

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



**CITY COUNCIL AGENDA
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET
MONDAY, SEPTEMBER 15, 2008, 7:00 P.M.**

Call to Order

Pledge of Allegiance

Invocation—Minister Randy Mills, Oasis Christian Fellowship

[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/Recognitions

Proclaiming September 17 through 23, 2008 as “Constitution Week” in the City of Grand Junction

Appointments

Riverfront Commission

Certificates of Appointments

To the Parks and Recreation Advisory Board

To the Urban Trails Committee

*** *Indicates New Item*

® *Requires Roll Call Vote*

REVISED

Council Comments

Citizen Comments

Angela Fullerton and Concerned Citizens would like to address the City Council on Solar Access Protection (Protection of Existing Solar Collection Devices)

City Council/City Manager Meeting Schedule Review

***** CONSENT CALENDAR ***®**

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

Action: Approve the Minutes of the August 27, 2008 Annual Persigo Meeting, the September 3, 2008 Special Session, and the September 3, 2008 Regular Meeting

2. **Setting a Hearing on Amending the City Smoking Ordinance to Specify Signage Requirements for Public Parks and Unenclosed Public Places** [Attach 2](#)

City staff has become aware of issues regarding inadequate notification of non-smoking areas in public parks and unenclosed public places. To help clarify and reinforce notification of non-smoking areas, City staff wishes to revise the Smoking Ordinance to include specific language regarding sign placement in public parks and unenclosed public places.

Proposed Ordinance Amending Chapter 16, Article VI, Section 16-127 of the Code of Ordinances to Specify Placement of Non-Smoking Signs in Public Parks and Unenclosed Public Places

Action: Introduction of a Proposed Ordinance and Set a Hearing for September 29, 2008

Staff presentation: John Shaver, City Attorney

3. **Setting a Hearing on Andy's Liquor Mart Rezone, Located at 145 Belford Avenue and 925 and 927 N. 2nd Street** [File #RZ-2008-222] [Attach 3](#)

A request to rezone 0.324 acres, located at 145 Belford Avenue and 925 - 927 N. 2nd Street, from R-O (Residential Office) to C-1 (Light Commercial). Proposed Ordinance Rezoning the Property Known as Andy's Liquor Mart Addition from R-O (Residential Office) to C-1 (Light Commercial), Located at 145 Belford Avenue and 925 and 927 N. 2nd Street

Action: Introduction of a Proposed Ordinance and Set a Hearing for September 29, 2008

Staff presentation: Brian Rusche, Senior Planner

4. **Setting a Hearing Amending the Zoning and Development Code Concerning Permits and B-2 Zone District Uses** [File #TAC-2008-240] [Attach 4](#)

The City of Grand Junction proposes to amend Chapters 2 and 3 of the Zoning and Development Code to extend the validity of administrative and public hearing permits, and to make certain uses in the B-2 (Downtown Business) and MU (Mixed Use) zone districts uses by right.

Proposed Ordinance Amending Sections in Chapters 2 and 3 of the Zoning and Development Code to Extend the Validity of Administrative and Public Hearing Permits and to Make Certain Uses in the B-2 (Downtown Business) and MU (Mixed Use) Zone Districts Uses by Right

Action: Introduction of a Proposed Ordinance and Set a Hearing for September 29, 2008

Staff presentation: Lisa E. Cox, Planning Manager

5. **Humphries Poli Architects Contract Modification for Additional Design Services for the Public Safety Initiative** [Attach 5](#)

This request is for approval of a contract modification for further design services related to the Public Safety Initiative. This modification reflects the next steps in preparation of design for the Public Safety Facilities located between Ute Avenue and Pitkin Avenue, 5th Street, and half a block east of 7th Street. These site improvements, utility relocations and design services will move the project into position to begin phased construction in early 2009, should the voters approve the project.

Action: Authorize the City Manager through the Purchasing Division to Enter into a Contract Modification with Humphries Poli Architects for Design Services Associated with the Public Safety Initiative, Not to Exceed \$200,000

Staff presentation: Troy Smith, Deputy Chief of Police

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

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

6. **Revise the City's 1% for Art Program** [Attach 6](#)

The Commission on Arts and Culture recommends several changes to the guidelines governing the City's Art in Public Places program, which was established in 1997 in order to include works of art as part of certain capital improvement projects, in order to allow the placement of art in locations that are the most visible and beneficial to the general public, and to allow for the pooling of funds from smaller CIP projects so that more significant and sizeable artwork may be purchased, if appropriate.

