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**CITY COUNCIL AGENDA
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET
WEDNESDAY, SEPTEMBER 3, 2008, 7:00 P.M.**

Call to Order

Pledge of Allegiance
Invocation—Harry Butler, Minister for Certain Place of
Seventh Day Handy Chapel

[The invocation is offered for the use and benefit of the City Council. The invocation is intended to solemnize the occasion of the meeting, express confidence in the future and encourage recognition of what is worthy of appreciation in our society. During the invocation you may choose to sit, stand or leave the room.]

Proclamations

Proclaiming the Month of September, 2008 as “National Hunger Action Month” in the City of Grand Junction

Appointments

Ratify Appointments to the Urban Trails Committee

Certificates of Appointment

To the Horizon Drive Association Business Improvement District

To the Parks and Recreation Advisory Board

*** **Council Comments/Resolution of Support**

*** *Indicates New Item*

® *Requires Roll Call Vote*

REVISED

Update on Medical Campus Proposal

Report on Colorado Water Congress Conference

National League of Cities Resolution of Support – Resolution No. 124-08 – Endorsing Councilmember Bruce Hill for Chairmanship of the National League of Cities Community and Economic Development Steering Committee [Attach 17](#)

Citizen Comments

***** CONSENT CALENDAR ***®**

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

Action: Approve the Minutes of the August 18, 2008 and the August 20, 2008 Regular Meetings

2. **Setting a Hearing on Zoning the Green Leaf Annexation, Located at 3109 E Road** [File #ANX-2008-196] [Attach 2](#)

Request to zone the 2.29 acre Green Leaf Annexation, located at 3109 E Road, to R-8 (Residential 8 du/ac).

Proposed Ordinance Zoning the Green Leaf Annexation to R-8 (Residential 8 DU/Ac), Located at 3109 E Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for September 15, 2008

Staff presentation: Brian Rusche, Senior Planner

3. **Setting a Hearing on Zoning the Sunshine of Delta Annexation, Located at 377 and 379 29 Road** [File #GPA-2008-074] [Attach 3](#)

Request to zone 4.30 acres, located at 377 and 379 29 Road to R-12 (Residential 12 du/ac).

Proposed Ordinance Zoning the Sunshine of Delta Annexation to R-12 (Residential 12 DU/Ac), Located at 377 and 379 29 Road

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

Staff presentation: Greg Moberg, Planning Services Supervisor

4. **Setting a Hearing on Zoning the Martin R and S Annexation, Located at 2105 H Road** [File #ANX-2008-205] [Attach 4](#)

Request to zone 1.54 acre Martin R and S Annexation, located at 2105 H Road to I-1 (Light Industrial).

Proposed Ordinance Zoning the Martin R and S Annexation to I-1 (Light Industrial), Located at 2105 H Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for September 15, 2008

Staff presentation: Judith Rice, Associate Planner

5. **Setting a Hearing on Zoning the Park Mesa Annexation, Located at the Northwest Corner of Rosevale Road and Little Park Road** [File #ANX-2008-065] [Attach 5](#)

Request to zone the 13.58 acre Park Mesa Annexation located at the northwest corner of Rosevale Road and Little Park Road in the Redlands to R-1, Residential – 1 unit/acre Zone District.

Proposed Ordinance Zoning the Park Mesa Annexation to R-1 (Residential - 1 unit/acre), Located at the Northwest Corner of Rosevale Road and Little Park Road

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

Staff presentation: Scott D. Peterson, Senior Planner

6. **Setting a Hearing on Zoning the Panorama Point Annexation, Located at 2122 and 2123 Sequoia Court** [File #ANX-2008-176] [Attach 6](#)

Request to zone the 11.85 acre Panorama Point Annexation, located at 2122 and 2123 Sequoia Court, to CSR (Community Services and Recreation).

Proposed Ordinance Zoning the Panorama Point Annexation to CSR (Community Services and Recreation), Located at 2122 and 2123 Sequoia Court

Action: Introduction of a Proposed Ordinance and Set a Hearing for September 15, 2008

Staff presentation: Senta L. Costello, Senior Planner

7. **Setting a Hearing on Zoning the Krogh Annexation, Located at 2932 B ½ Road** [File #ANX-2008-164] [Attach 7](#)

Request to zone the 9.34 acre Krogh Annexation, located at 2932 B ½ Road, to R-4 (Residential 4 du/ac).

Proposed Ordinance Zoning the Krogh Annexation to R-4 (Residential 4 DU/Ac), Located at 2932 B ½ Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for September 15, 2008

Staff presentation: Senta L. Costello, Senior Planner

8. **Setting a Hearing and Reconsideration of Zoning for the Brady South Annexation, Located at 347 and 348 27 ½ Road and 2757 C ½ Road** [File #GPA-2007-051] [Attach 8](#)

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).

Proposed an 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 September 17, 2008

Staff presentation: Kristen Ashbeck, Senior Planner

9. **Revocable Permit for an Existing Driveway in Dedicated Right-of-Way, Located at 781 S. Sedona Court** [File #RVP-2008-026] [Attach 9](#)

Request for a Revocable Permit to allow an existing driveway to remain in dedicated right-of-way in Amber Way.

Resolution No. 120-08—A Resolution Concerning the Issuance of a Revocable Permit to Randy and Natalie Gehl, Located at 781 South Sedona Court

®Action: Adopt Resolution No. 120-08

Staff presentation: Ronnie Edwards, Associate Planner

10. **Construction Contract for the 23 ½ Road Extension from Redlands Parkway to River Road** [Attach 10](#)

This project will construct a two lane road from River Road south along the 23 ½ Road ROW to the TRI Point Energy and Redlands Parkway Industrial Subdivision developments. When TRI Point Energy and Redlands Parkway Industrial Subdivision were constructed, they were to access the Redlands Parkway. It was determined that this access point was not in the safety interest of the Redlands Parkway motorists. The 23 ½ Road extension from the developments to the north was determined to be the safest alternative access.

Action: Authorize the City Manager to Sign a Construction Contract for the 23 ½ Road Extension from the Redlands Parkway to River Road to G and G Paving Construction, Inc. in the amount of \$288,130.75

Staff presentation: Tim Moore, Public Works and Planning Director

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

* * * ITEMS NEEDING INDIVIDUAL CONSIDERATION * * *

11. **Assign the City's 2008 Private Activity Bond Allocation to the Colorado Housing and Finance Authority** [Attach 11](#)

Request approval to assign the City's 2008 Private Activity Bond Allocation to the Colorado Housing and Finance Authority (CHFA) for the purpose of providing single-family mortgage loans to low- and moderate-income persons and families. The amount of this assignment would be "banked" towards a future partnership with CHFA for a multi-family rental housing project serving low and middle income families.

Resolution No. 121-08—A Resolution Authorizing Assignment to the Colorado Housing and Finance Authority of a Private Activity Bond Allocation of the City of Grand Junction Pursuant to the Colorado Private Activity Bond Ceiling Allocation Act

®Action: *Adopt Resolution No. 121-08*

Staff presentation: Jodi Romero, Financial Operations Manager

12. **Construction Contract for Ranchmen's Ditch Flood Control Project Phase II, Part B (Continued from August 20, 2008)** [Attach 12](#)

Phase II, Part B of the Ranchmen's Ditch Flood Control Project (Big Pipe) will construct side-by-side 90" and 96" storm drainage pipes along the south side of Patterson Road between Barnes and Noble and 25 ½ Road.

Action: *Authorize the City Manager to Enter into a Construction Contract with Arapahoe Utilities and Infrastructure, Inc., in the Amount of \$5,693,185*

Staff presentation: Trent Prall, Engineering Manager

13. **Vacation of a Utility Easement, Located at 2846 Grand Falls Drive** [File #VE-2008-094] [Attach 13](#)

Request to vacate .28 acre area of a utility easement in Tract B of the Falls 2004 Subdivision.

Resolution No. 122-08—A Resolution Vacating an Easement Located at 2846 Grand Falls Drive

®Action: *Adopt Resolution No. 122-08*

Staff presentation: Ronnie Edwards, Associate Planner

14. **Public Hearing—Zoning the Fournier Annexation, Located at 2132 Rainbow Ranch Drive** [File #ANX-2008-111] [Attach 14](#)

Request to zone the 3.27 acre Fournier Annexation, located at 2132 Rainbow Ranch Drive, to R-4 (Residential 4 du/ac).

Ordinance No. 4281—An Ordinance Zoning the Fournier Annexation to R-4 (Residential 4 DU/Ac), Located at 2132 Rainbow Ranch Drive

®Action: *Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4281*

Staff presentation: Senta L. Costello, Senior Planner

15. **Public Hearing—Zoning the Schuckman Annexation, Located at 231 28 ½ Road** [File #ANX-2008-018] [Attach 15](#)

Request to zone the 0.87 acre Schuckman Annexation, located at 231 28 ½ Road, to R-4 (Residential 4 du/ac).

Ordinance No. 4282—An Ordinance Zoning the Schuckman Annexation to R-4 (Residential 4 DU/Ac), Located at 231 28 ½ Road

®Action: *Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4282*

Staff presentation: Senta L. Costello, Senior Planner

16. **Public Hearing—Mesa View Elementary Growth Plan Amendment, Located at 2967 B Road** [File #GPA-2008-206] [Attach 16](#)

A request to amend the Growth Plan, changing the Future Land Use designation from Public to Residential Medium-Low (2-4 du/ac) for 9.497 acres of property south of Mesa View Elementary, located at 2967 B Road.

Resolution No. 123-08— A Resolution Amending the Growth Plan of the City of Grand Junction to Designate Approximately 9.497 Acres Located at 2967 B

Road, Known as the Mesa View Elementary Growth Plan Amendment, from Public to Residential Medium-Low (2-4 DU/Ac)

®Action: *Adopt Resolution No. 123-08*

Staff presentation: Brian Rusche, Senior Planner

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

18. **Other Business**

19. **Adjournment**

**Attach 1
Minutes from Previous Meetings**

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

August 18, 2008

The City Council of the City of Grand Junction convened into regular session on the 18th day of August 2008 at 7:04 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 City Clerk Stephanie Tuin.

Council President Palmer called the meeting to order. Councilmember Hill led in the Pledge of Allegiance. The audience remained standing for the invocation by Retired Pastor Mark Harris.

Council Comments

Councilmember Thomason expressed appreciation to all those that were involved in the Riverside Parkway. He has driven it and it is a winner.

Council President Palmer agreed saying he too drove the Parkway and it was gratifying to him to see all the people traveling it.

Councilmember Coons thanked those that attended the ribbon cutting for the new Chipeta Elementary School. The great grandson of Chipeta (the wife of Chief Ouray) was at the ribbon cutting and presented a picture of his grandmother that will hang at the school. This school is another example of partnership with the City; that partnership allowed the school to build a bigger gymnasium and a multi-purpose room.

Councilmember Doody announced his 22nd wedding anniversary.

Citizen Comments

There was none.

City Council/City Manager Meeting Schedule Review

Laurie Kadrich, City Manager, reviewed the upcoming meeting schedule.

CONSENT CALENDAR

Councilmember Coons read the Consent Calendar and then moved that items 1 through 3 be approved. Councilmember Thomason seconded. The motion carried by roll call vote.

1. **Minutes of Previous Meetings**

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

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

Request to zone the 0.87 acre Schuckman Annexation, located at 231 28 ½ Road, to R-4 (Residential 4 du/ac).

Proposed Ordinance Zoning the Schuckman Annexation to R-4 (Residential 4 DU/Ac), Located at 231 28 ½ Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for September 3, 2008

3. **Setting a Hearing on Zoning the Fournier Annexation, Located at 2132 Rainbow Ranch Drive** [File #ANX-2008-111]

Request to zone the 3.27 acre Fournier Annexation, located at 2132 Rainbow Ranch Drive, to R-4 (Residential 4 du/ac).

Proposed Ordinance Zoning the Fournier Annexation to R-4 (Residential 4 DU/Ac), Located at 2132 Rainbow Ranch Drive

Action: Introduction of a Proposed Ordinance and Set a Hearing for September 3, 2008

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Change Order for Removal of Asbestos Contaminated Soil at the Former Steam Plant, Located at 531 South Avenue

Asbestos contaminated soil was removed from the 1.36 acre site at 531 South Avenue under contract with LVI Environmental Services, Inc. in preparation for construction of the new Grand Valley Transit Transfer Station and office building. The quantity of

contaminated materials (soil and concrete) removed was approximately 5,900 tons, which is 3,300 tons over the original contract quantity estimated at 2,600 tons.

Trent Prall, Engineering Manager, presented this item. He reviewed the history of the site briefly and concluded that, as of today, the City has completed its obligation with the Steam Plant property and it will be transferred to Mesa County for the Grand Valley Transit transfer station. The entire site had to be lowered by an additional two feet and the foundation had to be removed. All of that material had to be trucked out, wrapped and contained, thus the cost overruns.

Mr. Prall explained the funding source for the cost overruns. There are some monies allocated for the Big Pipe Project in 2007 that can be carried forward to cover some of these cost overruns.

Councilmember Thomason asked if the site has been certified as clean. Mr. Prall advised that it has been certified by the EPA.

Council President Palmer asked how this huge overrun occurred, why wasn't the contamination caught early on. Mr. Prall explained how that can occur. Council President Palmer inquired as to the cost of the property. Mr. Prall said it was donated but there were some closing costs. City Attorney Shaver advised the closing and assessment costs were under \$20,000. The property had significant environmental issues with PCBs co-mingled with uranium mill tailings and asbestos.

Councilmember Todd noted it is not unusual with commercial properties. It is, however, unfortunate.

Councilmember Coons said the advantage that there is property that is usable with the alternative being an unusable site, basically a superfund site.

Council President Palmer noted that it is a significant contribution to Grand Valley Transit.

Councilmember Thomason moved to authorize the City Manager to execute a change order to LVI Environmental Services, Inc. increasing the contract amount from \$99,899 to \$236,993 and approve a project budget adjustment from \$180,555 to \$368,084. Councilmember Beckstein seconded the motion. Motion carried.

Change Order No. 1 for the 23 Road Sewer Improvement District

This change order will cover additional costs incurred during construction of a bore under Highway 340 at 23 Road needed for completion of the 23 Road Sewer Improvement District. This is a Septic System Elimination Program project.

Trent Prall, Engineering Manager, presented this item. He explained how this situation occurred that is creating the need for a change order. Geotechnical inspections were made on both sides of the highway but the bore proved different soils. They encountered rock when they tried a directional bore. Next they tried an auger bore but the rocks were too large so they ended up hand tunneling the bore.

He suggested that the costs not be passed on to just this sewer improvement district but rather charge trunk extension fees to a broader area in that vicinity.

Councilmember Todd asked if those fees would be charged out in today's dollars. Mr. Prall explained that in the past they have charged the true cost rate plus 4% interest. In 1992 the trunk extension fund was put in place which kept the fees at a level rate. In this case, there will probably be some interest component, probably on a per acre basis based on the actual cost.

Councilmember Todd moved to authorize the City Manager to execute Change Order No. 1 for the 23 Road Sewer Improvement District to M.A. Concrete Construction, Inc. in the amount of \$105,725.20. Councilmember Coons seconded the motion. Motion carried.

Final Change Order for the Ranchmen's Ditch Flood Control Project, Phase 1

This change order will cover additional costs incurred during construction of Phase 1 of the Ranchmen's Ditch Flood Control Project. The additional costs to the project are attributed to poor sub-grade within the Mesa Mall parking lot that resulted in failure of the asphalt paving with the parking lot.

Trent Prall, Engineering Manager, presented this item. He noted that the change order is 1.6% of the original contract amount. He described the route of the pipe in this phase, across the Mesa Mall parking lot and through some difficult terrain. Heavy truck traffic in the Mesa Mall parking lot resulted in more pavement replacement than anticipated. There was another area at the interchange that had to be stabilized. There were savings in Phase II that can be applied to this change order.

Councilmember Thomason inquired when the Phase II contract will be final. Mr. Prall said it is close, they don't anticipate much difference from the estimate.

Councilmember Coons moved to authorize the City Manager to execute the final change order for Phase 1 of the Ranchmen's Ditch Flood Control Project to Scott Contracting in the amount of \$107,606.43. Councilmember Thomason seconded the motion. Motion carried.

Public Hearing—The Shady Acre Annexation and Zoning, Located at 528 29 Road
[File # ANX-2008-159]

Request to annex and zone 1.25 acres, located at 528 29 Road to R-8 (Residential 8 du/ac). The Shady Acre Annexation consists of one parcel and includes a portion of the 29 Road right-of-way.

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

Greg Moberg, Planning Services Supervisor, presented this item. He described the site, the location and the request. He entered the Staff Report and attachments into the record. He noted the Planning Commission did recommend approval.

Tom Dixon, representing Valley Investment, the applicant, said it is a straight forward request so he would defer to Staff's presentation. He can answer any questions. There were none.

There were no public comments.

The public hearing was closed at 7:39 p.m.

a. Accepting Petition

Resolution No. 115-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Shady Acre Annexation, Located at 528 29 Road Including a Portion of the 29 Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4276—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Shady Acre Annexation, Approximately 1.25 Acres, Located at 528 29 Road and Including a Portion of the 29 Road Right-of-Way

c. Zoning Ordinance

Ordinance No. 4277—An Ordinance Zoning the Shady Acre Annexation to R-8 (Residential 8 du/ac), Located at 528 29 Road

Councilmember Todd moved to adopt Resolution No. 115-08 and Ordinance Nos. 4276 and 4277 and ordered them published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

Public Hearing—Approving the Service Plan for the Proposed Redlands Mesa Metropolitan District, Including an Intergovernmental Agreement

Approving the Service Plan for the Redlands Mesa Metropolitan District (“District”). The District is being created for financing public improvements on the land within the District and also possible improvements on the City’s property commonly referred to as Painted Bowl.

The public hearing was opened at 7:41 p.m.

John Shaver, City Attorney, presented this item. He described the request and the purpose of the formation of such a District. Mr. Jim Marshal, the applicant, and his legal counsel Mary Ann McGeady, were present. City Attorney Shaver said it is his recommendation that Council approve the resolution which approves the Service Plan and the Intergovernmental Agreement.

Mr. Marshall declined to make any comments.

There were no public comments.

The public hearing was closed at 7:44 p.m.

Resolution No. 116-08—A Resolution Approving the Service Plan and Intergovernmental Agreement for the Redlands Mesa Metropolitan District

Councilmember Thomason moved to adopt Resolution No. 116-08. Councilmember Doody seconded the motion. Motion carried by roll call vote.

Set Ballot Titles for the Public Safety Initiative

The City Council will be considering possible ballot language to raise the City’s sales and use tax by ¼% for the construction and operation of public safety facilities in the City. The City Council will also consider whether to approve a ballot question regarding the TABOR Amendment revenue limitation. If the City Council authorizes the ballot questions the ¼% tax will be repealed upon repayment of the Riverside Parkway debt.

Laurie Kadrich, City Manager, presented this item. She noted it was a continuation from an earlier workshop. She noted that the Council feels the Public Safety Initiative will help the City of Grand Junction become the most livable community west of the Rockies by the year 2025.

She presented the Preferred Funding Option. It will include two ballot questions; the first to add one-quarter percent increase in sales tax and second to relieve the City from the revenue restriction of the TABOR measure.

Ms. Kadrich reviewed how this will impact the citizens, including the one-quarter percent sales tax increase to be terminated once the funds to repay the Riverside Parkway debt have been accumulated. The Riverside Parkway could be paid off as soon as 2015, but the funds could actually be accumulated prior to that date.

Council President Palmer asked how retailers would know the tax is coming off to change their cash registers appropriately. Ms. Kadrich responded that there would be a “within 90 days” language and retailers would receive a notice as to what day to take the extra tax off.

Councilmember Todd asked if all retailers would have to change on the same day. City Attorney Shaver said no but must change by the 90th day.

Ms. Kadrich explained what TABOR is and the three prongs of that law: need voter approval for a tax increase, voter approval is needed to incur debt and the third prong is the revenue limitation. That revenue limitation is first based on the Denver-Boulder CPI. The City of Grand Junction’s growth is therefore tied to growth on the eastern slope. Grand Junction is the largest municipality in the State that has not lifted this revenue limitation.

Another component for that revenue limitation is based on growth which has helped Grand Junction because it is growing. That has allowed Grand Junction to keep a larger portion of the revenue but that will not continue. That limitation will also ratchet down when there is an economic downturn.

Council President Palmer asked Ms. Kadrich to explain excess revenue. Ms. Kadrich said it is not extra or excess, it is money coming in from people who are using the services in the community. Two services are greatly affected: the transportation network and the second are the public safety services. Keeping those revenues generated by those people using the services is reasonable.

Council President Palmer added that these are not new taxes, these are already collected. Ms. Kadrich agreed and said that currently the voters have granted the City the retaining of the revenue to pay off the Riverside Parkway debt.

Another component is that Grand Junction is still growing whereas other communities are built out to their boundaries.

Ms. Kadrich displayed a ten year projection and explained the financial picture for each year. The one-quarter percent sales tax will not pay for all of Public Safety, it will pay the debt service, but the General Fund will still be paying the bulk of the cost for public safety.

Councilmember Coons asked what portion of the City’s budget goes toward public safety. Ms. Kadrich replied 47% of the General Fund budget, not including capital expenses.

Ms. Kadrich said this information has been presented to a number of other entities and many have passed resolutions supporting the initiative.

Next, Ms. Kadrich presented the survey results from the professional surveying company.

Councilmember Beckstein asked the City Manager to describe what the community will be expecting for this initiative. Ms. Kadrich said there will be a new Police and Fire Administration building to include the Communication Center and the municipal court, a new downtown fire station, a storage annex to house the equipment of the Police Department, and a parking garage for the large tactical vehicles and the police vehicles.

Council President Palmer asked Ms. Kadrich to explain the polling results regarding the TABOR question. The restricted use of the TABOR funds was slightly less popular.

Ms. Kadrich explained further the economic impact to the taxpayers of both questions.

Councilmember Todd asked if there will be additional needs in the year 2030. Ms. Kadrich said probably in 2020, this plan covers only the next ten years.

She then read the polling company's conclusion that there is a high level of support for the initiative and the funding.

If Council chooses to go forward, the Council will need to adopt a resolution setting the ballot titles. The second request is that Council adopt a resolution supporting the questions.

Ms. Kadrich presented the first proposed ballot question and explained the meaning of the Constitutional language. The second question is shorter, and again, Ms. Kadrich provided an explanation. The second question de-Bruce's all of the City's revenues and allows them to be used for not only repayment of the Public Safety Facility debt but for all governmental purposes.

There is no debt question because the debt instrument would be Certificates of Participation, like what was used for the CBI building, and voter approval is not needed.

Councilmember Todd asked about planning forward and the need to do so. Ms. Kadrich pointed out that this is not the City's only need, just like the Parkway was not the City's only transportation need. The City's budget is a maintenance budget; it is not a growth budget.

Councilmember Hill asked Ms. Kadrich to explain what would happen if 2A passes and 2B does not and vice versa. Ms. Kadrich said if 2B does not pass, and 2A does, the one-quarter percent sales tax would stay. If 2B passes and 2A does not, then the excess revenue could be retained for governmental purposes after the Riverside Parkway is paid

off, but there would not be enough money to build the Public Safety Facility until much later.

Councilmember Hill asked what will happen if the TABOR law goes away completely. City Attorney Shaver responded that the 2B question would then be moot.

Councilmember Beckstein asked if removing this limitation, how does government not get out of control. Ms. Kadrach said the TABOR makes the assumption that whatever mechanisms were in place when it was passed (1992) were sufficient to meet the needs and the growth. That assumption is fundamentally flawed, using the Riverside Parkway as an example. It was also thought that Denver and Boulder would grow faster than Grand Junction and that index would benefit Grand Junction. That has not been the case.

The question has arisen about the growth of the number of employees. Ms. Kadrach said that City Council has kept the City Staff at the same ratio that was in place in 1992 and will continue to adopt budget in that same vein. This proposal does not give carte blanche to the City Manager.

Councilmember Beckstein asked what happens if there is an economic slowdown. Ms. Kadrach advised that the enterprise funds are very financially stable. There are systems in place to replace equipment and some savings. The City has also been setting aside monies over the years amounting to \$42 million but \$30 million was used for the Riverside Parkway. The City could set aside one to two million dollars per year but that will not be sufficient.

Ms. Kadrach expressed her appreciation of the community for their patience and their interest. Once the ballot titles are set, the City can no longer do outreach but will be available to respond and answer questions.

Councilmember Doody asked the two Chiefs to come forward and asked them to speak to what this will mean to the community if it were to pass.

Police Chief Bill Gardner said this is a landmark decision for not only the Grand Valley but also for the region. There is no doubt that the facilities are direly needed. From a public safety perspective, the plan for this facility will help keep this community safe, now and in the future.

Fire Chief Ken Watkins said this is a community of partners and they work daily with a number of partners. This project will take the City even further in that capacity. This initiative will bring both police and fire closer together. The decision is a great opportunity. This is the City's responsibility; government is formed for public safety.

Councilmember Todd expressed her delight in being part of the Council and having this opportunity to move the City into the future. She said the Council needs to be supportive and reach out to the outlying communities. She is supportive of both questions and looking at relieving the City from the revenue limitation because of the needs that are evident in this community.

Councilmember Thomason thanked all of those that have participated in this process and stated it is not a tough decision. The questions as crafted make good sense and it is worthwhile for this community.

Councilmember Beckstein invited those that have not watched the video on Channel 12 on the current conditions at the police and fire departments to do so. She supports giving the employees the proper tools to do their job. This has been needed for a long time. The City Council wants to be good caretakers of the City dollars. She will support both questions.

Councilmember Coons noted that most people realize there is a need; the financing is the bigger question. The Council has looked at all the various options and that has been explained well. She is comfortable with the one-quarter percent sales tax because it does spread it out to all who use the City services. She supports relief from the revenue limitation; as she has talked to people on how the City spends its money. She is often asked why the City can't save. When she explains the City is not de-Bruced, some people are surprised and others are realizing what the limitation is doing to the City. The relief is gaining more favor. The sales tax makes a good bridge but the time to ask is now when the economy is good. She will support both questions.

Councilmember Doody recalled how this initiative evolved. He learned about TABOR during the formation of the question regarding the Riverside Parkway de-Brucing. He will support both questions.

Councilmember Hill said although this is not his preferred alternative, Council promptly supported the need for the public safety facilities. Then they turned to how to finance it. The money is in the budget if they do not do another capital project for the next ten years. He noted that no matter how the votes come out, the Council stands behind the majority decision. He agreed the bridge is needed. He said he looks for a positive outcome.

Council President Palmer agreed with Councilmember Todd's statements. Options and avenues have been explored and nothing is more important than the safety of the citizens and nothing is more difficult than to ask everyone to participate. He supports the two questions being presented.

Resolution No. 117-08—A Resolution Setting Titles and Submitting to the Electorate on November 4, 2008 Measures to Increase the Sales and Use Tax from 2.75% to 3.00%

and to Retain and Spend Revenues as a Voter Approved Revenue Change as Defined by Article X, Section 20 of the Colorado Constitution

Councilmember Thomason moved to adopt Resolution No. 117-08. Councilmember Coons seconded the motion. Motion carried by roll call vote with Councilmember Hill voting NO.

Council President Palmer asked if the City Attorney wanted to address the other two pieces of TABOR that will stay in effect. City Attorney Shaver stated that there is a good explanation of TABOR and clearly an affirmation in the recitals of the resolution. Council President Palmer asked if the recitals would be in the ballot question. City Attorney Shaver confirmed that the recitals will not be in the ballot question.

