 kept at a higher density, keeping services close in, and leave areas 2 and 3 low density and open.

Trevor Allen, 3077 A ½ Road, spoke against the expansion. He would rather see density closer to town. He grew up in that area and is raising his kids to ride horses and raise cattle, and wants to be able to give his kids that heritage. He and his neighbors moved there to have a rural lifestyle.

Kerry Cook, 3097 A ½ Road, said he has a small orchard; it is not his prime source of income but a nice way to live. His property faces north of A ½ Road and is concerned about the area changing to high density and is against the expansion.

Comments in favor:

Jana Gerow, 1334 21 Road, in the north area, is very pleased with the larger growth areas previously being considered; many of the people in the north area are not concerned with the growth, but should be looking at something for the greater growth area, so all the growth isn't being crunched into a small area. She favors this but encouraged a greater vision as this won't satisfy the needs for ten years.

Ann Hayes, 624 30 Road, chairman of a local realtor association, supports what Steve Kesler said. There is a need for affordable housing as they cannot find housing for many clients. She asked the board to make the decisions that are right for the future of the community.

Darin Carei, 2571 I ½ Road, said he could be in opposition because he is in a position to benefit by virtue of having an interest in having over 200 lots in the current boundaries, but many neighbors cannot afford to live in a house they own. When he began his business, he used to be able to deliver a product into the community for less than \$80,000, and now it is at \$170,000, some due to commodity increases, and the continued growth in the cost of land. The value is based on the availability of acquiring

sewer and the cost of land that has increased tenfold. Children won't be able to afford to live here and will leave the area.

Buck Connaway, 276 31 Road, has a small lot, 6 acres, asked if the east side of 31 Road is included in the boundary. The board stated that it is not in the proposed boundary change.

Don Pettygrove, 8 Moselle Court, stated that this has been a long time coming and is only a starting point as Jana Gerow had stated. The Board needs to keep looking at expanding because there is a high demand and a lack of supply driving prices up. More areas need to be opened up, and needs to be addressed sooner than later. As leaders, they have to understand that is what it takes.

Mac Cunningham, resides in South Rim, has interests in Orchard Mesa, and has attended many meetings. Important points have already been raised. A conflict exists between the requirement to come under the City and the ability to secure sewer. The same issue came up when Persigo and the Growth Plan were put into place and at that time was pushed aside. He thinks the boundaries ought to be expanded significantly, but adopting this without a Comprehensive Plan is a real conflict. Affordability is an issue. The least expensive price for a piece of undeveloped ground is \$30,000, with roads, it takes it up to \$38,000. Ute Water wants \$5,800 for a tap fee. It costs \$40,000 per home just for the land cost without streets. It costs \$160,000 to \$200,000 for a least expensive housing unit. Apartments used to cost around \$45 per square foot ten years ago, now it is \$90 per square foot to build. Densities within these boundary areas and within other existing areas need to be included.

Comments opposed:

Gretchen Sigafos, 131 31 Road, 2/10 of a mile below the southern boundary of the advertised area, is puzzled why higher densities are not being put into the study area. She is opposed to the expansion because it will bring new traffic and new families into this area. She asked when the board will be looking at the next area where the high densities are. County Commission Chair Rowland clarified how that came to be.

Bill Elmblad, 307 31 $\frac{3}{4}$ Road, east of the Orchard Mesa area, is opposed to the expansion at this time. On Feb 13th it was decided to postpone this because the area had not been planned and it still hasn't. He said it makes no sense to approve expanding the boundary into the area before the Growth Plan has been adopted. He and the area neighbors value the rural and semi rural area they live in and it is important to them to have that characteristic.

Ann Schnell, 3285 C $\frac{1}{2}$ Road, passed out map of unique and prime farmlands, and stated that a lot of the area on Orchard Mesa is prime and unique. People can grow a lot on five acres, there is a food shortage, and it is important to have locally grown food. She thinks the board should consider dryland development for Persigo expansion and

a creative solution for high density housing. It would take the pressure off irrigated farm land. She is concerned about affordable housing, not just here, but in many other areas.

Comments in favor:

Cathy Horen, 1982 J Road, was involved in Osprey development, and it obvious there is a problem with affordable housing. There is a high demand for sewer and supply is limited by the boundaries, and she thinks it is wise to expand the boundaries. With a smart Code and Growth Plan that provides smart development with open space and pathways, multifamily, transportation centers, etc. it would give bonus criteria for those that want to keep a rural spot within the developed area. Boundaries are being held too tight and will keep housing unaffordable.

Dave Glassmeyer, 821 Mease Road, said he knew the area around them would develop and he is in support of the expansion.

Cleo Rooks, resides within the Orchard Mesa study area, stated her family has owned property since 1911, and has farmed ground until the last three years due to health reasons. Their children know that economically, it is a nice place to live, but they cannot make a living. They would like to give some of their land to their kids. She asked that they learn from what happened at Valle Vista. She stated that their property rights are valuable to them and asked that the Board consider that.

Patrick Green, 2045 S. Broadway, stated he is in support of this first phase and pointed out that this is just a starting point. An overall study of the sewer system for future service needs to be looked and it would give good direction.

There were no other public comments.

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

Board discussion:

Councilmember Todd thanked those that came forward. They are here to make decisions for the future, 40 or 50 years out. If they keep binding themselves, it could be a catastrophic situation. A lot depends on the Comprehensive Plan, and she doesn't believe the cart is before the horse. The Plan will be developed for both sides of the line. It was confusing having the two maps, with the consultant using their map and Staff using the other map. In regards to densities moving out to the dryland, it causes other problems, traffic and service to those areas, most of it is BLM land and that complicates issues. In reference to affordable housing, they also want amenities. She was wanting to expand it all the way north and look at a longer vision, but thinks they have done a good job identifying the areas that are ready to move forward, and would support those areas as identified.

Commissioner Acquafresca said he benefitted from the input, as it added to his understanding. He attended 7 of the community meetings, they were very comprehensive, and about 250 people participated in those meetings with great diversity. The neighborhoods were well represented. He has an idea of what is mostly accepted to those most affected. The most widely accepted planning theory is to expand urban boundaries in a manner resembling concentric rings moving outward over time. It is a good time to take a small step in both areas as advertised. He intends to elaborate further when they are ready to vote.

Councilmember Hill said George Crawford had it easy when planning the original town. Today, it is dealing with people's property, and there is a lot to consider, a plan, a vision and where is it all going. The board respects and takes in all comments and concerns. An artificial boundary plays into economics, and commercial and industrial expansion hasn't even been discussed. There are many things driving supply and demand; the desire for open space is a high priority for the community. There is a lot of open space owned by the State and Federal governments. There is a buffer area between the City and Palisade and Fruita. There is a quality of life issue and an affordability issue; it is about infrastructure, and the need to maximize that. A step to move to the next step is planning. He'd like to take that next step ten years from now that they started planning today. He supports the expansion, and believes the community together can do good planning.

Councilmember Coons agreed with Councilmember Hill to some extent. She is intrigued with the idea of property rights, and how to resolve the question one's right to develop and one's right not to be affected by neighbor's development. She appreciates the willingness for people to become engaged and is encouraged by the number of people who attended the meetings. The ongoing process won't end tonight nor in the next year or so. The key is trying to find some public consensus, and they can't make everyone happy but hopefully they can come to an agreement that meets the needs of more people than not. She agrees with doing higher densities within the City's core. They need to look at a longer term vision on how to expand boundaries in a smart way. She believes in the need to preserve agricultural lands and open space. They need to continue to work with Mesa Land Trust and organizations like that to preserve certain pieces of property. She is interested in what Commissioner Acquafresca's plan is for what makes sense. She is in support of the expansion.

Councilmember Palmer stated that he has been to a number of different meetings. There was a lot of deliberation, a lot of changes have been seen already, and they are looking out 10-15-30 years, with a series of meetings over a number of years. Everyone knows the area is growing. He favors moving incrementally where support currently exists. The number of "green" areas indicates people are awaiting change and they need to be proactive in moving forward. He is in support of some expansion in

the designated areas and is also interested in what Commissioner Acquafresca has to say.

Councilmember Thomason lauded the participation and feedback; there were great comments on both sides. It goes back to that both of these study areas were largely “green”. He supports inclusion of both study areas as advertised but cautioned that these areas may not be conducive to a high density situation.

Commissioner Meis said this is a much more realistic and incremental approach to the sewer expansion than at the last meeting. The development of the concept plan has helped identify these areas. He still has some concerns that as these areas are jointly planned, if there are areas that aren’t going to be sewered, they need to reconsider the boundary at that time or down the road look at disconnecting that piece from sewer. To the City’s benefit too, densities should not be forced by expanding sewer. He suggested they take a look at the densities and come back with what the community wants to see and then see if the boundary is appropriate.

Councilmember Hill thinks that’s something that could be changed in the City Code, it’s not development, but maybe a simple land split. And when developed, it needs to go onto sewer. The Code needs to allow breaking off 10 acres from 100 acres and not requiring it go to sewer until development.

Councilmember Beckstein believes this is a good compromise and alleviates concerns that the board was going too far, it is a good medium and there are those in the areas that want to be included. She will support both the north and the Orchard Mesa areas being included.

Council President Doody said there has been good discussion. He has seen examples of many communities that cannot expand so they are going up. It takes time to plan and it’s good to have these meetings to provide the opportunity for everyone to be heard. He is support of the expansion.

Commissioner Chair Rowland stated that, to her, it is about affordable housing, but she also has feelings for the agricultural owners. She would like to hear a commitment from the Council to address the special need of the agricultural community and then she would be willing to move forward. She would like to see two things: 1) the flexibility for the special needs of the agricultural community and 2) willingness to make amendments to the City Code and the Persigo Agreement to allow for that flexibility.

Councilmember Todd said she agrees with the need to accommodate for that and allow for those splits, but that need should not hinder the expansion of the boundaries.

Councilmember Palmer said that they have all had those discussions and if an area is not developed then a different standard should be made and he is willing to have that discussion to see what they can do.

Councilmember Beckstein believes those that have been here for generations deserve respect for their needs and looked at on a case by case situation to allow them to continue to thrive.

Commissioner Acquafresca moved to expand the Persigo boundaries in the northwest area as advertised with the exception of the north boundary being I Road.

Councilmember Todd disagreed with pulling that line down. In looking at the landowners that are ready and willing, she thinks they should stay with advertised area.

Councilmember Coons said that in looking at the planning area concept plan, the boundary proposed in the motion is more in line.

Councilmember Palmer stated that they are trying to recognize those that are waiting for this and have already expressed agreement to be included; they should not be excluded now.

Councilmember Beckstein feels they should stick with the original advertised boundary.

Commissioner Chair Rowland agrees with the original boundary advertised as a lot of owners wanted it and she would support that.

Councilmember Hill supports the boundary that was advertised. The consultants were trying to not have County on one side and City on the other side of the road.

Council President Doody said he agrees with Councilmember Hill.

Councilmember Thomason also agrees because the reality is that it would be unfair to exclude that more northern area.

There was no second to Commissioner Acquafresca's motion so the motion died.

Councilmember Hill moved in the northwest area to expand the boundary of the 201 sewer district to match that boundary as advertised. Councilmember Palmer seconded to motion. Motion carried by roll call vote.

Commissioner Meis moved to approve as advertised the expansion of the Persigo boundary for the north study area. Commissioner Chair Rowland seconded the motion. Motion carried 3 to 0.

Orchard Mesa Study Area

Commissioner Acquafresca moved to expand the boundary for the Orchard Mesa area as advertised with the exception of the boundaries on two sides, the south side and the east side: draw the proposed extended boundary at A.75 Road on the South from 30 Road on the west side over to the proposed boundary and from 30 Road on the west to 30.5 Road on the east and extend it south to north as proposed but staying consistent with a 30.5 boundary on the east.

Councilmember Todd stated that she is opposed because it splits property.

Councilmember Thomason is also opposed, it may be agricultural land but there are a lot of properties that want in, and he would prefer the expansion as advertised.

Councilmember Beckstein agrees with Councilmember Thomason. She supports the original area as advertised.

Councilmember Coons asked Commissioner Acquafresca if he would clarify some of the different public comments that he heard at the meetings. Commissioner Acquafresca stated that the map is not quite accurate as shown on the screens for the proposed area.

Commissioner Chair Rowland asked if there is anyone else that supports the change.

Commissioner Meis commented that by limiting the boundaries as Commissioner Acquafresca proposed, the farmers are forced to farm instead having the opportunity to farm or grow houses. He would rather give them the choice and therefore, he will not support it.

Councilmember Todd moved to accept the advertised area in Orchard Mesa for the Persigo Boundary expansion. Councilmember Thomason seconded to motion. Motion carried by roll call vote.

There was no second to Commissioner Acquafresca's motion so the motion died.

Commissioner Meis moved to approve the Orchard Mesa boundary adjustment as advertised. Commission Chair Rowland seconded the motion. Motion carried 2 to 1 with Commissioner Acquafresca voting NO.

Council President called for a recess at 7:55 p.m.

The meeting reconvened at 8:05 p.m.

Public Hearing – Concerning a Request for Exclusion for Property Located at 774 23 Road

Public Works and Planning Director Moore reviewed the history of this request for exclusion. On October 26, 1999, a decision was made to exclude this property from discussion of expansion. The decision not to include the property in the 201 boundary was confirmed in 2001. The owner went forward with planning of the site as an RV Park. In 2003 she received a Conditional Use Permit for the RV park. In 2006, there was a change in the boundary to the north that included several properties including this property in question. At the last Persigo meeting the property owner asked to be removed from the boundary. Two options were discussed, either remove the property at that time or table it until other options can be considered.

Councilmember Todd asked for confirmation that the applicant had already started the process to be excluded prior to the line being moved up to H Road. Mr. Moore confirmed that is correct, that in 2001, the property owner received a letter from the City that advised that the property would not be included and she should develop under the County. The property owner has continued to make progress on her development.

Councilmember Palmer asked if the property owner will be enclaved in the future and will it create a similar problem? Mr. Moore said it is probably not a problem under the current use.

County Administrator Peacock stated that if the property is enclaved and eventually annexed, it doesn't necessarily mean they would have to hook onto sewer right away until such time as further development occurs.

Councilmember Hill commented that it would allow the property owner to finish the project under the County process.

Mr. Moore stated that as the area develops and annexation occurs, the property owner may decide there is a better use or opportunity for the property.

Councilmember Hill stated that the applicant, once the development is complete, could still request to be annexed into the City and wouldn't necessarily have to hook up to sewer at that time.

Marie Ramstetter, 774 23 Road, the applicant, summarized the history and the back and forth from County to City she has had. The County Planning Department suggested that she develop an RV Park. It required a variance which was received and the plans were approved in 2004. She was moving forward with the project, and then had an unfortunate situation in the family. She built a house suitable for handicapped, took time with her folks, and missed the Persigo meeting where the whole area was brought into the boundary. To get sewer, it would take a great distance for the line and

right-of-way would be needed. She decided to wait until the sewer is in 23 Road, but it may take too long, so right now, she just wants to finish the project and be out of the boundary.

The public hearing was opened at 8:19 p.m.

There were no public comments.

The public hearing was closed at 8:20 p.m.

Commissioner Meis moved to approve the request for exclusion of the property located at 774 23 Road. Commissioner Acquafresca seconded the motion. Motion carried 3 to 0.

Councilmember Hill moved to support the request for exclusion of property located at 774 23 Road. Councilmember Beckstein seconded to motion. Motion carried by roll call vote.

Public Hearing – Amendments to the Persigo Agreement to be consistent with any boundary changes approved

Commissioner Chair Rowland asked that this item be tabled as it is too premature to make amendments at this time.

Councilmember Hill recommended the Council have conversations with the Planning Department and the Legal Department and look at the City's Code. Council needs a chance to review and identify triggers for the sewer piece that are less harsh, and then come back to the Commissioners.

Commissioner Chair Rowland asked if anyone disagrees with tabling this item. All Commissioners and the City Council were in agreement to tabling this item.

Other business

Councilmember Todd commented on the great comments from the public and how far the Council and Commissioners have come to allow public input, and many people have commented as such.

Adjournment

There being no further business, City Council President Doody adjourned the meeting at 8:22 p.m.

Stephanie Tuin, MMC
City Clerk

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

May 19, 2008

The City Council of the City of Grand Junction convened into regular session on the 19th day of May 2008 at 7:01p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Jim Doody, Bruce Hill, Doug Thomason, Linda Romer Todd, and Council President Gregg Palmer. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and Deputy City Clerk Debbie Kemp.

Council President Palmer called the meeting to order. Councilmember Thomason led in the Pledge of Allegiance. Invocation was given by David Eisner, Congregation Ohr Shalom.

Proclamations/Recognitions

Proclaiming July 1, 2008 as “Harold and Nancy Staf Day” in the City of Grand Junction

Council Comments

Councilmember Coons attended the “Click It or Ticket It” campaign as acting Mayor, and reiterated the importance of using seat belts and encouraged people to take those two seconds before starting their car to help to save lives and make sure every passenger is seat belted in the vehicle.

Councilmember Beckstein congratulated Council President Palmer and Council President Pro Tem Coons for being elected to those positions.

Council President Palmer thanked Councilmember Beckstein on behalf of her dedication as Mayor Pro Tem the last two years. He also thanked Councilmember Coons for filling in as Mayor Pro Tem for not only the proclamation reading, but also running the meeting with the County Commissioners the while he was out.

Citizen Comments

There were none.

CONSENT CALENDAR

Councilmember Doody read the items on the Consent Calendar, and then moved to approve the Consent Calendar. It was seconded by Councilmember Beckstein, and carried by roll call vote to approve Consent Items #1 through 8.

1. **Minutes of Previous Meetings**

Action: Approve the Minutes of the May 5, 2008 and the May 7, 2008 Regular Meeting

2. **Sale of City Property Located at 238 Main Street**

Western Hospitality, LLC, in response to a Request for Proposal has offered to purchase the City-owned property located at 238 Main Street. Western Hospitality and the City have been parties to an Option Agreement ratified by City Council on September 17, 2007. The Option Agreement required a number of items be completed by the Buyer during a defined period of time. Western Hospitality has completed the due diligence work required by the Option Agreement and is now ready to proceed with the purchase of the property. After closing, Western Hospitality will lease the property back to the City until such time as development begins.

Resolution No. 53-08—A Resolution Authorizing the Sale of Real Property Located at 238 Main Street, Grand Junction, Colorado

Action: Adopt Resolution No. 53-08

3. **Economic Development Payment to Vectra Bank Colorado**

In 2006, the City entered into an agreement with Vectra Bank Colorado to construct storm drain facilities that benefited not only Vectra Bank's Patterson Road location, but also other developable properties on the west side of 24 Road. In closing out the project file, Staff determined that the City's payment of \$50,000 had not been made. This was intended to be an economic development expenditure, however was never budgeted and therefore funds will need to be appropriated this fall.

Action: Authorize the City Manager to Disburse to Vectra Bank Colorado, N.A. \$50,000 per the April 27, 2006 Agreement

4. **Revocable Permit for Property Located at 653 Santa Clara Avenue** [File #SS-2007-141]

Request for a revocable permit to retain a chain link fence within the Santa Clara Avenue right-of-way.

Resolution No. 66-08—A Resolution Concerning the Issuance of a Revocable Permit to Sue Lopez, Located in Santa Clara Right-of-Way Adjacent to 635 Santa Clara Avenue

Action: Adopt Resolution No. 66-08

5. **Setting a Hearing on the Shores Annexation, Located at 166 Edlun Road** [File #ANX-2008-104]

Request to annex 17.97 acres, located at 166 Edlun Road. The Shores Annexation consists of 1 parcel, includes a portion of the Sunlight Drive right-of-way, and is a 2 part serial annexation.

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

Resolution No. 67-08—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, Shores Annexation No. 1 and No. 2, Located at 166 Edlun Road Including a Portion of the Sunlight Drive Right-of-Way

Action: Adopt Resolution No. 67-08

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Shores Annexation No. 1, Approximately 0.49 Acres, a Portion of the Sunlight Drive Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Shores Annexation No. 2, Approximately 17.48 Acres, Located at 166 Edlun Road Including a Portion of the Sunlight Drive Right-of-Way

Action: Introduction of Proposed Ordinances and Set a Hearing for June 30, 2008

6. **Setting a Hearing on Sunshine-Moir Annexation, Located at 2899 D Road and 383 29 Road** [File #ANX-2008-080]

Request to annex 5.54 acres, located at 2899 D Road and 383 29 Road. The Sunshine-Moir Annexation consists of two parcels and D Road right-of-way, 29 Road right-of-way and unnamed right-of-way along the southern border of 383 29 Road.

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

Resolution No. 68-08—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, Sunshine-Moir Annexation, Located at 2899 D Road and 383 29 Road Including Portions of D Road Right-of-Way, 29 Road Right-of-Way and Unnamed Portions of Right-of-Way Along the Southern Border of 383 29 Road

Action: Adopt Resolution No. 68-08

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Sunshine-Moir Annexation, Approximately 5.54 Acres, Located at 2899 29 Road and 383 D Road and Includes Portions of D Road Right-of-Way, 29 Road Right-of-Way and Unnamed Portions of Right-of-Way Along the Southern Border of 383 29 Road

Action: Introduction of Proposed Ordinances and Set a Hearing for June 30, 2008

7. **Setting a Hearing on the Sunshine of Delta Annexation, Located at 377 and 379 29 Road** [File #GPA-2008-074]

Request to annex 5.20 acres, located at 377 and 379 29 Road. The Sunshine of Delta Annexation consists of two parcels, 29 Road right-of-way and the C $\frac{3}{4}$ Road right-of-way.

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

Resolution No. 69-08—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, Sunshine of Delta Annexation Located at 377 and 379 29 Road Includes Portions of 29 Road and C $\frac{3}{4}$ Road Right-of-Way

Action: Adopt Resolution No. 69-08

b. Setting a Hearing on a Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Sunshine of Delta Annexation, Approximately 5.20 Acres, Located at 377 and 379 29 Road and Includes Portions of 29 Road Right-of-Way and C $\frac{3}{4}$ Road Right-of-Way

Action: Introduction of Proposed Ordinance and Set a Hearing for June 30, 2008

8. **Setting a Hearing on the Sienna Creek Annexation, Located at 2052 Broadway** [File #ANX-2008-107]

Request to annex 5.16 acres, located at 2052 Broadway. The Sienna Creek Annexation consists of 1 parcel and a portion of the adjacent Broadway right-of-way.