Resolution No. 125-08—A Resolution Revising the City of Grand Junction's Art in Public Places Program – One Percent for Art

®Action: *Adopt Resolution No. 125-08*

Staff presentation: Allison Sarmo, Cultural Arts Coordinator

7. **Public Hearing—Panorama Point Annexation and Zoning, Located at 2122 and 2123 Sequoia Court** [File #ANX-2008-176] [Attach 7](#)

Request to annex and zone 12.55 acres, located at 2122 and 2123 Sequoia Court, to CSR (Community Services and Recreation). The Panorama Point Annexation consists of 2 parcels, is a 2 part serial annexation, and includes portions of the Broadway, Panorama Drive, Sequoia Road, Sequoia Court, and Wild Rose Way rights-of-way.

a. Accepting Petition

Resolution No. 126-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Panorama Point Annexations No. 1 and 2, Located at 2122 and 2123 Sequoia Court and Including

Portions of the Broadway, Panorama Drive, Sequoia Road, Sequoia Court, and Wild Rose Way Rights-of-Way is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 4283—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Panorama Point Annexation No. 1, Approximately 0.22 Acres, Located at 2122 and 2123 Sequoia Court and Including Portions of the Broadway, Panorama Drive, Sequoia Road, Sequoia Court, and Wild Rose Way Rights-of-Way

Ordinance No. 4284—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Panorama Point Annexation No. 2, Approximately 12.33 Acres, Located at 2122 and 2123 Sequoia Court and Including a Portion of the Wild Rose Way Right-of-Way

c. Zoning Ordinance

Ordinance No. 4285—An Ordinance Zoning the Panorama Point Annexation to CSR (Community Services and Recreation), Located at 2122 and 2123 Sequoia Court

®Action: Adopt Resolution No. 126-08 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 4283, 4284, and 4285

Staff presentation: Senta L. Costello, Senior Planner

8. Public Hearing—Krogh Annexation and Zoning, Located at 2932 B ½ Road
[File #ANX-2008-164] [Attach 8](#)

Request to annex and zone 9.58 acres, located at 2932 B ½ Road, to R-4 (Residential 4 du/ac). The Krogh Annexation consists of 1 parcel and includes a portion of the B ½ Road right-of-way.

a. Accepting Petition

Resolution No. 127-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Krogh Annexation, Located at 2932 B ½ Road Including a Portion of the B ½ Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4286—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Krogh Annexation, Approximately 9.58 Acres, Located at 2932 B ½ Road Including a Portion of the B ½ Road Right-of-Way

c. Zoning Ordinance

Ordinance No. 4287—An Ordinance Zoning the Krogh Annexation to R-4 (Residential 4 DU/Ac), Located at 2932 B ½ Road

®Action: Adopt Resolution No. 127-08 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 4286 and 4287

Staff presentation: Senta L. Costello, Senior Planner

9. **Public Hearing—Green Leaf Annexation and Zoning, Located at 3109 E Road**
[File #ANX-2008-196] [Attach 9](#)

Request to annex and zone 2.29 acres, located at 3109 E Road, to R-8 (Residential 8 du/ac). The Green Leaf Annexation consists of one (1) parcel.

a. Accepting Petition

Resolution No. 128-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Green Leaf Annexation, Located at 3109 E Road is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4288—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Green Leaf Annexation, Approximately 2.29 Acres, Located at 3109 E Road

c. Zoning Ordinance

Ordinance No. 4289—An Ordinance Zoning the Green Leaf Annexation to R-8 (Residential 8 DU/Ac), Located at 3109 E Road

Action: Adopt Resolution No. 128-08 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 4288 and 4289

Staff presentation: Brian Rusche, Senior Planner

10. **Public Hearing—Mesa View Elementary School Annexation, Located at 2967 B Road** [File #GPA-2008-206] [Attach 10](#)

Request to annex 19.51 acres, located at 2967 B Road. The Mesa View Elementary Annexation consists of one (1) parcel.

a. Accepting Petition

Resolution No. 129-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Mesa View Elementary Annexation, Located at 2967 B Road is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4290—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Mesa View Elementary Annexation, Approximately 19.51 Acres, Located at 2967 B Road

®Action: Adopt Resolution No. 129-08 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4290

Staff presentation: Brian Rusche, Senior Planner

11. **Public Hearing—Martin R and S Annexation and Zoning, Located at 2105 H Road** [File #ANX-2008-205] [Attach 11](#)

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

a. Accepting Petition

Resolution No. 130-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Martin R and S Annexation, Located at 2105 H Road and Includes Portions of the 21 Road and H Road Rights-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4291—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Martin R and S Annexation, Approximately 1.54 Acres, Located at 2105 H Road and Includes Portions of the 21 Road and H Road Rights-of-Way

c. Zoning Ordinance

Ordinance No. 4292—An Ordinance Zoning the Martin R and S Annexation to I-1 (Light Industrial), Located at 2105 H Road

®Action: Adopt Resolution No. 130-08 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 4291 and 4292

Staff presentation: Judith Rice, Associate Planner

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

13. **Other Business**

14. **Adjournment**

Attach 1

Minutes from Previous Meetings

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

**ANNUAL JOINT PERSIGO MEETING MINUTES
AUGUST 27, 2008**

Call to Order

The Grand Junction City Council and the Mesa County Commissioners Annual Joint Persigo meeting was called to order by President of the Council Gregg Palmer at 6:04 p.m. on August 27, 2008 in the City Auditorium.

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

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

Also present were City Staffers City Manager Laurie Kadrich, City Attorney John Shaver, Deputy City Manager Rich Englehart, Public Works and Planning Director Tim Moore, Utilities and Street Systems Director Greg Trainor, Deputy Director of Utilities and Streets Systems Terry Franklin, Utilities Engineer Bret Guillory, Persigo WTPP Manager Dan Tonello, and City Clerk Stephanie Tuin.