Councilmember Todd said what is being put forth does not affect those two things and she doesn't feel an additional resolution is necessary.

Councilmember Thomason agreed.

City Attorney Shaver said he would draft it if desired. Council President Palmer said Council does not seem to want him to do that.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

President of the Council Palmer said that, at pre-meeting, it was brought up that the zoning of the Brady Trucking parcel is lingering and Council wanted to discuss how to go forward.

Councilmember Hill recused himself and left the meeting.

City Attorney Shaver reviewed that a deadlock is not acceptable final action because the property needs to be zoned. Council could schedule the matter for an agenda and it could be discussed further or new evidence could be introduced. He asked for direction so the matter could be re-advertised. He recommended that Council direct Staff as to the type of information they would like to hear.

Councilmember Coons asked if reopening the hearing would be a public hearing or just Staff. City Attorney Shaver said it would generally be a public hearing but could be limited to relative to the new evidence.

Councilmember Todd asked how that testimony would be controlled. City Attorney Shaver said the Council may have to keep those testifying on point.

City Manager Kadrich said they could limit it to people speaking for or against relative to the specific site plan.

Councilmember Thomason asked what happens if they are deadlocked again. City Attorney Shaver said it could be remanded back to the Planning Commission or allow the applicant to consider some other zoning not previously considered.

Councilmember Beckstein asked if she can inquire about what led up to the request. City Attorney Shaver said they can ask but the determination is based on the criteria.

City Manager Kadrich offered to provide that chronological information prior to the meeting so Council can review it prior to the hearing.

Councilmember Beckstein asked if there is any relevance to the future development of Las Colonias Park. City Attorney Shaver said that is for the majority of the Council to determine; he urged Council to look at the specific criteria and the objective conditions.

Councilmember Beckstein said she has heard criticism based on speculation of what will be in Las Colonias Park.

Council President Palmer said that there has been a decision that there is going to be a Las Colonias Park.

Councilmember Beckstein said that there has not been a decision made as to what is going to be in Las Colonias Park. City Attorney Shaver said that there has been a plan presented to Council as to the development of the park and that has been adopted by the City Council.

City Manager Kadrich said the local group for the recreation center project came to Council asking to locate the recreation center there if they can get the financing within five years and the Council verbally said they would consider that because that would be a good way to be a partner in the project.

Councilmember Coons said she supports reopening a limited hearing and they can resolve what testimony to hear or not if they limit it to that zoning. She agrees the impasse needs to be broken and they need additional information to do that.

Councilmember Doody said he is concerned about seeing a site plan when it could be sold and something else goes there.

Council President Palmer concluded that the consensus is to rehear it and directed the City Attorney Shaver to provide some of this information to them ahead of time.

Adjournment

The meeting adjourned at 9:45 p.m.

Stephanie Tuin, MMC
City Clerk

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

August 20, 2008

The City Council of the City of Grand Junction convened into regular session on the 20th day of August 2008 at 7:05 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Jim Doody, Bruce Hill, Doug Thomason, and Council President Gregg Palmer. Absent were Councilmembers Teresa Coons and Linda Romer Todd. Also present were Deputy City Manager Rich Engelhart, City Attorney John Shaver, and City Clerk Stephanie Tuin. City Manager Laurie Kadrach was absent.

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

Appointments

Councilmember Doody moved to re-appoint Merv Heinecke and Chuck Keller to the Horizon Drive Association Business Improvement District for four year terms expiring April 2012. Councilmember Hill seconded the motion. Motion carried.

Councilmember Hill moved to appoint Yvette Carnine and David McInay to the Parks and Recreation Advisory Board for three year terms expiring June 2011. Councilmember Thomason seconded the motion. Motion carried.

Citizen Comments

There were none.

Recognitions

Senior Planner Kristen Ashbeck, Neighborhood Services, presented an update on the neighborhood program and what has occurred in 2008. She explained the purpose of creating the program and the history. There is a new layer on the GIS for neighborhood services that has neighborhood information.

She reviewed some of the Neighborhood Pride Grant projects. Neighborhood participation in the programs is widespread throughout the City; east and west, north and south.

Recognition of Neighborhood Organization—Hawthorne Park

Ms. Ashbeck then reviewed the Hawthorne Park neighborhood project. There are about 350 structures in that neighborhood. They started with improvements to the parking strips

(streetscape improvements) including irrigation and tree planting. She listed those present representing the neighborhood.

Kristin Burnham, 434 Teller, thanked David Tashner who has been the driving force behind this program in their neighborhood.

Recognition of Neighborhood Organization—Colony Park

Senior Planner Kristen Ashbeck, Neighborhood Services, described the Colony Park neighborhood noting there has been little turnover so it is a close knit neighborhood. Due to the Big Pipe project, their landscaping and fence along Patterson Road had to be removed by the City. They will be submitting an application for a grant to replace that structure and return the character back into their neighborhood.

Ms. Ashbeck listed who was present representing the neighborhood.

Nyla Kladder, President of the Homeowners Association, said their neighborhood has been known to be one of the most attractive townhome subdivisions. She described where they will use the funding.

Councilmember Hill asked why the fence was not automatically replaced. Ms. Ashbeck explained the fence was in the public right-of-way under a revocable permit that was revoked.

Council President Palmer thanked those neighborhoods and Ms. Ashbeck for their work.

CONSENT CALENDAR

Councilmember Thomason 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 #5.

1. Contract with Mesa County Elections for the Public Safety Initiative Election

In order to place the City's ballot questions regarding the Public Safety Initiative on the Mesa County ballot, an intergovernmental agreement setting forth the responsibilities of both entities is required. In essence, by this intergovernmental agreement, the City will enter into a contract with Mesa County for them to conduct the City's election.

Action: Authorize the City Clerk to Enter into an Intergovernmental Agreement with Mesa County Elections for the Conduct of the City's Special Election to be Coordinated with the General Election to be held on November 4, 2008

2. **Pavement Management Data Collection**

Award a pavement management data collection contract for the Street Systems Division.

Action: Authorize the City Purchasing Division to Enter into a Contract in the Amount of \$123,825 with IMS Infrastructure Management Services for Data Collection of Pavement and Right-of-Way Assets

3. **Subrecipient Contract for Homeward Bound Project within the 2007 CDBG Program Year**

The Subrecipient Contract formalizes the City's award of \$40,000 to Homeward Bound of the Grand Valley as allocated from the City's 2007 Community Development Block Grant (CDBG) Program previously approved by Council.

Action: Authorize the City Manager to Sign the Subrecipient Contract with Homeward Bound of the Grand Valley for the City's 2007 CDBG Program Year

4. **Energy and Mineral Impact Grant Requests for Planning Processing Software, Emergency Response Training Facility and F¹/₂ Road Parkway**

A request to authorize three requests to apply for Energy and Mineral Impact Grants for partial funding for the purchase of Planning Processing Software, the design of the Emergency Response Training Facility and the construction of a portion of the F ¹/₂ Road Parkway.

Action: Authorize the City Manager to Execute Three Energy and Mineral Impact Grant Applications Requesting Partial Funding for the Purchase of Planning Processing Software, the Design of the Emergency Response Training Facility and the Construction of a Portion of the F ¹/₂ Road Parkway

5. **Audio System for Two Rivers Convention Center**

This approval request is for the award of a contract for the purchase and installation of an audio system for Two Rivers Convention Center (TRCC).

Action: Authorize the Purchasing Division to Enter into a Contract with Western Slope Pro Audio, Inc. to Provide the Audio System and Installation for TRCC, for an Estimated Amount of \$166,001

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Public Hearing—Zoning the Eagle Pointe Subdivision, Located at 2814 C $\frac{3}{4}$ Road [File #PP-2007-225]

A request for approval to zone property located at 2814 C $\frac{3}{4}$ Road to PD (Planned Development) with a default zone of MU (Mixed Use) by approval of the Preliminary Development Plan as a Planned Development containing 76 multifamily dwelling units on one 4.23 acre lot and 4 commercial/industrial lots.

The public hearing was opened at 7:29 p.m.

Greg Moberg, Planning Services Supervisor, presented this item. He described the request which included approval of the Preliminary Plan. He then entered the Staff Report and the attachments into the record. The request meets the criteria of the Zoning and Development Code and the Growth Plan. The Planning Commission recommended approval.

There were no public comments.

The public hearing closed at 7:30 p.m.

Council President Palmer asked how 18 homes per acre fit into this Growth Plan Designation. Mr. Moberg advised that Mixed Use allows up to 24 units per acre. They will be required to improve C $\frac{3}{4}$ Road.

Councilmember Hill asked about connectivity. Mr. Moberg advised that the Development Engineers determined that connectivity was not necessary.

Council President Palmer asked if the Fire Department approved of this configuration. Mr. Moberg said they have.

Ordinance No. 4278—An Ordinance Zoning Eagle Ponte Subdivision to PD (Planned Development) Zone, by Approving a Preliminary Development Plan with a Default MU (Mixed Use) Zone for the Development of Five Lots, One Residential Containing 76 Dwelling Units and Four (4) Commercial/Industrial Lots, Located at 2814 C $\frac{3}{4}$ Road

Councilmember Doody moved to adopt Ordinance No. 4278. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Public Hearing—The Park Mesa Annexation, Located at Rosevale Road and Little Park Road in the Redlands [File #ANX-2008-065]

Request to annex 13.58 acres, located at the northwest corner of Rosevale Road and Little Park Road in the Redlands. The Park Mesa Annexation consists of one parcel of land and associated rights-of-way of Rosevale Road and Little Park Road.

The public hearing was opened at 7:35 p.m.

Scott Peterson, Senior Planner, presented this item. He described the request and the site. He entered the Staff Report and the attachments into the record. The request meets the criteria for annexation. The zoning will come forward later. The City Council recently approved a Growth Plan Amendment for this property.

Colleen Scissors, the applicant, had nothing to add except that the City has been extremely helpful. The plan is for eight lots.

There were no public comments.

The public hearing was closed at 7:37 p.m.

a. Accepting Petition

Resolution No. 118-08—A Resolution Accepting Petition for Annexation, Making Certain Findings, Determining that Property Known as the Park Mesa Annexation, Located at the Northwest Corner of Rosevale Road and Little Park Road, Including Portions of the Rosevale Road and Little Park Road Rights-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4279—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Park Mesa Annexation, Approximately 13.58 Acres, Located at the Northwest Corner of Rosevale Road and Little Park Road, Including Portions of the Rosevale Road and Little Park Road Rights-of-Way

Councilmember Beckstein moved to adopt Resolution No. 118-08 and Ordinance No. 4279 and ordered it published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

Construction Contract for Ranchmen's Ditch Flood Control Project Phase II, Part B

Phase II, Part B of the Ranchmen's Ditch Flood Control Project (Big Pipe) will construct side-by-side 90" and 96" storm drainage pipes along the south side of Patterson Road between Barnes and Noble and 25 ½ Road

Tim Moore, Public Works and Planning Director, presented this item. He referred to the Staff Report that summarized the eight bids. The recommendation is to award the bid to Arapahoe Utilities and Infrastructure, Inc. Two types of pipe were deemed acceptable in the bid documents. Phase I had 11,000 feet of pipe and in that case the low bid had concrete pipe. In this phase, the bid with steel pipe was less. The Staff looks at a fifty year life for such projects. Other considerations are performance and maintenance needed over the life of the project. The third thing is constructability, and what issues there will be. Staff brings forward the bid and project that is the most cost effective.

Council President Palmer inquired about the different specifications on each phase with Phase I calling for concrete or steel pipe, Phase II called for concrete pipe only, and now, Phase II, Part B is both. Mr. Moore said the pipe diameter was a bit smaller and there was not as much pipe involved. He then deferred to Trent Prall, Engineering Manager. Mr. Prall concurred with both reasons.

Councilmember Beckstein inquired about a statement in the Staff Report about the two types of pipe being comparable. Mr. Prall advised that they did research the two types and steel pipe is widely accepted; steel pipe is used on runways and used by the Colorado Department of Transportation. It is not the corrugated metal pipe that would rust out. This pipe is polycoated and it has been tested by City Staff.

Council President Palmer asked if the City has used it previously. Mr. Prall said they have not, this type of pipe becomes cost competitive when the diameter gets larger as in this project.

Councilmember Thomason asked about the connect ability with concrete pipe. Mr. Prall said at the west end there is a junction box and on the east end the connection will be made direct or with concrete using a concrete collar.

Councilmember Hill asked if each contractor bid with both options. Mr. Prall said the opportunity was to submit with either. In this case, two of the eight bids used the steel pipe in their bid.

Council President Palmer asked if it takes different equipment to use one over the other. Mr. Prall said the steel is a lighter product so lighter equipment is needed and it comes in longer lengths than the concrete pipe.

Councilmember Hill asked how much of the bid is product only. Mr. Prall said the City pays the "installed price" so the City does not see the product cost. Councilmember Hill asked about the breakdown on the engineering estimate. Mr. Prall answered that the product is about a third of the cost of the project.

Councilmember Doody asked if this project is multi-jurisdictional. Mr. Prall said it is "quasi" and the City is working with Grand Valley Irrigation Company but the City will then take over the maintenance.

Councilmember Doody asked if the 5-2-1 Drainage Authority is involved. Mr. Prall said no.

Councilmember Doody asked if expertise is an issue or maintenance is an issue since this pipe has not been used by the City in the past. Mr. Prall said there are repair techniques for the steel pipe too so that is not an issue.

Councilmember Doody asked where the steel pipe is manufactured. Mr. Prall said the material comes from out of State but is assembled here in Grand Junction. The concrete would also be manufactured in town.

Councilmember Hill asked if there are any timing issues with this project. Mr. Prall said they want to be ready for construction when irrigation is shut down and then they have five months to construct this phase. There is also a time period for the grant that expires in April, 2009.

Council President Palmer asked Mr. Prall if all things were equal, what would be his preference. Mr. Prall could not say.

Councilmember Hill referred to a letter from Grand Valley Irrigation Company (GVIC) dated August 20, 2008 that said they have not considered anything but concrete reinforced pipe. It is their ditch. He asked City Attorney Shaver if the agreement with GVIC provides it must be concrete. City Attorney Shaver advised the City does have a legal relationship for the use of the canal. The agreement does not specify materials but GVIC does reserve the right for final approval. It is not clear if the plans they originally looked at included the option. He then referred to a provision of the agreement where GVIC does have the final say and approval on the plans. Whether that includes materials, he finds exception to as the City is taking full responsibility for maintenance and does warranty the work. GVIC has stated their disapproval but he is not sure if they complied completely with the requirements for disapproval. The agreement states that so long as they object, they would not want construction to commence.

Councilmember Hill asked hypothetically of the review, if GVIC had objected back in July, what would legal counsel have recommended then. City Attorney Shaver said he would have counseled the Staff to specify a product that would meet the approval of GVIC.

Councilmember Hill feels GVIC has standing. The huge risk in any delay is the \$3 million FEMA grant that could be lost with a delay.

Councilmember Hill said that Council has a letter before them that says the GVIC is not willing to approve the plans without reinforced concrete. The risk is losing the grant, which helped enclose the ditch, in near proximity to an elementary school and a high density residential neighborhood. He suggested the Council may want to reconsider the specifications that GVIC are insisting on.

Councilmember Beckstein agreed with Councilmember Hill, based on the letter and the timing. She wanted to remand it back to Staff for further discussion to try to resolve it.

Councilmember Thomason agreed the letter complicates things. With no disrespect for GVIC, the City is going to warrant and maintain the final product. He agreed time is of the essence. He is inclined to go with Staff's recommendation.

Councilmember Doody said Councilmember Hill makes a good point and he is ok with it going back to Staff for further negotiations.

Council President Palmer agreed that GVIC has standing but his issue is that when there are varying materials it is hard to compare. He agrees there need for further discussion but he is concerned about the time element.

Councilmember Hill moved to continue awarding the construction contract for Phase II, Part B of the Ranchmen's Ditch Flood Control Project to the September 3, 2008 City Council meeting and directed Staff to resolve the objection by the Grand Valley Irrigation Company as stated in their letter dated August 20, 2008. Councilmember Doody seconded the motion. Motion carried with Councilmember Thomason voting NO.

Public Hearing—Amending and Establishing Rates Used to Compute Assessments Levied Against Properties Located in Alley Improvement Districts

The City's alley improvement district program has been in place since 1989. The alley improvement district assessment rates have not been revised since 1999. Since then construction costs for alleys have increased by 110% (average of 12% per year).

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

Trent Prall, Engineering Manager, presented this item. He reviewed the Alley Improvement District program and described the benefits. The request is to reevaluate the rates which were previously reviewed in 1990 and again in 1999. The rates are based on an attempt to have the share ratio to be property owner one-third and the City two thirds. The hearing is to consider raising the rates.

Councilmember Hill wanted to adjust the rates to reflect a percentage rather than set a specific rate for the different types of properties.

Council President Palmer agreed, with construction prices continuing to change.

Mr. Prall agreed that could be done, much like the Septic System Elimination Project, however, with the set rates they can approach the property owners and they will know exactly what their cost will be. How that will affect the popularity of the program under that scenario remains to be seen.

Councilmember Hill said the new system would allow the City to do more alleys.

Mr. Prall said if the Council adopts the rates, he will revisit the rates annually. Under the new scenario, there is some risk as the alley improvement would be designed and bid before there is any obligation to the homeowners.

Councilmember Hill asked for recess to have time to review the numbers.

Council President Palmer called a recess at 8:35 p.m.

The meeting reconvened at 8:44 p.m.

Councilmember Hill suggested the City's percentage to be 50% for non residential, 75% for multifamily and 85% for residential, noting designating percentages will relieve the Council of having to revisit this.

Council President Palmer asked that Council get an annual report for the first couple of years on the new system.

City Attorney Shaver asked that they state the percentage of the contracted cost which is the same language as in the Septic System Elimination Project ordinance.

There were no public comments.

The public hearing was closed at 8:48 p.m.

Ordinance No. 4280—An Ordinance Setting the Assessable Cost of the Improvements Made in and for Alley Improvement Districts

Councilmember Hill moved to adopt Ordinance No. 4280, with the following changes: Section 1, paragraph a, designating the single-family percentage to be 15% of the contracted cost of the construction, Section 1, paragraph b, designating the multi-family percentage to be 25% of the contracted cost of the construction, and with Section 1, paragraph c, designating the non-residential percentage to be 50% of the contracted cost

of the construction and ordered it published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Ratification of All Prior Acts for Creation of the Rood Avenue Parking Plaza Condominiums and for Sale of Units within the Condominium

A condominium for the Rood Avenue parking garage, which is owned and operated by the City and the Grand Junction, Colorado, Downtown Development Authority (“DDA”), has been created and units are available for sale. A contract has been negotiated with ENIPLA Building Company, LLC, for sale of 114 units. Ratification by City Council of the creation of the condominium and sale of the units is needed.

John Shaver, City Attorney, presented this item. He explained the purpose of the resolution and the condominiumization process that they have done on the Rood Avenue Parking Garage. The resolution conveys 114 spaces to Alpine Bank. The closing is August 21, 2008.

Council President Palmer asked if the price offsets the cost per space. City Attorney Shaver said yes.

Council President Palmer asked if those spaces will be available to the general public during evenings, week-ends, holidays, and special events. City Attorney Shaver said that those details are in the condominium documents and the spaces will generally be available.

Resolution No. 119-08—A Resolution Ratifying the Creation of the Rood Avenue Parking Plaza Condominiums and Contract to Sell Parking Spaces in the Condominium

Councilmember Beckstein moved to adopt Resolution No. 119-08. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting was adjourned at 8:55 p.m.

Stephanie Tuin, MMC
City Clerk

Attach 2
Setting a Hearing on Zoning the Green Leaf Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Zoning the Green Leaf Annexation - Located at 3109 E Road		
File #	ANX-2008-196		
Meeting Day, Date	Wednesday, September 3, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	August 13, 2008		
Author Name & Title	Brian Rusche – Senior Planner		
Presenter Name & Title	Brian Rusche – Senior Planner		

Summary: Request to zone the 2.29 acre Green Leaf Annexation, located at 3109 E Road, to R-8 (Residential 8 du/ac).

Budget: N/A

Action Requested/Recommendation: Introduce a proposed Ordinance and set a Public Hearing for September 15, 2008.

Attachments:

1. Staff report/Background information
2. Site Location Map / Aerial Photo Map
3. Future Land Use Map / Existing City and County Zoning Map
5. Minutes of August 12, 2008 Planning Commission
5. Zoning Ordinance

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION

Location:		3109 E Road		
Applicants:		Villa Tasso Development, LLC		
Existing Land Use:		Vacant – former commercial greenhouse		
Proposed Land Use:		Residential		
Surrounding Land Use:	North	Church / Single Family Residential		
	South	Single Family Residential		
	East	Single Family Residential		
	West	Single Family Residential		
Existing Zoning:		County RMF-5 (Residential Multi-Family 5 du/ac)		
Proposed Zoning:		City R-8 (Residential 8 du/ac)		
Surrounding Zoning:	North	County RSF-R (Residential Single Family Rural 1du/5ac)		
	South	County RMF-5 (Residential Multi-Family 5 du/ac)		
	East	County RMF-5 (Residential Multi-Family 5 du/ac)		
	West	County RMF-5 (Residential Multi-Family 5 du/ac)		
Growth Plan Designation:		Residential Medium (4-8 du/ac)		
Zoning within density range?		X	Yes	No

Staff Analysis:

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

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

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

Response: The R-8 Zone is consistent with the Growth Plan designation of Residential Medium (4-8 du/ac), which is the prevalent land use designation for this neighborhood. The Residential Medium designation was affirmed by the Pear Park Neighborhood Plan in 2005.

The Summit View Ranch subdivision, platted in 1999 and 2000, surrounds the annexation on the south and east and is zoned County RMF-5 (Residential Multi-Family 5 du/ac). To the east are subdivisions zoned R-5 (Summit View Ranch II, platted in 2000), County RSF-4 (Meadowood, platted in 1975), and County RMF-5 (Sundown Village I and II, platted in 1993 and 1996). Recently annexed land has been zoned as R-8, including the Willow Wood Village Annexation (approved 6/6/2008) and, on the north side E Road, the Pellam Annexation (2004) and Pioneer Meadows Annexation (approved 7/14/08). The remaining land on the north side of E Road is larger acreages anticipated for future development. To the west are two subdivisions (Pond's Orchard and Sunridge) zoned County RSF-4 and the Ol'Sun Subdivision designated as a County PUD. These three subdivisions were platted from 1972 to 1985. Further west is Ruby Meadows, zoned R-8 and platted in 2002. All of the subdivisions platted and lands annexed since 2001 have been zoned R-8.

The Growth Plan recommends providing a variety of densities and housing types throughout the City (Chapter 5 – Preferred Land Use Scenario – Item E.6 and Goal 15, Policy 15.1). The requested zoning designation of R-8 is consistent with the Land Use Map designation of Residential Medium (4-8 du/ac), the goals and policies of the Growth Plan, and with the zoning assigned to recently annexed and developed properties in the neighborhood.

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

Response: The property is adjacent to E Road, a major collector. A 6" Clifton Water line exists in E Road, along with an 8" sanitary sewer main. Adequate public facilities (new or upgraded) will be supplied at the time of development of the property.

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

- a. R-4

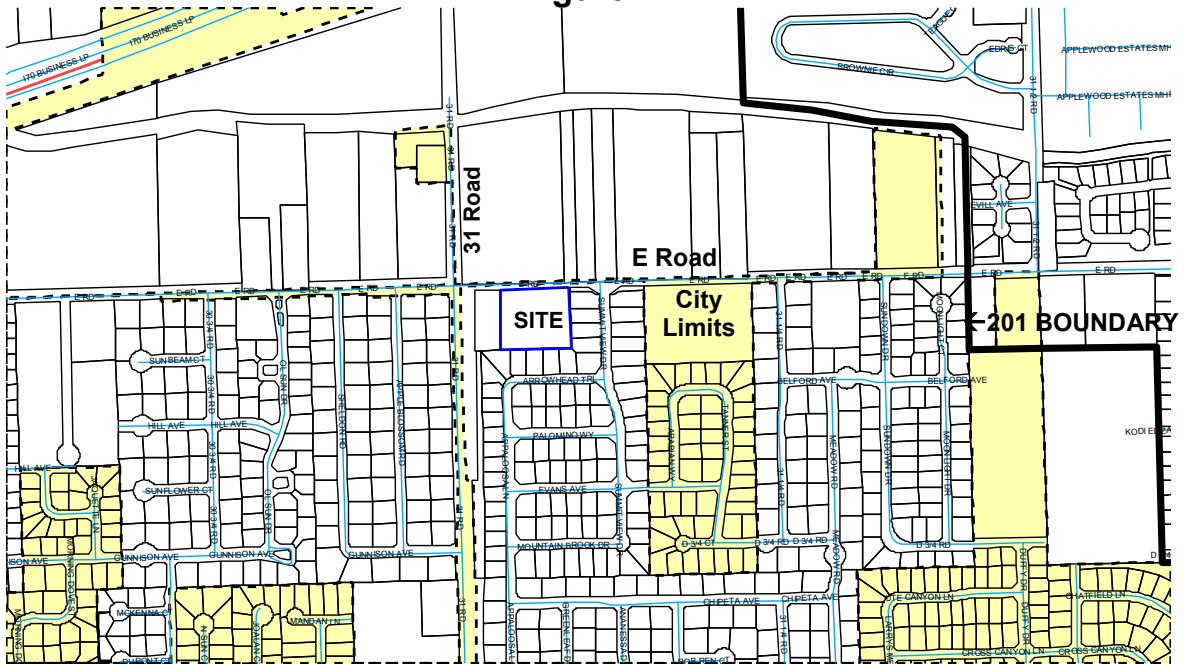
b. R-5

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

PLANNING COMMISSION RECOMMENDATION: On August 12, 2008 the Planning Commission recommended approval of the requested zone of annexation to the City Council, finding that zoning to the R-8 district to be consistent with the Growth Plan and Sections 2.6 and 2.14 of the Zoning and Development Code.