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

Resolution No. 70-08—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, Sienna Creek Annexation, Located at 2052 Broadway, Including a Portion of the Broadway Right-of-Way

Action: Adopt Resolution No. 70-08

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Sienna Creek Annexation, Approximately 5.16 Acres, Located at 2052 Broadway, Including a Portion of the Broadway Right-of-Way

Action: Introduction of Proposed Ordinance and Set a Hearing for June 30, 2008

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Fleet Building Addition Contract

This request is for the award of a construction contract for the Fleet Building Addition. This project will add an additional six vehicle bays and an additional 6,912 square feet of space. The additional space will be used for automotive repairs, maintenance, tire repair and alignments on light duty vehicles and will eliminate the need to pull large equipment outside in order to perform preventive maintenance.

Jay Valentine, Assistant Financial Operations Manager, reviewed this item. He advised that this was originally budgeted in 2007 but was put on hold until this year. The building addition will utilize three bays to store large, specialized public safety equipment. The requested building addition follows the master plan.

City Manager Laurie Kadrich provided a background for this project. About a year ago, they went on a site visit to the National Guard Armory. They originally thought they could

use the armory facility to store vehicles and evidence. After the site visit, it wouldn't work for their original plan. This is the third leg of the temporary solution for fixing the existing police site, remodeling the National Guard Armory building for temporary storage of vehicles, a permanent location for evidence, expanding the existing vehicle bays for temporary storage of equipment, and a long term fix for mechanical service.

Mr. Valentine stated that there are currently 577 City fleet vehicles and there are 25 additional vehicles budgeted for 2008. There are 6 mechanics that service the vehicles.

Council President Palmer advised those that may question it, that the City does own the National Guard Armory building.

Councilmember Todd moved to authorize the Purchasing Division to enter into a contract with FCI Constructors, Inc. for the Fleet Building Addition Construction in the negotiated amount of \$1,079,519. Councilmember Coons seconded the motion. Motion carried.

Public Hearing—Schuckman Annexation and Zoning, Located at 231 28 ½ Road
[File #ANX-2008-018] **Continued from April 14, 2008**

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 serial annexation.

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

Senta L. Costello, Associate Planner, reviewed this item. She described the location and the future land use designation and advised that the general location consists of single family homes and duplexes. The current zoning ranges from County RSF-4 and RMF-5 to City R-5 and R-8. She reviewed the criteria for zoning for that area and found that there are adequate public facilities readily available in that area; there are existing streets built. This is compatible with other multi-family uses in the area. There are two other zone districts that the future land use designation implements, R-5 and R-4. R-5 would allow the existing duplex to remain as a non-conforming use but would not allow for any further development unless the duplex were removed. R-4 would allow the duplex to remain, but as non-conforming use because it does not meet the construction requirements for an R-4 zone district. The Planning Commission recommended R-4. Staff supports the requested R-8 zoning request.

Councilmember Hill stated that he sees where the Planning Commission recommended denial of the R-8 zone district at the March 25, 2008 meeting. Ms. Costello stated that it was her understanding that they did go with a recommendation of an R-4 zone district.

Russ Shuckman, the applicant for 231 28 ½ Road, was present. He asked City Council if they had read his rebuttal for the Planning Commission's decision on an R-4 zone district. Council advised that they had read the letter.

Michael Burritt, 228 28 ½ Road, opposed the annexation and the proposed zoning. As a taxpayer, he opposes spot zoning. He feels it is a very expensive proposition to the taxpayer because of annexing so much right-of-way. He's concerned with 28 ½ Road being divided as a mix of higher density and lower density. He would like to see the policy by City Council that holds consideration of single family housing. He feels that safety is an issue as there is already a problem with parking along 28 ½ Road.

Rashell Coleman, President of the Granite Springs Homeowners Association, located on the corner of B Road and 28 ½ Road, said it was her understanding that the subdivision would be annexed into the City upon the completion of the Granite Springs subdivision. The HOA feels that would be alright as a whole subdivision, but not as a spot annexation. They don't feel that higher density should be built in that area. She presented a petition of 36 residents for the record. She asked that City Council be considerate of the people living in those duplexes, as they do need a backyard.

Jana Burritt, 228 28 ½ Road, spoke of so many kids walking down 28 ½ Road and it is already too narrow. She would prefer to see it kept as single family. She asked for City Council's consideration.

Chuck Beauchamp, 230 28 ½ Road, provided a petition with over 50 signatures of neighbors. He asked that City Council allow single family housing and not multi-family. He felt that too much right-of-way is being proposed to be annexed. He is concerned about the property and the property values. He asked for the City Council's consideration.

Paula White, 231 28 ½ Road, stated that she is totally opposed to the request. It is too busy of an area already. She runs a daycare and for safety reasons, she would not like to see this request approved.

Tiffany Wilson, 231 ½ 28 ½ Road, said she also opposes the request. She has small children and feels if the development happens, she will lose her family dwelling which she is currently renting from the applicants.

Don Hedgecock, 2843 B-3/10 Road, stated he has watched the corner of that area go from a safe place to a terrible place. His daughter won't even walk it. He questioned the zoning that was presented in the Staff report for the surrounding areas. He is concerned about property values in the neighborhood if the proposed zoning goes through.

Vernon Jones, 2841 B-4/10 Road, advised that he was at the Planning Commission meeting. It was his understanding that they had ok'd this, minus the R-8 zoning. He

asked if that is what Council understands. Council confirmed that Planning Commission recommended R-4 zoning. He said that cars park on 28 ½ Road, and asked where parking would be if zoned and developed at R-8. He is concerned about the amount of traffic already. He asked that City Council not approve the R-8 zoning.

Ruth Beauchamp, 230 28 ½ Road, provided pictures showing existing duplexes, cars parked on the roadway, and the existing property in question. She advised City Council that she would like to remain rural and not be annexed into the City.

Michael Burritt, 228 28 ½ Road, said that there is a ditch easement on the west side of 28 ½ Road.

Norma Shuckman, applicant, stated that it is their purpose to provide two units for two families in Grand Junction. The property would be ideal because it would provide good clean affordable housing.

Don Hedgecock, 2843 B-3/10 Road, stated again that he is opposed to duplexes.

Chuck Beauchamp, 230 28 ½ Road, spoke in reference to parking and how dangerous it will be.

Paula White, 231 28 ½ Road, stated that daycare has a specific regulation for space inside and outside. With the building of the duplex, she would not qualify for daycare at her location because there is a certain requirement for outside play area.

Council President Palmer advised that the issue at hand is annexation and zoning.

Rashell Coleman, President of the Granite Springs Homeowners Association, said that every family deserves appropriate housing.

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

Councilmember Coons asked Ms. Costello if she looked at the lot layout and potential for placement of dwellings. Ms. Costello stated that she has not in great detail. The review was based on meeting the requirements for the zone district. It can meet the requirements of all 3 zone districts. The R-8 zone district allows for the most potential of development.

Councilmember Hill asked if R-4 would disallow a duplex. Ms. Costello answered affirmatively based on how it is constructed. Councilmember Hill asked if it is zoned R-8, would the existing duplex have to be demolished. Ms. Costello said that in the R-8 Zone district, another duplex could be added in two ways, by doing a simple subdivision or by just creating another duplex on the existing lot.

Councilmember Beckstein asked about the existing duplex on the property. Ms. Costello said that it could remain, so there would be 4 units in two separate buildings.

Councilmember Beckstein asked about entrances and exits. Ms. Costello said they would look at the site layout to make sure it meets the TED's standards.

Councilmember Coons asked if it would meet the set back requirements. Ms. Costello replied that yes, it would.

Councilmember Todd asked about using right-of-way for the annexation, does the right-of-way add to the property acreage. Ms. Costello said no, not with the annexation. In an R-8 zone district, to meet minimum densities, one can include half of the square footage of the adjacent right-of-way. Councilmember Todd asked what the minimum lot size is for a duplex in an R-8 zone district. Ms. Costello answered 6,000 square feet for each duplex. Councilmember Todd asked what it would be for an R-4 zoning. Ms Costello said it would be 15,000 square feet.

Council President Palmer asked City Attorney Shaver if a motion is made contrary to Planning Commission's recommendation, would it require a super majority vote? City Attorney Shaver stated that since there was not a recommendation of denial, a super majority would not be required.

Councilmember Hill asked City Attorney Shaver for his legal recommendation on the R-4 zoning that the Planning Commission recommended that would make a new annexation immediately nonconforming. City Attorney Shaver stated that it is not a preferred situation, however, nonconforming does not change the use, it is just not in full compliance with the Code. There are properties within the City that are legal nonconforming uses.

Councilmember Beckstein asked if the property is nonconforming, if the property owner wants to do something with the property or change it down the road, would the nonconforming use affect that. City Attorney Shaver said only if they were to have a catastrophic loss where the existing building was damaged over 50%.

Councilmember Hill asked in reference to the Persigo Agreement, what happens if the annexation is not approved. City Attorney Shaver advised that in order to not approve the requested annexation, Council would have to find that criteria were not met, therefore unless those findings were not met; the Persigo Agreement would not come into the picture. His advice to the Council if they choose to go the direction of denial of the annexation, he suggests they look very carefully at the statutory requirements and determine which ones are not satisfied.

Councilmember Coons asked City Attorney Shaver if an R-4 zone designation is not appropriate in the Growth Plan designation. City Attorney Shaver stated that R-4 is not supported by the Staff based on the site review and the findings, it is not the best use for

the property, it is not appropriate. An R-8 zone district was found to be the appropriate use based on Staff's findings.

City Attorney Shaver commented on the use of the term spot zoning. Zoning is based on what the United States Supreme Court calls reciprocity of expectation, which means that the law that underlies zoning assumes certain kinds of common uses. Putting a large Industrial zoning next to a Residential zoning would not be a common use. That would be what is called spot zoning. This request would legally not be called spot zoning.

Councilmember Doody asked City Attorney Shaver why subdividing wouldn't be the better way to go with the property. City Attorney Shaver advised that is a process that could be looked at down the road, after the decision is made on the annexation and the zoning.

Councilmember Todd asked Ms. Costello if the applicant is allowed to utilize the right-of-way. Ms. Costello said no, they could only use the right-of-way to calculate their densities.

Councilmember Hill asked why the R-4 zone district is not allowed. Ms. Costello said it is not allowed, due to construction only. Councilmember Hill asked if the placement of a duplex on the lot would be conforming with R-8 zoning with City requirements for parking on 28 ½ Road. Ms. Costello replied that she is not quite sure because an analysis has not been done at this time, it will be done upon development. Councilmember Hill said that it isn't necessarily given that another duplex may work on this property even with an R-8 zone district. Ms. Costello concurred.

Councilmember Thomason stated that he cannot get used to the idea of turning this property into an R-8 zoning, he can see the R-4, but not the R-8.

Councilmember Todd stated that she too has difficulty with an R-8 zoning. She would support an R-4 zoning.

Councilmember Doody said he would support R-4 as the Planning Commission recommended.

Council President Palmer asked City Attorney Shaver if a motion was made for annexation and zoning that is not agreeable with what the applicant is asking for, what is the applicants' recourse. City Attorney Shaver advised that the applicant may request a disconnect of the annexation. Because of the Persigo Agreement, after becoming part of the 201, he would have to abandon development if de-annexed.

Councilmember Todd stated that she is concerned with the property being nonconforming if it became R-4 zoning and the ability to finance the property. City Attorney Shaver stated that if that were to be a problem, the City could provide a written opinion as to a degree of nonconforming for the lender.

Councilmember Coons stated that she is having difficulty with neighborhood and development issues. She is concerned with personal community battles. She is struggling with R-8 zoning, because it is not a totally vacant piece of property.

Councilmember Beckstein advised that she is not comfortable with recommending a zone that would be nonconforming. She is more inclined to go along with an R-8 zoning as Staff is recommending.

Council President Palmer advised the audience that City Council does their best to divert their personal feelings on any of these delicate items. He is uncomfortable with annexing the property at all because he is uncomfortable with bringing in a property knowing it will be nonconforming or having the applicant being stuck with a zoning he didn't request.

Councilmember Todd asked City Attorney Shaver if it's ok not to make a motion. City Attorney Shaver explained that the City Council has already accepted the referral of the Petition for Annexation. He is not sure legally that they could deny the annexation altogether unless they have criteria to back up reasoning.

Councilmember Coons stated that she does not see anything in the criteria not being met.

Council President Palmer asked if they make a motion to annex and zone the property as the Planning Commission recommended and the motion is defeated, what would happen then. City Attorney Shaver advised that City Council is not obligated to zone a property upon annexation. It does need to be zoned within 90 days. The best compromise would be not to zone the property at this time.

a. Accepting Petition

Resolution No. 71-08—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. 4236—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. 4237—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. 4238—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. 4239—An Ordinance Zoning the Schuckman Annexation to R-8, (Residential 8 du/ac), Located at 231 28 ½ Road

Councilmember Hill moved to adopt Resolution No. 71-08 and Ordinance Nos. 4236, 4237, and 4238 and ordered them published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Councilmember Hill moved to Adopt Ordinance No. 4239 and ordered it published. Councilmember Beckstein seconded the motion. Motion failed by roll call vote 4 to 3 with Councilmembers Thomason, Coons, Doody and Council President Palmer voting NO.

Council President Palmer called for a recess at 8:50 p.m.

The meeting reconvened at 8:59 p.m.

Public Hearing—Thorson Annexation and Zoning, Located at 2972 D Road [File #ANX-2008-071]

Request to annex and zone 0.81 acres of land located at 2972 D Road, to the R-8 (Residential 8 du/ac) Zoning District. The Thorson Annexation consists of one (1) parcel of land and a portion of the adjacent D Road right-of-way.

The public hearing was opened at 8:59

Brian Rusche, Senior 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. The request meets the Zoning and Development Code criteria. The Planning Commission recommended approval as does Staff.

The applicant was not present.

There were no public comments.

The public hearing was closed at 9:00

a. Accepting Petition

Resolution No. 72-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Thorson Annexation, Located at 2972 D Road, Including a Portion of the D Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4240—An 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

c. Zoning Ordinance

Ordinance No. 4241—An Ordinance Zoning the Thorson Annexation to R-8 (Residential 8 du/ac), Located at 2972 D Road

Councilmember Thomason moved to adopt Resolution No. 72-08 and Ordinance Nos. 4240 and 4241 and ordered them published. Councilmember Todd seconded the motion. Motion carried by roll call vote.

Public Hearing—Zoning the Apple Glen Annexation, Located at 2366 H Road [File #ANX-2007-306]

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

The public hearing was opened at 9:01

Greg Moberg, Planning Services Supervisor, reviewed this item. He described the request, the location, and the site. The request meets the Zoning and Development Code criteria and asked that the Staff report be entered into the record. The Planning Commission recommended approval.

The applicant was not present.

There were no public comments.

The public hearing was closed at 9:03

Ordinance No. 4242—An Ordinance Zoning the Apple Glen Annexation to R-4 (Residential, 4 du/ac), Located at 2366 H Road

Councilmember Todd moved to adopt Ordinance No. 4242 and ordered it published. Councilmember Doody seconded the motion. Motion carried by roll call vote.

Public Hearing—Rezoning Property Known as the Cobble Creek Subdivision, Located at 2524 F ½ Road [File #PP-2007-169]

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.

The public hearing was opened at 9:04

Lori Bowers, Senior Planner, reviewed this item. She described the request, the location, and the site. She gave history of the annexation of the property. Although the applicant is not seeking incentives to develop under the Infill and Redevelopment Program, the property is a classic infill project. The property currently houses a mobile home which will be moved. There is no stubbed street. The Growth Plan designates the property as Residential Medium, 4 to 8 dwellings per acre. There was a pre-application conference held in December, 2006. In March 2007, there was a petition with 22 signatures filed in the Planning Department opposing a change in zoning. Other letters were received opposing the change after a neighborhood meeting was held. Since March 2007, 12 additional letters of opposition have been received. On March 25th, during a public hearing, 2 letters of support were submitted. A TED's exception was granted for the length of the proposed cul-de-sac. The open space is in excess of what would normally be required for this type of subdivision. There is an area of the property in dispute. Ms. Bowers pointed out a couple of criteria required to meet the Code: 1) the existing zoning was an error at time of adoption. 2) Current zoning does not meet the requirements of the Growth Plan. The applicants stressed the point that the density will be at 4 dwellings per unit, not 8. The proposal is consistent with the Growth Plan. Ms. Bowers feels that all the criteria of Section 2.12.C.2 for the Zoning and Development Code has been met and pointed out a couple of the criteria: 1) adequate open space, 2) privacy fence exist, therefore further privacy fencing is not required, 3) the proposed development is compatible to the adjacent subdivisions, 4) landscaping shall meet the requirements of Chapter 6, 5) off-street parking shall meet the requirements of 2 spaces per dwelling unit, and 6) because of obtaining a TED's exception, the proposed street will meet the remaining standards once the disputed piece of property is obtained. Ms. Bowers listed the 8 criteria that the applicant has to meet to fill the Planned Development requirements and in her opinion, the applicant met all 8. After the applicant was asked to work on certain items of the development to address some of the neighbor concerns, Planning Commission recommended approval as well as Staff.

Councilmember Todd asked Ms. Bowers with a 15 foot driveway, will there be vehicles impeding the sidewalks. Ms. Bowers said that large vehicles may be an issue.

Councilmember Coons asked Ms. Bowers to show her the open space on the subdivision plan. Ms. Bowers pointed out the open space. Councilmember Coons asked about the area with the title being in dispute, if that fell through, will there still be open space. Ms. Bowers said yes.

Jana Gerow, Development Construction Services, representing the applicant, showed a slide presentation of the property in question. She showed surrounding subdivisions and similar square footage areas which had similar larger densities. She showed that the lots are within standards for R-8 zoning in lot area, lot coverage, front yards, side yards, and rear yards. Parking will be allowed on the west and east side of the street. They have worked with neighbors on each side regarding the development. She showed some development where the houses are built at a higher density, and stated that the proposal is compatible with the requested zoning.

Ron Stoneburner, 653 Longhorn Street, stated that his major concern is compatibility. The Planning Commission had concerns at the first meeting, they wanted the density reduced. It came back to the Planning Commission with the same density. One of his other concerns is the high water table.

Richard Bell, 673 Gemstone Court and also on the Board of Directors of the Diamond Ridge Homeowners Association, stated that he has a problem with the open space issue; he believes the irrigation company owns the property in dispute and there is not enough open space to comply with the requirements.

Judy Duncan, address unknown, spoke in favor of the development even though she has some issues with some of the standards being compromised.

Jana Gerow, Development Construction Services, said that the PUD requirements have a lot of benefit for this and the standards whether there are 15 foot or 20 foot setbacks is something that the Planning Commission had the right to recommend. One thing put on the property was the restriction of two story homes to appease some of the concerns of the neighborhood. High water issues are certainly real. They have tried to learn from the problems. Homes will be put on slabs, so that they won't have crawl spaces. They looked at the design of the homes so drainage is going away from the homes. They didn't realize there would be an open space issue. They are designating a 15' open space to keep the trail open. They have not put sidewalks on the west side to allow for some greenery. She believes the compatibility is there with the surrounding areas.

Clint Allen, engineer with Souder, Miller, and Associates, who has been working on the project with Development Construction Services, addressed comments made on the influence of the canal on ground water. He stated that it doesn't preclude the canal from influencing ground water; it is the conditions of the soil that are poor because of the clays and silts in the soil. They are aware of a high ground water table on the site. They are following the recommendations given in the geotechnical report to remove the top 6 inches of top soil and bringing in fill dirt. There are back yard drains planned for the lots with high points.

The public hearing was closed at 9:47 p.m.

Councilmember Hill asked what the City will require of this development regarding the ground water issue. Tim Moore, Public Works and Planning Director, stated that the City does have experience with this area. The move from a crawl space foundation to a slab foundation will help. They will lean heavily on the geotechnical engineer in these areas during the final plan and design of the development. There may need to be some subsurface drainage needed.

Ordinance No. 4243—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 2524 F ½ Road

Councilmember Todd moved to adopt Ordinance No. 4243 and ordered it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

Councilmember Todd commented that during the week she was able to spend some time at the Nation's Capital. It was the week for the fallen firefighter's and policemen's festivities which was quite a moving time. It gives total respect for those that do serve.

Adjournment

The meeting adjourned at 9:51 p.m.

Debbie Kemp, CMC
Deputy City Clerk

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

May 21, 2008

The City Council of the City of Grand Junction convened into regular session on the 21st day of May 2008 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Jim Doody, Bruce Hill, Doug Thomason, Linda Romer Todd, and Council President Gregg Palmer. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and Deputy City Clerk Debbie Kemp.

Council President Palmer called the meeting to order. Councilmember Coons led in the Pledge of Allegiance.

Citizen Comments

There were none.

CONSENT CALENDAR

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

1. **Construction Contract for the 2008 Curb, Gutter, and Sidewalk Replacement**

The project consists of replacing sections of hazardous or deteriorating curb gutter and sidewalk in various locations throughout the City limits. The projects also repairs curb gutter and sidewalks that were damaged during water breaks.

Action: Authorize the City Manager to Sign a Construction Contract for the 2008 Curb, Gutter, and Sidewalk Replacement Project to Reyes Construction, Inc. in the Amount of \$147,178.50

2. **Construction Contract for the 2008 Waterline Replacements**

This project includes replacement of sixty year old cast iron lines that have an active break history. City crews have repaired four breaks in the project area in 2008, with more anticipated due to stress recently placed on this area of the water system.

Action: Authorize the City Manager to Sign a Construction Contract for the 2008 Water Line Replacement Project to Sorter Construction, Inc. in the Amount of \$1,445,678.30

3. **Change Order No. 2 for the Riverside Parkway, Phase 2**

Change Order #2 of the Riverside Parkway Phase 2 contract with SEMA Construction Company adds additional asphalt paving on SH 340 and SH 50. A portion of the cost will be reimbursed by CDOT.

Action: Authorize the City Manager to Approve Change Order No. 2, Riverside Parkway Phase 2 with SEMA Construction in the Amount of \$167,641.70 for a Total Contract of \$32,036,080.55.

4. **Setting a Hearing on Zoning Brady South Annexation, Located at 347 and 348 27 ½ Road and 2757 C ½ Road** [File #GPA-2007-051]

SLB Enterprises LLC, owners of the properties located at 347 and 348 27 ½ Road and 2757 C ½ Road are requesting zoning of the properties from County Heavy Industrial (I-2) to Light Industrial (I-1) and Industrial/Office Park (I-O). Planning Commission heard the request at its September 11, 2007 meeting and recommended approval of the Industrial/Office Park (I-O) zoning for all three parcels.