County Staffers present were County Administrator Jon Peacock, Public Works Director Pete Baier, and Clerk to the Board Bert Raley.

Introduction

Utilities and Street Systems Director Greg Trainor introduced those present and reviewed some of the accomplishments at the Persigo Waste Water Treatment Plant in the past year.

Persigo Wastewater Treatment Plant Budget – 2008 Revised and 2009 Proposed

Utilities and Street Systems Director Greg Trainor then reviewed the purpose of the meeting, noting the budgetary information is general and the specifics will be presented to each governing body at subsequent meetings. No action is being requested at this time.

Regarding changes in the service area, there will be an issue on the November 4, 2008 ballot to dissolve the Fruitvale Sanitation District. If that measure passes, the Persigo

system will take over that system. Currently Persigo treats that sewer area but the dissolution will result in the Persigo system maintaining their collection system too. Similar future elections will come forward for Central Grand Valley and Orchard Mesa Sanitation Districts.

Council President Palmer asked what happens if the measure fails. Mr. Trainor referred to the City Attorney John Shaver. City Attorney Shaver advised the agreement provides that the measure continues to go on the ballot until it is approved.

Commissioner Meis asked how long the dissolution has been planned. City Attorney Shaver responded that it has been planned since 2004. Commissioner Meis asked for assurances that the financial accommodations have been provided in the operating plan for the plant. City Attorney Shaver assured him as such. Commissioner Meis further wanted to know if the plant will be taking on additional liability by taking over. City Attorney Shaver assured him that there are assets that will be acquired. Mr. Trainor advised that the City has TV'd their system the last two years and has cleaned the system twice so they are aware of the condition of the system. Mr. Trainor continued that two informational meetings are required prior to dissolution to talk about customer service, billing, and improvements to the system. They are in the process of planning those meetings.

Mr. Trainor continued that there is a 2.5% increase in rates built into the budget, as has been scheduled in the long range financial plan. In addition, the plant investment fees will be increased to \$2,800 per single family equivalent unit. It is scheduled to increase \$300 per year. Another rate study will occur in the future.

Commissioner Meis asked if the rates will be changed as a result of the capturing of the biogas. Mr. Trainor said that is being discussed but they want to make sure that is assured, there is definitely an asset, but how to utilize it best has yet to be decided.

Councilmember Coons asked if money is saved, will those savings be realized by the customers. Mr. Trainor said, if that proves possible, yes it will.

Mr. Trainor said that the change from 2008 to 2009 in the budget is 1.3% increase in the non-personnel operating expense.

He then asked Utilities Engineer Bret Guillory to review the capital expenses planned.

Bret Guillory, Utilities Engineer, stated that the total capital expenditures proposed for 2009 is \$5.6 million. He then reviewed the expenditures for the last two years.

Council President Palmer asked about trunk line expenditures being paid by the developers. Mr. Guillory stated that Persigo fronts the money and the money is repaid over time; the initial developer must contribute 15% of the cost which is then a credit to the developer.

Councilmember Hill asked where savings for lift station eliminations can be seen in the budget. Mr. Guillory replied that the savings should show up in the operation and maintenance expenditures years out.

Councilmember Hill asked about the calculation conflict since it is an enterprise fund. Mr. Trainor said that the exact savings from that elimination was not calculated. Mr. Guillory stated that another thing to take into consideration is the avoidance of possible spills and the Orchard Mesa lift station had been prone to sanitary sewer overflows.

Mr. Guillory said that a basin study is being conducted as part of the Comprehensive Plan. The basin study will provide a working model to be used to manage the system many years out.

Councilmember Hill asked if capacity issues will be addressed to account for 201 expansion. Mr. Guillory said yes.

Mr. Guillory went on to say that the septic system elimination project has slowed as a number of the troublesome neighborhoods have been taken care of. The remaining areas are typically larger lots which are more costly projects.

Councilmember Coons asked if anything has been pursued about the neighborhood by the river by Connected Lakes. Mr. Guillory said he has a meeting with a nearby neighborhood but that extension will help Persigo serve that area west of Albertsons.

Mesa County Public Works Director Pete Baier gave great credit to the City and the City's Staff for the management of the system noting it has been a good bargain for the citizens. The rates are kept low and the service level is high. He advised the Commissioners he will schedule a workshop so they can review the dissolution agreements that have been in place for some time so they have some familiarity with them. Mr. Baier praised having a rate and basin study in conjunction with the Comprehensive Plan.

Commissioner Meis inquired what a Mixing Zone study is. Mr. Trainor advised that the Persigo system is negotiating with Health Department for an upcoming discharge permit. If they have to discharge into the river rather than the Persigo Wash, there's a point in the river when two types of water flow comes together and a mixing zone study would describe when those two types of water would come together and what kind of impact that would have on the endangered fish species.

Commissioner Meis questioned who is responsible for reclaiming abandoned systems. Mr. Trainor said the City has taken care of the ones they own. Regarding the Bluffs West, that is the responsibility of the private property owner. Commissioner Meis asked if the Staff could pursue what the timeline is planned for reclamation on that property. Mr. Trainor said they will.

Other Business

Commissioner Meis said that he thinks that with the City/County's work on the completion the Comprehensive Plans, it might be a good time to look at the Persigo Agreement going forward between the City and the County.