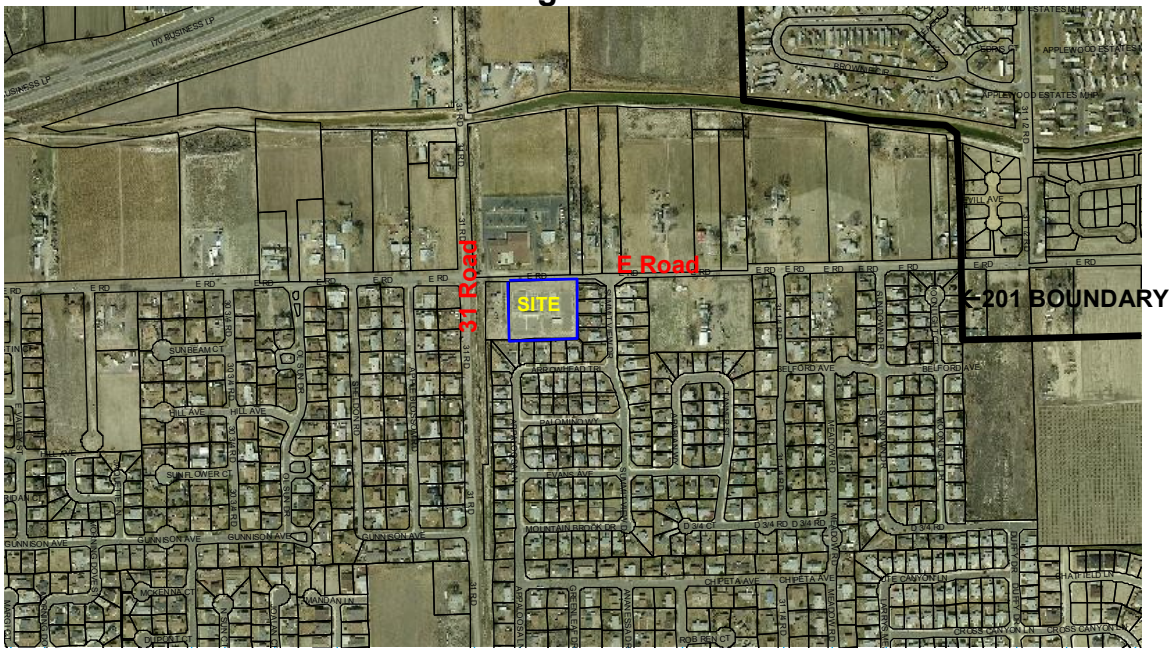
Site Location Map

Figure 1



Aerial Photo Map

Figure 2



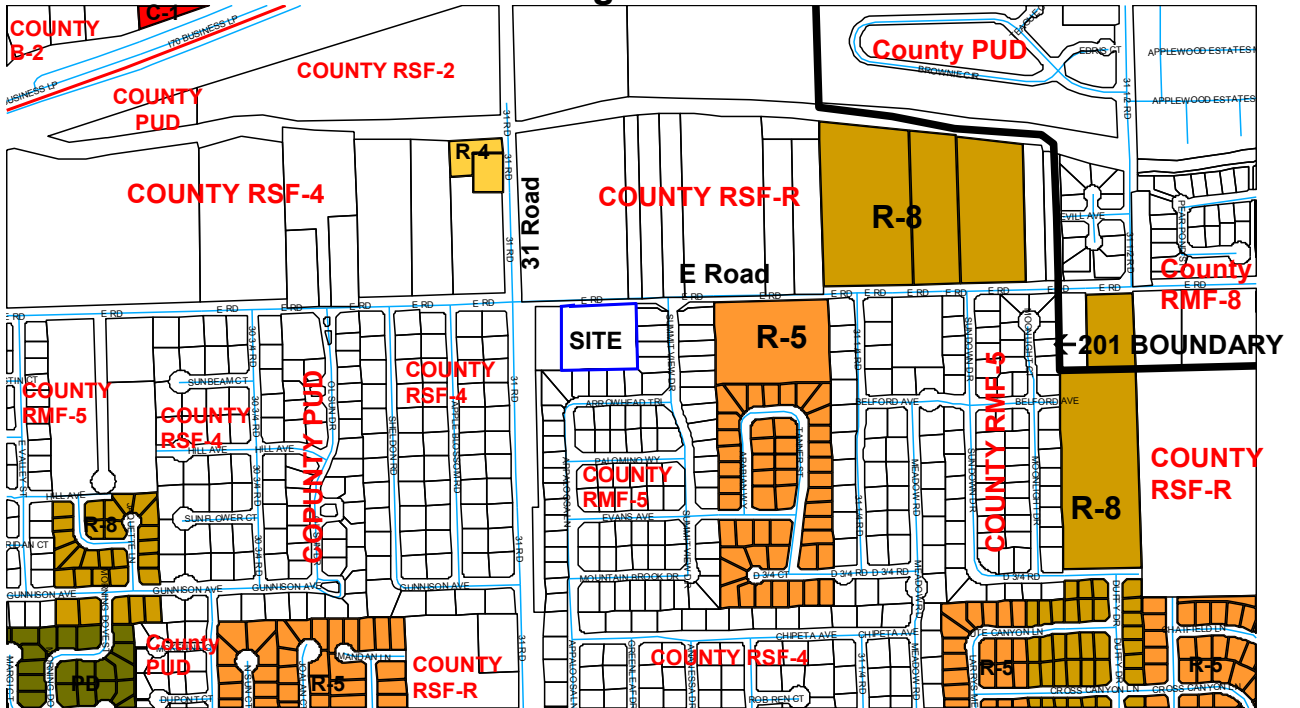
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



Minutes of the August 12, 2008 Planning Commission meeting not yet available.

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. ____

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

LOCATED AT 3109 E ROAD

Recitals:

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Green Leaf Annexation to the R-8 (Residential 8 du/ac) zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

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

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

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

GREEN LEAF ANNEXATION

A parcel of land situated in the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section 15, Township 1 South, Range 1 East of the Ute Meridian being more particularly described as follows:

Beginning at a point which lies East 165.0 feet of the Northwest corner of said Section 15; thence South 0°07' East 302.4 feet; thence East 330.0 feet; thence North 0°07' West 302.4 feet; thence West 330.0 feet to the Point of Beginning.

County of Mesa, State of Colorado

Said parcel contains 2.29 acres (99,792 square feet), more or less, as described.

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

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

ATTEST:

President of the Council

City Clerk

Attach 3
Setting a Hearing on Zoning the Sunshine of Delta Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Zoning the Sunshine of Delta Annexation – Located at 377 and 379 29 Road		
File #	GPA-2008-074		
Meeting Day, Date	Wednesday, September 3, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	August 6, 2008		
Author Name & Title	Greg Moberg – Planning Services Supervisor		
Presenter Name & Title	Greg Moberg – Planning Services Supervisor		

Summary: Request to zone 4.30 acres, located at 377 and 379 29 Road to R-12 (Residential 12 du/ac).

Budget: N/A

Action Requested/Recommendation: Introduction of a proposed Ordinance zoning the property to R-12 (Residential 12 du/ac) and set a public hearing for September 17, 2008.

Attachments:

1. Staff report/Background information
2. 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:		377 29 Road and 379 29 Road		
Applicants:		Owner: John T. Moir –Sunshine of Delta Representative: Paul Johnson - Meadowlark Consulting		
Existing Land Use:		Vacant		
Proposed Land Use:		Residential		
Surrounding Land Use:	North	Vacant/Residential		
	South	Residential		
	East	Agriculture		
	West	Vacant/Agriculture		
Existing Zoning:		RSF-R (Residential Single Family Rural)		
Proposed Zoning:		R-12 (Residential 12 du-ac)		
Surrounding Zoning:	North	C-1 (Light Commercial – approved June 30, 2008)		
	South	County RSF-R (Residential Single Family Rural)		
	East	County RSF-R (Residential Single Family Rural)		
	West	County RSF-R (Residential Single Family Rural) and County PUD.		
Growth Plan Designation:		Residential Medium High (8 -12 du/ac - approved June 30, 2008)		
Zoning within density range?		X	Yes	No

Staff Analysis:

1. Background:

The 4.30 acre Sunshine of Delta Annexation consists of two parcels located at 377 and 379 29 Road. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

The two parcels that are the subject of this request were recently part of a Growth Plan Amendment. The two parcels were originally designated as Residential Medium Low (2-4 du/ac). On June 30, 2008, the City Council approved a Growth Plan Amendment

and annexed the two parcels. The parcels are now designated as Residential Medium High (8 – 12 du/ac).

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

Zone of Annexation: The requested zone of annexation to the R-12 (Residential 12 du-ac) district is consistent with the Growth Plan designation of Residential Medium High (8 – 12 du/ac). The existing County zoning is RSF-R (Residential Single Family Rural 1 du/5 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 R-12 zone district conforms to and furthers the goals and policies of the Growth Plan and the Pear Park Plan as the underlying Future Land Use designation is Residential Medium High. The character of this neighborhood has been and continues to be developing with urban land uses. With such changes occurring there is a greater need to transition from the commercial designated lands to the north and east and the lower density residential designated lands to the south and west. Furthermore, the completion of the 29 Road bridge to Orchard Mesa and the anticipated construction of a bridge over the railroad to North Avenue will transform this stretch of 29 Road into a major traffic corridor.

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

Adequate public facilities are currently available or can be made available and can address the impacts of any development consistent with a Residential Medium High designation. The property is located in the Central Grand Valley Sewer District. There is an 18" sewer line located in the 29 Road and C 3/4 Road right-of-ways. The property is also located in the Ute Water District. There is an 8" water line located in the 29 Road right-of-way and a 10" water line located in the C 3/4 Road right-of-way.

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-8 (Residential 8 du/ac)

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

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Sunshine of Delta application, GPA-2008-074, for a rezone to R-12 (Residential 12 du/ac), I make the following findings of fact and conclusions:

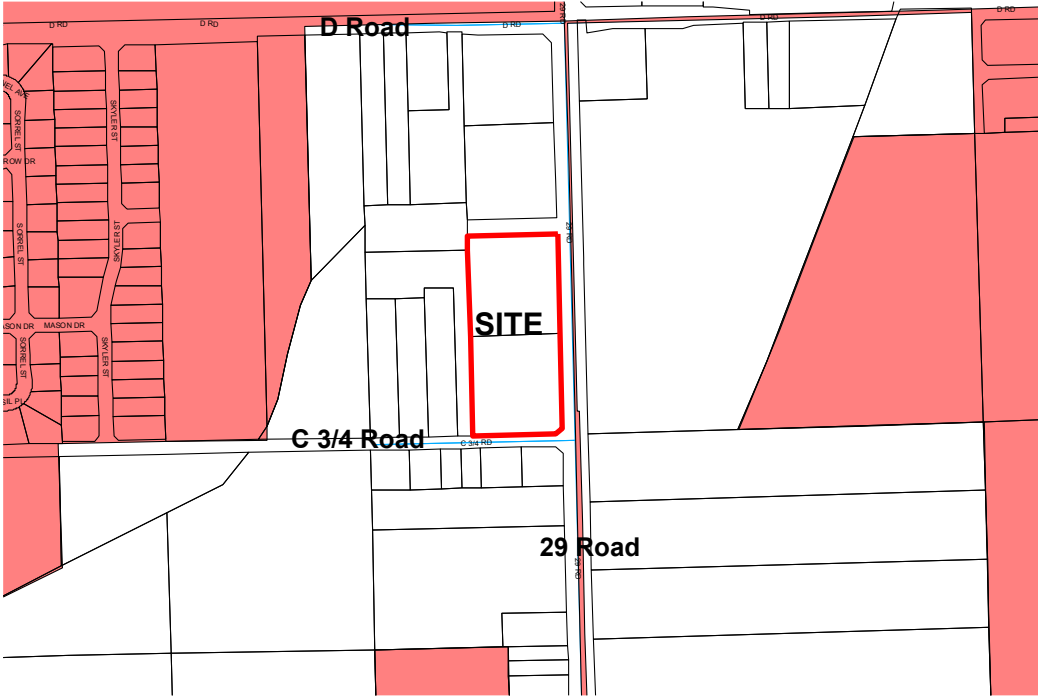
1. The requested R-12 zone is consistent with the goals and policies of the Growth Plan and the Pear Park Plan.
2. The review criteria in Section 2.6.A.3 and 4 of the Zoning and Development Code have all been met.

PLANNING COMMISSION RECOMMENDATION:

At their regularly scheduled meeting of August 12, 2008; the Planning Commission forwards a recommendation of approval to the City Council, for the requested zone to R-12 (Residential 12 du/ac), with the findings and conclusions as listed in the Staff Report.

Site Location Map

Figure 1



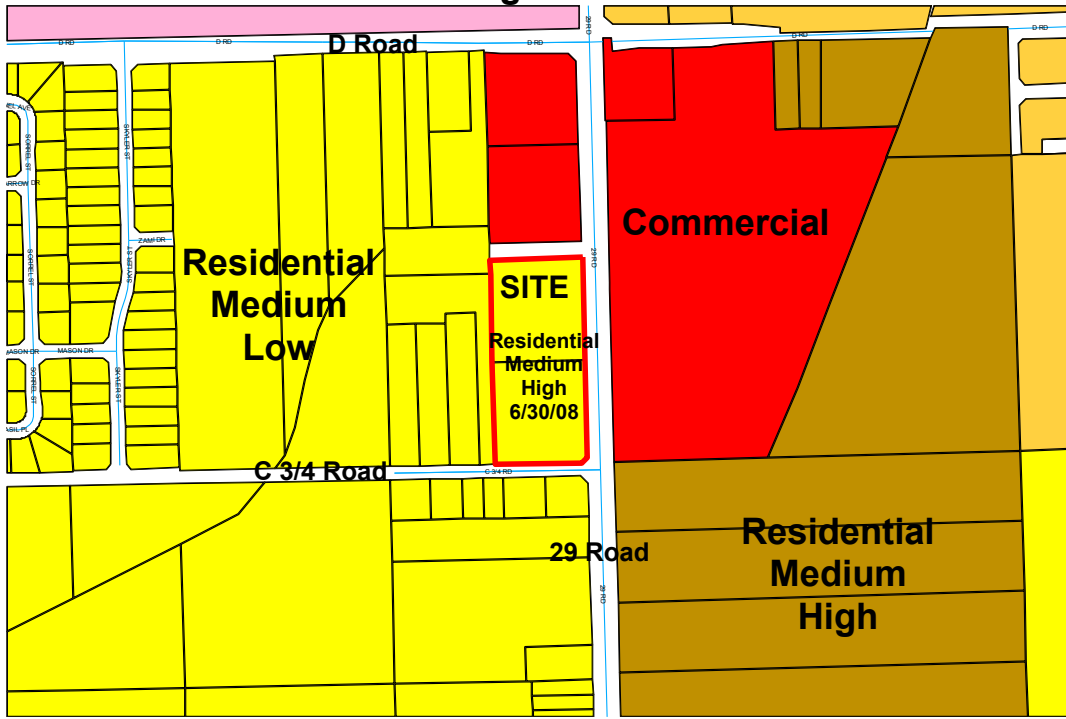
Aerial Photo Map

Figure 2



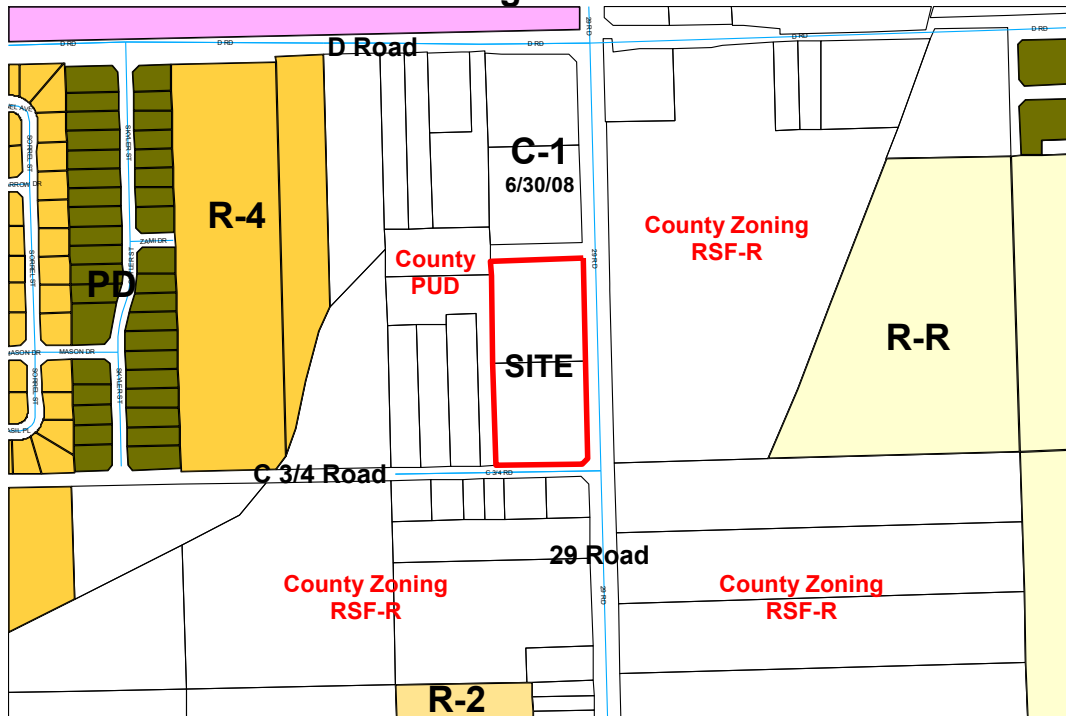
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE SUNSHINE OF DELTA ANNEXATION TO
R-12 (RESIDENTIAL 12 DU/AC)**

LOCATED AT 377 AND 379 29 ROAD

Recitals:

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Sunshine of Delta Annexation to the R-12 (Residential 12 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-12 (Residential 12 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-12 (Residential 12 du/ac).

SUNSHINE OF DELTA ANNEXATION

Beginning at the Northeast corner of Lot 1 of Bevier Subdivision, as same is recorded in Plat Book 2, Page 9, public records of Mesa County, Colorado and assuming the South line of the NE 1/4 NE 1/4 of said Section 19 to bear N89°32'33"W with all bearings contained herein relative thereto; thence N89°32'33"W a distance of 300.59 feet along the North line of Lot 1 said of Bevier Subdivision; thence N00°08'05"E a distance of 683.98 feet along East line of Wallace Minor Subdivision, as same is recorded in Plat Book 13, Page 333, public records of Mesa County, Colorado; thence S89°36'49"E a distance of 330.24 feet along the South line of Sunshine-Moir Annexation, City of Grand Junction to a point on the East line of the NE 1/4 NE 1/4 of said Section 19, said point also being on the Westerly line of Ephemeral Annexation No. 2, Ordinance No. 3298,

City of Grand Junction; thence along the Westerly line of said Ephemeral Annexation No. 2 the following three (3) courses: (1) S00°06'22"W a distance of 580.00 feet along the East line of the NE 1/4 NE 1/4 of said Section 19; (2) S89°53'38"E a distance of 5.00 feet; (3) S00°06'22"W a distance of 104.42 feet along a line being 5.00 feet East and parallel with the East line of the NE 1/4 NE 1/4 of said Section 19; thence N89°32'33"W a distance of 35.00 feet to the Point of Beginning

Said parcel contains 4.30 acres, more or less, as described.

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

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

ATTEST:

President of the Council

City Clerk

Attach 4
Setting a Hearing on Zoning the Martin R and S Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Zoning the Martin R and S Annexation - Located at 2105 H Road		
File #	ANX-2008-205		
Meeting Day, Date	Wednesday, September 3, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	August 20, 2008		
Author Name & Title	Judith Rice, Associate Planner		
Presenter Name & Title	Judith Rice, Associate Planner		

Summary: Request to zone 1.54 acre Martin R and S Annexation, located at 2105 H Road to I-1 (Light Industrial).

Budget: N/A

Action Requested/Recommendation: Introduce a proposed Ordinance and set a public hearing for September 15, 2008.

Attachments:

1. Staff report/Background information
2. 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:		2105 H Road			
Applicants:		Russ O. Martin; Sheila D. Martin; Tracy Moore (Representative)			
Existing Land Use:		Residential			
Proposed Land Use:		Industrial			
Surrounding Land Use:	North	Residential, Single Family			
	South	Industrial			
	East	Industrial			
	West	Commercial			
Existing Zoning:		County RSF-R, Residential Single Family Rural			
Proposed Zoning:		I-1, Light Industrial			
Surrounding Zoning:	North	County RSF-R, Residential Single Family Rural			
	South	City I-1, Light Industrial			
	East	City I-1, Light Industrial			
	West	County Commercial PUD (Fruita Cooperative Planning Area)			
Growth Plan Designation:		Commercial Industrial			
Zoning within density range?		X	Yes		No

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the I-1 (Light Industrial) zone district is consistent with the Growth Plan designation of Commercial Industrial. The existing County zoning is RSF-R (Residential Single Family Rural). Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

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

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

Response: Although properties directly north of the subject property on H Road are zoned County RSF-R and the Future Land Use designation is Rural, the neighboring properties to the east along H Road and to the south along 21 Road and Highway 6 and 50, are currently zoned I-1 (Light Industrial) and the Future Land Use designation for all the vicinity properties between H Road and Highway 6 and 50 and east of 21 Road is Commercial Industrial. Therefore the subject property is compatible with the surrounding properties as well as the future development on the south side of H Road.

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

Response: There are existing 2 inch water lines along 21 Road and H Road. An existing sewer line is approximately 2500 feet to the east on 21 ½ Road and 2500 feet on Highway 6 and 50. The water lines will need to be upgraded and the sewer extended to the property, but the services can be made available for development of the property.

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

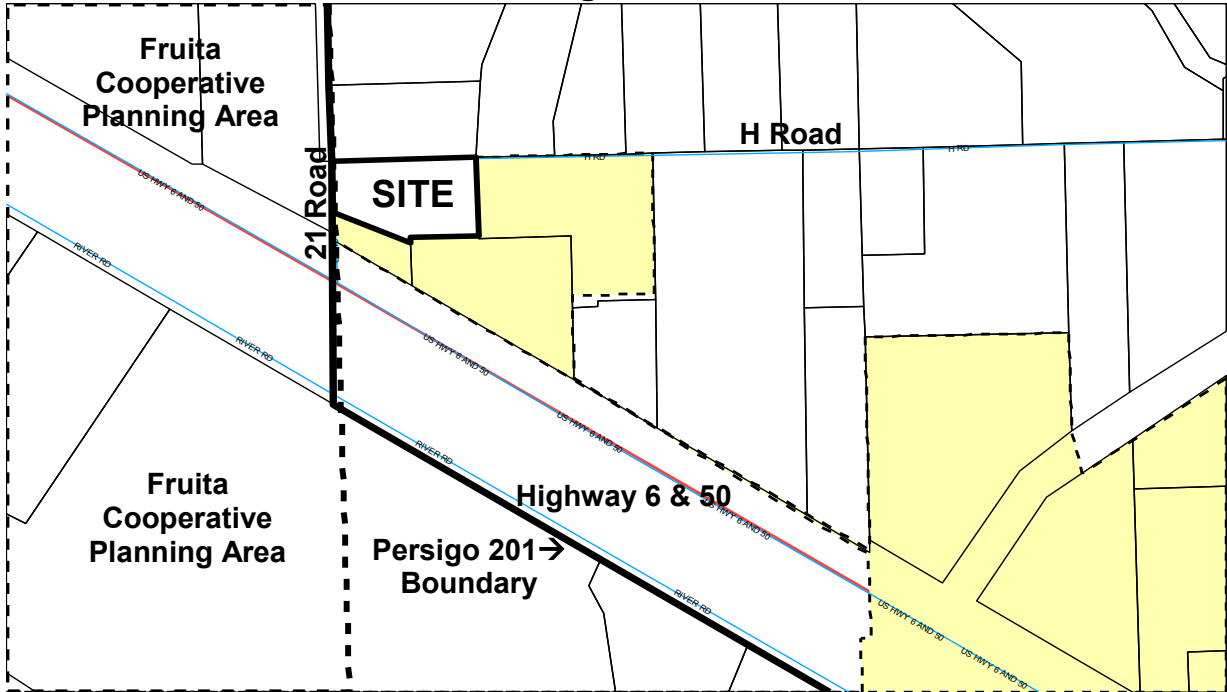
- d. C-2 (General Commercial)
- e. I-O (Industrial/Office Park)