Proposed Ordinance Zoning the Brady South Annexation to Industrial/Office Park (I-O) Zone District, Located at 347 and 348 27 ½ Road and 2757 C ½ Road

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

5. **Setting a Hearing on Rezoning the Oral Health Partners, Located at 2552 F Road** [File #RZ-2008-082]

Request to rezone 2552 F Road, consisting of one parcel of .89 acres, from R-8 (Residential, 8 du/ac) zone district to RO (Residential Office) zone district.

Proposed Ordinance Rezoning a Parcel of Land from Residential – 8 Units Per Acre (R-8) to Residential Office (RO), Located at 2552 F Road

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

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

ITEMS NEEDING INDIVIDUAL CONSIDERATION

South Downtown Neighborhood Plan and Setting a Hearing on Amendments to the Zoning and Developments Code and to the Zoning Map [File #PLN-2007-292]

The City Planning Commission met in a public hearing on November 13, 2007 to consider adoption of the South Downtown Neighborhood Plan. The City Planning Commission recommended approval of the South Downtown Plan, including a Growth Plan Amendment to adopt the Plan, amendments to the Zoning Map and amendments to the Zoning and Development Code to include a Zoning Overlay.

Tim Moore, Public Works and Planning Director, advised Council that this item is being brought before them for an informal discussion on the South Downtown Plan. Kristen Ashbeck, Senior Planner, has a power point presentation on the Plan.

Councilmember Hill requested to have general discussion prior to the presentation. He believes, because the South Downtown Plan affects a number of properties, in light of changing or reducing 160 acres, he would like to see all the affected property owners notified by direct mail of the public hearing. However, with a public hearing in only two weeks, that doesn't allow much time. Property owners down the road may not be aware of the changes with such short notice. He would like property owners in the room for the presentation so it appears that this plan is straight forward.

Council President Palmer asked about how much input property owners actually had. Mr. Moore stated that there were open houses held to notify affected people. He understands the importance of sending notice out by direct mail.

Councilmember Coons has no objection in sending a direct mailing out to affected neighbors; however, she felt the original public outreach was much broader than the typical open house. Councilmember Coons did sit in on a day long focus group and a lot of people who owned property or had interest in the area were present.

Councilmember Todd asked how were the affected properties owners notified. Mr. Moore said that they did a general announcement to the community and a mail out to the affected properties.

Councilmember Todd said she is concerned about appraisals of properties if they become non-conforming. She is hesitant about pushing forward in doing this, and asked with the Comprehensive Plan, how can they draw the big picture when they have to work around the little pieces. Mr. Moore commented that a more focused analysis of this Plan is more appropriate in putting the Comprehensive Plan together. Mr. Moore is comfortable in moving forward. There are four scenarios coming forward for Council next week which will identify areas for commercial and industrial uses.

Councilmember Todd advised that she is still uncomfortable in moving forward. She's concerned in changing zonings and tenants use.

Councilmember Hill asked if anyone objected to a direct mailing. The rest of Council said they are not in opposed to a mailing.

Councilmember Hill has concerns with an estimated 2000 workers in the affected area, even though the Plan doesn't address that it could equate to less jobs because of the zoning change. When a business owner attends meetings and has 200 or 300 employees, his vote is just one. He feels this isn't fair because all of the workers should have a say also. He questioned what is status quo. Sometimes the plans are looked at as status quo. There could be current industrial zoned pieces that may not be allowed. He doesn't want to argue the Plan, he wants to debate the changes. There are good elements, but it shouldn't all be at the expense of the industrial area. He has so many concerns on the proposed Plan at this time; he isn't sure where he wants to go with it right now.

Councilmember Coons stated that she would like to see the presentation more for the public to see what is being discussed.

Councilmember Todd said she would like to see the presentation because it may be helpful to put some of the conversation in context.

Councilmember Doody is agreeable in seeing the presentation.

Councilmember Beckstein said she is not in favor of seeing the presentation.

City Council decided to watch the presentation because of the majority wanting to see the presentation.

Kristen Ashbeck, Senior Planner, showed a condensed presentation to summarize what is in the Plan. She advised that the planning process took 14 months. There were 15 meetings with small interest groups. They held 3 public open houses. Invitations to the open houses and a newsletter went to every property owner in the affected area. For the notification of the public hearing, not only are they going to send it out to the property owners but also to people within 500 feet of the area. The results of the planning process showed strong support for a lot of the ideas that were translated into the goals of the Plan. They tried to balance respecting what is there and improving what is there now and in the future. The Plan includes the Future Land Use Map, circulation and trails plan, and overlay standards for the area. The proposed Plan keeps the heavy industrial core. It sets the stage along the major public corridor for 7th Street and the Riverside Parkway creating mixed uses for retail and service uses and will support the employee base. Minor changes were made since Planning Commission reviewed it. Major changes in Land Use Map are tiers of transitional uses, going towards more commercial/industrial

uses. The Jarvis property will change to a mixed use. The eastern area will change to commercial/industrial. With the adoption of this Plan, some properties would be rezoned as the proposed zoning map shows. There is an increase in I-2 zoning. Commercial zoning is the greatest change, going from 37 acres to 96 acres. If the proposed Plan is adopted, there will be an issue with the Carter Page annexation which was recently zoned I-2. The proposal is to zone it to I-1. The circulation element was looked at for transportation; streets, trails, sidewalks, and other forms of transportation. Three main goals of the Circulation Plan is to improve the existing street grid, establish a new grid in the eastern area, and try to encourage traffic from the industrial areas to go north and east instead of directly east. The Urban Trails Plan is not greatly different. There may be a need for a pedestrian overpass in the future over the Parkway. Zoning overlay of the South Downtown Plan is intended to help improve the type of development in the commercial corridor. The overlay will hope to introduce and produce a wide variety of uses. The new C-1 zoning proposed is designed specifically to address goals of the Plan for a variety and mix of uses on 7th Street, to create a feel similar to Main Street. Along the Parkway, it shows much larger buildings and how they could be placed to create a higher quality look to the Parkway corridor. Ms. Ashbeck stated that it would be useful for Council to know that several property owners have contacted her over the last 6 months and are waiting for this to be adopted even though there are some that are not in the greatest favor of it. She asked that City Council set the hearing for June 4, 2008.

Councilmember Hill asked Ms. Ashbeck about her comment on the east end where the greatest amount of change occurred having greater flexibility. He disagrees because with heavy industrial, there wouldn't be flexibility. Ms. Ashbeck agreed, but stated the current trend there is more toward light industrial, not heavy industrial. They tried to keep I-2 to where it is needed more for the rail. Councilmember Hill stated that he feels that the Plan goes counter to the land use analysis that the consultant did.

Councilmember Todd is concerned about the Plan taking into consideration the core area of what the proposed changes are because anyone coming into a building won't be able to because of the change and having to meet the overlay standards. Ms. Ashbeck stated that some of the properties are vacant or underutilized and she has found that there is a greater desire for commercial zoning and the I-2.

Councilmember Beckstein asked, if the Plan is implemented, how many properties will become noncompliant with the change. Ms. Ashbeck said she did not know. Councilmember Beckstein said they need to know the impact the Plan will have on the existing businesses.

Tim Moore, Public Works and Planning Director, recommended moving the public hearing out further so they could look into that and look more at the east end going from Industrial to Heavy Commercial.

Councilmember Beckstein stated that she doesn't want to see another situation where people in the area are angry or upset because they felt left out. She doesn't want 5 or 10 years from now people coming back because their desires were not included in this Plan. Industrial zoning is a concern, and people don't want it in certain areas. The City Council needs to be conscientious of people's concerns.

Councilmember Coons agreed that they need to hear from land owners in the affected area.

Councilmember Doody agrees that everyone in the affected area needs to be invited to the public hearing but what about the Parkway and the Jarvis Plan. Putting something off too long isn't good. The saying "build it, they will come", he asked who is they? It will be a good open dialogue with the whole community. He will be interested in seeing the Comprehensive Plan and the additional industrial areas that were mentioned.

Councilmember Coons stated that the City Council and Staff needs to think about the community.

Councilmember Palmer said he attended many of the 15 meetings. What the committee did was to look at the area and its historic past uses and whether it needed to continue to be the historic uses or not. Around the railroad spur, the conclusion was yes. Along the Riverfront, they felt there is a higher and better use for redevelopment and create a cultural community. Council needs to err on the side of caution when approving this. City Council needs to give it a great deal of discussion and consideration.

Councilmember Todd said she has a problem when someone has a vision that affects someone else. She asked why a Comprehensive Plan is being created when all the neighborhood plans are pillars or barriers that they have to work around. She believes the big picture needs to be created first and that is why she feels this Plan should be held off.

Councilmember Hill is concerned with conflict and barriers. There are existing barriers preventing property to be kept up because of the redevelopment guidelines. He likes the mixed use in the downtown core, not necessarily in the South Downtown Plan. He would like to hear from property owners.

Mr. Moore asked City Council what direction they would like to see. Would June 16th or 18th work for a public hearing?

Councilmember Palmer said that he would like to have adequate time for discussion and also to have all of City Council present. He asked City Attorney Shaver if a motion is necessary. City Attorney Shaver said yes but you can make the motion to include a later date.

Proposed Ordinance Adopting a New Zoning Map for the South Downtown Neighborhood Generally Located Between the Riverside Neighborhood to the Northwest, to 28 Road on the East and from the Railroad Tracks on the North, to the Colorado River on the South

Proposed Ordinance Amending the Zoning and Development Code to Add Section 7.7 South Downtown Neighborhood Plan Zoning Overlay

Councilmember Todd moved to defer setting a public hearing on the two ordinances and have the City Manager check City Council's calendars for a meeting sometime after June 16th. Councilmember Hill seconded the motion. Motion carried.

Public Hearing—2008 CDBG Program Year Funding for the 2008 Action Plan, a Part of the 2006 Five-Year Consolidated Plan

City Council will consider which activities and programs to fund and will prioritize and recommend levels of funding for Community Development Block Grant (CDBG) projects for the 2008 Program Year.

The public hearing was opened at 7:58

Kristen Ashbeck, Senior Planner, reviewed this item. She presented the 2008 CDBG Action Plan and explained the process; noting that \$584,101 is to be allocated for 2008 projects. She also identified the criteria for projects to be funded under CDBG as well as the City's established priorities for funding. Ms. Ashbeck listed the CDBG committee recommendations for funding.

Councilmember Coons asked if the amount allocated is going down each year. Ms. Ashbeck said yes, it was about a \$10,000 reduction this year.

Councilmember Todd thanked Ms. Ashbeck for the information provided at the workshop and providing all the explanations and spreading the moneys between the projects.

Linda Taylor, Executive Director for the Center for Independence, thanked Council and the Neighborhood Services department for their assistance with the difficult process and keeping them in the loop and in the process. The capital investment is a human investment also. They have 20 people a month coming through program and have placed 11 of those people in a job. She thanked City Council for their support.

Councilmember Doody commented that Kathy Portner, Neighborhood Services Manager, supported their application.

Joe Higgins, Director of the Partners Program, also asked to speak on behalf of the Western Colorado Conservation Corps, stated that Council helped them several years ago. At that time, there were 35 youths a year. The program has grown a lot. He

explained some of the jobs that the youth do. Their 2,400 square foot location on South Avenue is inadequate with 100 kids in the program this year. They need to find another location. A great property owner is willing to work well with them on property located at 2818 ½ North Avenue. The current owner will allow them to move in at no cost prior to closing. They are working on several things to raise the money to get the building. He thanked City Staff as they have been helpful to them to get through this process, and they are willing to comply with all the rules.

Councilmember Todd commented on what a great location they are looking at and how the computer lab is already wired up.

There were no other public comments.

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

Councilmember Coons moved to approve the CDBG City Council subcommittee recommendations for funding eight projects for the City's 2008 CDBG Program Year Action Plan and set a Public Hearing for Adoption of the CDBG 2008 Action Plan for June 18, 2008. Councilmember Hill seconded the motion. Motion carried.

Councilmember Palmer thanked Ms. Ashbeck for all her work.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

Laurie Kadrach, City Manager, announced that today is a special day for one of the elected Councilmembers and wished Councilmember Hill a Happy Birthday on behalf of the City Staff and thanked him for all that he does on behalf of the community. Councilmember Hill advised that his birthday was actually the previous month, but thanked Staff anyway.

Councilmember Todd stated that she has received comments from the public that the audio during meeting is difficult for the public to hear. Council President Palmer advised that they are televising on Mondays as well as Wednesdays. If equipment is difficult to hear, he would like to see the effort made to make it a workable and good production.

Executive Session

There was not a continuance of the executive session for discussion of personnel matters under section 402 (4)(f)(I) of the Open Meetings Law relative to City Council employees specifically the City Manager.

Adjournment

The meeting adjourned at 8:18 p.m.

Debbie Kemp, CMC
Deputy City Clerk

GRAND JUNCTION CITY COUNCIL

SPECIAL SESSION MINUTES

MAY 21, 2008

The City Council of the City of Grand Junction, Colorado met in Special Session on Wednesday, May 21, 2008 at 5:12 p.m. in the Administration Conference Room, 2nd Floor, City Hall, 250 N. 5th Street. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Jim Doody, Bruce Hill, Doug Thomason, Linda Romer Todd, and President of the Council Gregg Palmer. There were no Staff members present.

Council President Palmer called the meeting to order.

Councilmember Coons moved to go into executive session for discussion of personnel matters under Section 402 (4)(f)(I) of the Open Meetings Law relative to City Council employees, specifically the City Manager and Council will not be returning to open session. Councilmember Hill seconded the motion. The motion carried.

The City Council convened into executive session at 5:13 p.m.

Debbie Kemp, CMC
Deputy City Clerk

(The City Council recessed the executive session. See the motion returning to executive session at the end of the May 21, 2008 Regular City Council Meeting.)

Attach 2
Airport Improvement Program Grants at Grand Junction Regional Airport
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Federal Aviation Administration Airport Improvement Program Grant 3-08-0027-35 (AIP-35) and Grant 3-08-0027-36 (AIP-36) at Grand Junction Regional Airport. Supplemental Co-sponsorship Agreement		
File #			
Meeting Day, Date	Monday, June 2, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	May 23, 2008		
Author Name & Title	Eddie F. Storer, Operations Manager		
Presenter Name & Title	Rex A. Tippetts, Airport Manager		

Summary:

AIP-35 is for resurfacing of Runway 11/29 in preparation of a total rebuild in eight to ten years. The project will remove and replace approximately 2 inches of the runway surface and then grooved. The grant amount is \$5,301,595.00. The second grant, AIP-36 is for funding of a Master Plan study for the airport. The grant amount is \$391,980.00. The Supplemental Co-sponsorship Agreement is required by the FAA as part of the grant acceptance by the City.

Budget:

No funds are being requested of the City of Grand Junction.

Action Requested/Recommendation:

Authorize the Mayor to sign FAA AIP-35 Grant for a Runway Rehabilitation and AIP-36 for a Master Plan Study at Grand Junction Regional Airport and authorize the City Manager to sign the Supplemental Co-sponsorship Agreements for AIP-35 and AIP-36.

Attachments:

1. Grant Agreement and Co-sponsorship Agreement for AIP-35.
2. Grant Agreement and Co-sponsorship Agreement for AIP-36.

Background Information:

The benefits of AIP-35 will extend the life of Runway 11/29 to insure the safety of all users until the runway is totally rebuilt. AIP-36 will plan for airport improvements for the next 20 years.

U.S. Department
of Transportation

GRANT AGREEMENT

Federal Aviation
Administration

Part I - Offer

Date of Offer: May 21, 2008
Airport: Grand Junction Regional
Project Number: 3-08-0027-35
Contract Number: DOT-FA08NM-1040
DUNS: 156135394

To: The City of Grand Junction, the County of Mesa, and the Grand Junction Regional Airport Authority (herein called the "Sponsor")

From: The United States of America (acting through the Federal Aviation Administration, herein called the "FAA")

Whereas, the Sponsor has submitted to the FAA a Project Application dated March 4, 2008 for a grant of Federal funds for a project at or associated with the Grand Junction Regional Airport, which Project Application, as approved by the FAA, is hereby incorporated herein and made a part hereof; and

Whereas, the FAA has approved a project for the Airport (herein called the "Project") consisting of the following:

Rehabilitate Runway 11/29,

all as more particularly described in the Project Application.

NOW THEREFORE, pursuant to and for the purpose of carrying out the provisions of Title 49, United States Code, as amended, herein called "the Act", and in consideration of (a) the Sponsor's adoption and ratification of the representations and assurances contained in said Project Application and its acceptance of this offer as hereinafter provided, and (b) the benefits to accrue to the United States and the public from the accomplishment of the Project and compliance with the assurances and conditions as herein provided, **THE FEDERAL AVIATION ADMINISTRATION, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES** to pay, as the United States share of the allowable costs incurred in accomplishing the Project, 95.00 per centum thereof.

This Offer is made on and **SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:**

Conditions

1. The maximum obligation of the United States payable under this offer shall be \$5,301,595. For the purpose of any future grant amendments which may increase the foregoing maximum obligation of the United States under the provisions of Section 47108(b) of the Act, the following amounts are being specified for this purpose:

\$0 for planning;
\$5,301,595 for airport development and noise program implementation.
2. The allowable costs of the project shall not include any costs determined by the FAA to be ineligible for consideration as to allowability under the Act.
3. Payment of the United States share of the allowable project costs will be made pursuant to and in accordance with the provisions of such regulations and procedures as the Secretary shall prescribe. Final determination of the United States share will be based upon the final audit of the total amount of allowable project costs and settlement will be made for any upward or downward adjustments to the Federal share of costs.
4. The sponsor shall carry out and complete the Project without undue delay and in accordance with the terms hereof, and such regulations and procedures as the Secretary shall prescribe, and agrees to comply with the assurances which were made part of the project application.
5. The FAA reserves the right to amend or withdraw this offer at any time prior to its acceptance by the sponsor.
6. This offer shall expire and the United States shall not be obligated to pay any part of the costs of the project unless this offer has been accepted by the sponsor on or before June 19, 2008, or such subsequent date as may be prescribed in writing by the FAA.
7. The Sponsor shall take all steps, including litigation if necessary, to recover Federal funds spent fraudulently, wastefully, or in violation of Federal antitrust statutes, or misused in any other manner in any project upon which Federal funds have been expended. For the purposes of this grant agreement, the term "Federal funds" means funds however used or disbursed by the Sponsor that were originally paid pursuant to this or any other Federal grant agreement. It shall obtain the approval of the Secretary as to any determination of the amount of the Federal share of such funds. It shall return the recovered Federal share, including funds recovered by settlement, order or judgment, to the Secretary. It shall furnish to the Secretary, upon request, all documents and records pertaining to the determination of the amount of the Federal share or to any settlement, litigation, negotiation, or

other efforts taken to recover such funds. All settlements or other final positions of the Sponsor, in court or otherwise, involving the recovery of such Federal share shall be approved in advance by the Secretary.

8. The United States shall not be responsible or liable for damage to property or injury to persons which may arise from, or be incident to, compliance with this grant agreement.

Special Conditions

9. The sponsor will carry out the project in accordance with policies, standards, and specifications approved by the Secretary including but not limited to the advisory circulars listed in the "Current FAA Advisory Circulars for AIP Projects," dated March 21, 2007, and included in this grant, and in accordance with applicable state policies, standards, and specifications approved by the Secretary.
10. The Sponsor agrees to request cash drawdowns on the letter of credit only when actually needed for its disbursements and to timely reporting of such disbursements as required. It is understood that failure to adhere to this provision may cause the letter of credit to be revoked.
11. The FAA in tendering this Grant Offer on behalf of the United States recognizes the existence of a Co-Sponsorship Agreement between the Grand Junction Regional Airport Authority, the City of Grand Junction, Colorado, and the County of Mesa, Colorado. By acceptance of the Grant Offer, said parties assume their respective obligations as set forth in said Co-Sponsorship Agreement. It is understood and agreed that said Agreement will not be amended, modified, or terminated without prior written approval of the FAA.
12. It is mutually understood and agreed that if, during the life of the project, the FAA determines that the maximum grant obligation of the United States exceeds the expected needs of the Sponsor by \$25,000.00 or five percent (5%), whichever is greater, the maximum obligation of the United States can be unilaterally reduced by letter from the FAA advising of the budget change. It is further understood and agreed that if, during the life of the project, the FAA determines that a change in the grant description is advantageous and in the best interests of the United States, the change in grant description will be unilaterally amended by letter from the FAA. Upon issuance of the aforementioned letter, either the grant obligation of the United States is adjusted to the amount specified or the grant description is amended to the description specified.
13. For a project to replace or reconstruct pavement at the airport, the Sponsor shall implement an effective airport pavement maintenance management program as is required by Airport Sponsor Assurance Number C-11. The Sponsor shall use such program for the useful life of any pavement constructed, reconstructed, or repaired with federal financial assistance at the airport. As a minimum, the program must conform with the provisions outlined below:

PAVEMENT MAINTENANCE MANAGEMENT PROGRAM

An effective pavement maintenance management program is one that details the procedures to be followed to assure that proper pavement maintenance, both preventive and repair, is performed. An airport sponsor may use any form of inspection program it deems appropriate. The program must, as a minimum, include the following:

- a. **Pavement Inventory.** The following must be depicted in an appropriate form and level of detail:

- (1) location of all runways, taxiways, and aprons;
- (2) dimensions;

- (3) type of pavement, and;
- (4) year of construction or most recent major rehabilitation.

For compliance with the Airport Improvement Program (AIP) assurances, pavements that have been constructed, reconstructed, or repaired with federal financial assistance shall be so depicted.

b. Inspection Schedule.

- (1) **Detailed Inspection.** A detailed inspection must be performed at least once a year. If a history of recorded pavement deterioration is available, i.e., Pavement Condition Index (PCI) survey as set forth in Advisory Circular 150/5380-6, "Guidelines and Procedures for Maintenance of Airport Pavements," the frequency of inspections may be extended to three years.
- (2) **Drive-By Inspection.** A drive-by inspection must be performed a minimum of once per month to detect unexpected changes in the pavement condition.

c. Record Keeping. Complete information on the findings of all detailed inspections and on the maintenance performed must be recorded and kept on file for a minimum of five years. The types of distress, their locations, and remedial action, scheduled or performed, must be documented. The minimum information to be recorded is listed below:

- (1) inspection date,
- (2) location,
- (3) distress types, and
- (4) maintenance scheduled or performed.