Adjournment

There being no further business, City Council President Palmer adjourned the meeting at 6:47 p.m.

Stephanie Tuin, MMC
City Clerk

GRAND JUNCTION CITY COUNCIL

SPECIAL SESSION MINUTES

SEPTEMBER 3, 2008

The City Council of the City of Grand Junction, Colorado met in Special Session on Wednesday, September 3, 2008 at 5:30 p.m. in the Administration Conference Room, 2nd Floor, City Hall, 250 N. 5th Street. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Jim Doody, Bruce Hill, Doug Thomason, Linda Romer Todd, and President of the Council Gregg Palmer.

Council President Palmer called the meeting to order.

Councilmember Coons moved to go into executive session for discussion of personnel matters under Section 402 (4)(f)(I) of Open Meetings Law and they will not be returning to open session. Councilmember Thomason seconded the motion. The motion carried.

The City Council convened into executive session at 5:35 p.m.

Stephanie Tuin, MMC
City Clerk

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

September 3, 2008

The City Council of the City of Grand Junction convened into regular session on the 3rd day of September 2008 at 7:09 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 Deputy City Manager Rich Englehart, City Attorney John Shaver, and City Clerk Stephanie Tuin. City Manager Laurie Kadrich was absent.

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

Harry Butler, Minister for Certain Place of Seventh Day Handy Chapel, gave the invocation.

Proclamations

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

Appointments

Councilmember Beckstein moved to ratify the appointment of Elizabeth Collins for the remainder of a three year term expiring June, 2009 and the reappointment of Paul Darr and Mark Williams for three year terms expiring June, 2011 to the Urban Trails Committee. Councilmember Hill seconded the motion. Motion carried.

Certificates of Appointment

Chuck Keller and Merv Heinecke were present to receive their Certificates of Appointment to the Horizon Drive Association Business Improvement District.

Yvette Carnine was present to receive her Certificate of Appointment to the Parks and Recreation Advisory Board.

Council Comments/Resolution of Support

Update on Medical Campus Proposal

Councilmember Todd gave an update on the Medical Campus Proposal. She serves on the committee and they are looking at bringing 48 students from the University of Colorado on their last two years of rotation in medical school to this community. The

hope is that those students may stay and help fill the need for medical practitioners in this community.

Report on Colorado Water Congress Conference

Councilmember Todd reported she was at the Conference in Vail a couple of weeks ago. The Colorado Water Congress (CWC) was created 50 years ago. A tribute was made to Wayne Aspinall, a legislator who battled for water in western Colorado. Current water issues were discussed. She also recognized Utilities and Streets Systems Director Greg Trainor who was one of the presenters and did a great job. Council President Palmer thanked Councilmember Todd for her time and effort on that board.

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

Council President Palmer presented this item by reading the resolution endorsing Councilmember Hill's chairmanship on a NLC committee.

Councilmember Thomason moved to adopt Resolution No. 124-08. Councilmember Beckstein seconded the motion. Motion carried.

Citizen Comments

There were none.

CONSENT CALENDAR

Councilmember Hill recognized Housing Authority Director Jody Kole and her assistance to him on HUD housing in his capacity on the National League of Cities committee.

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

1. Minutes of Previous Meetings

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]

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

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

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

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

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

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]

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

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

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

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

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

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]

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

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

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

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

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

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Assign the City's 2008 Private Activity Bond Allocation to the Colorado Housing and Finance Authority

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.

Jodi Romero, Financial Operations Manager, presented this item. She explained the assignment of the Private Activity Bonds, giving an example of their use. This year there were no private entities asking for the allocation of the funds. Therefore, the request is to assign the funds to CHFA and specifically to be banked with CHFA in case a project does come forward in the next two years.

Councilmember Coons asked for clarification of "banking"; is it actually partnering with a housing project with CHFA. Ms. Romero confirmed that to be true.

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

Councilmember Todd moved to adopt Resolution No. 121-08. Councilmember Hill seconded the motion. Motion carried by roll call vote.

Construction Contract for Ranchmen's Ditch Flood Control Project Phase II, Part B (Continued from August 20, 2008)

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, noting it was continued from the last meeting. He reviewed the background of the project and of the bids. At the last meeting a letter from Grand Valley Irrigation Company (GVIC) was presented that stated they would not approve the construction to go forward without concrete pipe being used. The low bidder was able to substitute concrete pipe for steel pipe at the same price. Therefore, the recommendation is that the bid be awarded to the low bidder, Arapahoe Utilities and Infrastructure, Inc.

Councilmember Todd asked for confirmation that GVIC will sign off on this bid award. Mr. Moore confirmed that to be true.

Councilmember Coons asked if the City was aware of GVIC's concrete pipe requirements. Mr. Moore said the prior phase was bid out with both options (steel and concrete) but the low bidder had concrete pipe in their bid so it never came up as an issue.

Councilmember Hill moved to authorize the City Manager to enter into a Construction Contract with Arapahoe Utilities and Infrastructure, Inc., in the Amount of \$5,693,185. Councilmember Coons seconded the motion.