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

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

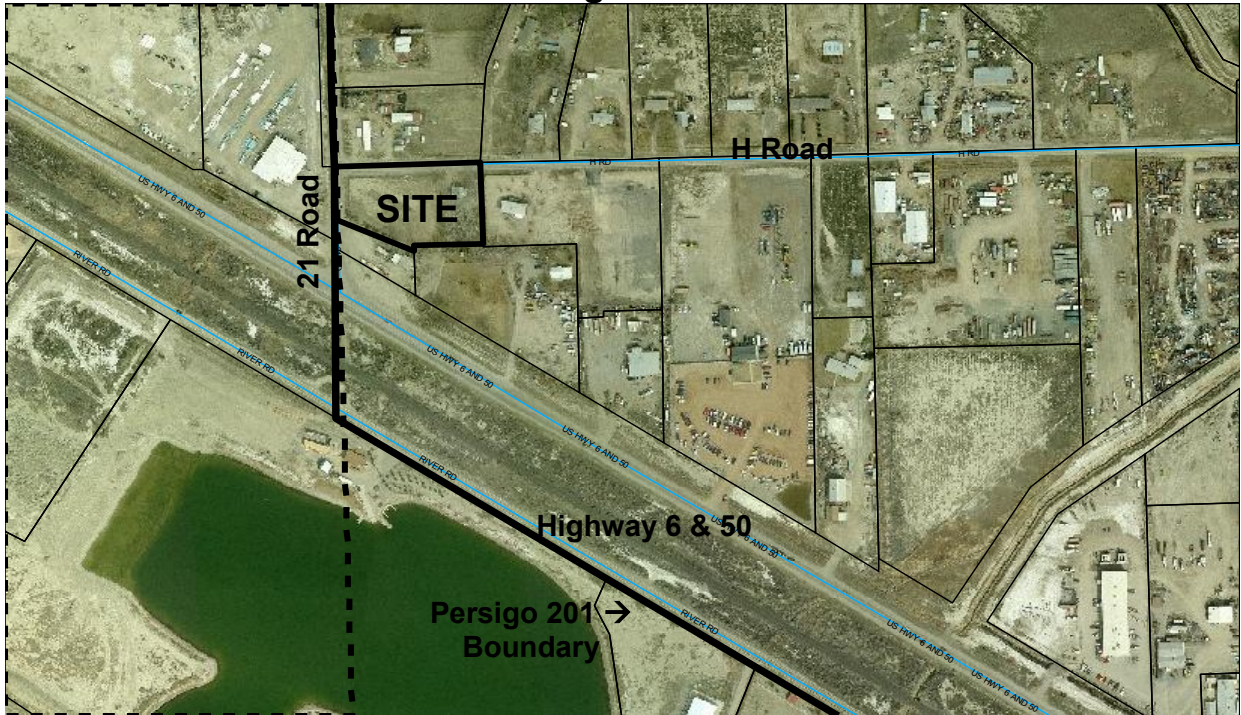
Site Location Map

Figure 1



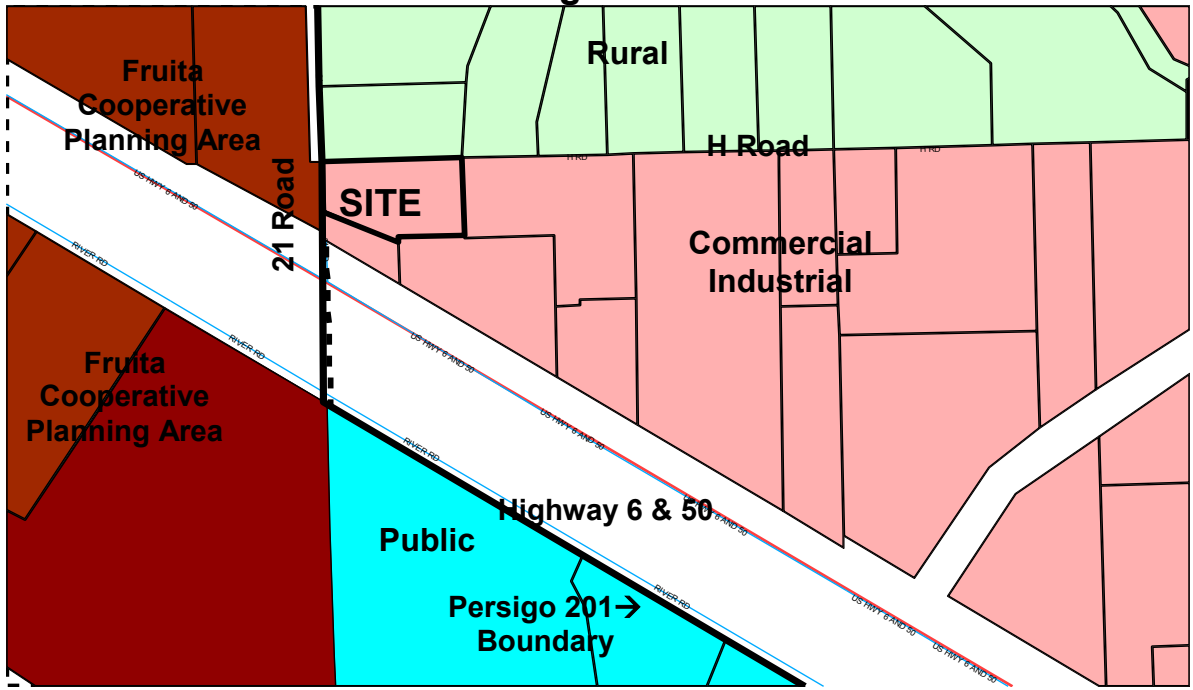
Aerial Photo Map

Figure 2



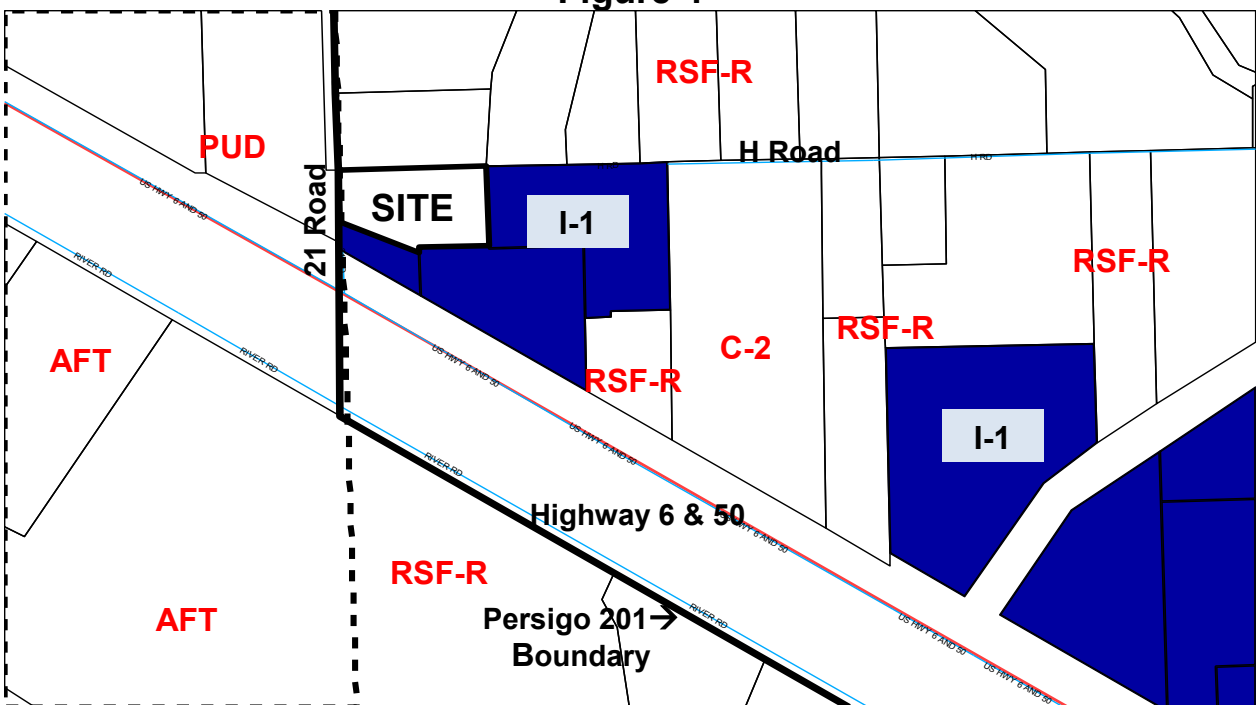
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE MARTIN R AND S ANNEXATION TO
I-1 (LIGHT INDUSTRIAL)**

LOCATED AT 2105 H ROAD

Recitals:

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Martin R and S Annexation to the I-1 (Light Industrial) zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

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

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

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

A certain parcel of land lying in the Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼) of Section 36, Township One North, Range Two West of the Ute Principal Meridian and being more particularly described as follows:

BEGINNING at the Northwest corner of Section 36, Township 1 North, Range 2 West of the Ute Principal Meridian, thence South 0°10' West 100.0 feet, thence South 56°24' East 230.0 feet, thence North 0°10' East 210.28 feet, thence North 89°42' West 363.0 feet to the Point of Beginning, containing 1.54 Acres more or less, except 30 feet for road on West and North sides, Mesa County, Colorado.
Book 1778, Page 467.

CONTAINING 1.54 Acres (67,082.4 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 5
Setting a Hearing on Zoning the Park Mesa Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Zoning the Park Mesa Annexation - Located at the northwest corner of Rosevale Road and Little Park Road		
File #	ANX-2008-065		
Meeting Day, Date	Wednesday, September 3, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	August 27, 2008		
Author Name & Title	Scott D.Peterson, Senior Planner		
Presenter Name & Title	Scott D. Peterson, Senior Planner		

Summary: Request to zone the 13.58 acre Park Mesa Annexation located at the northwest corner of Rosevale Road and Little Park Road in the Redlands to R-1, Residential – 1 unit/acre Zone District.

Budget: N/A.

Action Requested/Recommendation: Introduce a proposed Ordinance and set a public hearing for September 17, 2008.

Attachments:

1. Staff Report / Background Information
2. 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:		Rosevale Road and Little Park Road		
Applicants:		Kenneth N. and Colleen E. Scissors, Owners		
Existing Land Use:		Vacant land		
Proposed Land Use:		Residential subdivision		
Surrounding Land Use:	North	Single-family residential		
	South	Single-family residential		
	East	Vacant land and Single-family residential		
	West	Single-family residential		
Existing Zoning:		RSF-4, Residential Single-Family – 4 units/acre (County)		
Proposed Zoning:		R-1, Residential – 1 unit/acre		
Surrounding Zoning:	North	R-E, Residential – Estate (City) and RSF-4, Residential Single-Family – 4 units/acre (County)		
	South	RSF-4, Residential Single-Family – 4 units/acre (County) and RSF-E, Residential Single-Family – Estate (County)		
	East	RSF-4, Residential Single-Family – 4 units/acre (County) and RSF-E, Residential Single-Family – Estate (County)		
	West	RSF-4, Residential Single-Family – 4 units/acre (County)		
Growth Plan Designation:		Residential Low (1/2 – 2 Ac./DU)		
Zoning within density range?		X	Yes	No

Staff Analysis:

Background:

The 13.58 acre Park Mesa Annexation consists of one parcel of land located at the northwest corner of Rosevale Road and Little Park Road in the Redlands. The property owners, Kenneth and Colleen Scissors, requested annexation into the City in anticipation of future residential development with the property recently being annexed by the City Council at their August 20, 2008 meeting. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment

boundary requires annexation and processing in the City. A Growth Plan Amendment request to Residential Low (1/2 – 2 Ac./DU) for the property was recently approved by the City Council at their July 16, 2008 meeting. The applicants are now requesting that the property be zoned in accordance with the approved Growth Plan designation.

Under the 1998 Persigo Agreement with Mesa County, the City shall zone newly annexed areas with a zone that is either identical to current County zoning or conforms to the City's Growth Plan Future Land Use Map. The proposed zoning of R-1, Residential – 1 unit/acre conforms to the Future Land Use Map, which has designated the property as Residential Low (1/2 – 2 Ac./DU).

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

Zone of Annexation: The requested zone of annexation to the R-1, Residential – 1 unit/acre zoning district is consistent with the Growth Plan designation of Residential Low (1/2 – 2 Ac./DU). The existing County zoning is RSF-4, Residential Single-Family – 4 units/acre. 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-1 zone district is compatible with the neighborhood and will not create adverse impacts as this existing property is adjacent to current single-family residential development of both large and small size properties (See Future Land Use Map). The existing, smaller parcels of land in the area (less than 2 acres in size), indicate that this property would be appropriate for residential development at a greater intensity than a current option under the Residential Low category which would be the R-E, Residential - Estate zoning district, which requires 2 acre minimum lot sizes. As Project Manager, I feel the third option under the Residential Low category, the R-2, Residential – 2 units/acre zoning district should not be considered due to topographic constraints of the property and lack of available sewer services currently in the area. The minimum acreage allowed to have a septic system is half an acre in size.

This area is in the Urban Growth Boundary which promotes areas of development that have or will have adequate public facilities. The Redlands

Area Plan also supports high quality residential development in terms of site planning and architectural design.

In 1998, two years after adoption of the Growth Plan, the City and Mesa County entered into an Intergovernmental Agreement known as the Persigo Agreement. Section C, Implementation – Zoning – Master Plan, item #11 from this Agreement states that *the parties agree that any property within the 201 should eventually develop at an urban level of density. For this agreement, residential lot sizes of two acres gross or larger are deemed to not be “urban” while smaller parcel or lot sizes are deemed to be “urban.”* This intention is reaffirmed in the Redlands Area Plan (Page 32).

Therefore, the Planning Commission felt that the proposed R-1 zoning district most appropriately reflects the terms of the 1998 Persigo Agreement.

- **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 and services are available or will be available in the future. Existing and proposed infrastructure facilities, right-of-way access and water availability are adequate to serve the proposed residential development. The property owners received a sewer variance in August 2005 from the Joint Persigo Board waiving the requirement of immediate sewer connection, but requiring the installation of dry lines for future sewer connection together with execution of a Power of Attorney guaranteeing participation of any and all future lots on the property in a local improvement district, if and when such a district is formed. Septic systems will be allowed in the meantime.

It is reasonable to request the R-1 designation in order to take advantage of this public infrastructure and to develop the property at a density that would correspond with the existing topography of the property and the adjacent residential development in the area in accordance with the Growth Plan and the Redlands Area Plan.

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

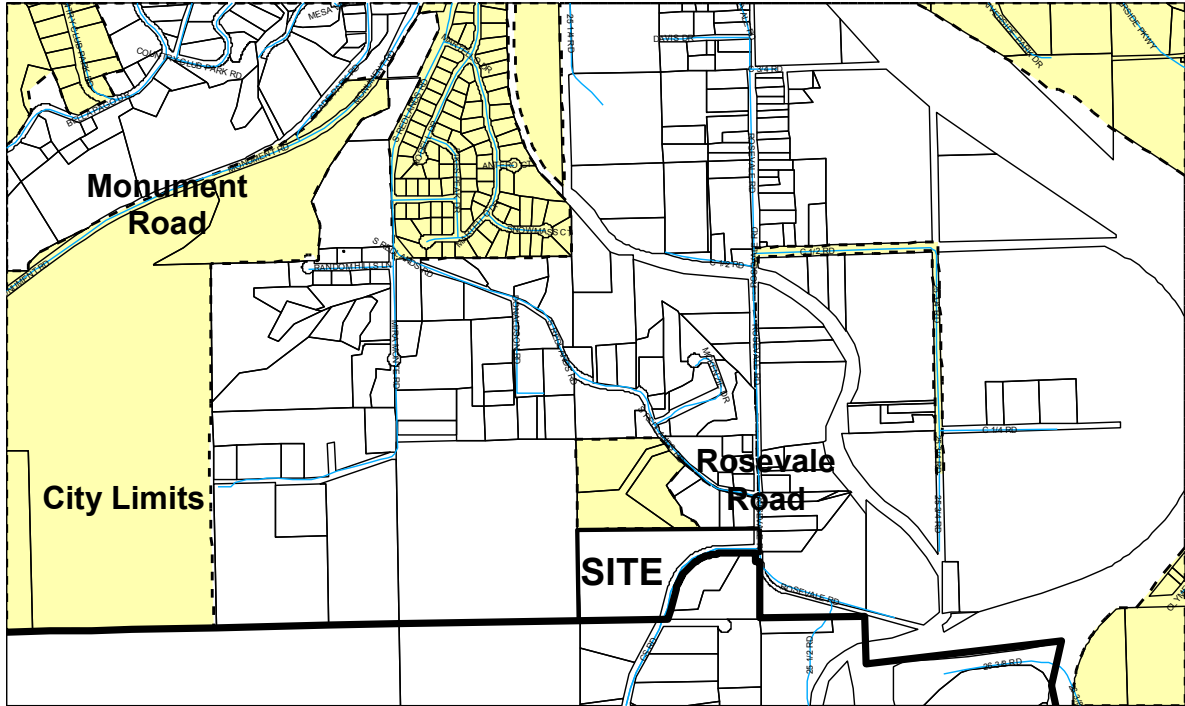
- f. R-E, Residential - Estate
- g. R-2, Residential – 2 units/acre

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

PLANNING COMMISSION RECOMMENDATION: At its August 26, 2008 meeting, the Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the R-1, Residential – 1 unit/acre Zone District to be consistent with the Growth Plan and Sections 2.6 and 2.14 of the Zoning and Development Code.

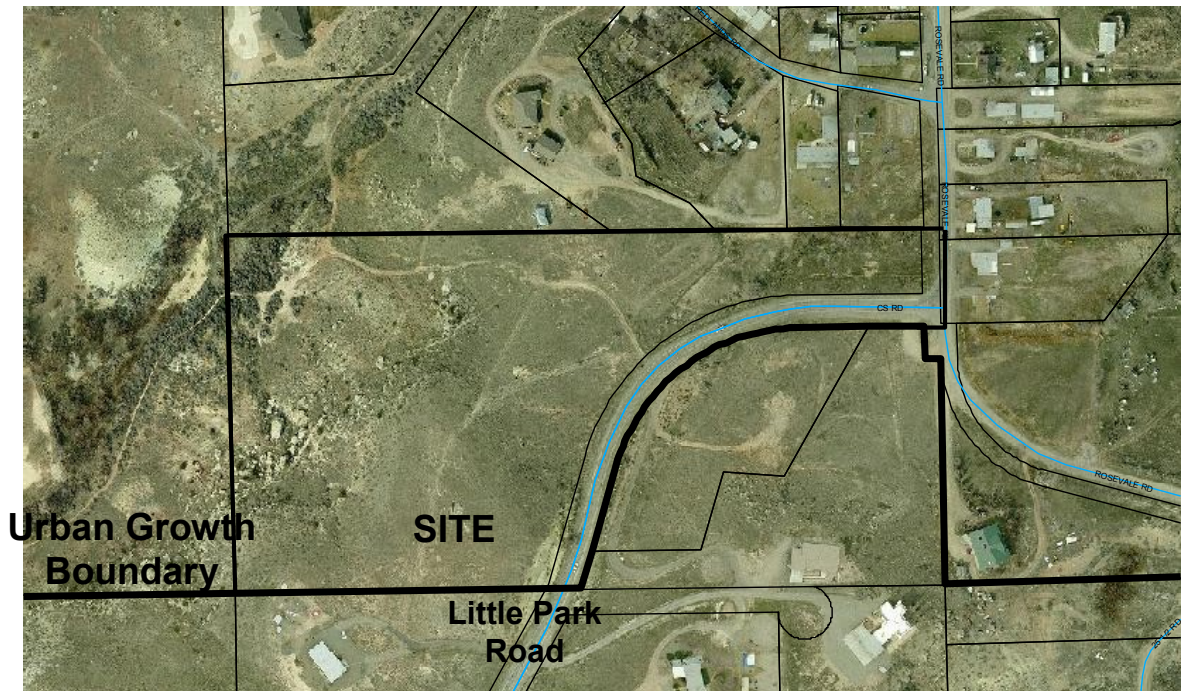
Site Location Map

Figure 1



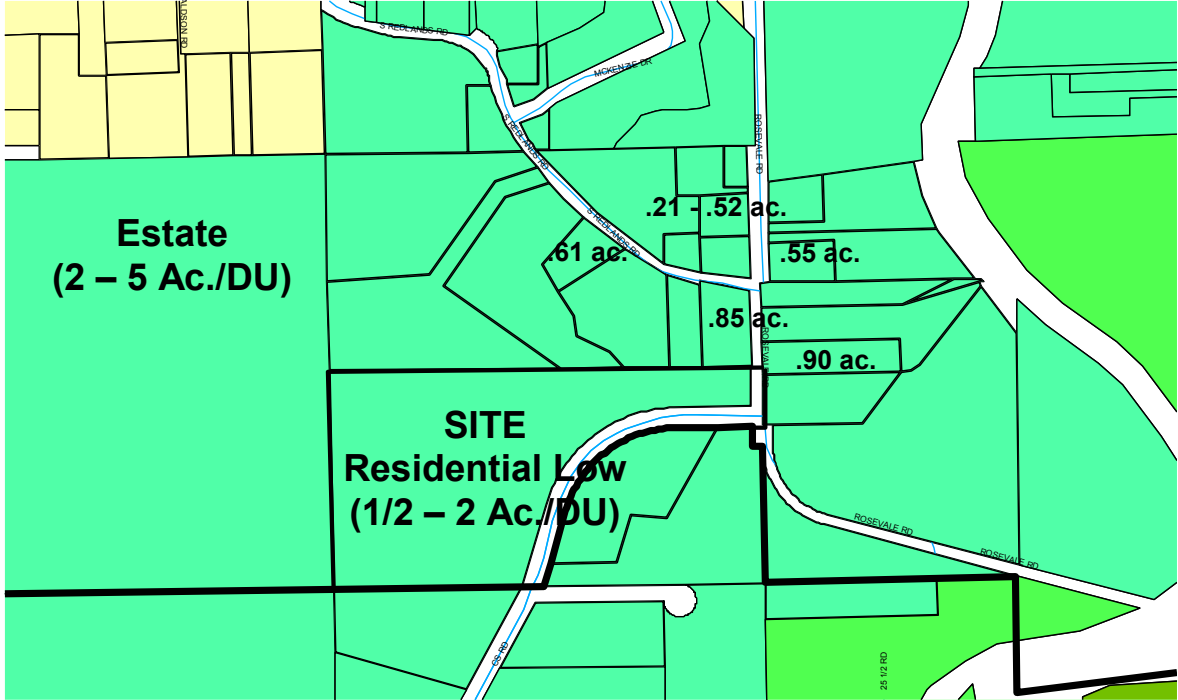
Aerial Photo Map

Figure 2



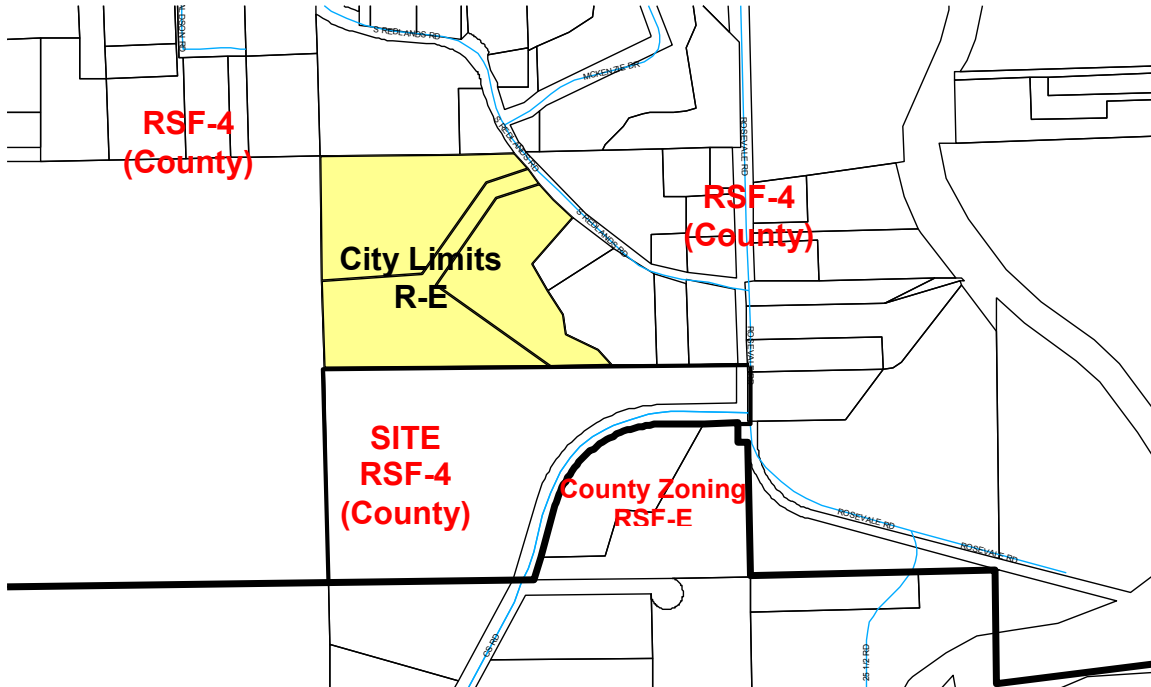
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



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

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE PARK MESA ANNEXATION
TO R-1, RESIDENTIAL – 1 UNIT/ACRE**

**LOCATED AT THE NORTHWEST CORNER OF ROSEVALE ROAD
AND LITTLE PARK 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 Park Mesa Annexation to the R-1, Residential – 1 unit/acre Zone District finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the R-1, Residential – 1 unit/acre Zone District is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

The following property be zoned R-1, Residential – 1 unit/acre.

PARK MESA ANNEXATION

PERIMETER BOUNDARY LEGAL DESCRIPTION

A certain parcel of land located in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 22, Township One South, Range One West 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 SW 1/4 of said Section 22 and assuming the West line of the SE 1/4 SW 1/4 of said Section 22 to bear N00°22'37"E with all bearings contained herein relative thereto; thence N00°22'37"E a distance of 659.59 feet to the Southwest corner of Leah Marie's Minor Subdivision, as same is recorded in Plat Book 17, Page 286, public records of Mesa County, Colorado, said

point also being the Southwest corner of Hill Annexation, Ordinance No. 3215, City of Grand Junction; thence S89°15'28"E a distance of 1310.69 feet along the south line of said Leah Marie's Minor Subdivision, said line also being the South line of said Hill Annexation to a point on the East line of Right of Way, as same as recorded in Book 2678, Page 597 of the Mesa County, Colorado public records; thence S00°25'56"W a distance of 182.17 feet along the East line of said Right of Way; thence along the Southeasterly line of Right of Way for Little Park Road, as same as recorded in Book 906, Page 193 of the Mesa County, Colorado public records the following three (3) courses: (1) N89°34'44"W a distance of 266.89 feet; (2) 445.50 feet along the arc of a 352.00 foot radius curve, concave Southeast, having a central angle of 72°30'57" and a chord bearing S54°09'46"W a distance of 416.36 feet; (3) S17°54'16"W a distance of 238.32 feet to a point on the South line of the SE 1/4 SW 1/4 of said Section 22; thence N89°15'53"W a distance of 635.91 feet along the South line of the SE 1/4 SW 1/4 of said Section 22, said line also being the North line of Bonnie Brae Subdivision, as same is recorded in Plat Book 10, Page 12, public records of Mesa County, Colorado to the Point of Beginning

Said parcel contains 13.58 acres (591,461.89 sq. ft.), more or less, as described.

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

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

ATTEST:

President of the Council

City Clerk

Attach 6
Setting a Hearing on Zoning the Panorama Point Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Zoning the Panorama Point Annexation - Located at 2122 and 2123 Sequoia Court		
File #	ANX-2008-176		
Meeting Day, Date	Wednesday, September 3, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	August 20, 2008		
Author Name & Title	Senta L. Costello – Senior Planner		
Presenter Name & Title	Senta L. Costello – Senior Planner		

Summary: Request to zone the 11.85 acre Panorama Point Annexation, located at 2122 and 2123 Sequoia Court, to CSR (Community Services and Recreation).

Budget: N/A

Action Requested/Recommendation: Introduce a proposed Ordinance and set a public hearing for September 15, 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:		2122 and 2123 Sequoia Court	
Applicants:		Owner: GN, LLC – Michael Queally	
Existing Land Use:		Vacant	
Proposed Land Use:		2 Single Family Lots	
Surrounding Land Use:	North	Colorado River	
	South	Single Family Residential	
	East	Single Family Residential	
	West	Single Family Residential	
Existing Zoning:		County RSF-4 (Residential Single Family 4 du/ac)	
Proposed Zoning:		City CSR (Community Services and Recreation)	
Surrounding Zoning:	North	County RSF-R (Residential Single Family Rural 1 du/ 5 ac)	
	South	County RSF-4 (Residential Single Family 4 du/ac)	
	East	County RSF-4 (Residential Single Family 4 du/ac)	
	West	County RSF-4 (Residential Single Family 4 du/ac)	
Growth Plan Designation:		Conservation	
Zoning within density range?	X	Yes	No

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the CSR (Community Services and Recreation) zone district is consistent with the Growth Plan designation of Conservation. The existing County zoning is RSF-4 (Residential Single Family 4 du/ac). Section 2.14 of the Zoning and Development Code, states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

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

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

Response: The CSR zone district conforms to and furthers the goals and policies of the Growth Plan by protecting and maintaining riverfront land while still allowing for minimal residential development. The proposed CSR zone district is compatible with the surrounding neighborhood which is made up of a mix of properties that range from 1/4 acre to 23 acres with most in the 1-3 acre range.

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

Response: A 4" Ute Water line exists in Canyon Wren Court and an 8" line within Wild Rose Way. An 8" sewer line runs through the property from Canyon Wren Court and connects to a lift station in the western corner of the property.

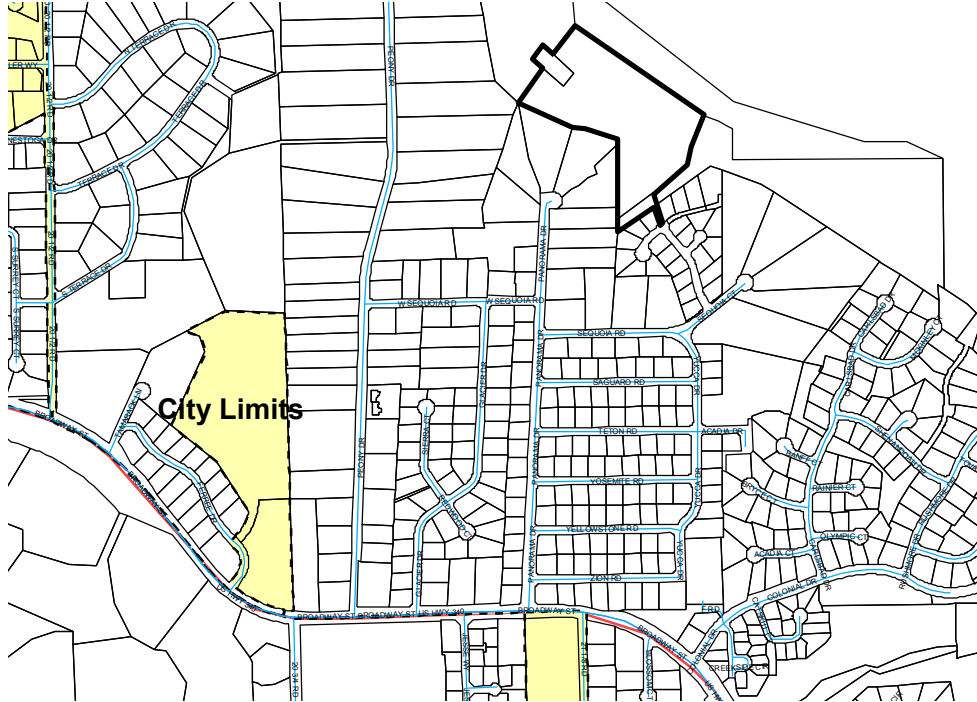
Alternatives: In addition to the zoning that the petitioner has requested, the following zone district would also be consistent with the Growth Plan designation for the subject property.