For drive-by inspections, the date of inspection and any maintenance performed must be recorded.

d. Information Retrieval. An airport Sponsor may use any form of record keeping it deems appropriate, so long as the information and records produced by the pavement survey can be retrieved to provide a report to the FAA as may be required.

e. Reference. Refer to Advisory Circular 150/5380-6, "Guidelines and Procedures for Maintenance of Airport Pavements," for specific guidelines and procedures for maintaining airport pavements and establishing an effective maintenance program. Specific types of distress, their probable causes, inspection guidelines, and recommended methods of repair are presented.

14. The Sponsor agrees to perform the following:

- a. Furnish a construction management program to FAA prior to the start of construction which shall detail the measures and procedures to be used to comply with the quality control provisions of the construction contract, including, but not limited to, all quality control provisions and tests required by the Federal specifications. The program shall include as a minimum:
 - (1) The name of the person representing the Sponsor who has overall responsibility for contract administration for the project and the authority to take necessary actions to comply with the contract.

- (2) Names of testing laboratories and consulting engineer firms with quality control responsibilities on the project, together with a description of the services to be provided.
 - (3) Procedures for determining that testing laboratories meet the requirements of the American Society of Testing and Materials standards on laboratory evaluation, referenced in the contract specifications (D 3666, C 1077).
 - (4) Qualifications of engineering supervision and construction inspection personnel.
 - (5) A listing of all tests required by the contract specifications, including the type and frequency of tests to be taken, the method of sampling, the applicable test standard, and the acceptance criteria or tolerances permitted for each type of test.
 - (6) Procedures for ensuring that the tests are taken in accordance with the program, that they are documented daily, that the proper corrective actions, where necessary, are undertaken.
- b. Submit at completion of the project, a final test and quality control report documenting the results of all tests performed, highlighting those tests that failed or did not meet the applicable test standard. The report shall include the pay reductions applied and reasons for accepting any out-of-tolerance material.
 - c. Failure to provide a complete report as described in paragraph (a), or failure to perform such tests, shall, absent any compelling justification, result in a reduction in Federal participation for costs incurred in connection with construction of the applicable pavement. Such reduction shall be at the discretion of the FAA and will be based on the type or types of required tests not performed or not documented and will be commensurate with the proportion of applicable pavement with respect to the total pavement constructed under the grant agreement.
 - d. The FAA, at its discretion, reserves the right to conduct independent tests and to reduce grant payments accordingly if such independent tests determine that Sponsor test results are inaccurate.
15. Unless otherwise approved by the FAA, the Sponsor will not acquire or permit any contractor or subcontractor to acquire any steel or manufactured products produced outside the United States to be used for any project for airport development or noise compatibility for which funds are provided under this grant. The Sponsor will include in every contract a provision implementing this special condition.
16. In accordance with Section 47108(b) of the Act, as amended, the maximum obligation of the United States, as stated in Condition No. 1 of this Grant Offer:
- a. may not be increased for a planning project;
 - b. may be increased by not more than 15 percent for development projects;
 - c. may be increased by not more than 15 percent for land projects.
17. The Sponsor agrees to monitor progress on the work to be accomplished by this grant. For consultant services, the Sponsor agrees to make payment only for work that has been satisfactorily completed. It is understood by and between the parties hereto that the approximate value of the final project documentation is ten percent (10%) of the total value of the engineering services contract, and that amount will not be paid to the Engineer until acceptable final project documentation is provided.
18. **TRAFFICKING IN PERSONS:**
- a. **Provisions applicable to a recipient that is a private entity.**
 - 1. You as the recipient, your employees, subrecipients under this award, and subrecipients' employees may not—

- i. Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
 - ii. Procure a commercial sex act during the period of time that the award is in effect; or
 - iii. Use forced labor in the performance of the award or subawards under the award.
2. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if you or a subrecipient that is a private entity –
- i. Is determined to have violated a prohibition in paragraph a.1 of this award term; or
 - ii. Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph a.1 of this award term through conduct that is either—
 - A. Associated with performance under this award; or
 - B. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),” as implemented by our agency at 49 CFR Part 29.

b. Provision applicable to a recipient other than a private entity. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity—

- 1. Is determined to have violated an applicable prohibition in paragraph a.1 of this award term; or
- 2. Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in paragraph a.1 of this award term through conduct that is either—
 - i. Associated with performance under this award; or
 - ii. Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),” as implemented by our agency at 49 CFR Part 29.

c. Provisions applicable to any recipient.

- 1. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph a.1 of this award term.
- 2. Our right to terminate unilaterally that is described in paragraph a.2 or b of this section:
 - i. Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and
 - ii. Is in addition to all other remedies for noncompliance that are available to us under this award.
- 3. You must include the requirements of paragraph a.1 of this award term in any subaward you make to a private entity.

d. Definitions. For purposes of this award term:

- 1. “Employee” means either:
 - i. An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this award; or
 - ii. Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.
- 2. “Forced labor” means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

3. "Private entity":

i. Means any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR 175.25.

ii. Includes:

A. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR 175.25(b).

B. A for-profit organization.

4. "Severe forms of trafficking in persons," "commercial sex act," and "coercion" have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

The Sponsor's acceptance of this Offer and ratification and adoption of the Project Application incorporated herein shall be evidenced by execution of this instrument by the Sponsor, as hereinafter provided, and this Offer and Acceptance shall comprise a Grant Agreement, as provided by the Act, constituting the contractual obligations and rights of the United States and the Sponsor with respect to the accomplishment of the Project and compliance with the assurances and conditions as provided herein. Such Grant Agreement shall become effective upon the Sponsor's acceptance of this Offer.

**UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION**



Manager, Denver Airports District Office

Part II - Acceptance

The Sponsor does hereby ratify and adopt all assurances, statements, representations, warranties, covenants, and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer and does hereby accept this Offer and by such acceptance agrees to comply with all of the terms and conditions in this Offer and in the Project Application.

Executed this _____ day of _____, 2008.

CITY OF GRAND JUNCTION, COLORADO

(SEAL)

Sponsor's Designated Official Representative

Attest: _____ Title: _____

Title: _____

Certificate of Sponsor's Attorney

I, _____, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the State of Colorado. Further, I have examined the foregoing Grant Agreement and the actions taken by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and the Act. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated at _____ this _____ day of _____, 2008.

Signature of Sponsor's Attorney

Part II - Acceptance

The Sponsor does hereby ratify and adopt all assurances, statements, representations, warranties, covenants, and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer and does hereby accept this Offer and by such acceptance agrees to comply with all of the terms and conditions in this Offer and in the Project Application.

Executed this _____ day of _____, 2008.

COUNTY OF MESA, COLORADO

(SEAL)

Sponsor's Designated Official Representative

Attest: _____ Title: _____

Title: _____

Certificate of Sponsor's Attorney

I, _____, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the State of Colorado. Further, I have examined the foregoing Grant Agreement and the actions taken by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and the Act. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated at _____ this _____ day of _____, 2008.

Signature of Sponsor's Attorney

Part II - Acceptance

The Sponsor does hereby ratify and adopt all assurances, statements, representations, warranties, covenants, and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer and does hereby accept this Offer and by such acceptance agrees to comply with all of the terms and conditions in this Offer and in the Project Application.

Executed this _____ day of _____, 2008.

**GRAND JUNCTION REGIONAL AIRPORT
AUTHORITY**

(SEAL)

Sponsor's Designated Official Representative

Attest: _____ Title: _____

Title: _____

Certificate of Sponsor's Attorney

I, _____, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the State of Colorado. Further, I have examined the foregoing Grant Agreement and the actions taken by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and the Act. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated at _____ this _____ day of _____, 2008.

Signature of Sponsor's Attorney

**CURRENT FAA ADVISORY CIRCULARS REQUIRED FOR USE IN AIP FUNDED
AND PFC APPROVED PROJECTS**

Dated: 3/21/2007

View the most current versions of these ACs and any associated changes at
http://www.faa.gov/airports_airtraffic/airports/resources/advisory_circulars/.

NUMBER	TITLE
70/7460-1K*	Obstruction Marking and Lighting
150/5000-13	Announcement of Availability--RTCA Inc., Document RTCA-221, Guidance and Recommended Requirements for Airport Surface Movement Sensors
150/5020-1	Noise Control and Compatibility Planning for Airports
150/5070-6B	Airport Master Plans
150/5070-7	The Airport System Planning Process
150/5200-28C	Notices to Airmen (NOTAMS) for Airport Operators
150/5200-30A and Changes 1 through 8	Airport Winter Safety and Operations
150/5200-33A	Hazardous Wildlife Attractants On or Near Airports
150/5210-5B	Painting, Marking and Lighting of Vehicles Used on an Airport
150/5210-7C	Aircraft Fire and Rescue Communications
150/5210-13B	Water Rescue Plans, Facilities, and Equipment
150/5210-14A	Airport Fire and Rescue Personnel Protective Clothing
150/5210-15	Airport Rescue & Firefighting Station Building Design
150/5210-18	Systems for Interactive Training of Airport Personnel
150/5210-19	Driver's Enhanced Vision System (DEVS)
150/5220-4B	Water Supply Systems for Aircraft Fire and Rescue Protection
150/5220-10C	Guide Specification for Water/Foam Type Aircraft Rescue and Firefighting Vehicles
150/5220-13B	Runway Surface Condition Sensor Specification Guide
150/5220-16C	Automated Weather Observing Systems for Non-Federal Applications
150/5220-17A and Change 1	Design Standards for Aircraft Rescue Firefighting Training Facilities
150/5220-18	Buildings for Storage and Maintenance of Airport Snow and Ice Control Equipment and Materials
150/5220-19	Guide Specification for Small, Dual-Agent Aircraft Rescue and Firefighting Vehicles
150/5220-20 and Change 1	Airport Snow and Ice Control Equipment
150/5220-21B	Guide Specification for Lifts Used to Board Airline Passengers With Mobility Impairments

FAA Advisory Circulars Required For Use In AIP Funded And PFC Approved Projects
 March 21, 2007

NUMBER	TITLE
150/5220-22A	Engineered Materials Arresting Systems (EMAS) for Aircraft Overruns
150/5300-13 and Changes 1 through 10	Airport Design
150/5300-14 and Changes 1 through 2	Design of Aircraft Deicing Facilities
150/5300-16	General Guidance and Specifications for Aeronautical Surveys: Establishment of Geodetic Control and Submission to the National Geodetic Survey
150/5300-17	General Guidance and Specifications for Aeronautical Survey Airport Imagery Acquisition and Submission to the National Geodetic Survey
150/5300-18	General Guidance and Specifications for Submission of Aeronautical Surveys to NGS: Field Data Collection and Geographic Information System (GIS) Standards
150/5320-5B	Airport Drainage
150/5320-6D and Changes 1 through 4	Airport Pavement Design and Evaluation
150/5320-12C and Changes 1 through 8	Measurement, Construction, and Maintenance of Skid Resistant Airport Pavement Surfaces
150/5320-14	Airport Landscaping for Noise Control Purposes
150/5320-15 and Change 1	Management of Airport Industrial Waste
150/5325-4B	Runway Length Requirements for Airport Design
150/5335-5A	Standardized Method of Reporting Pavement Strength PCN
150/5340-1J	Standards for Airport Markings
150/5340-5B and Change 1	Segmented Circle Airport Marker System
150/5340-18D	Standards for Airport Sign Systems
150/5340-30B	Design and Installation Details for Airport Visual Aids
150/5345-3E	Specification for L821 Panels for Control of Airport Lighting
150/5345-5B	Circuit Selector Switch
150/5345-7E	Specification for L824 Underground Electrical Cable for Airport Lighting Circuits
150/5345-10F	Specification for Constant Current Regulators Regulator Monitors
150/5345-12E	Specification for Airport and Heliport Beacon
150/5345-13A	Specification for L841 Auxiliary Relay Cabinet Assembly for Pilot Control of Airport Lighting Circuits
150/5345-26C	Specification for L823 Plug and Receptacle, Cable Connectors

FAA Advisory Circulars Required For Use In AIP Funded And PFC Approved Projects
March 21, 2007

NUMBER	TITLE
150/5345-27D	Specification for Wind Cone Assemblies
150/5345-28F	Precision Approach Path Indicator (PAPI) Systems
150/5345-39C	FAA Specification L853, Runway and Taxiway Retroreflective Markers
150/5345-42F	Specification for Airport Light Bases, Transformer Housings, Junction Boxes and Accessories
150/5345-43F	Specification for Obstruction Lighting Equipment
150/5345-44G	Specification for Taxiway and Runway Signs
150/5345-45B	Low-Impact Resistant (LIR) Structures
150/5345-46C	Specification for Runway and Taxiway Light Fixtures
150/5345-47B	Specification for Series to Series Isolation Transformers for Airport Lighting Systems
150/5345-49B	Specification L854, Radio Control Equipment
150/5345-50A	Specification for Portable Runway and Taxiway Lights
150/5345-51A	Specification for Discharge-Type Flasher Equipment
150/5345-52	Generic Visual Glideslope Indicators (GVGI)
150/5345-53C	Airport Lighting Equipment Certification Program
150/5345-54A and Change 1	Specification for L-1884 Power and Control Unit for Land and Hold Short
150/5345-55	Lighted Visual Aid to Indicate Temporary Runway Closure
150/5345-56	Specification for L-890 Airport Lighting Control and Monitoring System (ALCMS)
150/5360-9	Planning and Design of Airport Terminal Facilities at NonHub Locations
150/5360-12D	Airport Signing and Graphics
150/5360-13 and Change 1	Planning and Design Guidance for Airport Terminal Facilities
150/5370-2E	Operational Safety on Airports During Construction
150/5370-10B	Standards for Specifying Construction of Airports
150/5370-11A	Use of Nondestructive Testing Devices in the Evaluation of Airport Pavement
150/5380-6A	Guidelines and Procedures for Maintenance of Airport Pavements
150/5390-2B	Heliport Design
150/5390-3	Vertiport Design
150/5395-1	Seaplane Bases

*This AC is available at <http://www.faa.gov/ats/ata/ai/index.html> or http://www.airweb.faa.gov/Regulatory_and_Guidance_Library/rqAdvisoryCircular.nsf/MainFrame?OpenFrameSet.

FAA Advisory Circulars Required For Use In AIP Funded And PFC Approved Projects
 March 21, 2007

THE FOLLOWING ADDITIONAL APPLY to AIP PROJECTS ONLY
Dated: 3/21/2007

NUMBER	TITLE
150/5100-14D	Architectural, Engineering, and Planning Consultant Services for Airport Grant Projects
150/5100-15A	Civil Rights Requirements for the Airport Improvement Program
150/5100-17 and Changes 1 through 6	Land Acquisition and Relocation Assistance for Airport Improvement Program Assisted Projects
150/5200-37	Introduction to Safety Management Systems (SMS) for Airport Operators
150/5300-15	Use of Value Engineering for Engineering Design of Airports Grant Projects
150/5320-17	Airfield Pavement Surface Evaluation and Rating (PASER) Manuals
150/5370-6B	Construction Progress and Inspection Report—Airport Grant Program
150/5370-11A	Use on Nondestructive Testing Devices in the Evaluation of Airport Pavements
150/5370-12	Quality Control of Construction for Airport Grant Projects
150/5370-13A	Offpeak Construction of Airport Pavements Using Hot-Mix Asphalt
150/5380-7A	Airport Pavement Management System
150/5380-8	Handbook for Identification of Alkali-Silica Reactivity in Airfield Pavements

THE FOLLOWING ADDITIONAL APPLY to PFC PROJECTS ONLY
Dated: 3/21/2007

NUMBER	TITLE
150/5000-12	Announcement of Availability—Passenger Facility Charge (PFC) Application (FAA Form 5500-1)

SUPPLEMENTAL CO-SPONSORSHIP AGREEMENT

This Supplemental Co-Sponsorship Agreement is entered into and effective this _____ day of _____, 2008, by and between the Grand Junction Regional Airport Authority ("Airport Authority"), and the City of Grand Junction (City).

RECITALS

A. The Airport Authority is a political subdivision of the State of Colorado, organized pursuant to Section 41-3-101 et seq., C.R.S. The Airport Authority is a separate and distinct entity from the City.

B. The Airport Authority is the owner and operator of the Grand Junction Regional Airport, located in Grand Junction, Colorado ("Airport").

C. Pursuant to the Title 49, U.S.C., Subtitle VII, Part B, as amended, the Airport Authority has applied for monies from the Federal Aviation Administration ("FAA"), for the construction of certain improvements upon the Airport, pursuant to the terms, plans and specifications set forth in AIP Grant Application No. 3-08-0027-35 ("Project").

D. The FAA is willing to provide approximately \$5,301,595.00 toward the estimated costs of the Project, provided the City of Grand Junction and Mesa County execute the Grant Agreement as co-sponsors with the Airport Authority. The FAA is insisting that the City and County execute the Grant Agreement as co-sponsors for two primary reasons. First, the City and County have taxing authority, whereas the Airport Authority does not; accordingly, the FAA is insisting that the City and County execute the Grant Agreement so that public entities with taxing authority are liable for the financial commitments required of the Sponsor under the Grant Agreement, should the Airport Authority not be able to satisfy said financial commitments out of the net revenues generated by the operation of the Airport. In addition, the City and County have jurisdiction over the zoning and land use regulations of the real property surrounding the Airport, whereas the Airport Authority does not enjoy such zoning and land use regulatory authority. By their execution of the Grant Agreement, the City and County would be warranting to the FAA that the proposed improvements are consistent with their respective plans for the development of the area surrounding the Airport, and that they will take appropriate actions, including the adoption of zoning laws, to restrict the use of land surrounding the Airport to activities and purposes compatible with normal Airport operations.

E. The City is willing to execute the Grant Agreement, as a co-sponsor, pursuant to the FAA's request, subject to the terms and conditions of this Supplemental Co-Sponsorship Agreement between the City and Airport Authority.

Therefore, in consideration of the above Recitals and the mutual promises and representations set forth below, the City and Airport Authority hereby agree as follows:

AGREEMENT

1. By its execution of this Agreement, the City hereby agrees to execute the Grant Agreement, as a co-sponsor, pursuant to the FAA's request.
2. In consideration of the City's execution of the Grant Agreement, as co-sponsor, the Airport Authority hereby agrees to hold the City, its officers, employees, and agents, harmless from, and to indemnify the City, its officers, employees, and agents for:

(a) Any and all claims, lawsuits, damages, or liabilities, including reasonable attorney's fees and court costs, which at any time may be or are stated, asserted, or made against the City, its officers, employees, or agents, by the FAA or any other third party whomsoever, in any way arising out of, or related under the Grant Agreement, or the prosecution of the Project contemplated by the Grant Agreement, regardless of whether said claims are frivolous or groundless, other than claims related to the City's covenant to take appropriate action, including the adoption of zoning laws, to restrict the use of land surrounding the Airport, over which the City has regulatory jurisdiction, to activities and purposes compatible with normal Airport operations, set forth in paragraph 21 of the Assurances incorporated by reference into the Grant Agreement ("Assurances"); and

(b) The failure of the Airport Authority, or any of the Airport Authority's officers, agents, employees, or contractors, to comply in any respect with any of the requirements, obligations or duties imposed on the Sponsor by the Grant Agreement, or reasonably related to or inferred there from, other than the Sponsor's zoning and land use obligations under Paragraph 21 of the Assurances, which are the City's responsibility for lands surrounding the Airport over which it has regulatory jurisdiction.

3. By its execution of this Agreement, the Airport Authority hereby agrees to comply with each and every requirement of the Sponsor, set forth in the Grant Agreement, or reasonably required in connection therewith, other than the zoning and land use requirements set forth in paragraph 21 of the Assurances, in recognition of the fact that the Airport Authority does not have the power to effect the zoning and land use regulations required by said paragraph.
4. By its execution of this Agreement and the Grant Agreement, the City agrees to comply with the zoning and land use requirements of paragraph 21 of the Assurances, with respect to all lands surrounding the Airport that are subject to the City's regulatory jurisdiction. The City also hereby warrants and represents that, in accordance with paragraph 6 of the Special Assurances;

the Project contemplated by the Grant Agreement is consistent with present plans of the City for the development of the area surrounding the Airport.

5. The parties hereby warrant and represent that, by the City's execution of the Grant Agreement, as a co-sponsor, pursuant to the FAA's request, the City is not a co-owner, agent, partner, joint venturer, or representative of the Airport Authority in the ownership, management or administration of the Airport, and the Airport Authority is, and remains, the sole owner of the Airport, and solely responsible for the operation and management of the Airport.

Done and entered into on the date first set forth above.

GRAND JUNCTION REGIONAL AIRPORT AUTHORITY

By _____
Doug Simons, Chairman

CITY OF GRAND JUNCTION

By _____
City Manager



MAY 23 2008

U.S. Department
of Transportation

GRANT AGREEMENT

Federal Aviation
Administration

Part I - Offer

Date of Offer: May 1, 2008
Airport: Grand Junction Regional Airport
Project Number: 3-08-0027-36
Contract Number: DOT-FA08NM-1009
DUNS Number: 156135394

To: City of Grand Junction, the County of Mesa and the Grand Junction Regional Airport Authority, Colorado (herein called the "Sponsor")

From: The United States of America (acting through the Federal Aviation Administration, herein called the "FAA")

Whereas, the Sponsor has submitted to the FAA a Project Application, dated April 28, 2008, for a grant of Federal funds for a project at or associated with the Grand Junction Regional Airport, which Project Application, as approved by the FAA, is hereby incorporated herein and made a part hereof; and

Whereas, the FAA has approved a project for the Airport (herein called the "Project") consisting of the following:

Conduct Airport Master Plan Study

all as more particularly described in the Project Application.

NOW THEREFORE, pursuant to and for the purpose of carrying out the provisions of Title 49, United States Code, as amended, herein called "the Act", and in consideration of (a) the Sponsor's adoption and ratification of the representations and assurances contained in said Project Application and its acceptance of this offer as hereinafter provided, and (b) the benefits to accrue to the United States and the public from the accomplishment of the Project and compliance with the assurances and conditions as herein provided, **THE FEDERAL AVIATION ADMINISTRATION, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES** to pay, as the United States share of the allowable costs incurred in accomplishing the Project, 95.00 per centum thereof.