Councilmember Hill noted that at the last meeting there were five Councilmembers present. The letter from GVIC was presented and, in the City's contract, there is a provision for them to sign off on the construction. Evidently in the earlier phases GVIC had missed that either concrete or steel was acceptable by the City. If that issue had been brought to light earlier, the bid specification would have been changed. A second consideration is that the City is the recipient of a FEMA grant for partial funding of the project and without finishing the project this spring, the grant could be lost. Those two issues are how he made his decision.

Councilmember Thomason said he will support this action but he feels the last minute jockeying was unnecessary; he was satisfied with steel pipe.

Attorney Dan Wilson came forward to state that Scott Contracting, Inc. is present and wants to present information prior to the vote. That request was denied as the agenda item is not a public hearing.

Council President Palmer explained his issue with this situation. Bids are drafted to make the process fair; there is less labor when using steel so that bid is less. He has some discomfort even though he is sure the Staff had the citizens' best interest in mind. His concerns were relative to the playing field not being even.

Councilmember Todd said every bidder had the opportunity to bid with steel. She is concerned that not all the information was provided but Staff has reached out to rectify.

Council President Palmer stated that, nevertheless, he still felt there should not have been two different materials optioned.

The vote was called and the motion carried by roll call vote.

Vacation of a Utility Easement, Located at 2846 Grand Falls Drive [File #VE-2008-094]

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

Ronnie Edwards, Associate Planner, presented this item. She reviewed the history of the property. She described the location and advised that the request meets all the review criteria and the request is consistent with the Growth Plan.

Council President Palmer asked if it needs to be vacated or if the matter could be handled through a revocable permit.

Ms. Edwards deferred to the City Attorney who said for developability purposes a vacation would be the better option.

The applicant was present but did not wish to speak.

There was no one present who wanted to speak.

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

Councilmember Todd moved to adopt Resolution No. 122-08. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

Public Hearing—Zoning the Fournier Annexation, Located at 2132 Rainbow Ranch Drive [File #ANX-2008-111]

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

The public hearing was opened at 7:56 p.m.

Senta L. Costello, Senior Planner, presented this item. She described the request, the site, and asked that the Staff Report and attachments be entered into the record. Planning Commission and Staff both recommend approval. The annexation was approved two weeks ago. The applicant is present, is not needing to speak, but can answer questions.

There were no public comments.

The public hearing was closed at 7:58 p.m.

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

Councilmember Coons moved to adopt Ordinance No. 4281 and ordered it published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

Public Hearing—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).

The public hearing was opened at 7:59 p.m.

Senta L. Costello, Senior Planner, presented this item. She described the request, the site, and asked that the Staff Report and attachments be entered into the record. The Planning Commission and Staff recommend approval.

Russ Schuckman, the applicant, was present but did not wish to speak.

There were no public comments.

The public hearing was closed at 8:00 p.m.

Councilmember Hill asked about the process and how the request came back as R-4. He asked why it did not have to go back to Planning Commission. Ms. Costello said it was because the applicant changed their request and it was within the range of options.

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

Councilmember Coons moved to adopt Ordinance No. 4282 and ordered it published. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

Public Hearing—Mesa View Elementary Growth Plan Amendment, Located at 2967 B Road [File #GPA-2008-206]

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.

The public hearing was opened at 8:02 p.m.

Brian Rusche, Senior Planner, presented this item. He described the request and the site. He asked that the Staff Report and attachments be entered into the record. The request meets the review criteria. The applicant is present but does not need to make a presentation. However, they are available for questions.

Council President Palmer asked how the property will have access. Mr. Rusche explained the School District plans to divest itself of the property to a developer. It will ultimately be included in a larger development.

There were no public comments.

The public hearing was closed at 8:05 p.m.

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)

Councilmember Thomason moved to adopt Resolution No. 123-08. Councilmember Doody seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

Max Baldwin, Contact Construction Products, was displeased with the decision on the Ranchman Ditch bid award. His company manufactures the steel smooth core pipe and the qualified engineers with the City made the decision to include that pipe as an option in the bid documents. The decision was made on preference of the Irrigation Company that did not allow any discussion of the steel pipe option. His company put a lot of time and effort to support the cause and the best value for the citizens. The decision to change to concrete was not evaluated but the Irrigation Company was able to dictate the materials. He supported the selection of Arapahoe Utilities as the

contractor as they are a fine contractor, but what happened discourages participation in the bid process.

Other Business

There was none.

Adjournment

The meeting was adjourned at 8:09 p.m.

Stephanie Tuin, MMC
City Clerk

Attach 2
Setting a Hearing on Amending the City Smoking Ordinance
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Amend the City Smoking Ordinance to specify signage requirements for public parks and unenclosed public places		
File #			
Meeting Day, Date	Monday, September 15, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	September 4, 2008		
Author Name & Title	Mary Lynn Kirsch, City Attorney's Office		
Presenter Name & Title	John Shaver, City Attorney		

Summary: City staff has become aware of issues regarding inadequate notification of non-smoking areas in public parks and unenclosed public places. To help clarify and reinforce notification of non-smoking areas, City staff wishes to revise the Smoking Ordinance to include specific language regarding sign placement in public parks and unenclosed public places.

Budget: There is no budget impact.

Action Requested/Recommendation: Introduction of proposed Ordinance and setting a hearing for September 29, 2008.