- h. There are no alternative zone districts for the Conservation Future Land Use designation.

PLANNING COMMISSION RECOMMENDATION: At its August 26, 2008 meeting, the Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the CSR district to be consistent with the Growth Plan and Sections 2.6 and 2.14 of the Zoning and Development Code.

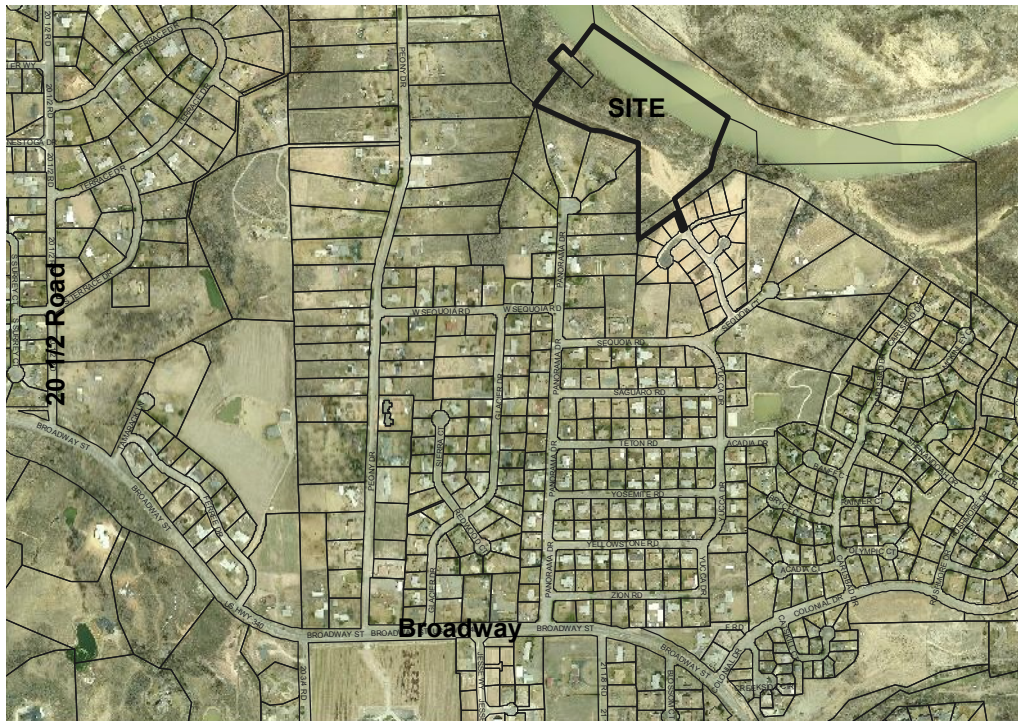
Annexation-Site Location Map

Figure 1



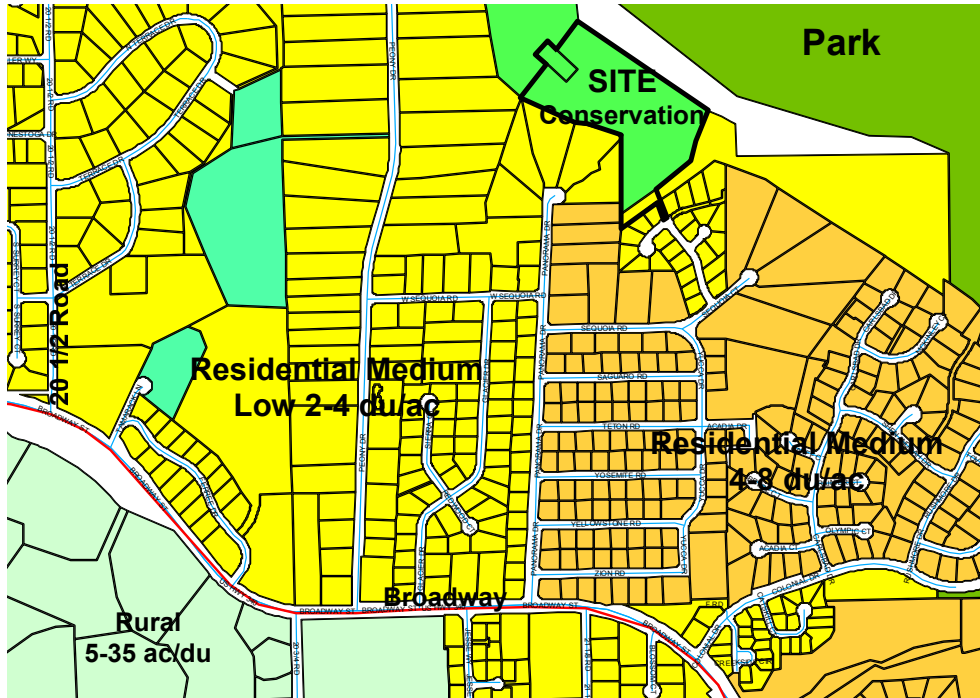
Aerial Photo Map

Figure 2



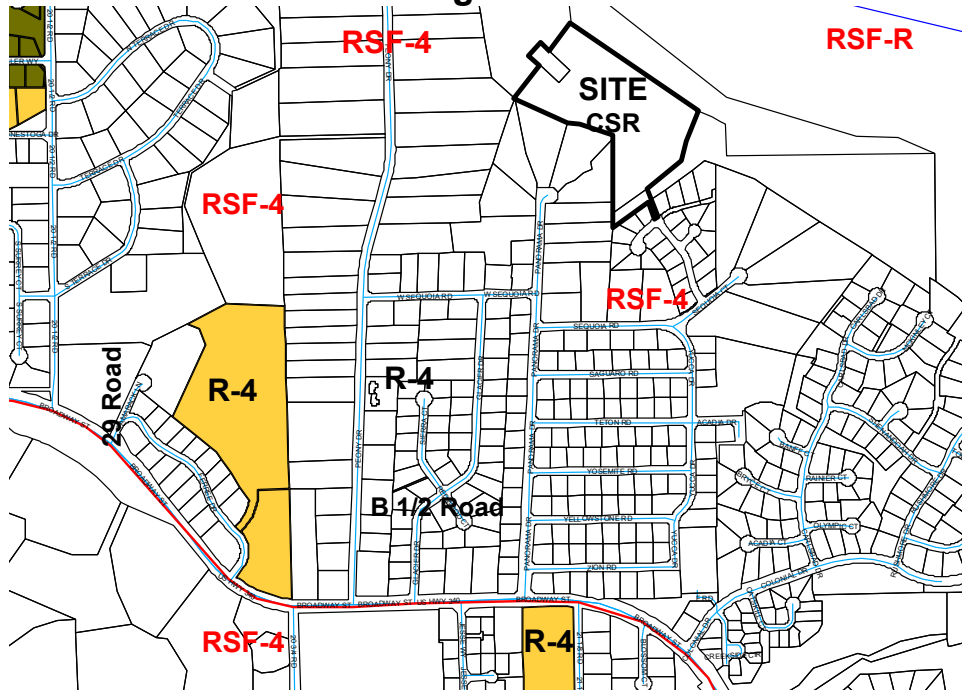
Future Land Use Map

Figure 3



Existing City Zoning Map

Figure 4



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

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE PANORAMA POINT ANNEXATION
TO CSR (COMMUNITY SERVICES AND RECREATION)**

LOCATED AT 2122 AND 2123 SEQUOIA COURT

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 Panorama Point Annexation to the CSR (Community Services and Recreation) 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 CSR (Community Services and Recreation) 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 CSR (Community Services and Recreation).

PANORAMA POINT ANNEXATION

A parcel of land situate in the SW 1/4 NW 1/4 and NW 1/4 SW 1/4 of Section 14, Township 11 South, Range 101 West of the 6th Principal Meridian, Mesa County, Colorado, being more particularly described as follows:

Commencing at the W 1/4 corner of said Section 14, being a found G.L.O. monument, the basis of bearing being S88°55'32"E to a found #5 rebar with a 2" aluminum cap stamped LS 18480; thence N01°55'33"W a distance of 348.41 feet, being on the easterly boundary of Panorama Subdivision Filing 7, to the point of beginning; thence N38°00'00"E a distance of 254.24 feet to the southerly boundary of a parcel described in Book 1016 at Page 576; thence along the boundary of said parcel the following 3 courses:

- 1.) N45°37'09"W a distance of 82.81 feet;
- 2.) N44°22'51"E a distance of 100.00 feet;
- 3.) S45°37'09"E a distance of 71.63 feet; thence N38°00'00"E a distance of 214 feet more or less to the centerline of the Colorado River; thence southeasterly along the centerline of said Colorado River to a point; thence S22°53'00"W a distance of 192 feet more or less along the westerly boundary of Panorama Terraces to said found #5 rebar, said rebar falls N86°05'00"E a distance of 1010.47 feet from said W 1/4 corner; thence along the boundary of said subdivision the following 3 courses;
 - 1.) S15°43'03"W a distance of 117.64 feet;
 - 2.) S51°08'11"W a distance of 260.76 feet;
 - 3.) S56°28'41"W a distance of 257.47 feet to the easterly boundary of the replat of Lots 10 -12, Panorama Subdivision Filing No. 2; thence along the boundary of said subdivision the following 3 courses;
 - 1.) N02°04'12"E a distance of 339.55 feet;
 - 2.) N02°04'12"E a distance of 127.58 feet;
 - 3.) N72°00'14"W a distance of 208.40 feet;
 - 4.) N80°54'14"W a distance of 74.22 feet;
 - 5.) N63°48'07"W a distance of 351.78 feet to the point of beginning.

AND

Tract E, Panorama Terraces as recorded in Book 4541 Page 953-955
All of said lands containing 12.26 acres more or less.

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 Krogh Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Zoning the Krogh Annexation - Located at 2932 B 1/2 Road		
File #	ANX-2008-164		
Meeting Day, Date	Wednesday, September 3, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	August 20, 2008		
Author Name & Title	Senta L. Costello, Senior Planner		
Presenter Name & Title	Senta L. Costello, Senior Planner		

Summary: Request to zone the 9.34 acre Krogh Annexation, located at 2932 B 1/2 Road, to R-4 (Residential 4 du/ac).

Budget: N/A

Action Requested/Recommendation: Introduce a proposed Ordinance and set a public hearing for September 15, 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:		2932 B 1/2 Road	
Applicants:		Owners: David R Krogh; James Walter Krogh Representative: Meadowlark Consulting, LLC – Paul Johnson	
Existing Land Use:		Single Family Home/Agriculture	
Proposed Land Use:		Single Family Residential Development	
Surrounding Land Use:	North	Single Family Residential	
	South	Single Family Residential	
	East	Single Family Home/Agriculture	
	West	Single Family Home/Agriculture	
Existing Zoning:		County RSF-R (Residential Single Family Rural 1 du/ 5 ac)	
Proposed Zoning:		City R-4 (Residential 4 du/ac)	
Surrounding Zoning:	North	City R-4 (Residential 4 du/ac)	
	South	County RSF-R (Residential Single Family Rural 1 du/ 5 ac) / City R-4 (Residential 4 du/ac)	
	East	County RSF-R (Residential Single Family Rural 1 du/ 5 ac)	
	West	City R-4 (Residential 4 du/ac)	
Growth Plan Designation:		Residential Medium Low 2-4 du/ac	
Zoning within density range?	X	Yes	No

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the R-4 (Residential 4 du/ac) zone district is consistent with the Growth Plan designation of Residential Medium Low 2-4 du/ac. The existing County zoning is RSF-R (Residential Single Family 1 du/5 ac). Section 2.14 of the Zoning and Development Code, states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

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

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

Response: The propose R-4 zone district is compatible with the neighborhood. The surrounding properties are either large agricultural properties with further development potential or residential neighborhoods zoned and developed at R-4 densities. The R-4 zone district implements the Residential Medium Low 2-4 du/ac land use category of the Future Land Use Map and Growth Plan.

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

Response: There is an existing sewer line in B 1/2 Road that varies from 8" to 12" available for sewer service. Ute water has 2 water lines in B 1/2 Road, one 2" and one 12" available to provide domestic water.

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.

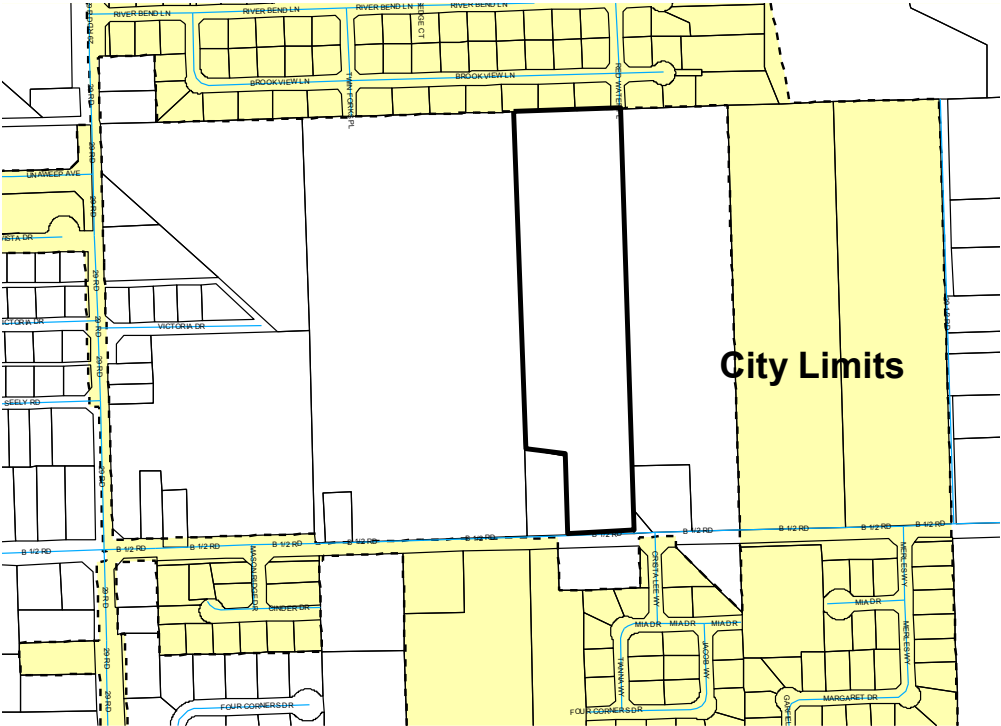
i. R-2

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

PLANNING COMMISSION RECOMMENDATION: At its August 26, 2008 meeting, the Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the R-4 district to be consistent with the Growth Plan and Sections 2.6 and 2.14 of the Zoning and Development Code.

Annexation-Site Location Map

Figure 1



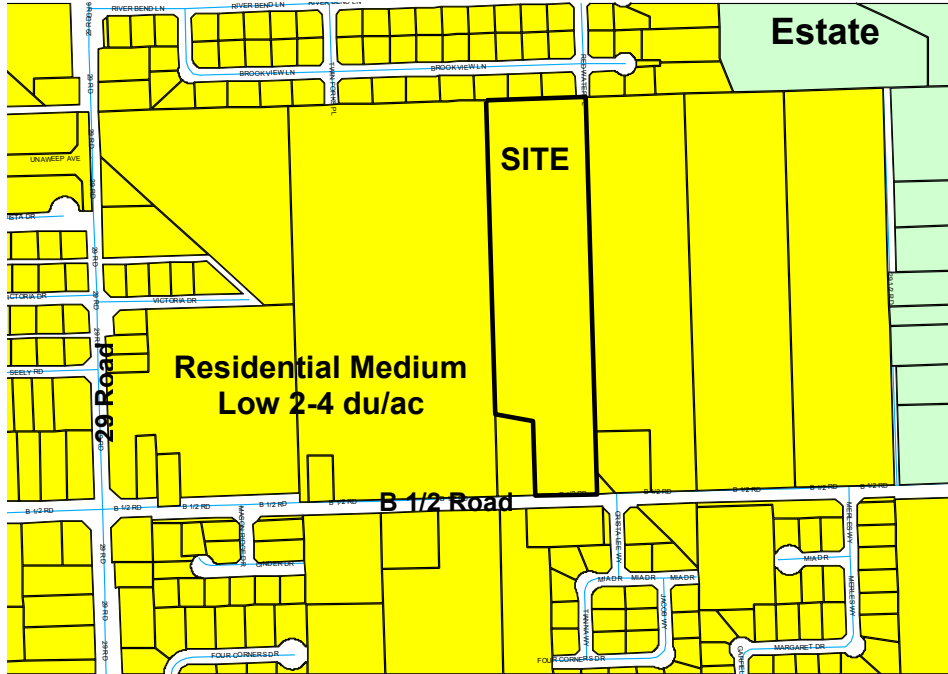
Aerial Photo Map

Figure 2



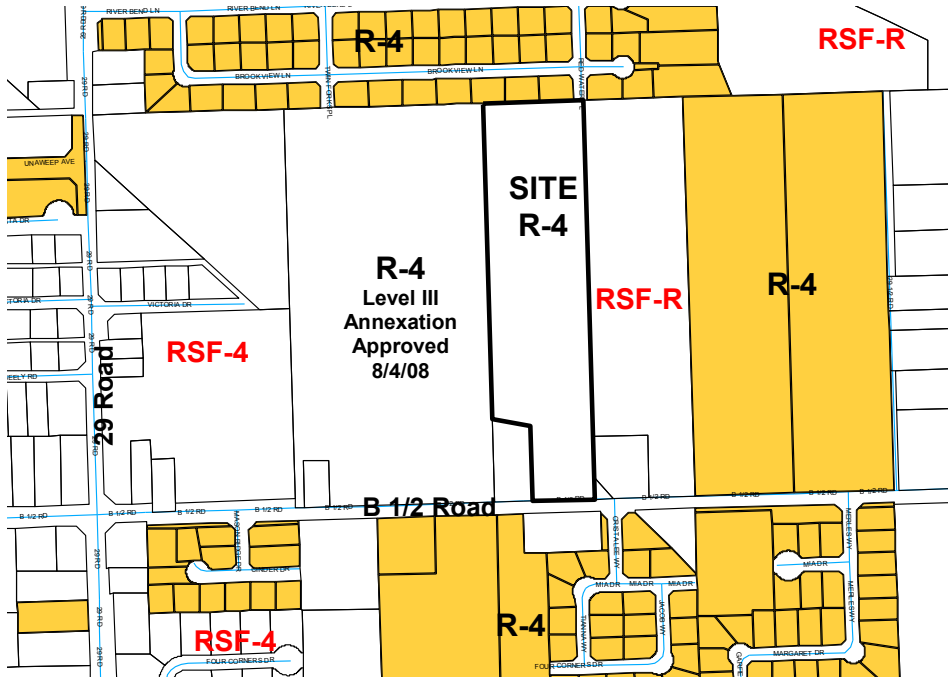
Future Land Use Map

Figure 3



Existing City Zoning Map

Figure 4



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

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

LOCATED AT 2932 B 1/2 ROAD

Recitals:

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Krogh 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).

KROGH ANNEXATION

A certain parcel of land lying in the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of Section 29, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

The West Quarter (W 1/4) of the SE 1/4 NW 1/4 of said Section 29, LESS HOWEVER, that certain parcel of land described in Book 2276, Page 316 (Parcel 2943-292-00-019), public records of Mesa County, Colorado.

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
Setting a Hearing and Reconsideration of Zoning for the Brady South Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Brady South Zone of Annexation - Located at 347 and 348 27 ½ Road and 2757 C ½ Road		
File #	GPA-2007-051		
Meeting Day, Date	Wednesday, September 3, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	August 28, 2008		
Author Name & Title	Kristen Ashbeck, Senior Planner		
Presenter Name & Title	Kristen Ashbeck, Senior Planner		

Summary: 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).

Budget: NA

Action Requested/Recommendation: First reading of proposed Zone of Annexation Ordinance and set a hearing for September 17, 2008.

Background: 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. City Council heard this item at its June 16, 2008 meeting and, upon a tie vote, requested that the item be considered again at a later date. Staff is continuing to work with the applicant towards a resolution of a proposed zone district that will be presented at the September 17, 2008 hearing.

The attached proposed ordinance is for purposes of advertising the first reading. The ordinance reflects Planning Commission's recommendation for zoning the three parcels but it may be revised prior to the public hearing if agreement is reached on a different proposal.

Attachment:

- 1) Proposed Zoning Ordinance

ORDINANCE NO.

**AN 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

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 Brady South Annexation to the Industrial/Office Park (I-O) zone district finding that it conforms with the 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 Industrial/Office Park (I-O) zone district is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

The following properties be zoned Industrial/Office Park (I-O).

BRADY SOUTH ANNEXATION

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

BEGINNING at the Northwest corner of that certain parcel of land described in Book 4172, Page 725, Public Records of Mesa County, Colorado, and assuming the North line of the NE 1/4 SW 1/4 bears N89°57'02"E with all other bearings contained herein being relative thereto; thence N89°57'02"E along said North line a distance of 664.62 feet to the Northeast corner of said NE 1/4 SW 1/4; thence along the North line of the NW 1/4 SE 1/4 of said Section 24 and along the South line of the Elite Towing Annexation No. 1, City of Grand Junction, Ordinance Number 3101 the following 3 courses: (1) S89°46'25"E a distance of 367.65 feet; (2) S00°08'41"W a distance of 30.00 feet; (3) S89°46'25"E a distance of 335.33 feet to the Northeast corner of said parcel; thence S33°59'39"W along the East line of said parcel a distance of 457.37 feet;

thence along the South line of said parcel the following 2 courses: (1) N55°57'21"W a distance of 97.06 feet; (2) S00°08'40"W a distance of 47.47 feet to a point on the North Bank of the Colorado River; thence meandering Westerly along said North Bank to a point on the West line of said parcel; thence N00°06'10"W along said West line a distance of 534.28 feet, more or less, to the Point of Beginning.

Said parcel contains 12.62 acres (549,691 square feet), more or less, as described.

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

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

ATTEST:

President of the Council

City Clerk

Attach 9
Revocable Permit for an Existing Driveway in Dedicated Right-of-Way
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Gehl Revocable Permit - Located at 781 S. Sedona Court		
File #	RVP-2008-026		
Meeting Day, Date	Wednesday, September 3, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	August 18, 2008		
Author Name & Title	Ronnie Edwards, Associate Planner		
Presenter Name & Title	Ronnie Edwards, Associate Planner		

Summary: Request for a Revocable Permit to allow an existing driveway to remain in dedicated right-of-way in Amber Way.

Budget: N/A

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

Attachments:

1. Staff report/Background information
2. Site Location Map / Aerial Photo Map
3. Future Land Use Map / Existing City and County Zoning Map
4. Resolution
5. Revocable Permit
6. Agreement
7. Exhibit Map

Background Information: Please see attached Staff report.

BACKGROUND INFORMATION					
Location:		781 South Sedona Court			
Applicant:		Randy and Natalie Gehl			
Existing Land Use:		Residential Single Family			
Proposed Land Use:		Residential Single Family			
Surrounding Land Use:	North	Residential Single Family			
	South	Residential Single Family			
	East	Residential Single Family			
	West	Residential Single Family			
Existing Zoning:		PD (Planned Development)			
Proposed Zoning:		PD (Planned Development)			
Surrounding Zoning:	North	PD (Planned Development)			
	South	PD (Planned Development)			
	East	PD (Planned Development)			
	West	R-4 (Residential, 4 du/ac)			
Growth Plan Designation:		Residential Medium (4-8 du/ac)			
Zoning within density range?		X	Yes		No

Staff Analysis:

1. Background

The property is part of the Sedona Subdivision Filing #2 approved in July of 1993 and was part of the Alpine Meadows Annexation approved by the City of Grand Junction in February of 1992. With the development of the subdivision, 44' of right-of-way was dedicated to the City of Grand Junction for the construction of Amber Way. Amber Way was only constructed to the intersection with Sedona Court and the remaining stub street to connect to the adjacent property to the west was not completed.

The property was bought in July of 1993 and the previous owner built a single family residence per a planning clearance issued by the Planning Department in November of 1993. The site plan provided had shown the residence 14' from the property line. The

recorded plat has a note concerning corner lots stating that one side yard could be equivalent to the 14' multi-purpose easement width. The original site plan for the residence had the driveway entirely within the property lines and not encroaching on the right-of-way. However, the driveway was constructed 12.42 feet into the right-of-way of Amber Way. It is not the policy of the City to perform site checks on residential construction, which is why City Planning did not know about the encroachment at the time of construction.

The current property owners are requesting a revocable permit for this area to continue using their driveway as it exists until such time that Amber Way is constructed, at which time it will be the responsibility of the developer and/or the property owners to remove that portion of the driveway within the right-of-way.

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

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

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

The public benefit is to allow the existing driveway and surrounding area to remain in its present location, as the current property owners are responsible for maintenance. The area will become the responsibility of the City once Amber Way is constructed upon future development of adjacent property.

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

Currently the driveway and landscaping exist in the Amber Way right-of-way. The applicants are meeting a community need by maintaining the subject area and are not impacting the surrounding neighborhood.

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

The current driveway was constructed with the residence in 1993 and has not been an issue with the neighborhood. The current use has not caused any adverse impact on the neighborhood and no other uses are being proposed for the subject area.

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

The proposed use is compatible with adjacent residential uses and has been in existence for 15 years.

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

The proposed use will not negatively impact adjacent accesses, traffic circulation or neighborhood character. This is the current existing access for this property.

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

The request is in conformance with the goals, objectives and policies of the Growth Plan and the intents and requirements of this Code and other City policies.

Policy 9.2 states the City will encourage neighborhood designs which promote neighborhood stability and security.

Policy 10.2 states the City will consider the needs of the community at large and the needs of individual neighborhoods when making development designs.

As previously stated, the current driveway is the existing access being utilized for this particular lot. The applicant is requesting that the current use continue as it exists until such time that Amber Way is constructed upon future development to the west. At that time, the driveway within the right-of-way will be removed and a new access will be constructed that connects to the new street.

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

As stated in the above criteria, this request meets the Revocable Permit criteria of Chapter Two of the Zoning and Development Code.