This Offer is made on and **SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:**

Conditions

1. The maximum obligation of the United States payable under this offer shall be \$391,980. For the purpose of any future grant amendments which may increase the foregoing maximum obligation of the United States under the provisions of Section 47108(b) of the Act, the following amounts are being specified for this purpose:
 - \$391,980 for planning
 - \$0 for airport development and noise program implementation
2. The allowable costs of the project shall not include any costs determined by the FAA to be ineligible for consideration as to allowability under the Act.
3. Payment of the United States share of the allowable project costs will be made pursuant to and in accordance with the provisions of such regulations and procedures as the Secretary shall prescribe. Final determination of the United States share will be based upon the final audit of the total amount of allowable project costs and settlement will be made for any upward or downward adjustments to the Federal share of costs.
4. The sponsor shall carry out and complete the Project without undue delay and in accordance with the terms hereof, and such regulations and procedures as the Secretary shall prescribe, and agrees to comply with the assurances which were made part of the project application.
5. The FAA reserves the right to amend or withdraw this offer at any time prior to its acceptance by the sponsor.
6. This offer shall expire and the United States shall not be obligated to pay any part of the costs of the project unless this offer has been accepted by the sponsor on or before June 6, 2008, or such subsequent date as may be prescribed in writing by the FAA.
7. The Sponsor shall take all steps, including litigation if necessary, to recover Federal funds spent fraudulently, wastefully, or in violation of Federal antitrust statutes, or misused in any other manner in any project upon which Federal funds have been expended. For the purposes of this grant agreement, the term "Federal funds" means funds however used or disbursed by the Sponsor that were originally paid pursuant to this or any other Federal grant agreement. It shall obtain the approval of the Secretary as to any determination of the amount of the Federal share of such funds. It shall return the recovered Federal share, including funds recovered by settlement, order or judgment, to the Secretary. It shall furnish to the Secretary, upon request, all documents and records pertaining to the determination of the amount of the Federal share or to any settlement, litigation, negotiation, or

other efforts taken to recover such funds. All settlements or other final positions of the Sponsor, in court or otherwise, involving the recovery of such Federal share shall be approved in advance by the Secretary.

8. The United States shall not be responsible or liable for damage to property or injury to persons which may arise from, or be incident to, compliance with this grant agreement.

SPECIAL CONDITIONS

9. The sponsor will carry out the project in accordance with policies, standards, and specifications approved by the Secretary including but not limited to the advisory circulars listed in the *Current FAA Advisory Circulars Required For Use In AIP Funded and PFC Approved Projects*, dated March 21, 2007, and included in this grant, and in accordance with applicable state policies, standards, and specifications approved by the Secretary.
10. The Sponsor agrees to request cash drawdowns on the letter of credit only when actually needed for its disbursements and to timely reporting of such disbursements as required. It is understood that failure to adhere to this provision may cause the letter of credit to be revoked.
11. In accordance with Section 47108(b) of the Act, as amended, the maximum obligation of the United States, as stated in Condition No. 1 of this Grant Offer:
 - a. may not be increased for a planning project;
 - b. may be increased by not more than 15 percent for development projects;
 - c. may be increased by not more than 15 percent for land projects.
12. The sponsor agrees to monitor progress on the work to be accomplished by this grant. For consultant services, the Sponsor agrees to make payment only for work that has been satisfactorily completed. It is understood by and between the parties hereto that the approximate value of the final project documentation is ten percent (10%) of the total value of the engineering services contract, and that amount will not be paid to the Engineer until acceptable final project documentation is provided.
13. It is mutually understood and agreed that if, during the life of the project, the FAA determines that the maximum grant obligation of the United States exceeds the expected needs of the Sponsor by \$25,000.00 or five percent (5%), whichever is greater, the maximum obligation of the United States can be unilaterally reduced by letter from the FAA advising of the budget change. It is further understood and agreed that if, during the life of the project, the FAA determines that a change in the grant description is advantageous and in the best interests of the United States, the change in grant description will be unilaterally amended by letter from the FAA. Upon issuance of the aforementioned letter, either the grant obligation of the United States is adjusted to the amount specified or the grant description is amended to the description specified.

14. Trafficking In Persons:

a. Provisions applicable to a recipient that is a private entity.

1. You as the recipient, your employees, subrecipients under this award, and subrecipients' employees may not—

- i. Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
- ii. Procure a commercial sex act during the period of time that the award is in effect; or
- iii. Use forced labor in the performance of the award or subawards under the award.

2. We, as the Federal awarding agency may unilaterally terminate this award, without penalty, if you or a subrecipient that is a private entity –

- i. Is determined to have violated a prohibition in paragraph a.1 of this award term; or
- ii. Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph a.1 of this award term through conduct that is either—
 - A. Associated with performance under this award; or
 - B. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),” as implemented by our agency at 49 CFR Part 29.

b. Provision applicable to a recipient other than a private entity. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity--

- 1. Is determined to have violated an applicable prohibition in paragraph a.1 of this award term; or
- 2. Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in paragraph a.1 of this award term through conduct that is either--
 - i. Associated with performance under this award; or
 - ii. Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),” as implemented by our agency at 49 CFR Part 29.

c. Provisions applicable to any recipient.


- 1. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph a.1 of this award term.
- 2. Our right to terminate unilaterally that is described in paragraph a.2 or b of this section:
 - i. Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and
 - ii. Is in addition to all other remedies for noncompliance that are available to us under this award.
- 3. You must include the requirements of paragraph a.1 of this award term in any subaward you make to a private entity.

d. Definitions. For purposes of this award term:

1. "Employee" means either:
 - i. An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this award; or
 - ii. Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.
2. "Forced labor" means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.
3. "Private entity":
 - i. Means any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR 175.25.
 - ii. Includes:
 - A. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR 175.25(b).
 - B. A for-profit organization.
4. "Severe forms of trafficking in persons," "commercial sex act," and "coercion" have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

The Sponsor's acceptance of this Offer and ratification and adoption of the Project Application incorporated herein shall be evidenced by execution of this instrument by the Sponsor, as hereinafter provided, and this Offer and Acceptance shall comprise a Grant Agreement, as provided by the Act, constituting the contractual obligations and rights of the United States and the Sponsor with respect to the accomplishment of the Project and compliance with the assurances and conditions as provided herein. Such Grant Agreement shall become effective upon the Sponsor's acceptance of this Offer.

UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION



Acting Manager, Denver Airports District Office

Part II - Acceptance

The Sponsor does hereby ratify and adopt all assurances, statements, representations, warranties, covenants, and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer and does hereby accept this Offer and by such acceptance agrees to comply with all of the terms and conditions in this Offer and in the Project Application.

Executed this _____ day of _____, 2008.

CITY OF GRAND JUNCTION, COLORADO

(SEAL)

Sponsor's Designated Official Representative

Attest: _____

Title: _____

Title: _____

Certificate of Sponsor's Attorney

I, _____, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the State of Colorado. Further, I have examined the foregoing Grant Agreement and the actions taken by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and the Act. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated at _____ this ____ day of _____, 2008.

Signature of Sponsor's Attorney

The Sponsor does hereby ratify and adopt all assurances, statements, representations, warranties, covenants, and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer and does hereby accept this Offer and by such acceptance agrees to comply with all of the terms and conditions in this Offer and in the Project Application.

Executed this _____ day of _____, 2008.

COUNTY OF MESA, COLORADO

(SEAL)

Sponsor's Designated Official Representative

Attest: _____

Title: _____

Title: _____

Certificate of Sponsor's Attorney

I, _____, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the State of Colorado. Further, I have examined the foregoing Grant Agreement and the actions taken by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and the Act. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated at _____ this ____ day of _____, 2008.

Signature of Sponsor's Attorney

The Sponsor does hereby ratify and adopt all assurances, statements, representations, warranties, covenants, and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer and does hereby accept this Offer and by such acceptance agrees to comply with all of the terms and conditions in this Offer and in the Project Application.

Executed this _____ day of _____, 2008.

**GRAND JUNCTION REGIONAL AIRPORT
AUTHORITY, COLORADO**

(SEAL)

Sponsor's Designated Official Representative

Attest: _____

Title: _____

Title: _____

Certificate of Sponsor's Attorney

I, _____, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the State of Colorado. Further, I have examined the foregoing Grant Agreement and the actions taken by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and the Act. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated at _____ this ____ day of _____, 2008.

**CURRENT FAA ADVISORY CIRCULARS REQUIRED FOR USE IN AIP FUNDED
AND PFC APPROVED PROJECTS**

Dated: 3/21/2007

View the most current versions of these ACs and any associated changes at
http://www.faa.gov/airports_airtraffic/airports/resources/advisory_circulars/.

NUMBER	TITLE
70/7460-1K*	Obstruction Marking and Lighting
150/5000-13	Announcement of Availability--RTCA Inc., Document RTCA-221, Guidance and Recommended Requirements for Airport Surface Movement Sensors
150/5020-1	Noise Control and Compatibility Planning for Airports
150/5070-6B	Airport Master Plans
150/5070-7	The Airport System Planning Process
150/5200-28C	Notices to Airmen (NOTAMS) for Airport Operators
150/5200-30A and Changes 1 through 8	Airport Winter Safety and Operations
150/5200-33A	Hazardous Wildlife Attractants On or Near Airports
150/5210-5B	Painting, Marking and Lighting of Vehicles Used on an Airport
150/5210-7C	Aircraft Fire and Rescue Communications
150/5210-13B	Water Rescue Plans, Facilities, and Equipment
150/5210-14A	Airport Fire and Rescue Personnel Protective Clothing
150/5210-15	Airport Rescue & Firefighting Station Building Design
150/5210-18	Systems for Interactive Training of Airport Personnel
150/5210-19	Driver's Enhanced Vision System (DEVS)
150/5220-4B	Water Supply Systems for Aircraft Fire and Rescue Protection
150/5220-10C	Guide Specification for Water/Foam Type Aircraft Rescue and Firefighting Vehicles
150/5220-13B	Runway Surface Condition Sensor Specification Guide
150/5220-16C	Automated Weather Observing Systems for Non-Federal Applications
150/5220-17A and Change 1	Design Standards for Aircraft Rescue Firefighting Training Facilities
150/5220-18	Buildings for Storage and Maintenance of Airport Snow and Ice Control Equipment and Materials
150/5220-19	Guide Specification for Small, Dual-Agent Aircraft Rescue and Firefighting Vehicles
150/5220-20 and Change 1	Airport Snow and Ice Control Equipment
150/5220-21B	Guide Specification for Lifts Used to Board Airline Passengers With Mobility Impairments

FAA Advisory Circulars Required For Use In AIP Funded And PFC Approved Projects
 March 21, 2007

NUMBER	TITLE
150/5220-22A	Engineered Materials Arresting Systems (EMAS) for Aircraft Overruns
150/5300-13 and Changes 1 through 10	Airport Design
150/5300-14 and Changes 1 through 2	Design of Aircraft Deicing Facilities
150/5300-16	General Guidance and Specifications for Aeronautical Surveys: Establishment of Geodetic Control and Submission to the National Geodetic Survey
150/5300-17	General Guidance and Specifications for Aeronautical Survey Airport Imagery Acquisition and Submission to the National Geodetic Survey
150/5300-18	General Guidance and Specifications for Submission of Aeronautical Surveys to NGS: Field Data Collection and Geographic Information System (GIS) Standards
150/5320-5B	Airport Drainage
150/5320-6D and Changes 1 through 4	Airport Pavement Design and Evaluation
150/5320-12C and Changes 1 through 8	Measurement, Construction, and Maintenance of Skid Resistant Airport Pavement Surfaces
150/5320-14	Airport Landscaping for Noise Control Purposes
150/5320-15 and Change 1	Management of Airport Industrial Waste
150/5325-4B	Runway Length Requirements for Airport Design
150/5335-5A	Standardized Method of Reporting Pavement Strength PCN
150/5340-1J	Standards for Airport Markings
150/5340-5B and Change 1	Segmented Circle Airport Marker System
150/5340-18D	Standards for Airport Sign Systems
150/5340-30B	Design and Installation Details for Airport Visual Aids
150/5345-3E	Specification for L821 Panels for Control of Airport Lighting
150/5345-5B	Circuit Selector Switch
150/5345-7E	Specification for L824 Underground Electrical Cable for Airport Lighting Circuits
150/5345-10F	Specification for Constant Current Regulators Regulator Monitors
150/5345-12E	Specification for Airport and Heliport Beacon
150/5345-13A	Specification for L841 Auxiliary Relay Cabinet Assembly for Pilot Control of Airport Lighting Circuits
150/5345-26C	Specification for L823 Plug and Receptacle, Cable Connectors

FAA Advisory Circulars Required For Use In AIP Funded And PFC Approved Projects
 March 21, 2007

NUMBER	TITLE
150/5345-27D	Specification for Wind Cone Assemblies
150/5345-28F	Precision Approach Path Indicator (PAPI) Systems
150/5345-39C	FAA Specification L853, Runway and Taxiway Retroreflective Markers
150/5345-42F	Specification for Airport Light Bases, Transformer Housings, Junction Boxes and Accessories
150/5345-43F	Specification for Obstruction Lighting Equipment
150/5345-44G	Specification for Taxiway and Runway Signs
150/5345-45B	Low-Impact Resistant (LIR) Structures
150/5345-46C	Specification for Runway and Taxiway Light Fixtures
150/5345-47B	Specification for Series to Series Isolation Transformers for Airport Lighting Systems
150/5345-49B	Specification L854, Radio Control Equipment
150/5345-50A	Specification for Portable Runway and Taxiway Lights
150/5345-51A	Specification for Discharge-Type Flasher Equipment
150/5345-52	Generic Visual Glideslope Indicators (GVGI)
150/5345-53C	Airport Lighting Equipment Certification Program
150/5345-54A and Change 1	Specification for L-1884 Power and Control Unit for Land and Hold Short
150/5345-55	Lighted Visual Aid to Indicate Temporary Runway Closure
150/5345-56	Specification for L-890 Airport Lighting Control and Monitoring System (ALCMS)
150/5360-9	Planning and Design of Airport Terminal Facilities at NonHub Locations
150/5360-12D	Airport Signing and Graphics
150/5360-13 and Change 1	Planning and Design Guidance for Airport Terminal Facilities
150/5370-2E	Operational Safety on Airports During Construction
150/5370-10B	Standards for Specifying Construction of Airports
150/5370-11A	Use of Nondestructive Testing Devices in the Evaluation of Airport Pavement
150/5380-6A	Guidelines and Procedures for Maintenance of Airport Pavements
150/5390-2B	Heliport Design
150/5390-3	Vertiport Design
150/5395-1	Seaplane Bases

*This AC is available at <http://www.faa.gov/ats/ata/ai/index.html> or [http://www.airweb.faa.gov/Regulatory and Guidance Library/rgAdvisoryCircular.nsf/MainFrame?OpenFrameSet](http://www.airweb.faa.gov/Regulatory%20and%20Guidance%20Library/rgAdvisoryCircular.nsf/MainFrame?OpenFrameSet).

FAA Advisory Circulars Required For Use In AIP Funded And PFC Approved Projects
 March 21, 2007

THE FOLLOWING ADDITIONAL APPLY to AIP PROJECTS ONLY
Dated: 3/21/2007

NUMBER	TITLE
150/5100-14D	Architectural, Engineering, and Planning Consultant Services for Airport Grant Projects
150/5100-15A	Civil Rights Requirements for the Airport Improvement Program
150/5100-17 and Changes 1 through 6	Land Acquisition and Relocation Assistance for Airport Improvement Program Assisted Projects
150/5200-37	Introduction to Safety Management Systems (SMS) for Airport Operators
150/5300-15	Use of Value Engineering for Engineering Design of Airports Grant Projects
150/5320-17	Airfield Pavement Surface Evaluation and Rating (PASER) Manuals
150/5370-6B	Construction Progress and Inspection Report—Airport Grant Program
150/5370-11A	Use on Nondestructive Testing Devices in the Evaluation of Airport Pavements
150/5370-12	Quality Control of Construction for Airport Grant Projects
150/5370-13A	Offpeak Construction of Airport Pavements Using Hot-Mix Asphalt
150/5380-7A	Airport Pavement Management System
150/5380-8	Handbook for Identification of Alkali-Silica Reactivity in Airfield Pavements

THE FOLLOWING ADDITIONAL APPLY to PFC PROJECTS ONLY
Dated: 3/21/2007

NUMBER	TITLE
150/5000-12	Announcement of Availability—Passenger Facility Charge (PFC) Application (FAA Form 5500-1)

SUPPLEMENTAL CO-SPONSORSHIP AGREEMENT

This Supplemental Co-Sponsorship Agreement is entered into and effective this _____ day of _____, 2008, by and between the Grand Junction Regional Airport Authority ("Airport Authority"), and the City of Grand Junction (City).

RECITALS

B. The Airport Authority is a political subdivision of the State of Colorado, organized pursuant to Section 41-3-101 et seq., C.R.S. The Airport Authority is a separate and distinct entity from the City.

C. The Airport Authority is the owner and operator of the Grand Junction Regional Airport, located in Grand Junction, Colorado ("Airport").

D. Pursuant to the Title 49, U.S.C., Subtitle VII, Part B, as amended, the Airport Authority has applied for monies from the Federal Aviation Administration ("FAA"), for the construction of certain improvements upon the Airport, pursuant to the terms, plans and specifications set forth in AIP Grant Application No. 3-08-0027-36 ("Project").

F. The FAA is willing to provide approximately \$391,980.00 toward the estimated costs of the Project, provided the City of Grand Junction and Mesa County execute the Grant Agreement as co-sponsors with the Airport Authority. The FAA is insisting that the City and County execute the Grant Agreement as co-sponsors for two primary reasons. First, the City and County have taxing authority, whereas the Airport Authority does not; accordingly, the FAA is insisting that the City and County execute the Grant Agreement so that public entities with taxing authority are liable for the financial commitments required of the Sponsor under the Grant Agreement, should the Airport Authority not be able to satisfy said financial commitments out of the net revenues generated by the operation of the Airport. In addition, the City and County have jurisdiction over the zoning and land use regulations of the real property surrounding the Airport, whereas the Airport Authority does not enjoy such zoning and land use regulatory authority. By their execution of the Grant Agreement, the City and County would be warranting to the FAA that the proposed improvements are consistent with their respective plans for the development of the area surrounding the Airport, and that they will take appropriate actions, including the adoption of zoning laws, to restrict the use of land surrounding the Airport to activities and purposes compatible with normal Airport operations.

G. The City is willing to execute the Grant Agreement, as a co-sponsor, pursuant to the FAA's request, subject to the terms and conditions of this

Supplemental Co-Sponsorship Agreement between the City and Airport Authority.

Therefore, in consideration of the above Recitals and the mutual promises and representations set forth below, the City and Airport Authority hereby agree as follows:

AGREEMENT

3. By its execution of this Agreement, the City hereby agrees to execute the Grant Agreement, as a co-sponsor, pursuant to the FAA's request.
4. In consideration of the City's execution of the Grant Agreement, as co-sponsor, the Airport Authority hereby agrees to hold the City, its officers, employees, and agents, harmless from, and to indemnify the City, its officers, employees, and agents for:

(b) Any and all claims, lawsuits, damages, or liabilities, including reasonable attorney's fees and court costs, which at any time may be or are stated, asserted, or made against the City, its officers, employees, or agents, by the FAA or any other third party whomsoever, in any way arising out of, or related under the Grant Agreement, or the prosecution of the Project contemplated by the Grant Agreement, regardless of whether said claims are frivolous or groundless, other than claims related to the City's covenant to take appropriate action, including the adoption of zoning laws, to restrict the use of land surrounding the Airport, over which the City has regulatory jurisdiction, to activities and purposes compatible with normal Airport operations, set forth in paragraph 21 of the Assurances incorporated by reference into the Grant Agreement ("Assurances"); and

(c) The failure of the Airport Authority, or any of the Airport Authority's officers, agents, employees, or contractors, to comply in any respect with any of the requirements, obligations or duties imposed on the Sponsor by the Grant Agreement, or reasonably related to or inferred there from, other than the Sponsor's zoning and land use obligations under Paragraph 21 of the Assurances, which are the City's responsibility for lands surrounding the Airport over which it has regulatory jurisdiction.

3. By its execution of this Agreement, the Airport Authority hereby agrees to comply with each and every requirement of the Sponsor, set forth in the Grant Agreement, or reasonably required in connection therewith, other than the zoning and land use requirements set forth in paragraph 21 of the Assurances, in recognition of the fact that the Airport Authority does not have the power to effect the zoning and land use regulations required by said paragraph.
4. By its execution of this Agreement and the Grant Agreement, the City agrees to comply with the zoning and land use requirements of paragraph 21 of the Assurances, with respect to all lands surrounding the Airport that are subject to the City's regulatory jurisdiction. The City also hereby warrants and represents that, in accordance with paragraph 6 of the Special Assurances;

the Project contemplated by the Grant Agreement is consistent with present plans of the City for the development of the area surrounding the Airport.

5. The parties hereby warrant and represent that, by the City's execution of the Grant Agreement, as a co-sponsor, pursuant to the FAA's request, the City is not a co-owner, agent, partner, joint venturer, or representative of the Airport Authority in the ownership, management or administration of the Airport, and the Airport Authority is, and remains, the sole owner of the Airport, and solely responsible for the operation and management of the Airport.

Done and entered into on the date first set forth above.

GRAND JUNCTION REGIONAL AIRPORT AUTHORITY

By _____
Doug Simons, Chairman

CITY OF GRAND JUNCTION

By _____
City Manager

Attach 3

**Setting a Hearing on the Houghton Annexation, Located at 2964 D Road
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
Subject	Houghton Annexation - Located at 2964 D Road		
File #	ANX-2008-120		
Meeting Day, Date	Monday, June 2, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	May 21, 2008		
Author Name & Title	Brian Rusche, Senior Planner		
Presenter Name & Title	Brian Rusche, Senior Planner		

Summary: Request to annex 4.02 acres, located at 2964 D Road. The Houghton Annexation consists of 1 parcel.

Budget: N/A

Action Requested: Adopt a Resolution referring the petition for the Houghton Annexation and introduce the proposed Ordinance and set a hearing for July 14, 2008.

Attachments:

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

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION				
Location:		2964 D Road		
Applicant:		Frances L. Houghton		
Existing Land Use:		Single Family Residential		
Proposed Land Use:		Residential – to be incorporated into future subdivision		
Surrounding Land Use:	North	Undeveloped – City property		
	South	Agricultural		
	East	Single Family Residential		
	West	Two-Family Residential (Flint Ridge Subdivision)		
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	City R-8 (Residential 8 du/ac)		
	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:

ANNEXATION:

This annexation area consists of 4.02 acres of land and is comprised of 1 parcel. The property owner has 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, pursuant to C.R.S. 31-12-104, that the Houghton 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 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.