Attachments: Proposed Ordinance

Background Information: City staff has received feedback from citizens that there is not adequate notification of non-smoking areas in public parks or unenclosed public places. Upon closer investigation, it was determined that some areas in the City, including public parks, needed better signage to designate non-smoking areas.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 16, ARTICLE VI, SECTION 16-127 OF THE
CODE OF ORDINANCES
TO SPECIFY PLACEMENT OF NON-SMOKING SIGNS IN PUBLIC PARKS AND
UNENCLOSED PUBLIC PLACES**

RECITALS:

Ordinance No. 3540 regulating smoking in public places was adopted by City Council on July 2, 2003 and was further amended by Ordinance No. 3829 and Ordinance No. 3914.

Chapter 16, Article VI, Section 16-127 (7) of the Code of Ordinances requires signs to be clearly and conspicuously posted in public places and enclosed areas; however, it does not clearly specify the signage requirements for public parks and unenclosed public places.

This Ordinance is intended to revise Chapter 16, Article VI, Section 16-127 (7) to clarify the requirement for posting adequate "No-Smoking" signs in public parks and unenclosed areas.

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

Chapter 16, Article VI, Section 16-127 (7) of the Code of Ordinances, as adopted by this Ordinance No. _____, is hereby amended to read as follows. (Additions are shown in underline; deletions are shown by ~~strike through~~.)

(7) Signs.

- a. Each owner, operator, manager and other person having control of an enclosed area or public place subject to the provisions hereof shall be jointly and severally responsible to clearly and conspicuously post:
 - (i) "No Smoking" signs or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a circle with a bar across it) in every public entrance or other areas where smoking is prohibited by this article.
 - (ii) In public places where smoking is allowed pursuant to this article, a sign with the words "Smoking is Allowed Inside" at each public entrance to, or in a position clearly visible on entering, the enclosed area in which smoking is permitted.
- b. All signs referred to in this Section 16-127 (7) shall be a minimum size of twenty (20) square inches and must be placed at a height of between four to six feet (4' – 6') above the floor.

c. All signs at public parks or unenclosed public places shall be visible to persons entering from the primary entrance or shall be posted at reasonable intervals along the property boundary. The primary entrance shall be referred to as the location where a sign identifies the park name, hours it is open to the public and other rules and regulations. For purposes of this ordinance "reasonable intervals" shall be presumed to be no less than 300 feet.

ALL OTHER PROVISIONS OF CHAPTER 16, ARTICLE VI SHALL REMAIN IN FULL FORCE AND EFFECT.

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

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

President of the Council

Attest:

City Clerk

Attach 3
Setting a Hearing on Andy's Liquor Mart Rezone
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Rezoning Andy's Liquor Mart Addition – Located at 145 Belford Avenue and 925 - 927 N. 2 nd Street		
File #	RZ-2008-222		
Meeting Day, Date	Monday, September 15, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	September 4, 2008		
Author Name & Title	Brian Rusche, Senior Planner		
Presenter Name & Title	Brian Rusche, Senior Planner		

Summary: A request to rezone 0.324 acres, located at 145 Belford Avenue and 925 - 927 N. 2nd Street, from R-O (Residential Office) to C-1 (Light Commercial).

Budget: N/A

Action Requested/Recommendation: Introduce the proposed Ordinance and set a hearing for September 29, 2008.

Background Information: See attached report.

Attachments:

1. Site Location Map / Aerial Photo Map
2. Future Land Use Map / Existing City and County Zoning Map
3. Resolution 76-08
4. Planning Commission Minutes – August 26, 2008
5. Proposed Rezone Ordinance

STAFF REPORT / BACKGROUND INFORMATION				
Location:		145 Belford Ave / 925 and 927 N. 2 nd Street		
Applicants:		Owner: Stonehil II, LLC (Darlene Stoner, Manager) Representative: Miles LaHue, Idiam Architecture, LLC		
Existing Land Use:		Two dwellings and two vacant lots		
Proposed Land Use:		Commercial		
Surrounding Land Use:	North	Commercial		
	South	Single-family Residential		
	East	Single-family Residential		
	West	Commercial (Andy's Liquor Mart)		
Existing Zoning:		R-O (Residential Office)		
Proposed Zoning:		C-1 (Light Commercial)		
Surrounding Zoning:	North	C-1 (Light Commercial)		
	South	R-O (Residential Office)		
	East	R-8 (Residential 8 du/ac)		
	West	C-1 (Light Commercial)		
Growth Plan Designation:		Commercial (Resolution 76-08)		
Zoning within density range?		X	Yes	No

STAFF ANALYSIS:

1. Background

The three parcels that are the subject of the rezone currently contain two dwelling units (925 and 927 N. 2nd Street). The house on 145 Belford Avenue was demolished sometime between 1986 and 1994, according to aerial photos. Collectively, the properties were originally known as Lots 9-12, including the East ½ of Lot 8, Block 12 of the original plat of Grand Junction. The City Council approved a Growth Plan Amendment (GPA-2008-058) designating the property Commercial on June 2, 2008 (Resolution 76-08).