FINDINGS OF FACT/CONCLUSIONS

After reviewing the Gehl Revocable Permit application, RVP-2008-026, for the issuance of a revocable permit for an existing driveway, following are the findings of fact and conclusions:

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

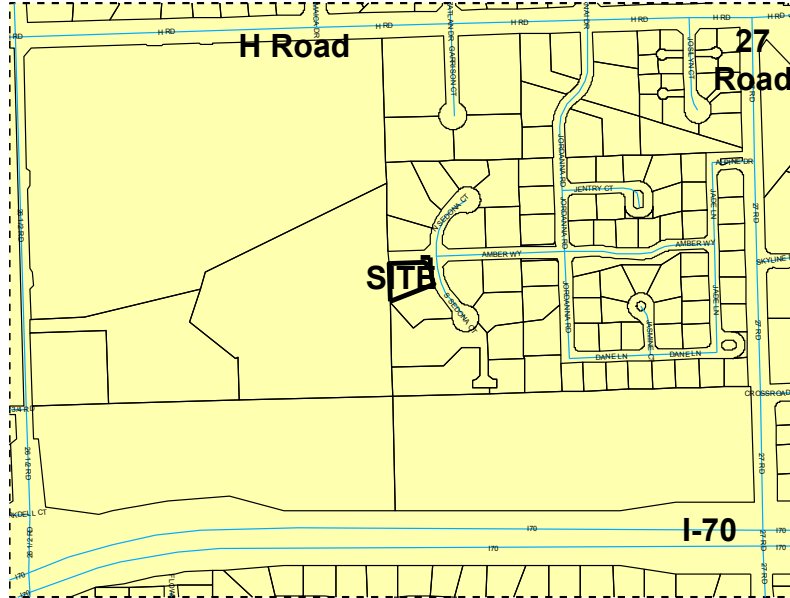
4. The revocable permit request is in conformance with the goals and policies of the Growth Plan.

STAFF RECOMMENDATION:

Staff recommends that the City Council approve the requested revocable permit for the Gehl Revocable Permit, RVP-2008-026.

Site Location Map

Figure 1



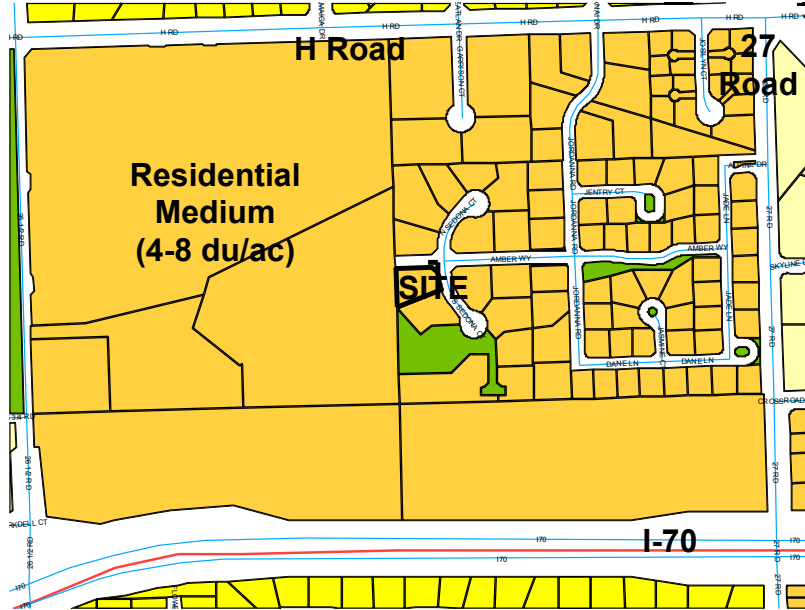
Aerial Photo Map

Figure 2



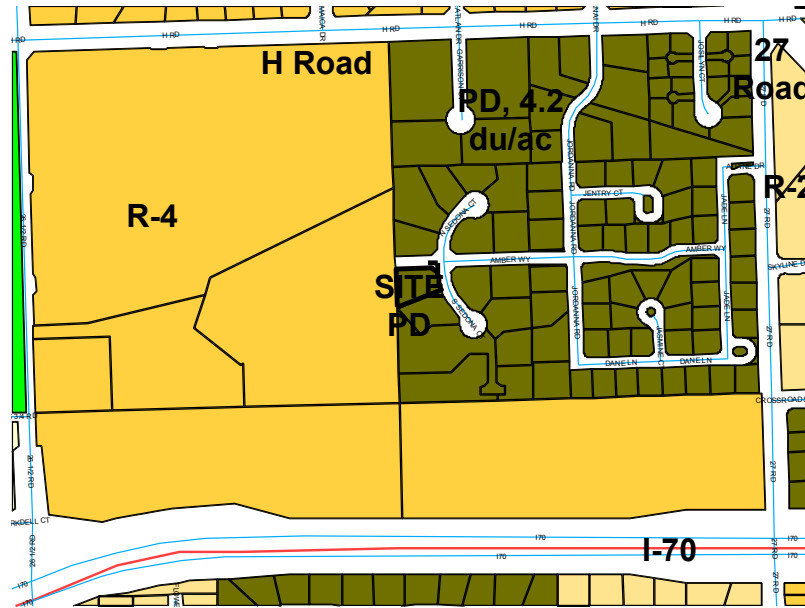
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



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

CITY OF GRAND JUNCTION, CO

RESOLUTION NO.

**A RESOLUTION CONCERNING THE ISSUANCE OF A REVOCABLE PERMIT TO
RANDY AND NATALIE GEHL**

LOCATED AT 781 SOUTH SEDONA COURT

Recitals:

A. Randy and Natalie Gehl, hereinafter referred to as the Petitioners, represent it is the owners of the following described real property in the City of Grand Junction, County of Mesa, State of Colorado, to wit:

Lot Eight of Sedona Subdivision Filing Two as recorded in the Mesa County Clerk & Records Office at Book 14, Page 130 and 131, located in the City of Grand Junction, Mesa County, Colorado.

B. The Petitioner has requested that the City Council of the City of Grand Junction issue a Revocable Permit to allow the Petitioner to maintain an existing driveway within the following described public right-of-way as shown in Exhibit A:

A tract of land situate in the right-of-way of Amber Way and So. Sedona Court adjoining Lot 8 as demonstrated on Sedona Subdivision Filing No. 2, recorded in Plat Book 14 at Pages 130 – 131, falling within the NE 1/4 NE 1/4, Section 35, Township 1 North, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado, being described as follows:

Commencing at the northwest corner of said Lot 8; thence S90°00'00"E a distance of 78.92 feet along the north line of said Lot 8, to the point of beginning; thence N00°05'09"E a distance of 12.42 feet; thence N89°57'03"E a distance of 72.37 feet to the back of the existing curb along the west side of So. Sedona Court; thence S00°10'05"E a distance of 28.83 feet along said curb; thence N89°53'15"W a distance of 5.05 feet to the east line of said Lot 8; thence N45°00'00"W a distance of 23.11 feet to the northeast corner of said Lot 8; thence N90°00'00"W a distance of 51.08 feet along the north line of said Lot 8 to the point of beginning.

Said tract contains 1,117 square feet more or less.

C. Relying on the information supplied by the Petitioner and contained in File No. RVP-2008-026 in the office of the City's Public Works and Planning Department, Planning

Division, the City Council has determined that such action would not at this time be detrimental to the inhabitants of the City of Grand Junction.

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

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

PASSED and ADOPTED this _____ day of _____, 2008.

Attest:

President of the City Council

City Clerk

REVOCABLE PERMIT

Recitals:

1. Randy and Natalie Gehl, hereinafter referred to as the Petitioners, have requested that the City of Grand Junction issue a Revocable Permit to allow the Petitioners to maintain a residential driveway, as approved by the City, within the limits of the following described public right-of-way for Amber Way , to wit:

Permit Area as shown in Exhibit A:

A tract of land situate in the right-of-way of Amber Way and So. Sedona Court adjoining Lot 8 as demonstrated on Sedona Subdivision Filing No. 2, recorded in Plat Book 14 at Pages 130 – 131, falling within the NE 1/4 NE 1/4, Section 35, Township 1 North, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado, being described as follows:

Commencing at the northwest corner of said Lot 8; thence S90°00'00"E a distance of 78.92 feet along the north line of said Lot 8, to the point of beginning; thence N00°05'09"E a distance of 12.42 feet; thence N89°57'03"E a distance of 72.37 feet to the back of the existing curb along the west side of So. Sedona Court; thence S00°10'05"E a distance of 28.83 feet along said curb; thence N89°53'15"W a distance of 5.05 feet to the east line of said Lot 8; thence N45°00'00"W a distance of 23.11 feet to the northeast corner of said Lot 8; thence N90°00'00"W a distance of 51.08 feet along the north line of said Lot 8 to the point of beginning.

Said tract contains 1,117 square feet more or less.

2. Based on the authority of the Charter and § 2.17B of the Grand Junction Zoning and Development Code applying the same, the City, by and through the Public Works and Planning Director, has determined that such action would not at this time be detrimental to the inhabitants of the City.

NOW, THEREFORE, IN ACCORDANCE WITH HIS LAWFUL AUTHORITY, THE PUBLIC WORKS AND PLANNING DIRECTOR, DOES HEREBY ISSUE:

to the above-named Petitioners a Revocable Permit for the purposes of maintaining a residential driveway within the limits of the public right-of-way described; provided, however, that this Permit is conditioned upon the following:

1. The maintenance of the residential driveway by the Petitioners within the public right-of-way as authorized pursuant to this Permit shall be performed with due care or any other higher standard of care as may be required by the City to avoid creating

hazardous or dangerous situations and to avoid damaging public roadways, sidewalks, utilities, or any other facilities presently existing or which may in the future exist in said right-of-way.

2. The City, on its behalf and on behalf of the County of Mesa, the State of Colorado and the Public Utilities, hereby reserves and retains a perpetual right to utilize all or any portion of the public right-of-way for any purpose whatsoever. The City further reserves and retains the right to revoke this Permit at any time and for any or no reason.

3. The Petitioners, for themselves and for their successors and assigns, agree that they shall not hold, nor attempt to hold, the City of Grand Junction, its officers, employees and agents, liable for damages caused by maintaining the driveway by the Petitioners within the limits of the public right-of-way (including the removal thereof), or any other property of the Petitioners or any other party, as a result of the Petitioners' occupancy, possession or use of said public right-of-way or as a result of any City, County, State or Public Utility activity or use thereof or as a result of the installation, operation, maintenance, repair and replacement of public improvements.

4. The Petitioners agree that they shall at all times keep the above described public right-of-way and the facilities authorized pursuant to this Permit in good condition and repair.

5. This Revocable Permit for maintaining the residential driveway shall be issued only upon concurrent execution by the Petitioners of an agreement that the Petitioners and the Petitioners' successors and assigns shall save and hold the City of Grand Junction, its officers, employees and agents harmless from, and indemnify the City, its officers, employees and agents, with respect to any claim or cause of action however stated arising out of, or in any way related to, the encroachment or use permitted, and that upon revocation of this Permit by the City the Petitioners shall, within thirty (30) days of notice of revocation (which may occur by mailing a first class letter to Petitioners' last known address), peaceably surrender said public right-of-way so as to make the described public right-of-way available for use by the City, the County of Mesa, the State of Colorado, the Public Utilities or the general public. The costs associated with removal of the encroaching driveway shall be borne by the property owner and/or the developer of the subdivision/neighborhood necessitating the development of the right-of-way. The provisions concerning holding harmless and indemnity shall survive the expiration, revocation, termination or other ending of this Permit.

6. The Petitioners, for themselves and for their successors and assigns, agree that they shall be solely responsible for maintaining and repairing the condition of any and all plantings, improvements and/or facilities authorized pursuant to this Permit. The

Petitioners shall not install any trees, vegetation or other improvements that create sight distance problems.

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

Dated this _____ day of _____, 2008.

Attest:

The City of Grand Junction,
a Colorado home rule municipality

City Clerk

City Manager

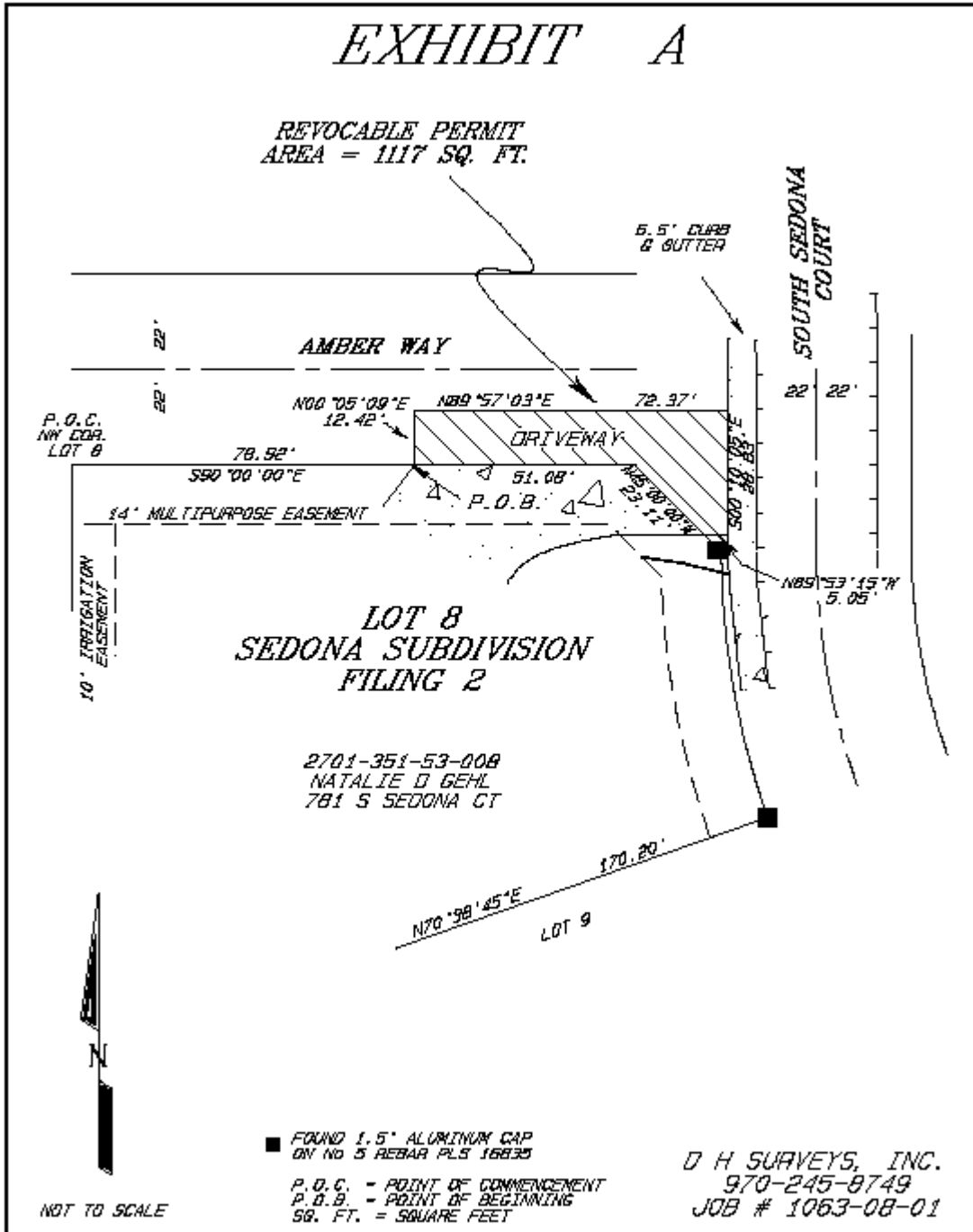
Acceptance by the Petitioners:

Property Owner

Property Owner

EXHIBIT A

REVOCABLE PERMIT
AREA = 1117 SQ. FT.



Attach 10

Construction Contract for the 23 ½ Road Extension from Redlands Parkway to River Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Construction Contract for 23 ½ Road Extension Redlands Parkway to River Road		
File #			
Meeting Day, Date	Wednesday, September 3, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	August 22, 2008		
Author Name & Title	Mike Best, Project Specialist		
Presenter Name & Title	Tim Moore, Public Works and Planning Director		

Summary: This project will construct a two lane road from River Road south along the 23 ½ Road ROW to the TRI Point Energy and Redlands Parkway Industrial Subdivision developments. When TRI Point Energy and Redlands Parkway Industrial Subdivision were constructed, they were to access the Redlands Parkway. It was determined that this access point was not in the safety interest of the Redlands Parkway motorists. The 23 ½ Road extension from the developments to the north was determined to be the safest alternative access.

Budget: \$3,348,178 is budgeted in the Sales Tax CIP Fund for various projects funded through Transportation Capacity Payment (TCP) fees.

Project costs:

Construction contract (low bid)	\$288,130.75
Design (est.)	\$15,000.00
Construction Inspection and Administration (est.)	<u>\$18,000.00</u>
Total Project Costs	\$321,130.75

Action Requested/Recommendation: Authorize the City Manager to sign a Construction Contract for the **23 ½ Road Extension from the Redlands Parkway to River Road** to **G and G Paving Inc.** in the amount of **\$288,130.75.**

Attachments: none

Background Information: The following bids were opened on August 19, 2008:

Bidder	From	Bid Amount
United Companies	Grand Junction	\$469,262.30
Elam Construction	Grand Junction	\$402,311.15
MA Concrete	Grand Junction	\$379,686.62
Vista Paving	Grand Junction	\$352,285.35
G and G Paving	Grand Junction	\$288,130.75
Engineer's Estimate		\$393,782.00

The road extension is approximately 1400 feet long and constructed with asphalt pavement with barrow ditches for drainage. There will be one concrete driveway constructed for Elam Construction access to River Road.

Attach 11

**Assign the City's 2008 Private Activity Bond Allocation
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
Subject	Assignment of the City's 2008 Private Activity Bond Allocation to the Colorado Housing and Finance Authority		
File #	n/a		
Meeting Day, Date	Wednesday, September 3, 2008		
Placement on the Agenda	Consent	<input type="checkbox"/>	Individual <input checked="" type="checkbox"/>
Date Prepared	August 28, 2008		
Author Name & Title	Jodi Romero, Financial Operations Manager		
Presenter Name & Title	Jodi Romero, Financial Operations Manager		

Summary: Request approval to assign the City's 2008 Private Activity Bond Allocation to the Colorado Housing and Finance Authority (CHFA) for the purpose of providing single-family mortgage loans to low- and moderate-income persons and families. The amount of this assignment would be "banked" towards a future partnership with CHFA for a multi-family rental housing project serving low and middle income families.

Budget: Private Activity Bonds are simply an authorization by the State of Colorado that allows the City to issue tax exempt bonds on behalf of a qualified project; therefore assignment of the City's bond allocation does not impact the budget. The City's 2008 Allocation amount is \$2,194,318.

Action Requested/Recommendation: Approval of resolution assigning the City's 2008 Private Activity Bond Allocation to the Colorado Housing and Finance Authority and authorizing the City Manager to execute the assignment.

Attachments: Resolution.

Background Information: Each year the State of Colorado allocates the authority to issue tax exempt Private Activity Bonds (PABs) directly to local governments whose population warrants an allocation of \$1 million or more. PABs may be used for housing projects and certain types of eligible development (ie. small manufacturing). If the local government does not have a designated use of the PABs (by September 15th of each year), they are required to either turn back the funds for Statewide use or assign the allocation to another issuer.

Since 1997, the City has been receiving a direct allocation of PABs and for the majority of those years the City Council has exercised the option of assigning the allocation to CHFA. CHFA's activity in Grand Junction last year totaled \$25.2 million in loans to low and moderate income families and often first time home buyers.

In order to have the greatest assurance that the City's PAB allocation will continue to be used in the community, it is staff's recommendation that the City again assign it's 2008 PAB allocation to CHFA.

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. _____ -08

A RESOLUTION AUTHORIZING ASSIGNMENT TO THE COLORADO HOUSING AND FINANCE AUTHORITY OF A PRIVATE ACTIVITY BOND ALLOCATION OF THE CITY OF GRAND JUNCTION PURSUANT TO THE COLORADO PRIVATE ACTIVITY BOND CEILING ALLOCATION ACT

RECITALS

The City of Grand Junction (the "City") is authorized and empowered under the laws of the State of Colorado (the "State") to issue revenue bonds for the purpose of providing single-family mortgage loans to low- and moderate-income persons and families.

The Internal Revenue Code of 1986, as amended (the "Code"), restricts the amount of tax-exempt bonds ("Private Activity Bonds") which may be issued in the State to provide such mortgage loans and for certain other purposes.

Pursuant to the Code, the Colorado legislature adopted the Colorado Private Activity Bond Ceiling Allocation Act, Part 17 of Article 32 of Title 24, Colorado Revised Statutes (the "Allocation Act"), providing for the allocation of the State Ceiling among the Colorado Housing and Finance Authority (the "Authority") and other governmental units in the State, and further providing for the assignment of such allocations from such other governmental units to the Authority.

Pursuant to an allocation under Section 24-32-1706 of the Allocation Act, City has an allocation of the 2008 State Ceiling for the issuance of a specified principal amount of Private Activity Bonds prior to September 15, 2008 ("2008 Allocation")

The City has determined that, in order to increase the availability of adequate affordable housing for low and moderate-income persons and families within the City and elsewhere in the State, it is necessary or desirable to provide for the utilization of all or a portion of the 2008 Allocation.

The City has also determined that the 2008 Allocation, or a portion thereof, can be utilized most efficiently by assigning it to the Authority to issue Private Activity Bonds for the purpose of providing single-family mortgage loans to low and moderate-income persons and families.

The City Council of the City has determined to assign \$2,194,318 of its 2008 Allocation to the Authority, which assignment is to be evidenced by an Assignment of Allocation between the City and the Authority (the "Assignment of Allocation").

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City Grand Junction that:

1. The assignment to the Authority of \$2,194,318 of the City's 2008 Allocation be and hereby is approved.
2. The form and substance of the Assignment of Allocation is hereby approved. Furthermore, the City Manager, in consideration with the City Attorney, is hereby authorized to make such technical variations, additions or deletions in or to such Assignment of Allocation as she deems necessary or appropriate and not inconsistent with this Resolution.
3. The City Manager is authorized to execute and deliver the Assignment of Allocation on behalf of the City and to take such other steps or actions as may be necessary, useful or convenient to effect the aforesaid assignment in accordance with the terms and intent of this Resolution.
4. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this resolution.
5. This Resolution shall be in full force and effect upon its passage and approval or as otherwise required by home rule charter.

PASSED, ADOPTED AND APPROVED this ____ day of _____, 2008.

President of the Council

ATTEST:

City Clerk

Attach 12**Construction Contract for Ranchmen's Ditch Flood Control Project Phase II, Part B
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
Subject	Contract Award Ranchmen's Ditch Flood Control Project Phase II, Part B		
File #			
Meeting Day, Date	Wednesday, September 3, 2008		
Placement on the Agenda	Consent		Individual X
Date Prepared	August 27, 2008		
Author Name & Title	Bret Guillory, Utility Engineer		
Presenter Name & Title	Trent Prall, Engineering Manager		

Summary: Phase II, Part B of the Ranchmen's Ditch Flood Control Project (Big Pipe) will construct side-by-side 90" and 96" storm drainage pipes along the south side of Patterson Road between Barnes and Noble and 25 ½ Road.

Budget: Sufficient funds have been allocated in the 2008 Revised and 2009 budgets, Fund 202_F31800, to pay for all costs associated with construction of Phase II, Part B of this project.

The following bids were received for this project:

Arapahoe Utilities and Infrastructure, Inc.	\$5,693,185.00
Scott Contracting, Inc.	\$5,700,930.00
Mendez, Inc.	\$5,759,268.00
BT Construction, Inc.	\$5,807,864.00
Twin Peaks Utilities and Infrastructure	\$6,014,355.00
M.A. Concrete Construction, Inc.	\$6,167,301.05
Pate Construction Co., Inc.	\$6,550,265.00
Gould Construction, Inc.	\$7,246,376.50
Engineer's Estimate	\$6,114,250.00

Action Requested/Recommendation: Authorize the City Manager to enter into a construction contract with Arapahoe Utilities and Infrastructure, Inc., in the amount of \$5,693,185.00.

Background Information: Completion of this project will result in 383 residential and commercial properties being removed from the 100 year flood plain.

Phase II, Part B of the project includes installation of one mile (5,280 feet) of twin 90" and 96" storm drain pipes. This installation will be along the south side of Patterson Road from 24½ Road to 25½ Road.

The bid allowed for two different comparable pipe materials, Contech SmoothCor polymer-coated double wall steel pipe and Reinforced Concrete Pipe (RCP).

Update to Council since the August 20, 2008 Council Meeting:

Staff has received written notification from Grand Valley Irrigation Company indicating that they do not approve the use of Contech SmoothCor steel pipe. They have indicated that they will approve the use of reinforced concrete pipe for Phase 2b of the Ranchmen's Ditch Flood Control Project.

Arapaho Utilities & Infrastructure (AUI) has contacted Grand Junction Pipe & Supply to discuss use of Reinforced Concrete Pipe for this project. As of August 28 staff has not heard how the negotiations between AUI and GJ Pipe have progressed.

Engineering staff has further reviewed both pipe products and finds that both products are equal based on a minimum design life of 50 years.

Construction for Phase II, Part B will likely commence the week of September 8, based on award of the project on September 4, 2008 and extend Through May 1, 2009.

Attach 13

**Vacation of a Utility Easement, Located at 2846 Grand Falls Drive
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
Subject	Easement Vacation at 2846 Grand Falls Drive		
File #	VE-2008-094		
Meeting Day, Date	September 3, 2008		
Placement on the Agenda	Consent		Individual X
Date Prepared	August 18, 2008		
Author Name & Title	Ronnie Edwards, Associate Planner		
Presenter Name & Title	Ronnie Edwards, Associate Planner		

Summary: Request to vacate .28 acre area of a utility easement in Tract B of Falls 2004 Subdivision.

Budget: N/A

Action Requested/Recommendation: Approval of the easement vacation request.

Attachments:

- Site Location Map/Aerial Photo Map
- Future Land Use Map/Existing City and County Zoning Map
- Resolution
- Exhibit Map

Background Information: See Staff Report

BACKGROUND INFORMATION				
Location:		2846 Grand Falls Drive		
Applicants:		Falls 2004 Homeowners Association		
Existing Land Use:		Vacant		
Proposed Land Use:		Residential Single Family		
Surrounding Land Use:	North	Residential Single Family		
	South	Residential Single Family		
	East	Residential Single Family		
	West	Residential Single Family		
Existing Zoning:		PD (8 du/ac)		
Proposed Zoning:		PD (8 du/ac)		
Surrounding Zoning:	North	PD (8 du/ac)		
	South	PD (8 du/ac)		
	East	PD (8 du/ac)		
	West	PD (8 du/ac)		
Growth Plan Designation:		Residential Medium High (8-12 du/ac)		
Zoning within density range?		N/A	Yes	No

ANALYSIS

I. Background

The subject property is part of a subdivision that was annexed in 1978 with an approved Planned Development called The Falls. Upon annexation it was zoned PD-8 (Planned Development, 8 du/ac). An approved outline development plan was originally approved for the annexed area and referred to as The Falls.

In 1979, a plan was approved for the first phase of the planned development, Falls Filing No. One. All of the common area on the plat was designated and dedicated to the public utilities as utility easements. A second plat was recorded and referred to as The Falls Filing No. One As Amended. On the second plat, the common area remained as utility easements.

The applicant is proposing to plat a residential lot in the common area known as Tract B. Tract B is encompassed entirely by a utility easement. To allow for the lot to be used for development, the utility easement needs to be vacated in the area where the lot will be platted.

2. Consistency with the Growth Plan

Policy 1.7 states the City will use zoning to establish type, location and intensity for development and the development standards should ensure that proposed residential development is compatible with the planned development of adjacent property.

Policy 5.2 states the City will encourage development that uses existing facilities and is compatible with existing development.

The proposed area to be vacated is within an area where public facilities and services are presently available. The proposed use is a single family detached residence that is compatible with the surrounding residences.

3. Section 2.11.C of the Zoning and Development Code:

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

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

Granting the easement vacation does not conflict with applicable Sections of the Growth Plan, Grand Valley Circulation Plan and other adopted plans and policies of the City. The area being vacated will be developed as a parcel for a single family detached residence.