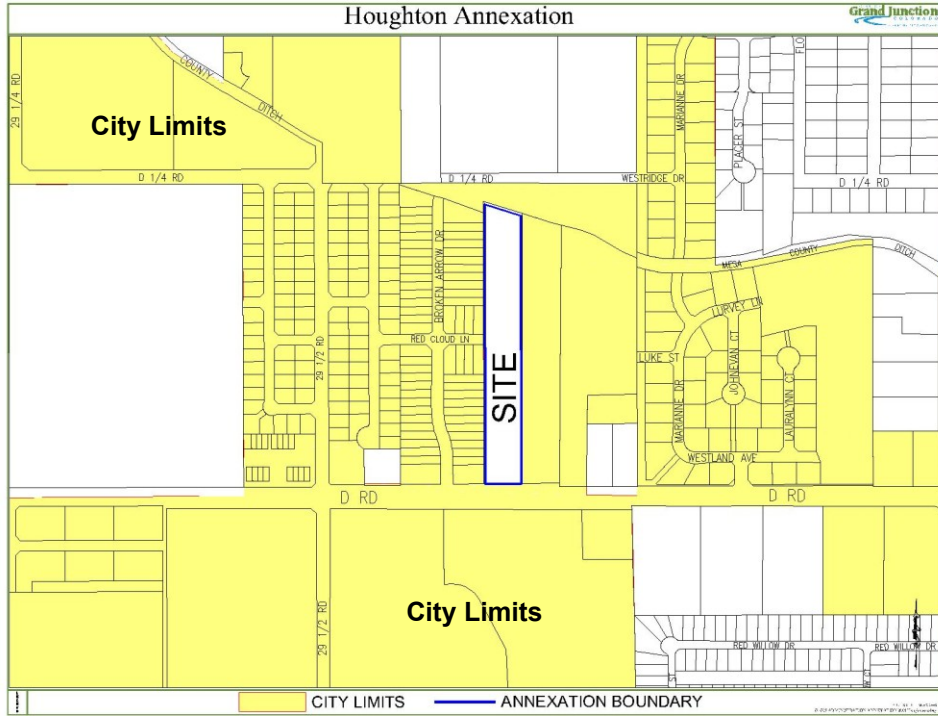
<u>ANNEXATION SCHEDULE</u>	
June 2, 2008	Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use
June 10, 2008	Planning Commission considers Zone of Annexation
June 30, 2008	Introduction of a proposed Ordinance on Zoning by City Council
July 14, 2008	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
August 15, 2008	Effective date of Annexation and Zoning

HOUGHTON ANNEXATION SUMMARY

File Number:	ANX-2008-120	
Location:	2964 D Road	
Tax ID Number:	2943-174-00-183	
Parcels:	1	
Estimated Population:	1	
# of Parcels (owner occupied):	1	
# of Dwelling Units:	1	
Acres land annexed:	4.02 acres	
Developable Acres Remaining:	4.02 acres	
Right-of-way in Annexation:	None	
Previous County Zoning:	RSF-R (Residential Single Family Rural 1du/5ac)	
Proposed City Zoning:	City R-8 (Residential 8 du/ac)	
Current Land Use:	Single Family Residential	
Future Land Use:	Residential – to be incorporated into future subdivision	
Values:	Assessed:	= \$15,500
	Actual:	= \$194,730
Address Ranges:	2964 D Road	
Special Districts:	Water:	Ute Water
	Sewer:	Central Grand Valley Sewer District
	Fire:	Grand Junction Fire District
	Irrigation:	Grand Valley Irrigation Company
	School:	Mesa County School Dist #51
	Drainage:	Grand Valley Drainage District

Annexation - Site Location Map

Figure 1



Aerial Photo Map

Figure 2



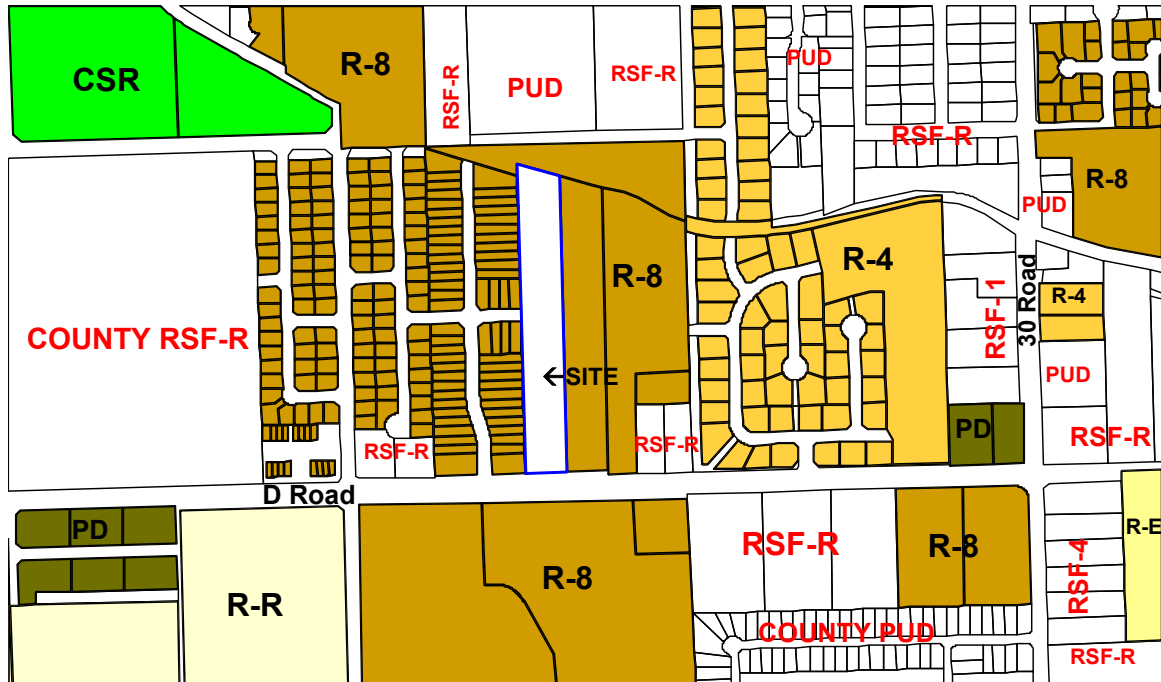
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



**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 2nd of June, 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**

HOUGHTON ANNEXATION

LOCATED AT 2964 D ROAD

WHEREAS, on the 2nd day of June, 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:

HOUGHTON 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 bounded as follows:

On the South by the Northerly line of Paraham Annexation, Ordinance No. 3349, City of Grand Junction; On the West by the Easterly line of said Paraham Annexation; On the North by the Southerly line of said Paraham Annexation; On the East by the by the West line of Costopoulos Annexation, Ordinance No. 4032, City of Grand Junction.

Said parcel contains 4.02 acres (175,025.91 sq. ft.), more or less, as described.

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

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

1. That a hearing will be held on the 14th day of July, 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>
June 4, 2008
June 11, 2008
June 18, 2008
June 25, 2008

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

HOUGHTON ANNEXATION

APPROXIMATELY 4.02 ACRES

LOCATED AT 2964 D ROAD

WHEREAS, on the 2nd day of June, 2008, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 14th day of July, 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:

HOUGHTON 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 bounded as follows:

On the South by the Northerly line of Paraham Annexation, Ordinance No. 3349, City of Grand Junction; On the West by the Easterly line of said Paraham Annexation; On the North by the Southerly line of said Paraham Annexation; On the East by the by the West line of Costopoulos Annexation, Ordinance No. 4032, City of Grand Junction.

Said parcel contains 4.02 acres (175,025.91 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 ____ 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 Phillips-Ford Annexation, Located at 2894 Orchard Avenue
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
Subject	Phillips-Ford Annexation - Located at 2894 Orchard Avenue		
File #	ANX-2008-117		
Meeting Day, Date	Monday, June 2, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	May 21, 2008		
Author Name & Title	Brian Rusche, Senior Planner		
Presenter Name & Title	Brian Rusche, Senior Planner		

Summary: Request to annex 0.53 acres, located at 2894 Orchard Avenue. The Phillips-Ford Annexation consists of 1 parcel and a portion of adjacent Orchard Avenue right-of-way.

Budget: N/A

Action Requested: Adopt a Resolution referring the petition for Annexation and introduce the proposed Ordinance and set a hearing for July 14, 2008.

Attachments:

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

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION

Location:		2894 Orchard Avenue		
Applicants:		Garland O. Phillips and Douglas R. and Margaret R. Ford		
Existing Land Use:		Single Family Residential		
Proposed Land Use:		Residential		
Surrounding Land Use:	North	Single Family Residential		
	South	Single Family Residential and Assisted Living (Bookcliff Manor)		
	East	Two-family and multi-family Residential		
	West	Single Family Residential		
Existing Zoning:		County RMF-8 (Residential Multi-Family 8du/ac)		
Proposed Zoning:		City R-8 (Residential 8 du/ac)		
Surrounding Zoning:	North	County RMF-8 (Residential Multi-Family 8du/ac)		
	South	City R-8 (Residential 8 du/ac)		
	East	County RMF-8 (Residential Multi-Family 8du/ac)		
	West	County RMF-8 (Residential Multi-Family 8du/ac)		
Growth Plan Designation:		Residential Medium (4-8 du/ac)		
Zoning within density range?	X	Yes		No

Staff Analysis:

ANNEXATION:

This annexation area consists of 0.53 acres of land and is comprised of 1 parcel and 0.06 acres (2,837.50 square feet) of public right-of-way. The property owner has requested annexation into the City to allow for a subdivision 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, pursuant to C.R.S. 31-12-104, that the Phillips-Ford Annexation is eligible to be annexed because of compliance with the following:

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

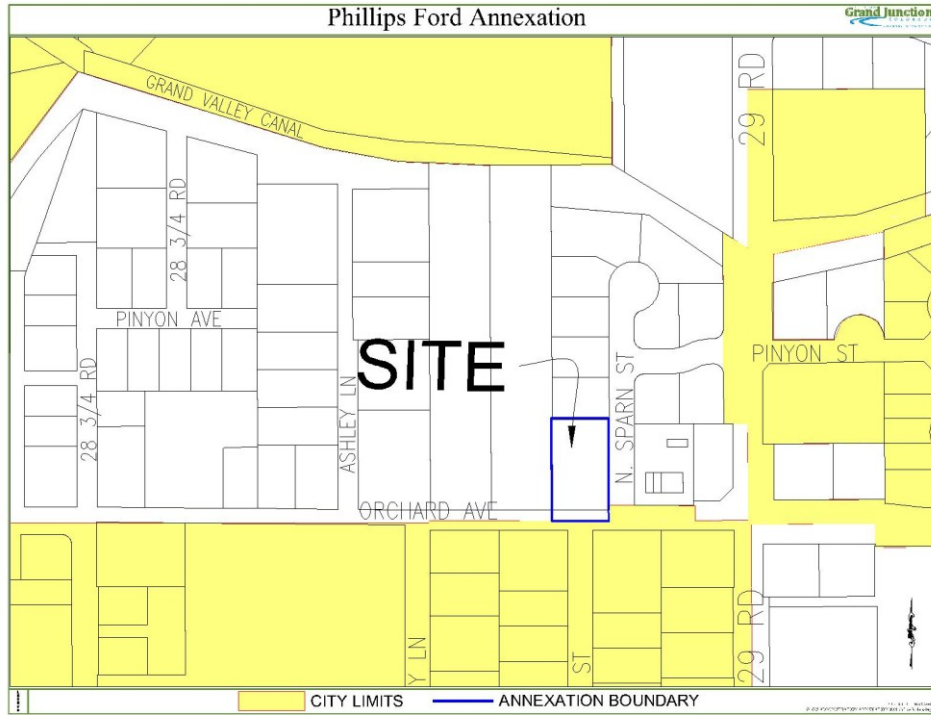
<i>ANNEXATION SCHEDULE</i>	
June 2, 2008	Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use
June 10, 2008	Planning Commission considers Zone of Annexation
June 30, 2008	Introduction of a proposed Ordinance on Zoning by City Council
July 14, 2008	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
August 15, 2008	Effective date of Annexation and Zoning

PHILLIPS-FORD ANNEXATION SUMMARY

File Number:	ANX-2008-117	
Location:	2894 Orchard Avenue	
Tax ID Number:	2943-071-00-036	
Parcels:	1	
Estimated Population:	0	
# of Parcels (owner occupied):	1	
# of Dwelling Units:	1	
Acres land annexed:	0.53 acres	
Developable Acres Remaining:	0.47 acres	
Right-of-way in Annexation:	0.06 acres (2,837.50 square feet)	
Previous County Zoning:	RMF-8 (Residential Multi-Family 8 du/ac)	
Proposed City Zoning:	R-8 (Residential 8 du/ac)	
Current Land Use:	Single Family Residential	
Future Land Use:	Residential	
Values:	Assessed:	= \$10,550
	Actual:	= \$132,550
Address Ranges:	2894 Orchard Avenue	
Special Districts:	Water:	Grand Junction
	Sewer:	Fruitvale Sanitation District
	Fire:	Grand Junction Fire District
	Irrigation:	Grand Valley Irrigation Company
	School:	Mesa County School Dist #51
	Drainage:	Grand Valley Drainage District

Annexation - Site Location Map

Figure 1



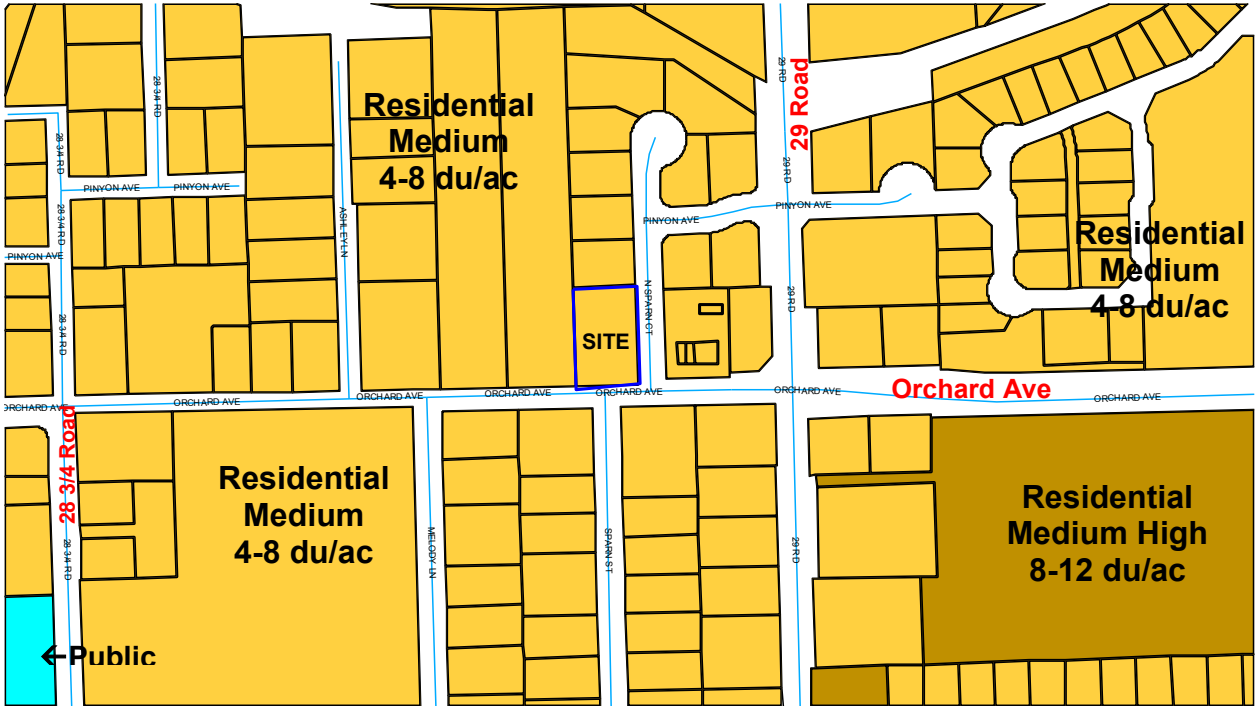
Aerial Photo Map

Figure 2



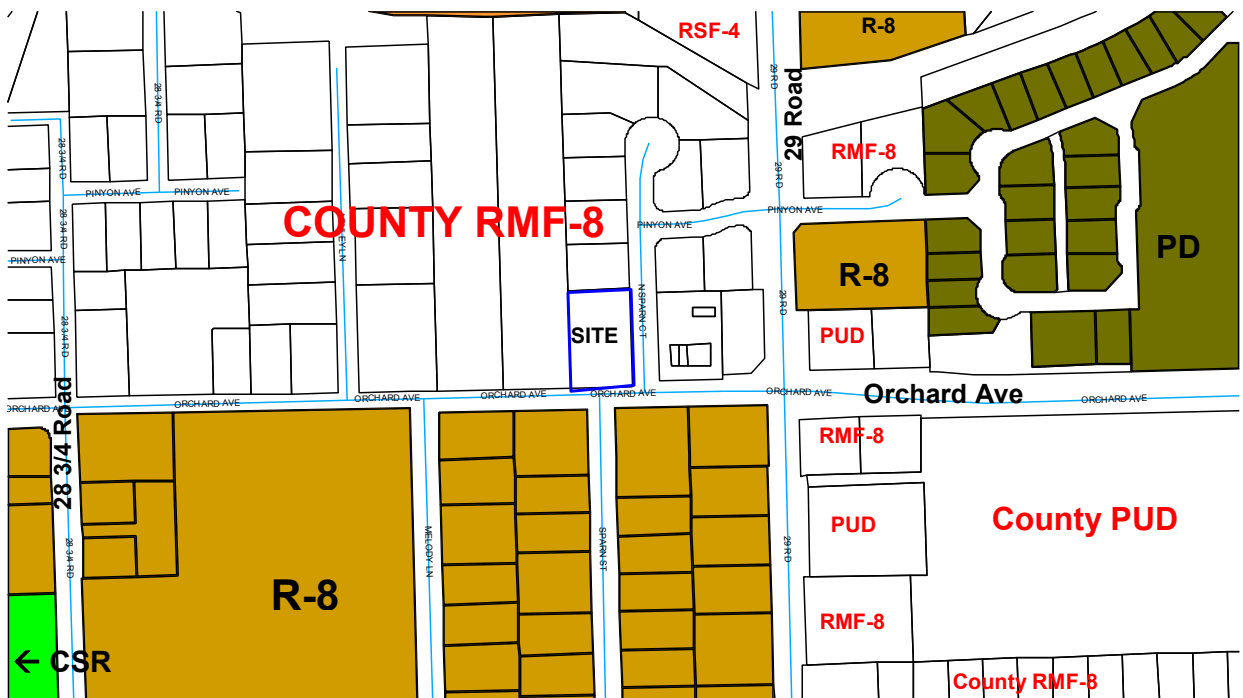
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



**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 2nd of June, 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**

PHILLIPS-FORD ANNEXATION

**LOCATED AT 2894 ORCHARD AVENUE, INCLUDING A PORTION OF THE
ORCHARD AVENUE RIGHT-OF-WAY**

WHEREAS, on the 2nd day of June, 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:

PHILLIPS-FORD ANNEXATION

A certain parcel of land located in the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section 7, 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 Southeast corner of the SE 1/4 NE 1/4 of said Section 7 and assuming the South line of the SE 1/4 NE 1/4 of said Section 7 to bear N89°45'42"W with all bearings contained herein relative thereto; thence N89°45'42"W a distance of 277.50 feet along the South line of the SE 1/4 NE 1/4 of said Section 7, said line also being the Southerly line of Arbors Annexation, Ordinance No. 3700, City of Grand Junction; thence N00°03'51"W a distance of 5.00 feet to a point on the Northerly line of said Arbors Annexation, said point also being the Point of Beginning; thence N89°45'42"W a distance of 113.50 feet along a line being 5.00 feet North of and parallel with the South line of the SE 1/4 NE 1/4 of said Section 7, said line also being the Northerly line of said Arbors Annexation; thence N00°03'51"W a distance of 205.00 feet; thence S89°45'42"E a distance of 113.50 feet to a point on the West line of Right of Way of North Sparn Street, as same is recorded in Book 716, Page 427 of the Mesa County, Colorado public records; thence S00°03'51"E a distance of 205.00 feet along the West line of said Right of Way to the Point of Beginning

Said parcel contains 0.53 acres (23,267.50 sq. ft.), more or less, as described.

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

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

1. That a hearing will be held on the 14TH day of July, 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>
June 4, 2008
June 11, 2008
June 18, 2008
June 25, 2008

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

PHILLIPS-FORD ANNEXATION

APPROXIMATELY 0.53 ACRES

**LOCATED AT 2894 ORCHARD AVENUE, INCLUDING A PORTION OF THE
ORCHARD AVENUE RIGHT-OF-WAY**

WHEREAS, on the 2nd day of June, 2008, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 14th day of July, 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:

PHILLIPS-FORD ANNEXATION

A certain parcel of land located in the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section 7, 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 Southeast corner of the SE 1/4 NE 1/4 of said Section 7 and assuming the South line of the SE 1/4 NE 1/4 of said Section 7 to bear N89°45'42"W with all bearings contained herein relative thereto; thence N89°45'42"W a distance of 277.50 feet along the South line of the SE 1/4 NE 1/4 of said Section 7, said line also being the Southerly line of Arbors Annexation, Ordinance No. 3700, City of Grand Junction; thence N00°03'51"W a distance of 5.00 feet to a point on the Northerly line of said Arbors Annexation, said point also being the Point of Beginning; thence

N89°45'42"W a distance of 113.50 feet along a line being 5.00 feet North of and parallel with the South line of the SE 1/4 NE 1/4 of said Section 7, said line also being the Northerly line of said Arbors Annexation; thence N00°03'51"W a distance of 205.00 feet; thence S89°45'42"E a distance of 113.50 feet to a point on the West line of Right of Way of North Spahn Street, as same is recorded in Book 716, Page 427 of the Mesa County, Colorado public records; thence S00°03'51"E a distance of 205.00 feet along the West line of said Right of Way to the Point of Beginning

Said parcel contains 0.53 acres (23,267.50 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 the Pioneer Meadows Annexation**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Pioneer Meadows Annexation - Located at 3126 and 3134 E Road		
File #	ANX-2008-078		
Meeting Day, Date	Monday, June 2, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	May 22, 2008		
Author Name & Title	Greg Moberg, Planning Services Supervisor		
Presenter Name & Title	Greg Moberg, Planning Services Supervisor		

Summary: Request to annex 9.24 acres, located at 3126 and 3134 E Road. The Pioneer Meadows Annexation consists of two parcels and a portion of the E Road Right-of-way.

Budget: N/A

Action Requested/Recommendation: Adopt a Resolution referring the petition for the Annexation and introduce the proposed Ordinance and set a hearing for July 14, 2008.