Andy's Liquor Mart was established in 1989 within an existing structure at 922 N. 1st Street and subsequently added onto in 1995, after receiving a variance to the minimum side and rear yard setback of 10 feet. The current building is approximately 6750 square feet and sits along the east and south property lines on separate parcel(s) from the subject property. The land beneath the store is zoned C-1 (Light Commercial).

The properties adjacent to the store to the east have been acquired for a future expansion of the store, estimated at 3000 square feet. The proposed rezone is necessary for the proposed expansion, since the existing R-O (Residential Office) zone does not permit retail sales. The applicant notes that there is the possibility of demolishing the existing store in the future, in favor of constructing a new store.

2. Consistency with the Growth Plan

The requested zone district of C-1 is consistent with the Future Land Use designation of Commercial, established by Resolution 76-08.

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

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

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

When the Growth Plan was adopted, the property was zoned RMF-32. After adoption of the Growth Plan, the property was rezoned to R-O, along with other properties that were in residential use between 1st and 2nd Street and Ouray and Belford Avenues, along with the north side of Belford Avenue between 2nd and 3rd Street. The purpose of this zone is “to provide low-intensity, non-retail, neighborhood service and office uses that are compatible with adjacent residential neighborhoods” (Section 3.4.A.1). The R-O zoned properties within this neighborhood are primarily residences.

Therefore, the existing zoning was not in error, as applied to the existing neighborhood.

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

The majority of businesses along the 1st Street corridor between Grand and North Avenue are retail in nature, including automotive services. The future land use designations in the Growth Plan did not anticipate any future expansion by existing retail businesses, since the Commercial land use designation included only the existing commercial lots. A Growth Plan Amendment (GPA-2008-058) was approved on June 2, 2008 for this property, extending the Commercial designation to this property.

There are two locations where commercial use extends from 1st to 2nd Street. These are the tire shop on the north side of Belford Avenue and Fuoco Motors on both sides of Hill Avenue (two blocks south).

Therefore, there has been a change in the neighborhood, with other commercial uses extending to 2nd Street and the Growth Plan Amendment designating the property for commercial use.

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

This property is directly across the street from an existing automotive and tire service center. Many of the properties that are adjacent to existing retail and automotive uses have not transitioned into either offices or higher density housing, as anticipated by the R-O zoning.

The neighborhood, therefore, has uses that take advantage of the 1st Street frontage with existing residences next door, accessing the local streets. The applicant argues that allowing the commercial zone to expand modestly would be more compatible to the neighborhood than new office uses or high density housing allowed by the present zone, citing 2nd Street as a natural edge between commercial and residential uses.

The C-1 zone district is in conformance with the Commercial designation approved by the Growth Plan Amendment and the following goals and policies of the Growth Plan:

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

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

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

Policy 11.2: The City...will limit commercial encroachment into stable residential neighborhoods. In areas designated for residential development the City may consider inclusion of small scale neighborhood commercial development that provides retail and service opportunities in a manner compatible with surrounding neighborhoods in terms of scale and impact. (V.29)

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

Policy 18.1: The City...will coordinate with appropriate entities to monitor the supply of land zoned for commercial...development and retain an

adequate supply of land to support projected commercial...employment.
(V.35)

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

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

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

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

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

The existing Liquor Mart has access to 1st Street, a minor arterial, which will be eliminated as part of any expansion. Belford Avenue will become the primary point of entry, consistent with the tire shop on the north side of the street. The existing right-of-way (ROW) on Belford is 80 feet, while the minimum required for a commercial street is 52 feet. Second Street, on the east side of the property, also has an 80 foot ROW. There is an existing, unpaved alley behind the store between 1st and 2nd Street. The alley would need to be paved if utilized for access (including deliveries) or included in an Alley Improvement District. The intersection of 1st Street and North Avenue, one block north, is signalized. A bike lane is anticipated on 1st Street, according to the Urban Trails Plan.

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

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

The applicant indicates that there is no similar vacant property that would allow the relocation and expansion of the store. There is no vacant land along North Avenue between 1st Street and 12th Street and few redevelopment parcels with

good access, due to the design constraints of North Avenue. Access restrictions are also a factor along 1st Street, which has only one vacant property on the west side between Chipeta and Ouray and few redevelopment parcels. The subject property is immediately adjacent to the existing commercial business, and within one block of the 1st Street and North Avenue corridors.

6. The community will benefit from the proposed zone.

The addition of 0.324 acres of commercially zoned land, adjacent to existing retail businesses and within one block of major transportation routes, would be a responsible use of the land and provide the benefit of continued neighborhood retail services.