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

No parcel will be landlocked by the requested vacation as the surrounding lots have direct access from existing right-of-way.

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

Access to any parcel will not be restricted to the point where access is unreasonable, economically prohibitive or reduces or devalues any property. The proposed residential use is comparable to adjacent properties and no existing accesses are being affected.

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

No adverse impacts to the general community are anticipated and the quality of public facilities and services provided will not be reduced.

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

Provision of adequate public facilities and services will not be inhibited to any property. There are presently no utilities in the easement and access to any utilities in the Tract is still reasonably available after the vacation of this portion of the easement. Utility services will be extended from existing services adjacent to the proposed lot, which will not affect existing properties.

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

The proposal to create a new lot in the vacated area will utilize existing services and the area being vacated contains no existing utilities, which would allow site improvements comparable to the neighborhood.

FINDINGS OF FACT/CONCLUSIONS

After reviewing the Tract B, The Falls application, #VE-2008-094, request to vacate .28 acre area of a utility easement, I make the following findings of fact and conclusions:

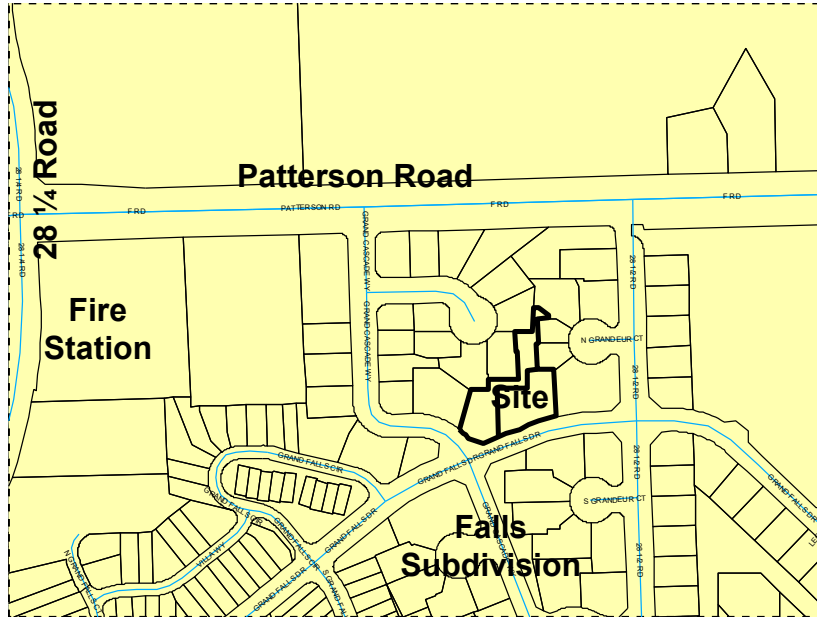
5. The review criteria in Section 2.11.C of the Zoning and Development Code have been met.
6. The easement vacation request is consistent with the goals and policies of the Growth Plan.

PLANNING COMMISSION RECOMMENDATION:

At its August 12, 2008 meeting, the Planning Commission recommended approval of the easement vacation request, with the findings and conclusions listed in the staff report.

Site Location Map

Figure 1



Aerial Photo Map

Figure 2



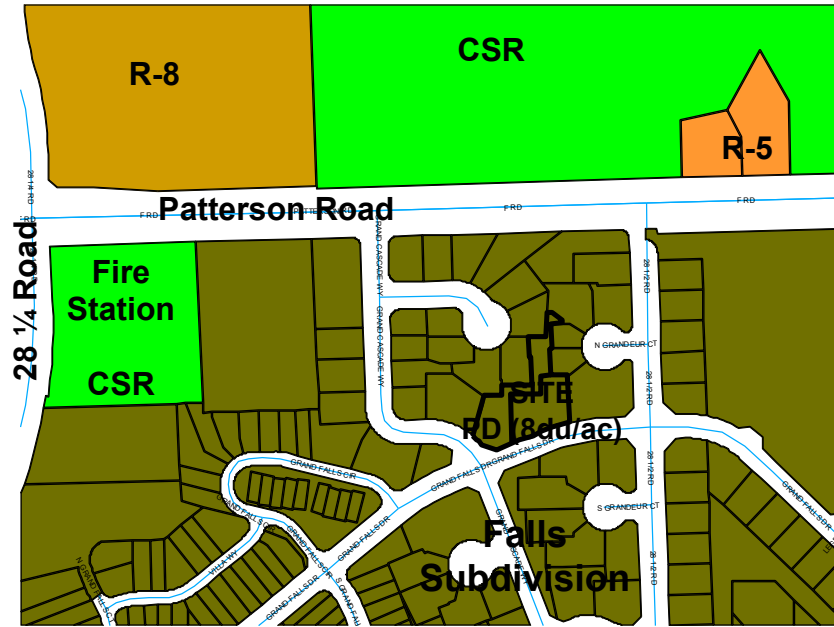
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



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

CITY OF GRAND JUNCTION

RESOLUTION NO.

**A RESOLUTION VACATING AN EASEMENT
LOCATED AT 2846 GRAND FALLS DRIVE**

RECITALS:

A request to vacate .28 acre area of a utility easement located in Tract B in the Falls 2004 Subdivision has been requested by the Homeowners Association of said subdivision. The remainder of Tract B (.29 acres) will remain a utility easement.

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

The Planning Commission, having heard and considered the request, found the criteria of the Zoning and Development Code to have been met, and recommends that the vacation be approved as requested subject to the condition that a new plat will be recorded and a lot created on the new plat where the easement is being vacated.

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

The following described dedicated utility easement is hereby vacated subject to the listed conditions:

1. Applicants shall pay all recording/documentary fees for the Vacation Resolution, any easement documents and the new plat creating the lot.
2. The new plat creating the lot where the utility easement is being vacated is approved by the City of Grand Junction and recorded in the records of the Mesa County Clerk and Recorder.

The described easement in "Exhibit A" as shown on "Exhibit B" as part of this vacation description.

The following described easement area is hereby vacated:

Exhibit A

A portion of the utility easement situated in the NE 1/4 NW 1/4 Section 7, T1S, R1E, of the UM, in Tract B of FALLS 2004 subdivision, which is recorded in the Mesa County Clerk &

Recorder's Office in Book 4100 at Pages 120-124, being more particularly described as follows:

Beginning at the Southwest Corner of Lot 15 in Block One, of said Falls 2004, and considering the Easternmost boundary line of Tract B in Falls 2004 to bear S00°16'30"E and all bearings contained herein to be relative thereto; thence along a curve turning to the left, with an arc length of 61.64 feet, with a radius of 422.00 feet, with a chord bearing of S 74°17'44" W, with a chord length of 61.59 feet, along the Northern Right of Way of Grand Falls Drive; thence S 70°06'40" W a distance of 68.10 feet continuing along said Right of Way; thence N 00°10'00" W a distance of 105.25 feet; thence N 89°50'00" E a distance of 62.52 feet; thence N 00°10'00" W a distance of 32.75 feet; thence N 89°43'30" E a distance of 60.74 feet; thence S 00°16'30" E a distance of 98.63 feet to the point of beginning, having an area of 12345 square feet, 0.283 acres as described, City of Grand Junction, Mesa County, Colorado.

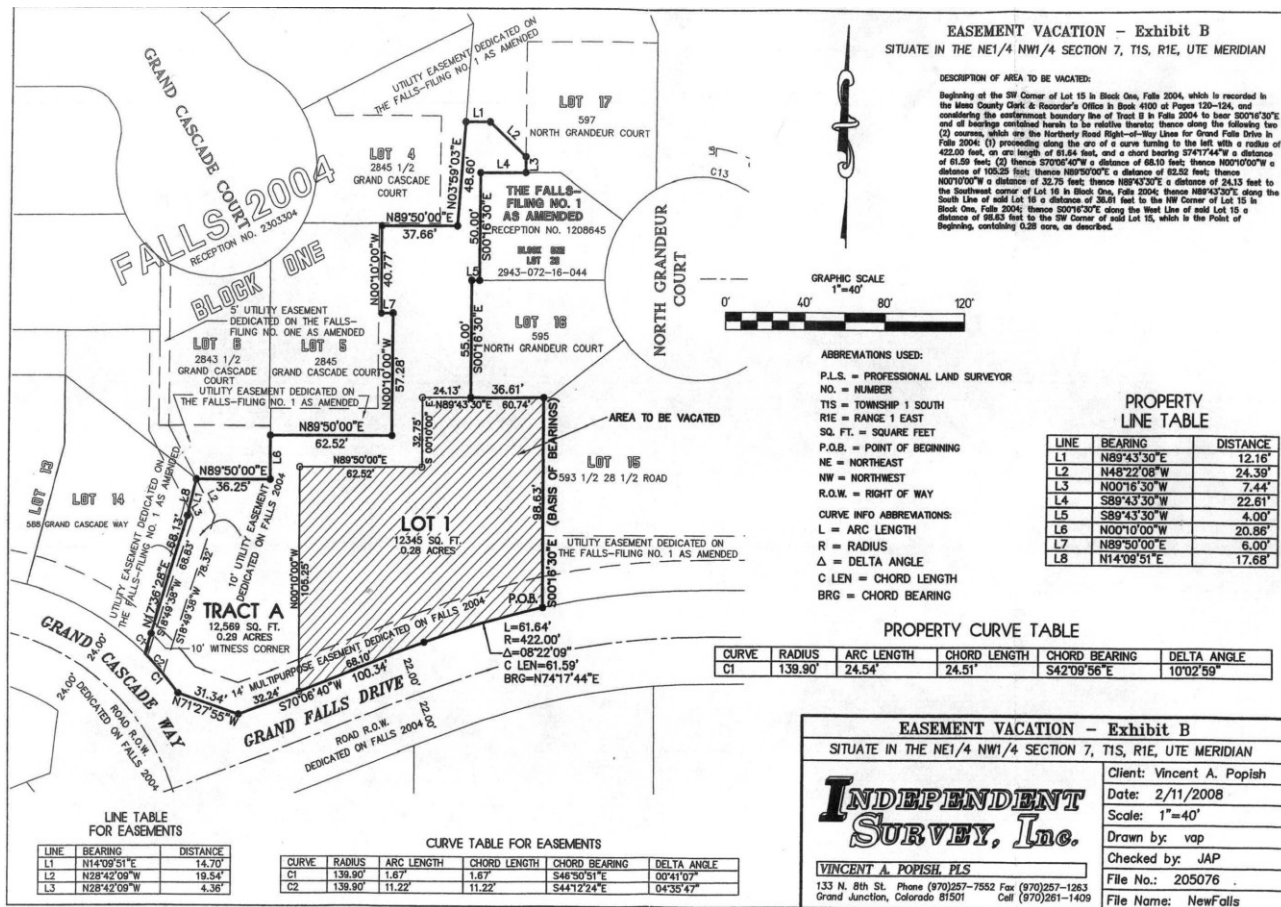
ADOPTED this _____ day of _____, 2008.

ATTEST:

President of City Council

City Clerk

Exhibit B



EASEMENT VACATION - Exhibit B
SITUATE IN THE NE 1/4 NW 1/4 SECTION 7, T1S, R1E, UTE MERIDIAN

INDEPENDENT SURVEY, Inc.

VINCENT A. POPISH, P.L.S.

133 N. 8th St. Phone (970)257-7552 Fax (970)257-1263
Grand Junction, Colorado 81501 Call (970)261-1409

Client: Vincent A. Popish
Date: 2/11/2008
Scale: 1"=40'
Drawn by: vap
Checked by: JAP
File No.: 205076
File Name: NewFalls

Attach 14
Public Hearing—Zoning the Fournier Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Zoning the Fournier Annexation – Located at 2132 Rainbow Ranch Drive		
File #	ANX-2008-111		
Meeting Day, Date	Wednesday, September 3, 2008		
Placement on the Agenda	Consent		Individual X
Date Prepared	August 5, 2008		
Author Name & Title	Senta L. Costello, Senior Planner		
Presenter Name & Title	Senta L. Costello, Senior Planner		

Summary: Request to zone the 3.27 acre Fournier Annexation, located at 2132 Rainbow Ranch Drive, to R-4 (Residential 4 du/ac).

Budget: N/A

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

Attachments:

1. Staff report/Background information
2. Annexation-Site Location Map / Aerial Photo
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:		2132 Rainbow Ranch Drive			
Applicants:		Owner: Kathleen M. Fournier Representative: Meadowlark Consulting LLC – Paul Johnson			
Existing Land Use:		Vacant			
Proposed Land Use:		Single Family Residential Subdivision			
Surrounding Land Use:	North	Monument Village Shopping Center			
	South	Single Family Residential			
	East	Single Family Residential			
	West	Single Family Residential			
Existing Zoning:		County RSF-4 (Residential Single Family 4 du/ac)			
Proposed Zoning:		City R-4 (Residential 4 du/ac)			
Surrounding Zoning:	North	County C-1 (Light Commercial) / City B-1 (Neighborhood Commercial)			
	South	County RSF-4 (Residential Single Family 4 du/ac)			
	East	County RSF-4 (Residential Single Family 4 du/ac)			
	West	County RSF-4 (Residential Single Family 4 du/ac)			
Growth Plan Designation:		Residential Medium Low 2-4 du/ac			
Zoning within density range?		X	Yes		No

Staff Analysis:

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

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

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

Response: The subject site and the neighboring properties on Rainbow Ranch Drive are zoned RSF-4 in the county with lot sizes ranging from 1/3 of an acre up to 5 acres. Many of these lots have the potential to further develop. On the north side of Broadway is the Monument Village shopping center and Monument Village subdivision with a density of 3.4 du/ac and lot sizes ranging from 1/6 acre to 1/2 acre. The proposed zoning of the subject property is compatible with the surrounding existing properties as well as the potential future development in the area. It will serve as a buffer between the commercial development on the north side of Broadway and the existing lower density lots to the southwest. Should the larger lots further subdivide, this property will still have a similar character to the neighborhood as a whole.

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

Response: There is an existing 4" water line in Broadway and 1 1/2" and 2" water lines in Rainbow Ranch Drive. An existing sewer line is approximately 875' to the east. The water lines will need to be upgraded and the sewer extended to the property, but the services can be made available for development of the property.

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

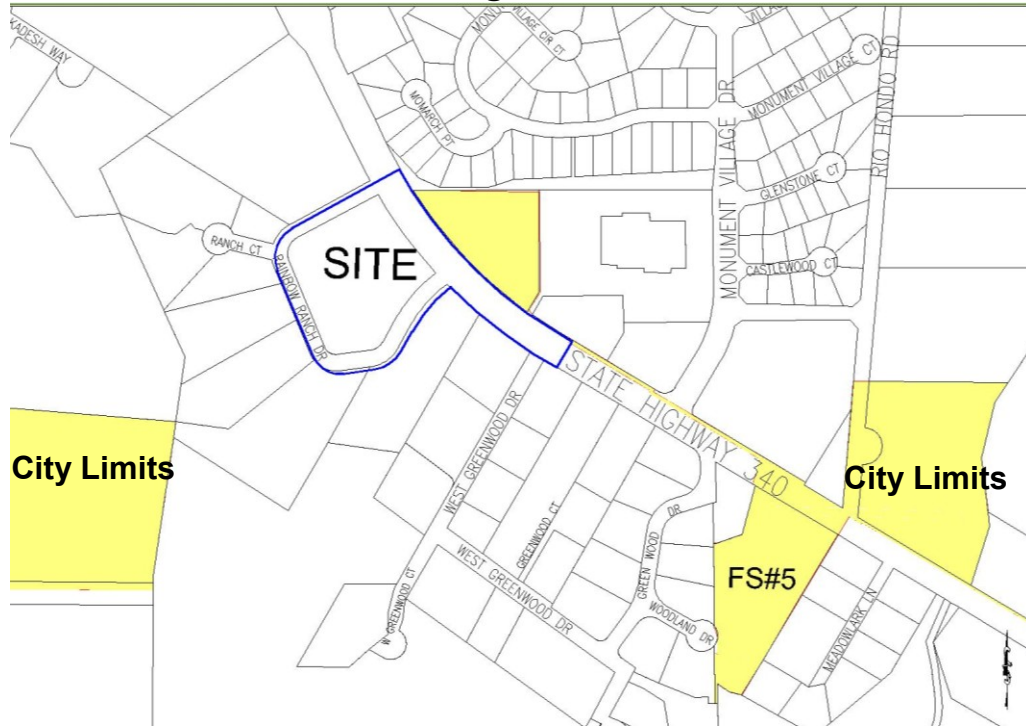
- j. R-2 (Residential 2 du/ac)

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

PLANNING COMMISSION RECOMMENDATION: At its August 12, 2008 meeting, the Planning Commission recommended approval of the R-4 zone district for zone of annexation to the City Council, finding the zoning to the R-4 district to be consistent with the Growth Plan, existing County zoning and Sections 2.6 and 2.14 of the Zoning and Development Code.

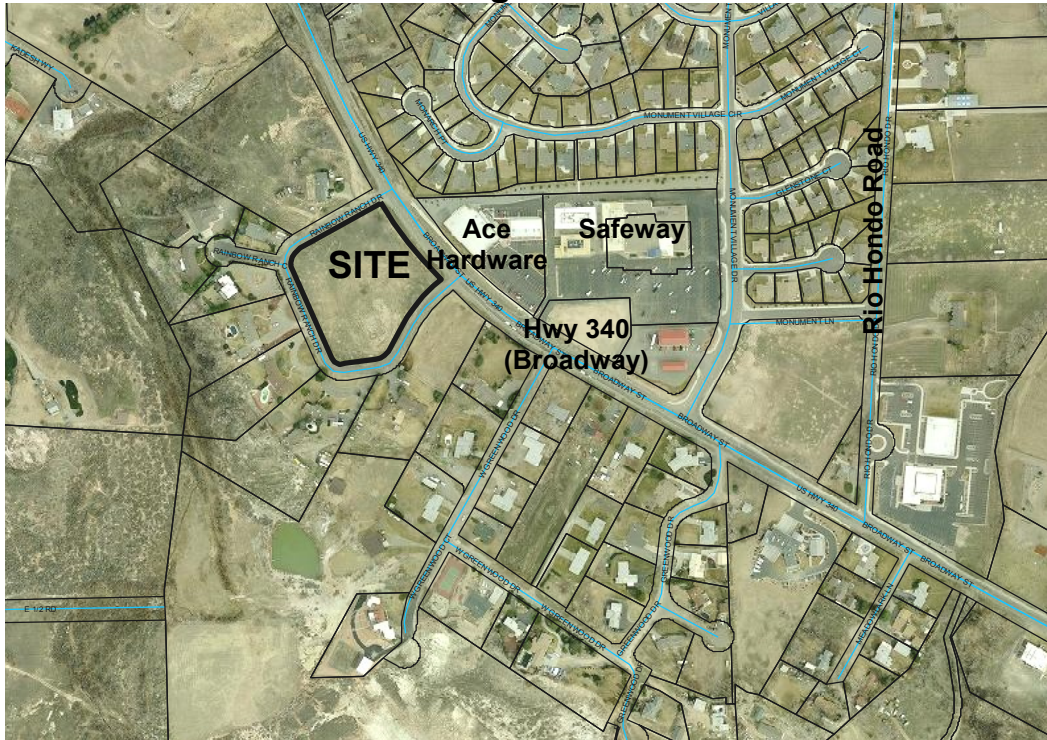
Annexation-Site Location Map

Figure 1



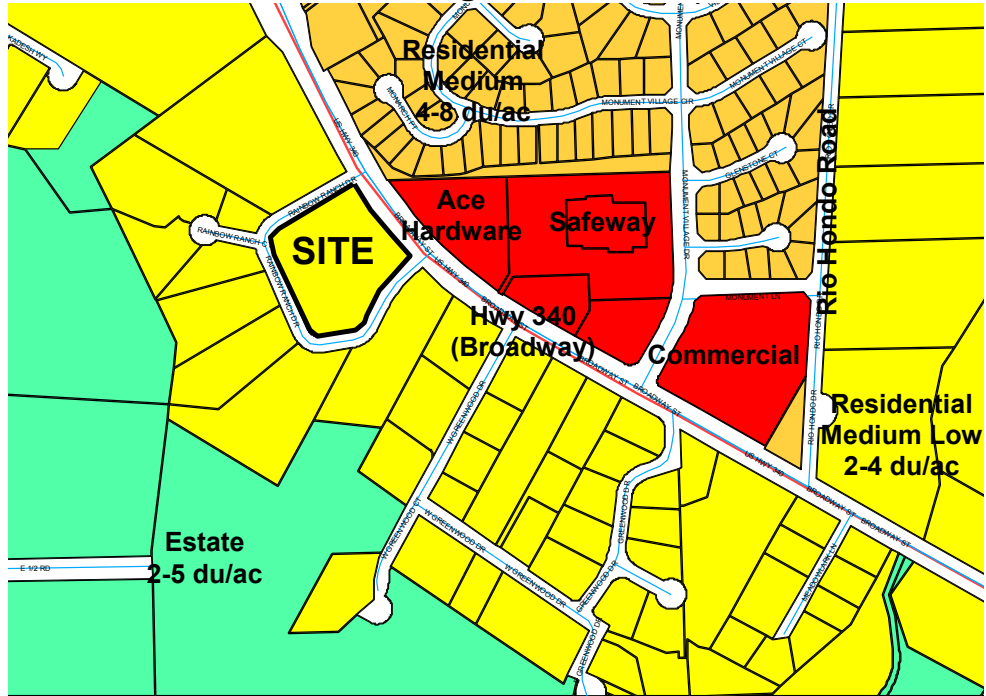
Aerial Photo Map

Figure 2



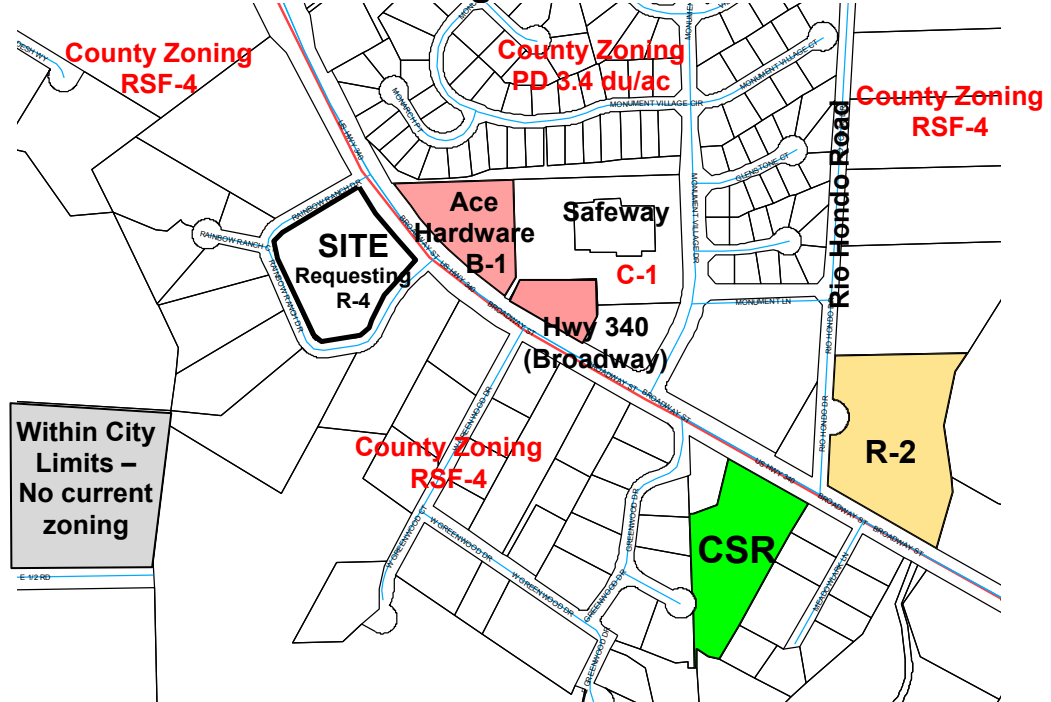
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



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

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

LOCATED AT 2132 RAINBOW RANCH DRIVE

Recitals:

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Fournier 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).

FOURNIER ANNEXATION

A certain parcel of land lying in the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of Section 23, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Lot 1, Rainbow Ranch Subdivision as same is recorded in Plat Book 11, Page 7, Public Records of Mesa County, Colorado

INTRODUCED on first reading the 18th day of August, 2008 and ordered published.

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

ATTEST:

President of the Council

City Clerk

Attach 15
Public Hearing—Zoning the Schuckman Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Zoning the Schuckman Annexation – Located at 231 28 1/2 Road		
File #	ANX-2008-018		
Meeting Day, Date	Wednesday, September 3, 2008		
Placement on the Agenda	Consent		Individual X
Date Prepared	August 12, 2008		
Author Name & Title	Senta L. Costello – Senior Planner		
Presenter Name & Title	Senta L. Costello – Senior Planner		

Summary: Request to zone the 0.87 acre Schuckman Annexation, located at 231 28 1/2 Road, to R-4 (Residential 4 du/ac).

Budget: N/A

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

Attachments:

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

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION					
Location:		231 28 1/2 Road			
Applicants:		Russell & Norma Schuckman			
Existing Land Use:		Duplex			
Proposed Land Use:		No change proposed			
Surrounding Land Use:	North	Duplex			
	South	Single Family Residential			
	East	Single Family Residential			
	West	Single Family Residential			
Existing Zoning:		County RSF-4 (Residential Single Family 4 du/ac)			
Proposed Zoning:		City R-4 (Residential 4 du/ac)			
Surrounding Zoning:	North	County RSF-4 (Residential Single Family 4 du/ac)			
	South	County RSF-4 (Residential Single Family 4 du/ac)			
	East	County RSF-4 (Residential Single Family 4 du/ac)			
	West	County RMF-5 (Residential Multi-Family 5 du/ac)			
Growth Plan Designation:		Residential Medium 4-8 du/ac			
Zoning within density range?		X	Yes		No

Staff Analysis:

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

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

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

Response: The proposed R-4 zone district is compatible with the surrounding neighborhood which consists of RSF-4 and RMF-5 zoning. The zoning is consistent with the goals and policies of the Growth Plan by utilizing existing

infrastructure for further development potential instead of “leap frog” development and is consistent with the Orchard Mesa Plan, the requirements of the Zoning and Development Code and other City regulations.

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

Response: Adequate public facilities are available or will be supplied at the time of further development of the property. An 8” water and an 8” sewer line exist in 28 ½ Road and a 6” water line is located in B.3 Road.