Attachments:

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

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION

Location:		3126 and 3134 E Road		
Applicants:		Owner: Jason and Judy Young Representative: Ciavonne Roberts – Keith Ehlers		
Existing Land Use:		Residential		
Proposed Land Use:		Residential		
Surrounding Land Use:	North	Canal/Residential (Mobile Home Park)		
	South	Vacant/Single Family Residential		
	East	Single Family Residential		
	West	Single Family Residential		
Existing Zoning:		RSF-R (Residential Single Family Rural)		
Proposed Zoning:		R-8 (Residential 8-du/ac)		
Surrounding Zoning:	North	County PUD		
	South	County RSF-4 and RMF-5 and R-5 (Residential 5-du/ac)		
	East	R-8 (Residential 8-du/ac)		
	West	County RSF-R (Residential Single Family Rural)		
Growth Plan Designation:		Residential Medium		
Zoning within density range?		X	Yes	No

Staff Analysis:

ANNEXATION:

This annexation area consists of 9.24 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 Pioneer Meadows 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.

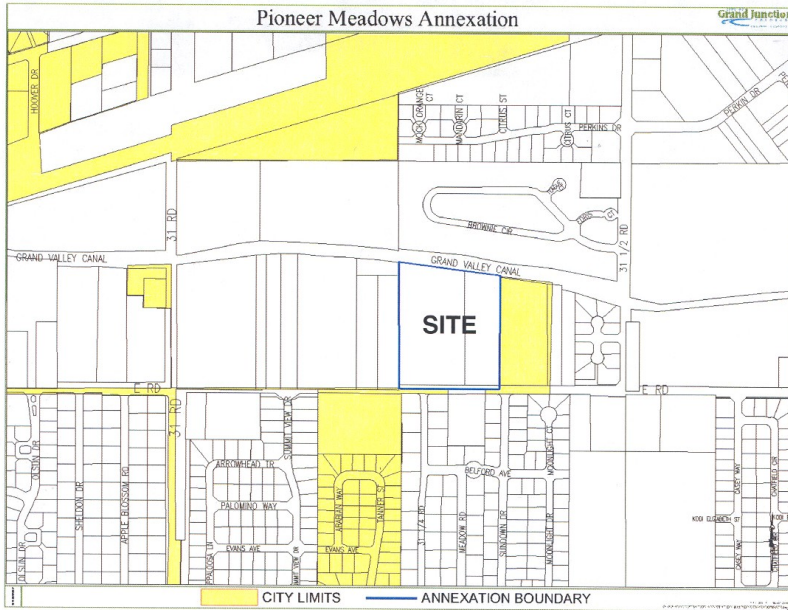
<u>ANNEXATION SCHEDULE</u>	
June 2, 2008	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
June 24, 2008	Planning Commission considers Zone of Annexation
June 30, 2008	Introduction of a proposed Ordinance on Zoning by City Council
July 14, 2008	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
August 15, 2008	Effective date of Annexation and Zoning

PIONEER MEADOWS ANNEXATION SUMMARY

File Number:	ANX-2008-078	
Location:	3126 and 3134 E Road	
Tax ID Number:	2943-103-00-110 2943-103-00-109	
Parcels:	2	
Estimated Population:	4	
# of Parcels (owner occupied):	2	
# of Dwelling Units:	2	
Acres land annexed:	9.24 acres	
Developable Acres Remaining:	9.13 acres	
Right-of-way in Annexation:	0.11 acres (4,799.55 square feet)	
Previous County Zoning:	RSF-R (Residential Single Family Rural)	
Proposed City Zoning:	R-8 (Residential 8-du/ac)	
Current Land Use:	Residential	
Future Land Use:	Residential	
Values:	Assessed:	\$31,470
	Actual:	\$388,310
Address Ranges:	3126 to 3136 E Road (Even Only)	
Special Districts:	Water:	Clifton Water
	Sewer:	Central Grand Valley Sanitation
	Fire:	Clifton Fire District
	Irrigation/ Drainage:	Grand Valley Irrigation District Grand Valley Drainage District
	School:	District 51
	Pest:	Grand Valley Mosquito

Annexation/Site Location Map

Figure 1



Aerial Photo Map

Figure 2



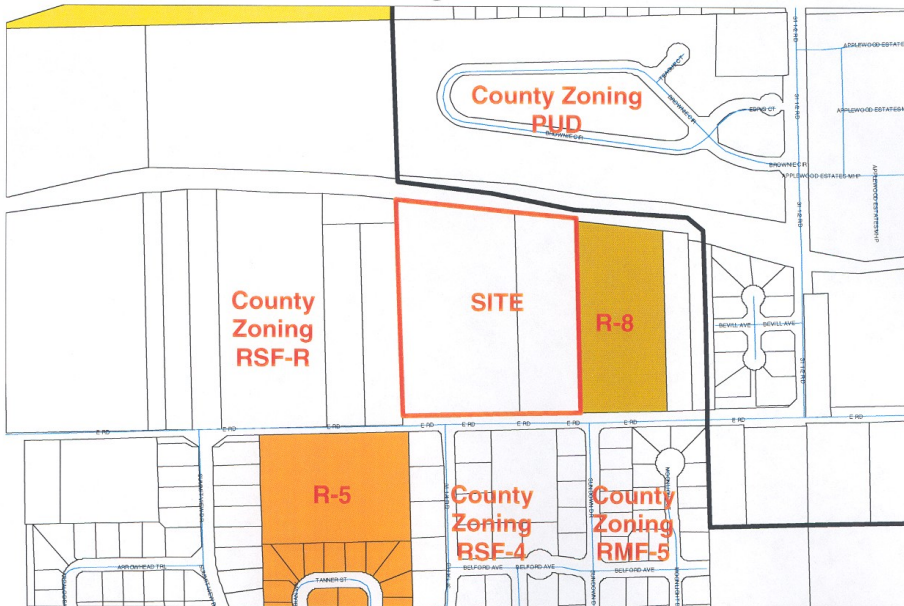
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



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

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 2nd of June, 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**

PIONEER MEADOWS ANNEXATION

**LOCATED AT 3126 AND 3134 E ROAD INCLUDING A PORTION OF THE E ROAD
RIGHT-OF-WAY**

WHEREAS, on the 2nd day of June, 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:

PIONEER MEADOWS ANNEXATION

A certain parcel of land located in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 10, 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 Southwest corner of the SE 1/4 SW 1/4 of said Section 10 and assuming the West line of the SE 1/4 SW 1/4 of said Section 10 to bear N00°08'11"W with all bearings contained herein relative thereto; thence N00°08'11"W a distance of 6.00 feet along the West line of the SE 1/4 SW 1/4 of said Section 10 to a point on the Northerly line of Pellam Annexation, Ordinance No. 3613, City of Grand Junction, said point also being the Point of Beginning; thence N00°08'11"W a distance of 729.14 feet along the West line of the SE 1/4 SW 1/4 of said Section 10; thence S82°30'59"E a distance of 588.57 feet; thence S00°09'00"W a distance of 654.00 feet along the East line of said Pellam Annexation; thence N89°51'00"W a distance of 580.11 feet along a line being 6.00 feet North of and parallel with the South line of the SE 1/4 SW 1/4 of said Section 10, said line also being the Northerly line of said Pellam Annexation to the Point of Beginning.

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

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

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

1. That a hearing will be held on the 14th day of July, 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, June 4, 2008
Wednesday, June 11, 2008
Wednesday, June 18, 2008
Wednesday, June 25, 2008

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

PIONEER MEADOWS ANNEXATION

APPROXIMATELY 9.24 ACRES

**LOCATED AT 3126 AND 3134 E ROAD INCLUDING A PORTION OF THE E ROAD
RIGHT-OF-WAY**

WHEREAS, on the 2nd day of June, 2008, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 14th day of July, 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 situated in Mesa County, Colorado, and described to wit:

PIONEER MEADOWS ANNEXATION

A certain parcel of land located in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 10, 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 Southwest corner of the SE 1/4 SW 1/4 of said Section 10 and assuming the West line of the SE 1/4 SW 1/4 of said Section 10 to bear N00°08'11"W with all bearings contained herein relative thereto; thence N00°08'11"W a distance of 6.00 feet along the West line of the SE 1/4 SW 1/4 of said Section 10 to a point on the

Northerly line of Pellam Annexation, Ordinance No. 3613, City of Grand Junction, said point also being the Point of Beginning; thence N00°08'11"W a distance of 729.14 feet along the West line of the SE 1/4 SW 1/4 of said Section 10; thence S82°30'59"E a distance of 588.57 feet; thence S00°09'00"W a distance of 654.00 feet along the East line of said Pellam Annexation; thence N89°51'00"W a distance of 580.11 feet along a line being 6.00 feet North of and parallel with the South line of the SE 1/4 SW 1/4 of said Section 10, said line also being the Northerly line of said Pellam Annexation to the Point of Beginning.

CONTAINING 9.24 Acres (402,376.70 Sq. Ft.), more or less, as described

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

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

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

Attest:

President of the Council

City Clerk

Attach 6
Setting a Hearing on Zoning the Burnett Annexation, Located at 2846 ½ C Road
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Zoning the Burnett Annexation, located at 2846 ½ C Road		
File #	ANX-2008-099		
Meeting Day, Date	Monday, June 2, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	June 2, 2008		
Author Name & Title	Justin T. Kopfman – Associate Planner		
Presenter Name & Title	Brian Rusche - Senior Planner		

Summary: Request to zone the 1.09 acre Burnett Annexation, located at 2846 ½ C Road, to R-4 (Residential 4-du/ac).

Budget: N/A

Action Requested/Recommendation: Introduce a proposed ordinance and set a public 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. Zoning 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:

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. 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.

The proposed zone district is compatible with the surrounding developed properties. Within the surrounding area, many of the adjacent residential properties have been

zoned accordingly to meet the Future Land Use Designation of Residential Medium/Medium High with some having begun to develop more intensive 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;

Adequate public facilities are available or will be supplied at the time of further development of the property. An 8" Ute Water Line and an 8" Sanitary Sewer Line are available through Unaweep.

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

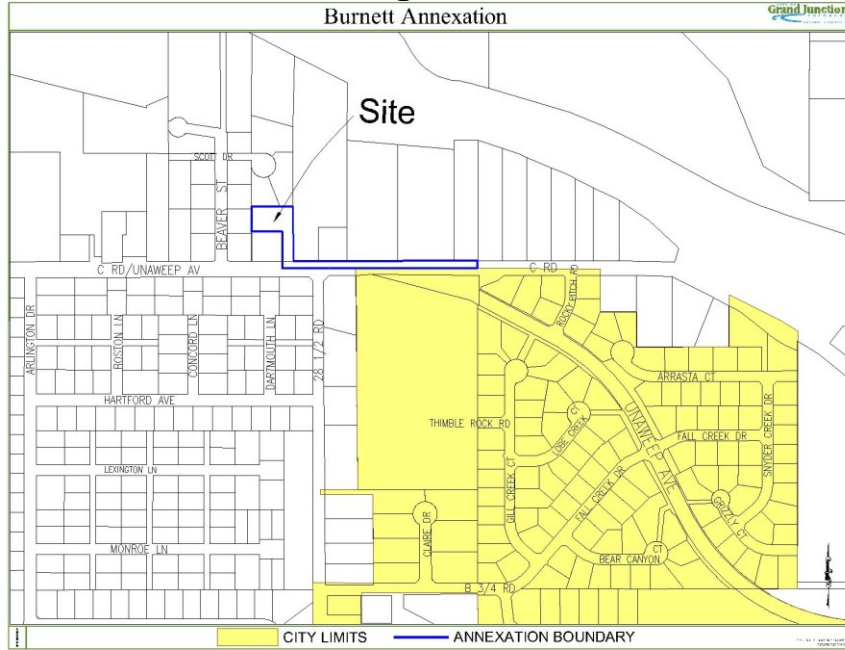
- a. R-5 (Residential 5-du/ac)
- b. R-8 (Residential 8-du/ac)

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 May 13, 2008, finding the zoning to the R-4 (Residential 4-du/ac) district to be consistent with the Growth Plan, RSF-4 (Residential Single Family 4-du/ac) and Sections 2.6 and 2.14 of the Zoning and Development Code.

Annexation/Site Location Map

Figure 1



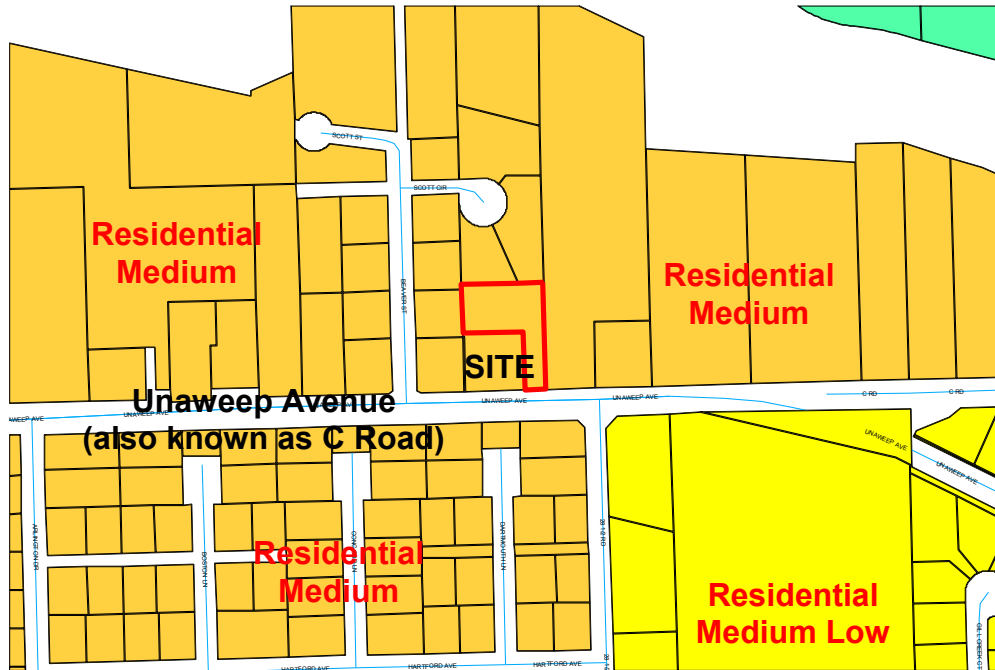
Aerial Photo Map

Figure 2



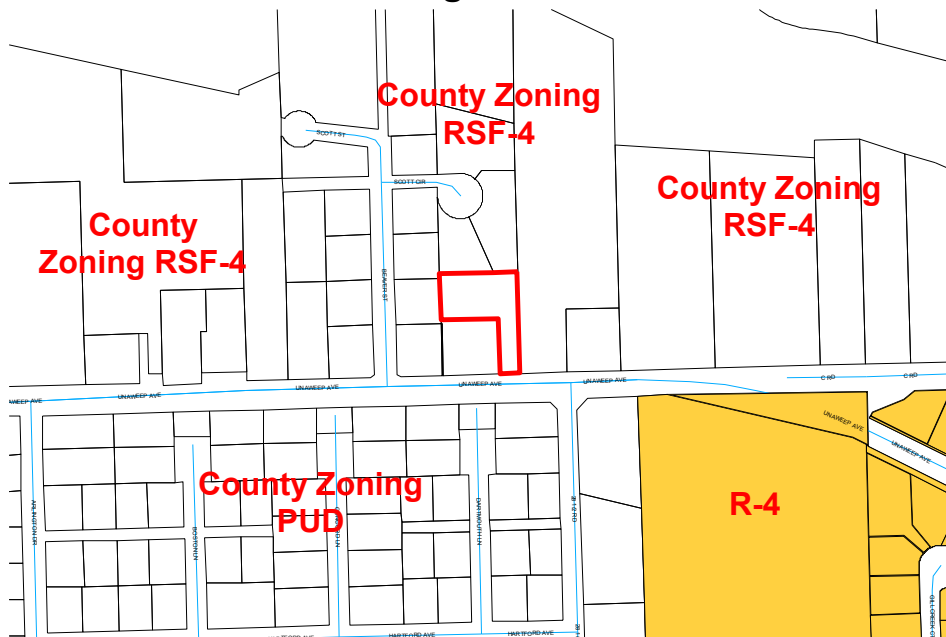
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

LOCATED AT 2846 ½ C 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 Burnett 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).

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

CONTAINING 1.09 Acres (47,313.97 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 Zoning the Simon Annexation, Located at 3076 and 3080 F ½

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Zoning the Simon Annexation - Located at 3076 and 3080 F ½ Road		
File #	ANX-2008-106		
Meeting Day, Date	Monday, June 2, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	April 7, 2008		
Author Name & Title	Greg Moberg, Planning Services Supervisor		
Presenter Name & Title	Greg Moberg, Planning Services Supervisor		

Summary: Request to zone the 6.30 acre Simon Annexation, located at 3076 and 3080 F ½ Road to R-2 (Residential 2-du/ac).

Budget: N/A

Action Requested/Recommendation: Introduce a proposed Ordinance and set a public 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. Zoning Ordinance

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:

Zone of Annexation: The requested zone of annexation to the R-2 (Residential 2-du/ac) district is consistent with the Growth Plan designation of Residential 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.

The proposed R-2 zone district is compatible with the surrounding developed properties. Within the surrounding area, many of the adjacent residential properties have been zoned accordingly to meet the Future Land Use Designation of Residential Low or Medium Low with some having begun to develop more of these 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;

Adequate public facilities are available or will be supplied at the time of further development of the property. A 16" Clifton Water Line is available in F ½ Road

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

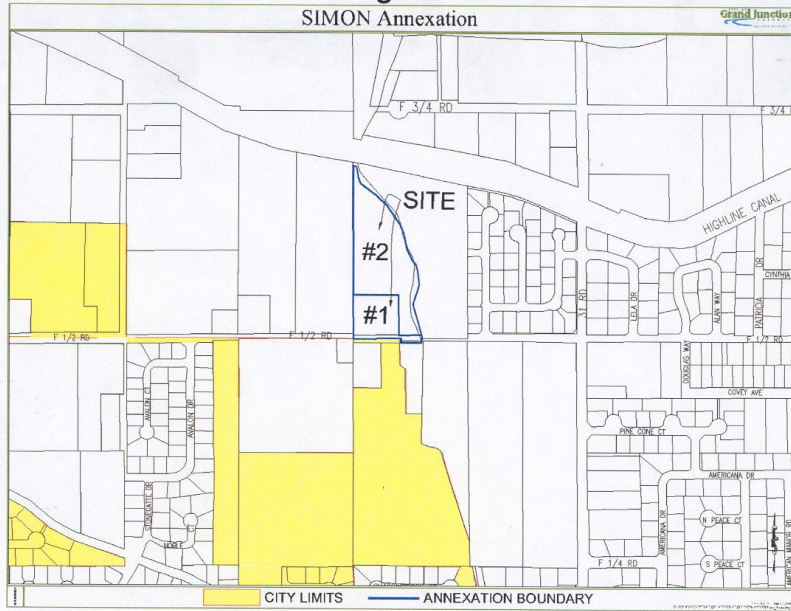
- c. R-1 (Residential 1-du/ac)

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 May 13, 2008, finding the zoning to the R-2 (Residential 2-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.

Annexation/Site Location Map

Figure 1



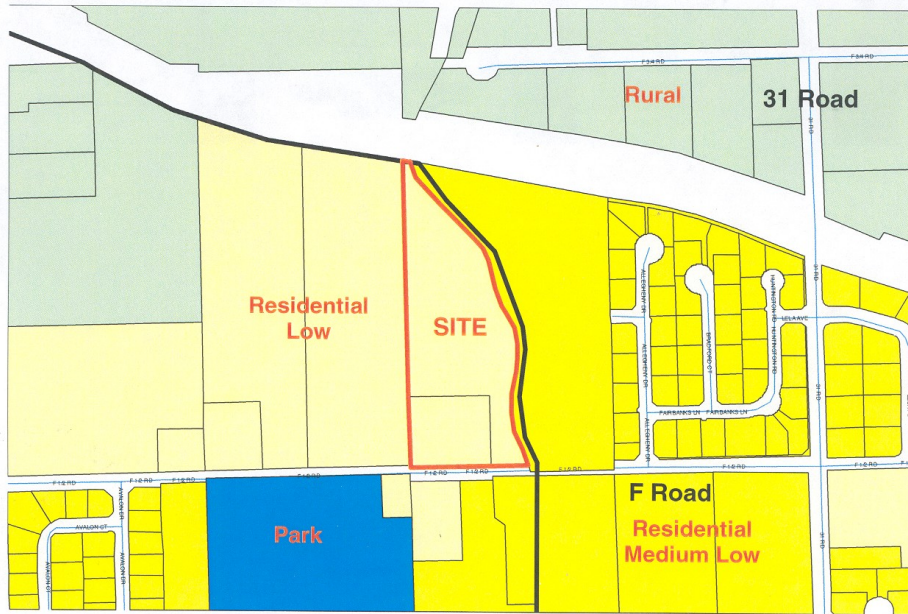
Aerial Photo Map

Figure 2



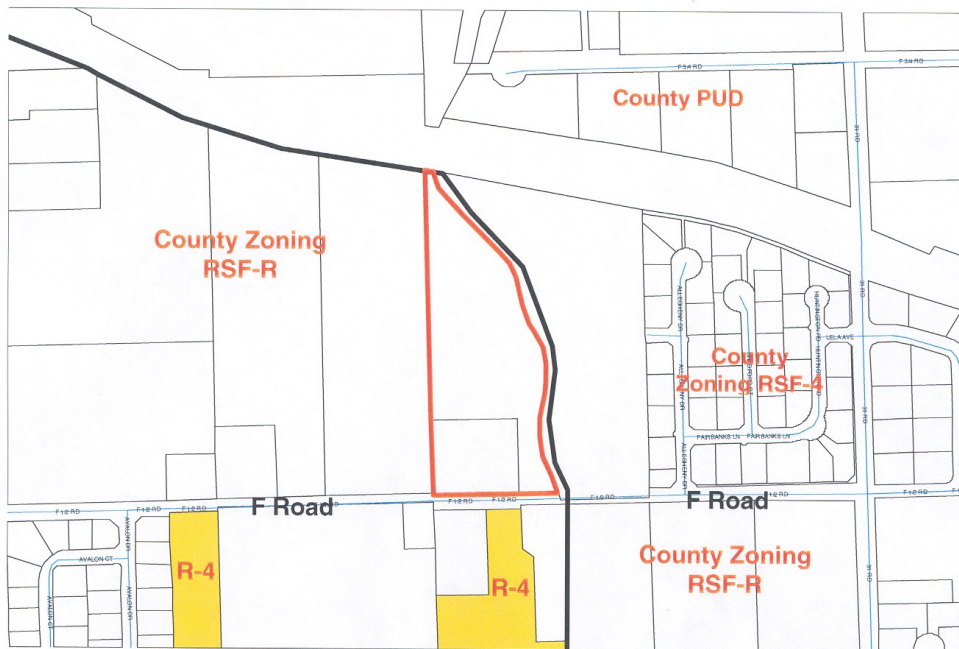
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE SIMON ANNEXATION TO
R-2 (RESIDENTIAL 2-DU/AC)**

LOCATED AT 3076 AND 3080 F ½ 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 Simon Annexation to the R-2 (Residential 2-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-2 (Residential 2-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-2 (Residential 2-du/ac).