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

- k. R-5
- l. R-8

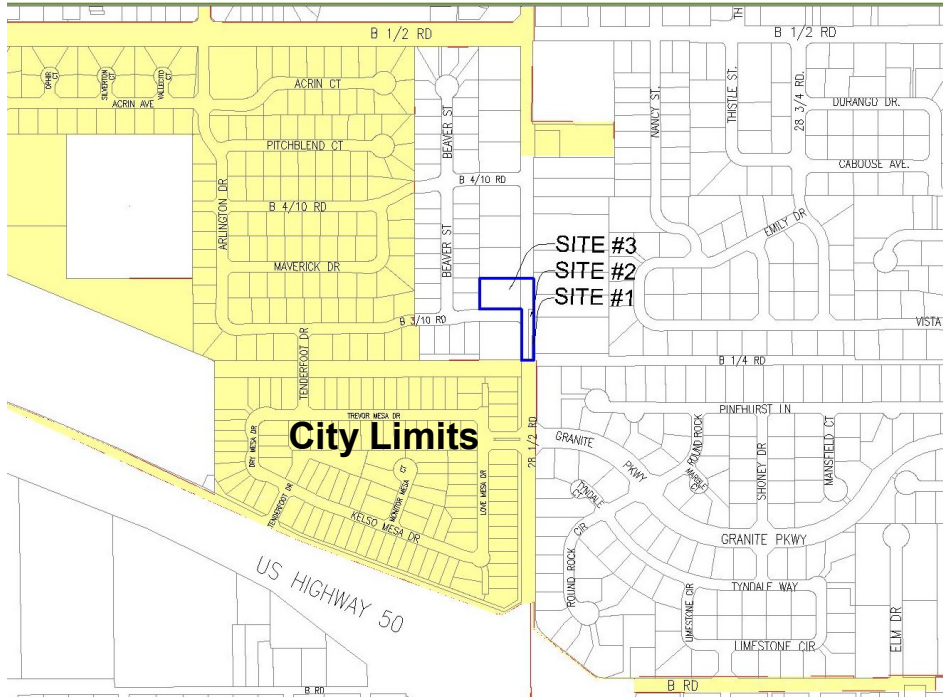
If the City Council chooses to recommend one of the alternative zone designations, specific alternative findings must be made.

PLANNING COMMISSION RECOMMENDATION: At its March 25, 2008 meeting, the Planning Commission recommended denial of the requested zone of annexation to the City Council, finding the zoning to the R-8 district to be inconsistent with the Growth Plan and Sections 2.6 and 2.14 of the Zoning and Development Code. Their recommendation for zoning on this property is R-4 (Residential 4 du/ac).

The applicant’s original request was for the R-8 zone district. Since the March 25, 2008 Planning Commission meeting and the April 14, 2008 City Council meeting Mr. and Mrs. Schuckman have changed their request to the R-4 designation.

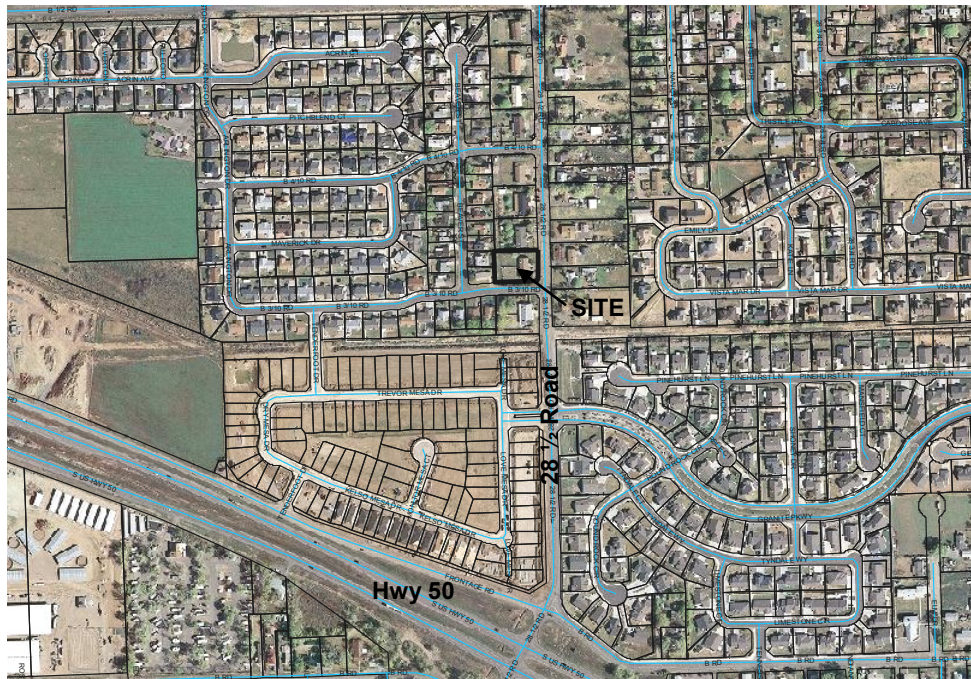
Annexation/Site Location Map

Figure 1



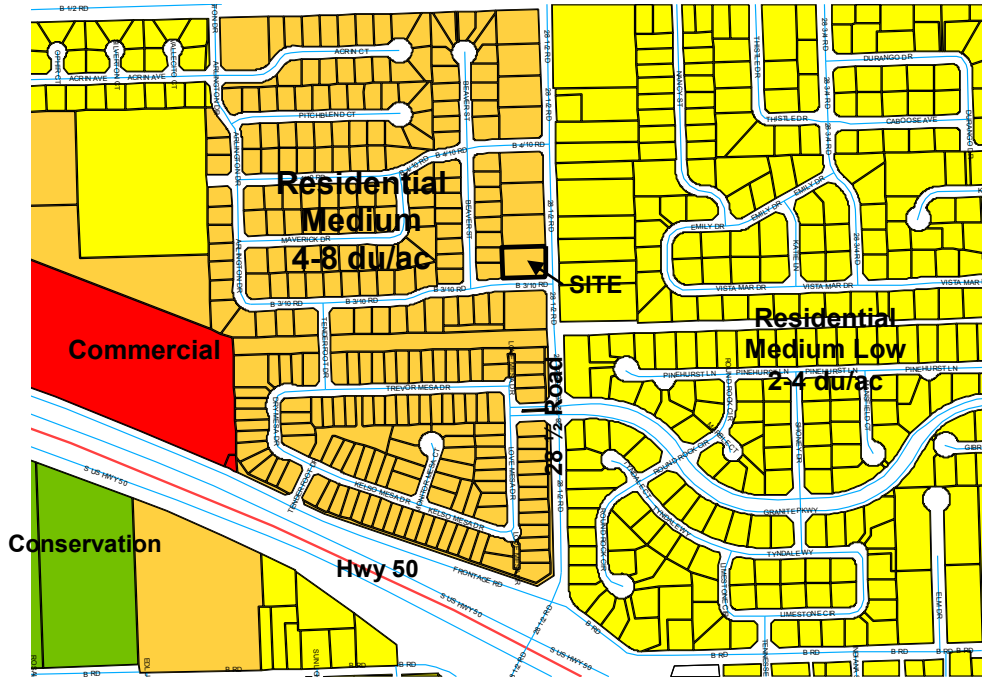
Aerial Photo Map

Figure 2



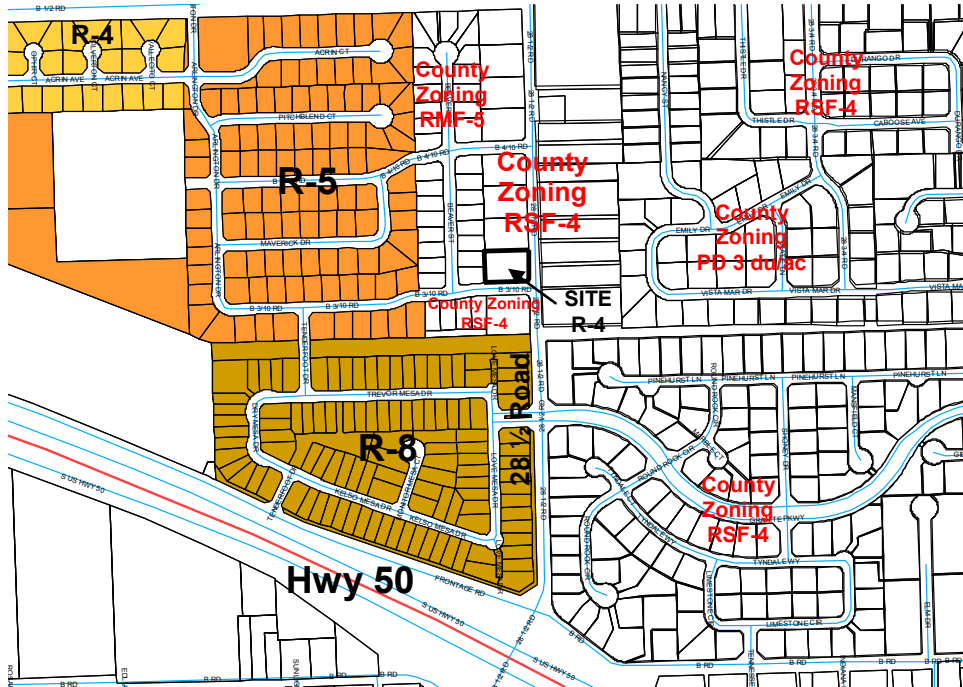
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



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

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

LOCATED AT 231 28 1/2 ROAD

Recitals:

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Schuckman 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).

SCHUCKMAN ANNEXATION

Lot 4, Block 2, Orchard Villas Sub Filing No 1 Recorded in Plat Book 11, Page 209,
Public Records of Mesa County, Colorado.

INTRODUCED on first reading the 18th day of August, 2008 and ordered published.

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

ATTEST:

President of the Council

City Clerk

Attach 16
Public Hearing—Mesa View Elementary Growth Plan Amendment
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Mesa View Elementary Growth Plan Amendment – Located at 2967 B Road		
File #	GPA-2008-206		
Meeting Day, Date	Wednesday, September 3, 2008		
Placement on the Agenda	Consent		Individual X
Date Prepared	August 18, 2008		
Author Name & Title	Brian Rusche, Senior Planner		
Presenter Name & Title	Brian Rusche, Senior Planner		

Summary: A request to amend the Growth Plan, changing the Future Land Use designation from Public to Residential Medium-Low (2-4 du/ac) for 9.497 acres of property south of Mesa View Elementary, located at 2967 B Road.

Budget: N/A

Action Requested/Recommendation: Hold a public hearing and consider adopting a Resolution amending the Growth Plan.

Background Information: See attached report

Attachments:

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

STAFF REPORT / BACKGROUND INFORMATION				
Location:		2967 B Road		
Applicants:		Owner: Mesa County Valley School District #51 Developer: B Road Investment, LLC Representative: Ciavonne, Roberts and Assoc.		
Existing Land Use:		Vacant		
Proposed Land Use:		Single Family Residential		
Surrounding Land Use:	North	Mesa View Elementary School		
	South	Agricultural		
	East	Agricultural / Single Family Residential		
	West	Agricultural / Single Family Residential		
Existing Zoning:		County RSF-R (Residential Single-Family 1du/5ac)		
Proposed Zoning:		R-4 (Residential 4 du/ac)		
Surrounding Zoning:	North	County RSF-R (Residential Single-Family 1du/5ac)		
	South	R-4 (Residential 4 du/ac)		
	East	R-4 (Residential 4 du/ac) County RSF-R (Residential Single-Family 1du/5ac)		
	West	County RSF-R (Residential Single-Family 1du/5ac)		
Growth Plan Designation:		Public		
Zoning within density range?		N/A	Yes	No

STAFF ANALYSIS:

1. Background

The property at 2967 B Road is the site of Mesa View Elementary and owned by Mesa County Valley School District #51. The entire property, 19.51 acres, has been referred for annexation, with the City taking land use jurisdiction on August 4, 2008.

The District is planning to divest 9.497 acres, roughly the south half of the property, to B Road Investment, LLC in anticipation of future residential development. The remaining property would continue to be used as a school campus, designated Public, and will be assigned an appropriate zoning during the annexation process.

Since the entire property is owned by the School District, it is designated Public on the Future Land Use Map. The applicants are requesting that the southern 9.497 acres be

designated as Residential Medium-Low (2-4 du/ac) in order to establish a residential zoning and allow for residential development of the property.

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;

Based on the public ownership of the parcel and its use as a public school at the time of adoption, there was no error made in designating the property Public.

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

The District intends to divest the acreage, as it is no longer necessary for operating the school. Therefore, the Public designation is no longer applicable.

- 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;

This portion of Orchard Mesa has seen a recent increase in residential subdivisions including: Hawks Nest (SW corner 30 and B Road), Osprey (in review - adjacent to the school on the east), Chipeta Pines (northeast of the school), and Fairway Pines (directly north of the school on B Road).

In order for residential development to occur on the property, the Growth Plan needs to be amended to Residential Medium Low (2-4 du/ac), consistent with the surrounding land uses.

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

Policy 15.1: The City...will encourage the development of residential projects that compatibly integrate a mix of housing types and densities with desired amenities. (V.33)

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)

Orchard Mesa Neighborhood Plan (2000):

Goal: Encourage infill development in urbanizing areas. (Page 25)

Additional residential development adjacent to an existing elementary school, in a growing area of the community, is consistent with the Goals and Policies of the Growth Plan.

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

The existing elementary school will occupy about 10 acres, which is adequate to support the facility. The District did a similar divestiture at Thunder Valley Elementary in 2006 (GPA-2006-238), which sits on 9.68 acres out of a former 20 acre property.

The developer is currently exploring an option to provide a public park through the development of the property, consistent with the goals for Parks, Recreation, and Open Space in the Orchard Mesa Neighborhood Plan (Page 36).

The elementary school will retain access to B Road. An easement will be provided as part of the subdivision across the west side of the school for access and utilities to the new parcel. New streets will be developed as part of a subdivision, with access available from A ½ Road on the south and Night Hawk Drive (to be constructed) on the east (adjacent to Hawks Nest). A bike route is anticipated on B Road, according to the Urban Trails Plan. The developer anticipates pedestrian access within the subdivision to the elementary school.

Persigo 201 Sewer (10" line) is available within B Road. Ute Water (12" line) is available in B Road. The Fire Department would evaluate the sufficiency of existing hydrants and require additional hydrants within a proposed subdivision.

- 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 prevalent land use designation east of 28 ½ Road and north of Highway 50 on Orchard Mesa is Residential Medium-Low (2-4 du/ac). The largest undeveloped areas are primarily south of B Road east of 29 ½ Road (including this property) and north of B ½ Road east of 29 Road. The Chipeta Golf Course occupies 124 acres of land designated for residential.

The developer has already assembled property to the south and east of the school for a proposed subdivision and would incorporate the acquired acreage into that development.

The School District has acquired property, about 34 acres, on the east side of 30 Road and north side of B Road. If the property is utilized for a High School, identified as a need in the Orchard Mesa Neighborhood Plan – page 15, it would be well located for the residential subdivisions on the west side of 30 Road.

Therefore, the property is one of few remaining large, undeveloped parcels that could be developed for residential purposes in this neighborhood. Other property has been acquired outside of this area by the School District for school purposes.

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

Since this parcel is surplus to School District needs, the community would benefit from the change of Public to Residential Medium Low, which would allow the property to develop and provide more housing in a growing urban area, and allow the District to focus its resources by divesting of surplus land.

Also, the developer is currently exploring an option to provide a public park through the development of the property, consistent with the goals for Parks, Recreation, and Open Space in the Orchard Mesa Neighborhood Plan (Page 36), which would provide a benefit to the subdivision and the neighborhood.

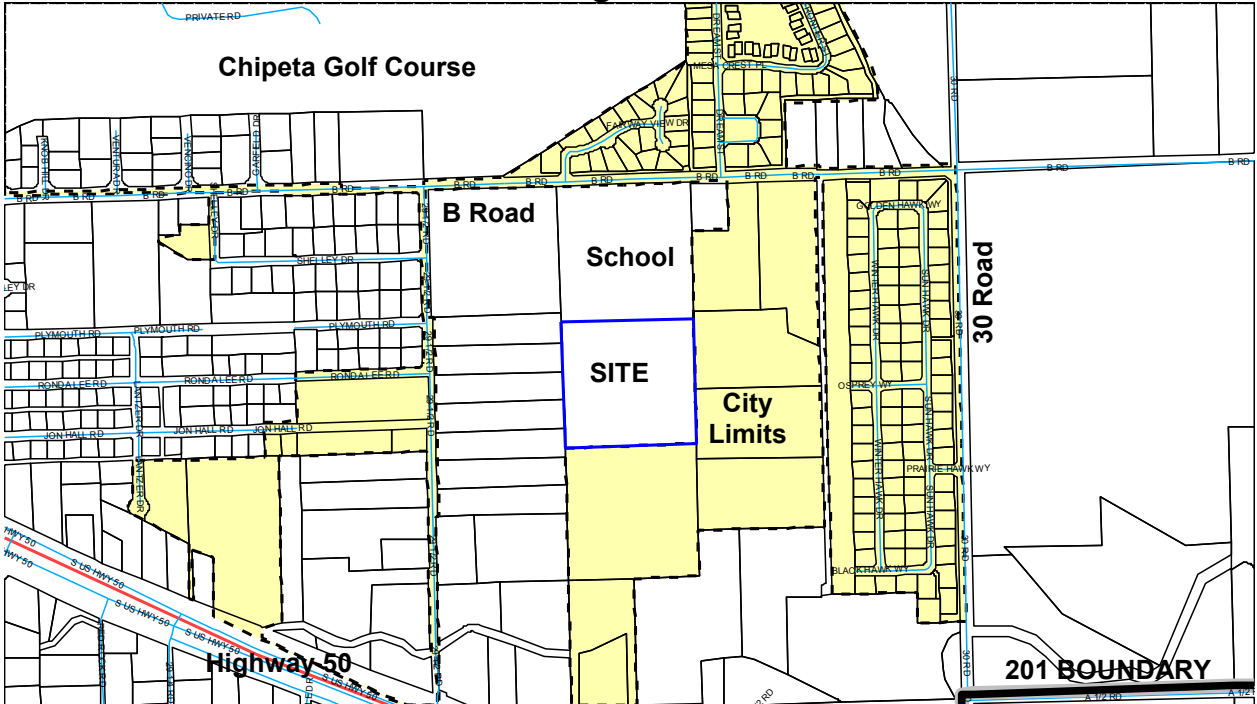
PLANNING COMMISSION RECOMMENDATION:

The Planning Commission recommended approval of the requested Growth Plan Amendment, GPA-2008-206, to the City Council with the following findings of fact and conclusions:

7. The proposed amendment is consistent with the purpose and intent of the Growth Plan.
8. The review criteria in Section 2.5.C.1 of the Zoning and Development Code have all been met.

Site Location Map

Figure 1



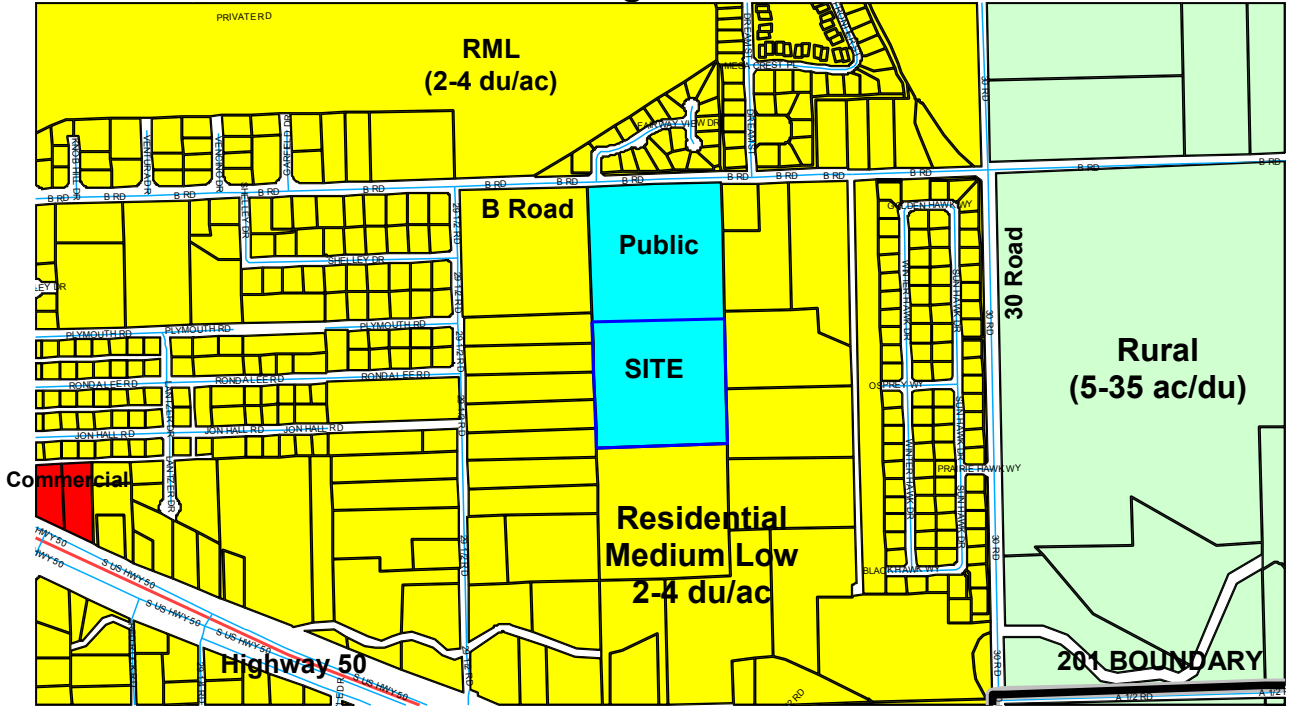
Aerial Photo Map

Figure 2



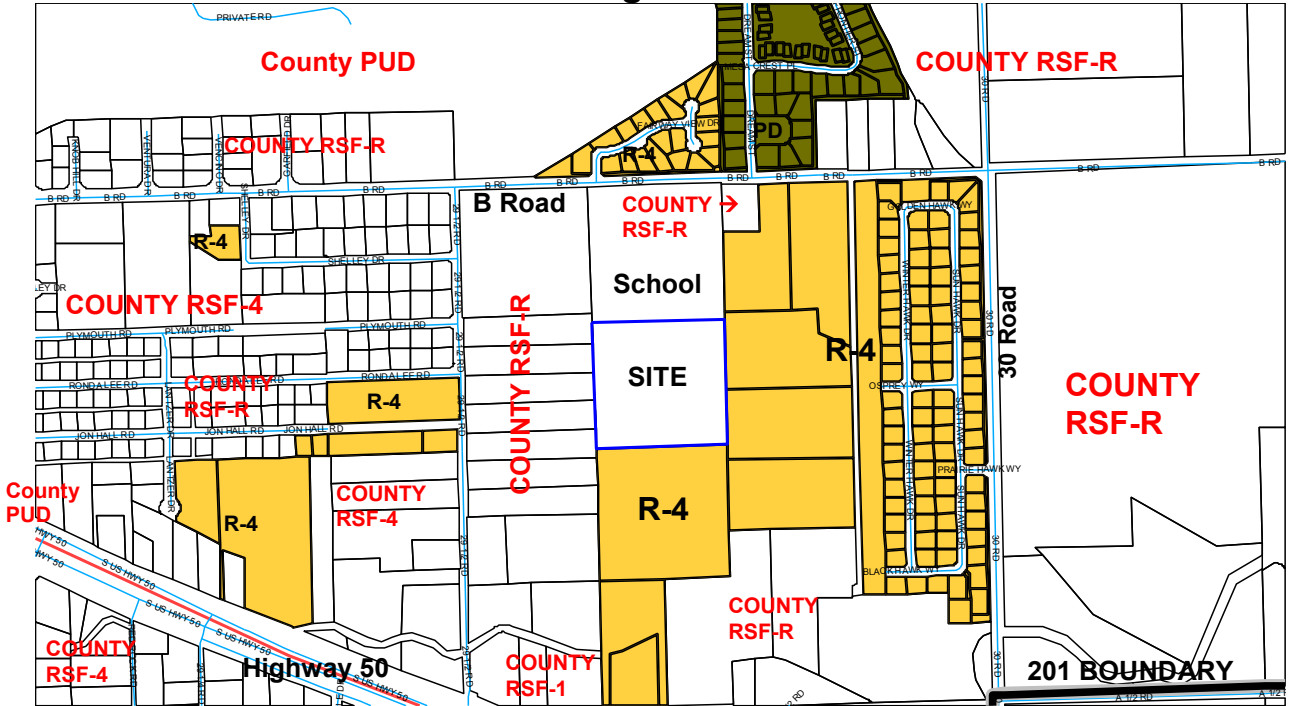
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



Minutes from August 12, 2008 Planning Commission not yet available.

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

A RESOLUTION AMENDING THE GROWTH PLAN OF THE CITY OF GRAND JUNCTION TO DESIGNATE APPROXIMATELY 9.497 ACRES LOCATED AT 2967 B ROAD, KNOWN AS THE MESA VIEW ELEMENTARY GROWTH PLAN AMENDMENT, FROM PUBLIC TO RESIDENTIAL MEDIUM-LOW (2-4 DU/AC)

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 9.497 acres, located south of the Mesa View Elementary School at 2967 B Road, be redesignated from Public to Residential Medium-Low (2-4 du/ac) 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 Public to Residential Medium-Low (2-4 du/ac) on the future land use map:

MESA VIEW ELEMENTARY GROWTH PLAN AMENDMENT

A parcel of land situated in the E1/2 NW1/4 NE1/4 of Section 32, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the Northeast one-sixteenth corner of said Section 32; Thence along the south line of the NW1/4 NE1/4 of said Section 32, South 89°47'37" West, a distance of 657.99 feet; Thence along the west line of the E1/2 NW1/4 NE1/4 of said Section 32, North 00°02'09" East, a distance of 629.76 feet; Thence South 89°57'51" East, a distance of 658.78 feet to the east line of the NW1/4 NE1/4 of said Section 32; Thence South 00°06'31" West, a distance of 626.98 feet to the Point of Beginning.

Containing 413709 square feet (9.497 acres), more or less

PASSED on this ____ day of _____, 2008.

ATTEST:

City Clerk

President of Council

Attach 17

**National League of Cities Resolution of Support
CITY OF GRAND JUNCTION, COLORADO**

RESOLUTION NO. ____-08

**A RESOLUTION ENDORSING COUNCILMEMBER BRUCE HILL'S APPLICATION
FOR THE CHAIRMANSHIP OF THE NATIONAL LEAGUE OF CITIES COMMUNITY
AND ECONOMIC DEVELOPMENT STEERING COMMITTEE**

WHEREAS, Bruce Hill is serving his second term on the City Council for the City of Grand Junction and has served as the President of the Council; and

WHEREAS, Councilmember Bruce Hill has participated on the Colorado Municipal League's (CML) Policy Board and has attained certificated leadership training through the CML leadership program; and

WHEREAS, Councilmember Hill has participated on the National League of Cities (NLC) Community and Economic Development (CED) Steering Committee for the past four years and currently serves as the co-Vice Chair of the Committee; and

WHEREAS, In addition to his service on the CED Committee Councilmember Hill has attained the Diamond level certification through the NLC Leadership Training Institute leadership program; and

WHEREAS, Councilmember Hill represents or has represented the Grand Junction City Council on the Grand Junction Economic Partnership, the Chamber of Commerce Legislative Committee, the Economic Development Partners, Western Colorado Business Development Center and the Public Development Rights Committee; and

WHEREAS, Councilmember Hill represents the City of Grand Junction in an exemplary manner serving the City of Grand Junction and its citizens honorably and well.

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

1) Bruce Hill is hereby endorsed as a candidate for the Chairmanship of the National League of Cities Community and Economic Development Steering Committee for 2009; and

2) The City Manager is directed to forward this resolution to Kathleen Novak, First Vice President of the NLC Board of Directors and Sam Mamet Executive Director of the Colorado Municipal League on behalf of Councilmember Bruce Hill and the City Council.

Adopted this 3rd day of September, 2008.

Gregg Palmer
President of the Council

ATTEST:

Stephanie Tuin
City Clerk