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.

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

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

ATTEST:

President of the Council

City Clerk

**Attach 8
Public Hearing—Andy’s Liquor Mart Growth Plan Amendment
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
Subject	Andy’s Liquor Mart Growth Plan Amendment - Located at 145 Belford Avenue, 925 N. 2 nd Street and 927 N. 2 nd Street		
File #	GPA-2008-058		
Meeting Day, Date	Monday, June 2, 2008		
Placement on the Agenda	Consent		Individual x
Date Prepared	May 21, 2008		
Author Name & Title	Brian Rusche, Senior Planner		
Presenter Name & Title	Brian Rusche, Senior Planner		

Summary: Request adoption of a resolution to amend the Growth Plan Future Land Use Map for property known as 145 Belford Avenue, 925 N. 2nd Street, and 927 N. 2nd Street from Residential High (12+ du/ac) to Commercial.

Budget: N/A

Action Requested/Recommendation: Hold a public hearing and consider adopting a Resolution amending the Growth Plan Future Land Use Map from Residential High (12+ du/ac) to Commercial.

Background Information: See attached Staff Report/Background Information

Attachments:

1. Staff Report / Background Information
2. Draft Minutes from May 13, 2008 Planning Commission Meeting
3. Site Location Map / Aerial Photo Map
4. Future Land Use Map / Existing City Zoning Map
5. Proposed Growth Plan Amendment Resolution

STAFF REPORT / BACKGROUND INFORMATION			
Location:	145 Belford Ave and 925 and 927 N. 2 nd Street		
Applicants:	Stonehil II, LLC (Darlene Stoner, Manager) - Property Owner Miles LaHue with Idiam Architecture LLC - Representative		
Existing Land Use:	Two dwellings and two vacant lots		
Proposed Land Use:	Commercial		
Surrounding Land Use:	North	Commercial (Cooper Tires)	
	South	Single-family Residential	
	East	Single-family Residential and Multi-family Residential to the northeast	
	West	Commercial (Andy's Liquor Mart)	
Existing Zoning:	R-O (Residential Office)		
Proposed Zoning:	To be determined		
Surrounding Zoning:	North	C-1 (Light Commercial)	
	South	R-O (Residential Office)	
	East	R-8 (Residential 8 du/ac)	
	West	C-1 (Light Commercial)	
Growth Plan Designation:	Residential High (12+ du/ac)		
Zoning within density range?	N/A	Yes	No

STAFF ANALYSIS:

1. Background

The three parcels that are the subject of the Growth Plan Amendment currently contain two dwelling units (925 and 927 N. 2nd ST). The house on 145 Belford was demolished sometime between 1986 and 1994, according to the aerial photos. Collectively, the properties were originally known as Lots 9-12, including the East ½ of Lot 8, of Block 12 of the original plat of Grand Junction. The parcels are designated as Residential High (12+ du/ac) and are zoned R-O (Residential Office).

Andy's Liquor Mart was established in 1989 within an existing structure at 922 North 1st Street and subsequently added onto in 1995, after receiving a variance to the minimum

side and rear yard setback of 10 feet. The current building is approximately 6750 square feet and sits along the east and south property lines on separate parcel(s) from the subject property. The land beneath the store is zoned C-1 (Light Commercial).

The properties adjacent to the store on the east have been acquired for a future expansion of the store, estimated at 3000 square feet. The proposed Growth Plan Amendment is necessary for the proposed expansion onto the parcels. The applicant notes in the project report that there is the possibility in the future of demolishing the existing store in favor of constructing a new store.

2. Section 2.5.C.1 of the Zoning and Development Code

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

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

The zoning of the parcels at the time the Growth Plan was adopted was RMF-32. Based on the zoning and use of the land at the time of adoption, there was no error made in designating the property Residential High.

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

After adoption of the Growth Plan, the property in question was rezoned to R-O (Residential Office), along with other properties that were in residential use between 1st and 2nd Street and Ouray and Belford Avenues, along with the north side of Belford Avenue between 2nd and 3rd Streets. The purpose of this zone is “to provide low-intensity, non-retail, neighborhood service and office uses that are compatible with adjacent residential neighborhoods.” (Section 3.4.A.1) The R-O Zone is used with Medium to High Density Residential and Commercial land use designations within the Growth Plan to achieve the purpose stated above.

However, the majority of businesses along 1st Street corridor between Grand and North Avenues are retail in nature, including automotive services. The future land use designation did not anticipate any future expansion by existing retail businesses, since the Commercial land use designation included only the existing footprints of these businesses. The properties east of and adjacent to these businesses remain largely residences and have not transitioned into either offices or consolidated parcels of higher density housing, as anticipated by the future land use map and the subsequent R-O zoning.

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

The house at 145 Belford was demolished between 1986 and 1994, according to aerial photos, and has been a vacant lot since that time. The existing Liquor Mart was expanded to its current footprint in 1995, while the Growth Plan process was nearing completion. The future land use designation was based on existing zoning of this property at time of adoption and did not anticipate any future expansion by existing retail businesses along the 1st Street corridor.

The site, at 0.324 acres, does not have much room for the high density residential anticipated by the future land use designation. At 12 units per acre (minimum density), 3.89 units would be allowed and at 24 units per acre (maximum density), 7.78 units would be allowed. Two dwelling units exist on the property, which have a run-down appearance, according to the applicant.

The applicant indicates overall growth of the City has increased the traffic along both 1st Street and North Avenue. The applicant states that were the property developed as offices or high-density housing, the impact would be greater than additional retail space. The 2nd Street right-of-way provides a transition to the single-family residential areas to the east, according to the applicant. Further, the applicant cites the tire shop on the north side of Belford and Fuoco Motors on both side of Hill Avenue (two blocks south) as commercial land uses that extend from 1st to 2nd Street.

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

The proposed amendment is consistent with several goals and policies within the Growth Plan, illustrated here:

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

Policy 5.2: The City...will encourage development that uses existing facilities and is compatible with existing development. (V.23)

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

Policy 11.2: The City...will limit commercial encroachment into stable residential neighborhoods. In areas designated for residential development the City may consider inclusion of small scale neighborhood

commercial development that provides retail and service opportunities in a manner compatible with surrounding neighborhoods in terms of scale and impact. (V.29)

Goal 18: To maintain the City's position as a regional provider of goods and services.

Policy 18.1: The City...will coordinate with appropriate entities to monitor the supply of land zoned for commercial...development and retain an adequate supply of land to support projected commercial...employment. (V.35)

Goal 23: To foster a well-balanced transportation system that supports the use of a variety of modes of transportation, including automobile, local transit, pedestrian and bicycle use.

Policy 23.6: The City...will require the use of side streets and shared driveways to minimize the number of driveways directly accessing arterial streets. (V.39)

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

Policy 28.3: The City's elected officials and leadership will consistently advocate and promote the planning, fiscal, and quality of life advantages and benefits achievable through infill and redevelopment. (V.41)

Despite its proximity to North Avenue, the property is not included in the adopted North Avenue Corridor Plan, which begins at 12th Street and extends east. There have been discussions during the planning process for the Downtown (Original Square Mile) Plan about commercial development along 1st Street. While no official neighborhood plan is in place that would impact the site, the consensus was that 2nd Street should be the limit for expansion of commercial uses, according to staff involved with this planning process.

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

The existing Liquor Mart has access to 1st Street, a minor arterial, which will be eliminated as part of any expansion. Belford Avenue will become the primary point of entry, consistent with the tire shop on the north side of the street. The existing right-of-way (ROW) on Belford is 80 feet, while the minimum required for

a commercial street is 52 feet. Second Street, on the east side of the property, also has an 80 foot ROW. There is an existing, unpaved alley behind the store between 1st and 2nd Street. The alley would need to be paved if utilized for access (including deliveries) or included in an Alley Improvement District. The intersection of 1st Street and North Avenue, one block north, is signalized. A bike lane is anticipated on 1st Street, according to the Urban Trails Plan.

Sewer service is available within the existing alley. Water service is available in First Street and Belford Avenue. Both are City utilities. The Fire Department would evaluate the sufficiency of existing hydrants and require additional hydrants if necessary, along with fire suppression within new or remodeled structures, as appropriate, during site plan review.

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

The applicant indicates that there is no similar vacant property that would allow the relocation and expansion of the store. There is no vacant land along North Avenue between 1st Street and 12th Street and few redevelopment parcels with good access, due to the design constraints of North Avenue. Access restrictions are also a factor along 1st Street, which has only one vacant property on the west side between Chipeta and Ouray and few redevelopment parcels. The subject property is immediately adjacent to the existing commercial business, and within one block of the 1st Street and North Avenue corridors.

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

The applicant believes that the amendment is a responsible use of the land and available resources. Staff believes that the addition of 0.324 acres of commercially designated land, adjacent to existing retail businesses and within one block of major transportation routes, would be a responsible use of the land and provide the benefit of continued neighborhood retail services.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission recommended approval of the requested Growth Plan Amendment, GPA-2008-058, to the City Council with the following findings of fact and conclusions:

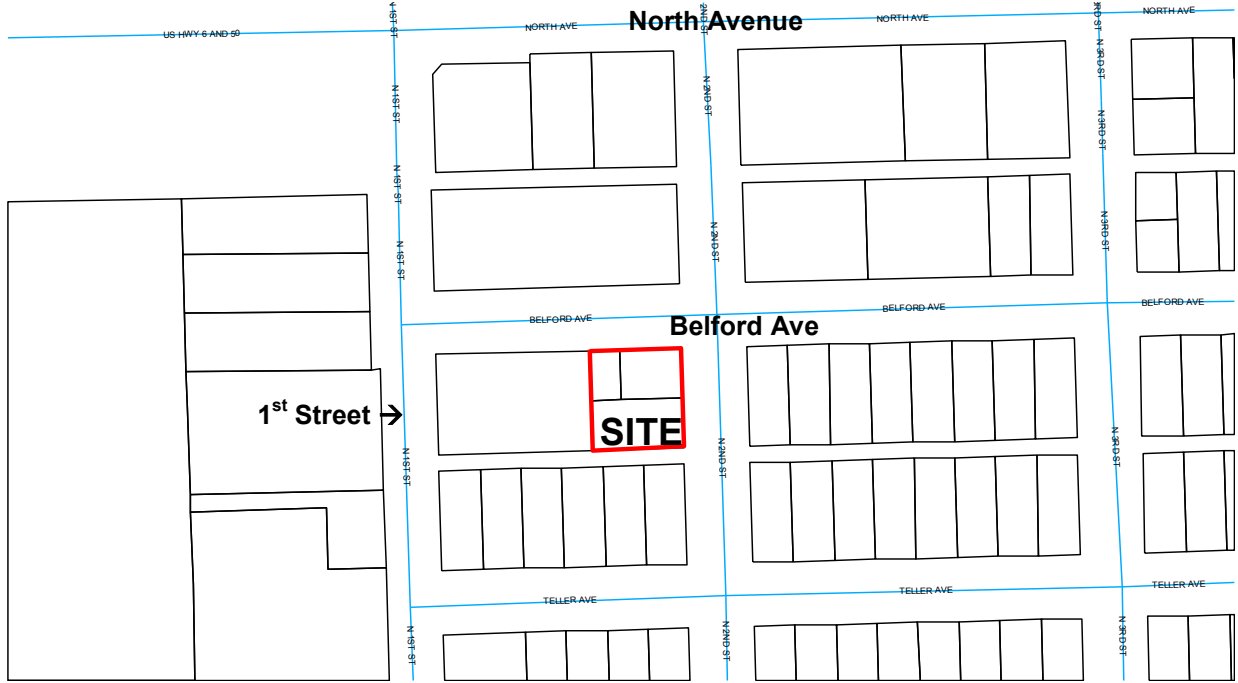
1. The proposed amendment is consistent with the purpose and intent of the Growth Plan.

2. The review criteria in Section 2.5.C.1 of the Zoning and Development Code have all been met.

Draft Minutes from May 13, 2008 Planning Commission available upon receipt.

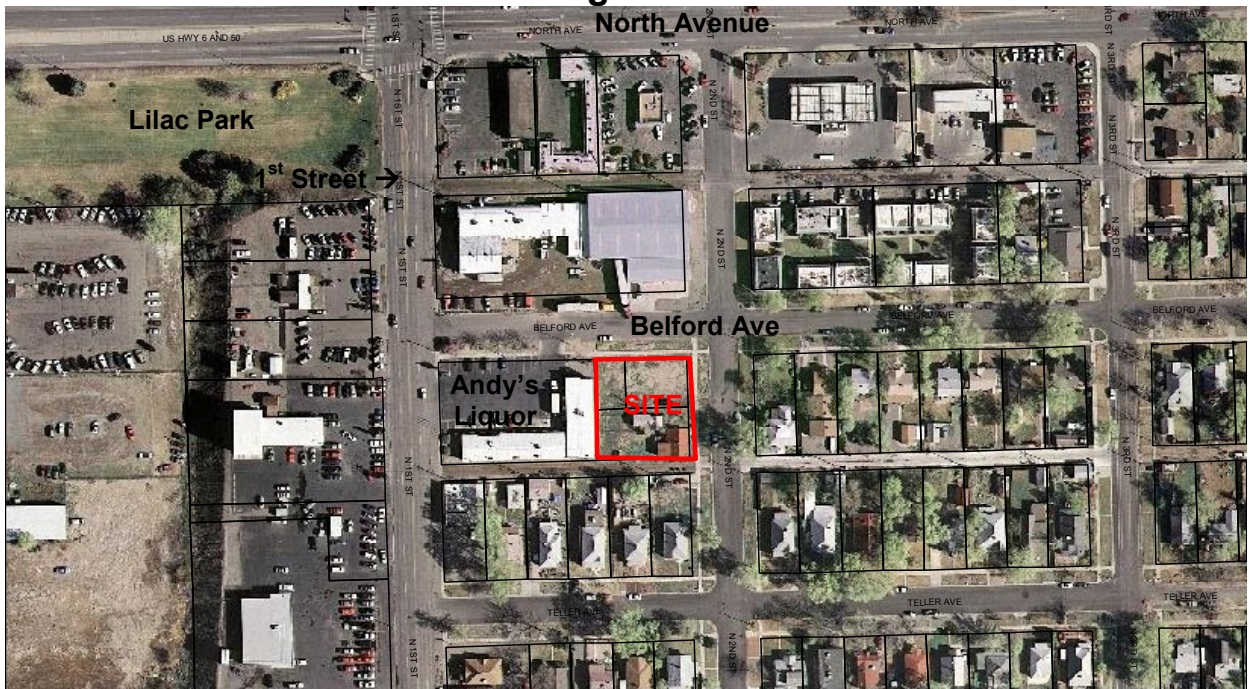
Site Location Map

Figure 1



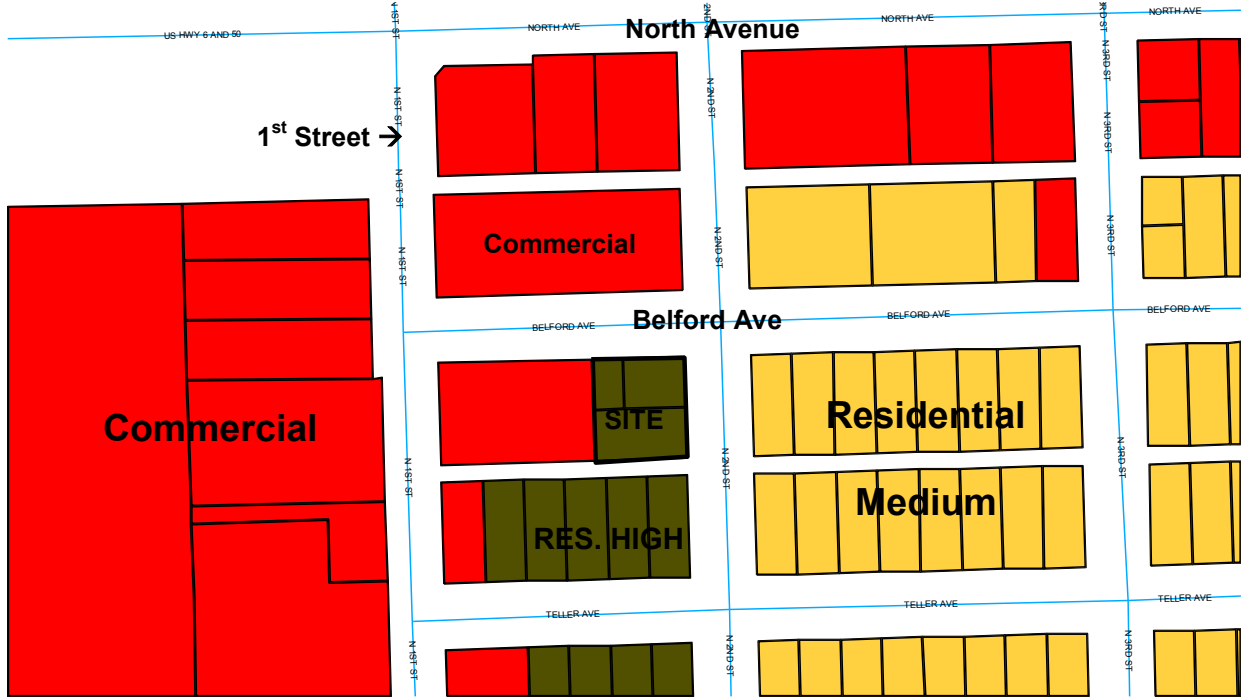
Aerial Photo Map

Figure 2



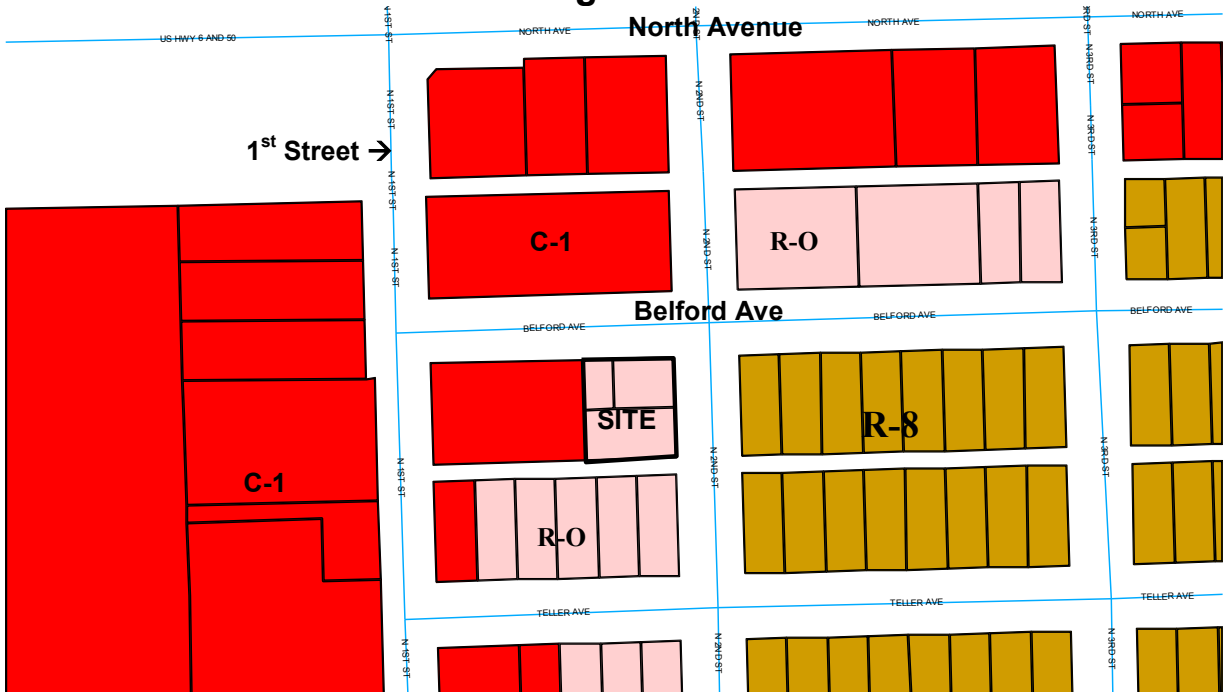
Future Land Use Map

Figure 3



Existing City Zoning

Figure 4



CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

A RESOLUTION AMENDING THE GROWTH PLAN OF THE CITY OF GRAND JUNCTION TO DESIGNATE APPROXIMATELY 0.324 ACRES LOCATED AT 145 BELFORD AVENUE AND 925 AND 927 NORTH SECOND STREET, KNOWN AS THE ANDY'S LIQUOR MART GROWTH PLAN AMENDMENT, FROM RESIDENTIAL HIGH (12+ DU/AC) TO COMMERCIAL

Recitals:

A request for a Growth Plan Amendment has been submitted in accordance with the Zoning and Development Code. The applicant has requested that approximately 0.324 acres, located at 145 Belford Avenue and 925 and 927 North Second Street be redesignated from Residential High (12+ du/ac) to Commercial on the Future Land Use Map.

In a public hearing, the City Council reviewed the request for the proposed Growth Plan Amendment and determined that it satisfied the criteria as set forth and established in Section 2.5.C of the Zoning and Development Code and the proposed amendment is consistent with the purpose and intent of the Growth Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE AREA DESCRIBED BELOW IS REDESIGNATED FROM RESIDENTIAL HIGH (12+ DU/AC) TO COMMERCIAL ON THE FUTURE LAND USE MAP.

Parcel One: The South ½ of the East ½ of Lot 8 and the South ½ of Lots 9 through 12 in Block 12 of the City of Grand Junction.

Parcel Two: The North ½ of Lot 9 and the North ½ of the East ½ of Lot 8 in Block 12 of the City of Grand Junction.

Parcel Three: The North ½ of Lots 10, 11 and 12 in Block 12 of the City of Grand Junction.

Said parcel contains 0.324 acres, more or less, as described.

PASSED on this _____ day of _____, 2008.

ATTEST:

City Clerk

President of Council