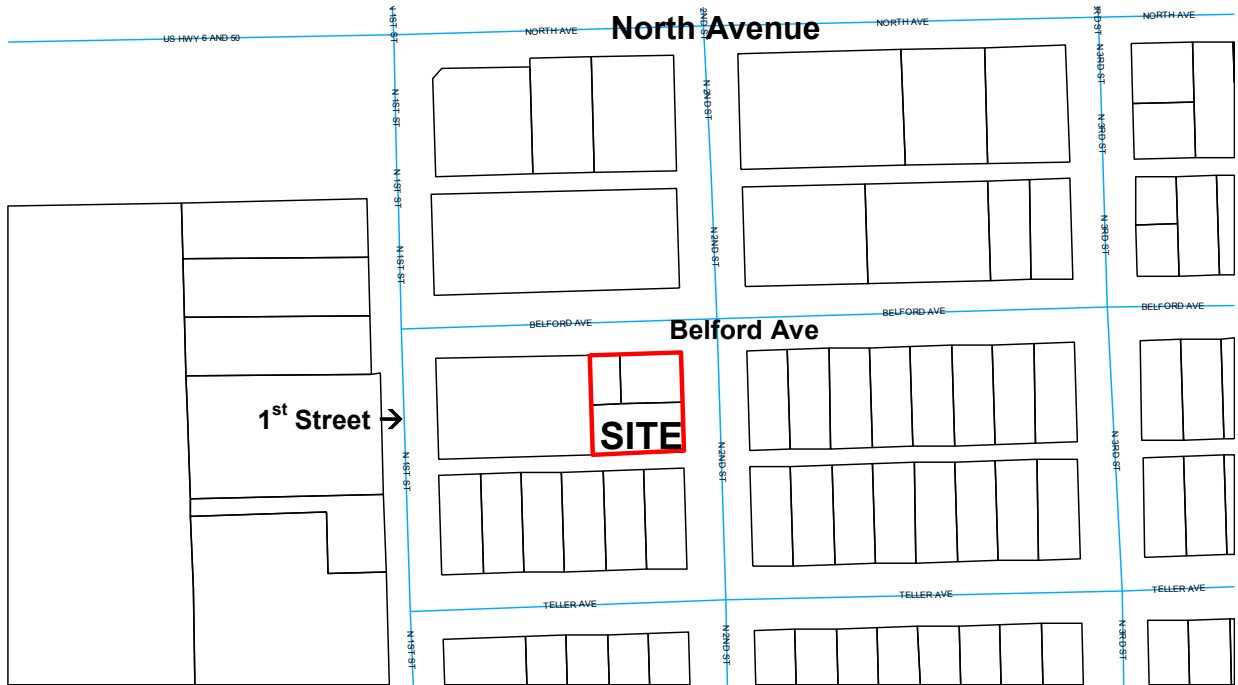
PLANNING COMMISSION RECOMMENDATION:

The Planning Commission, at their regular meeting of August 26, 2008 recommended approval of the requested rezone, RZ-2008-222, to the City Council with the following findings of fact and conclusions:

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

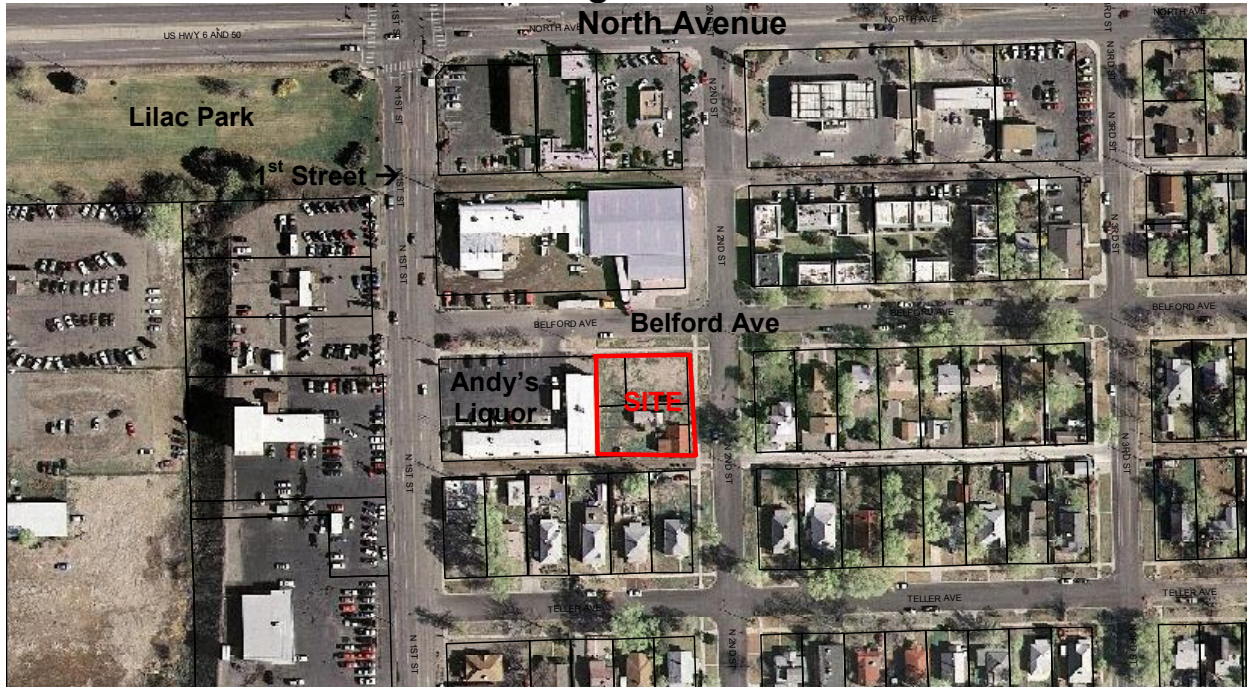
Site Location Map

Figure 1



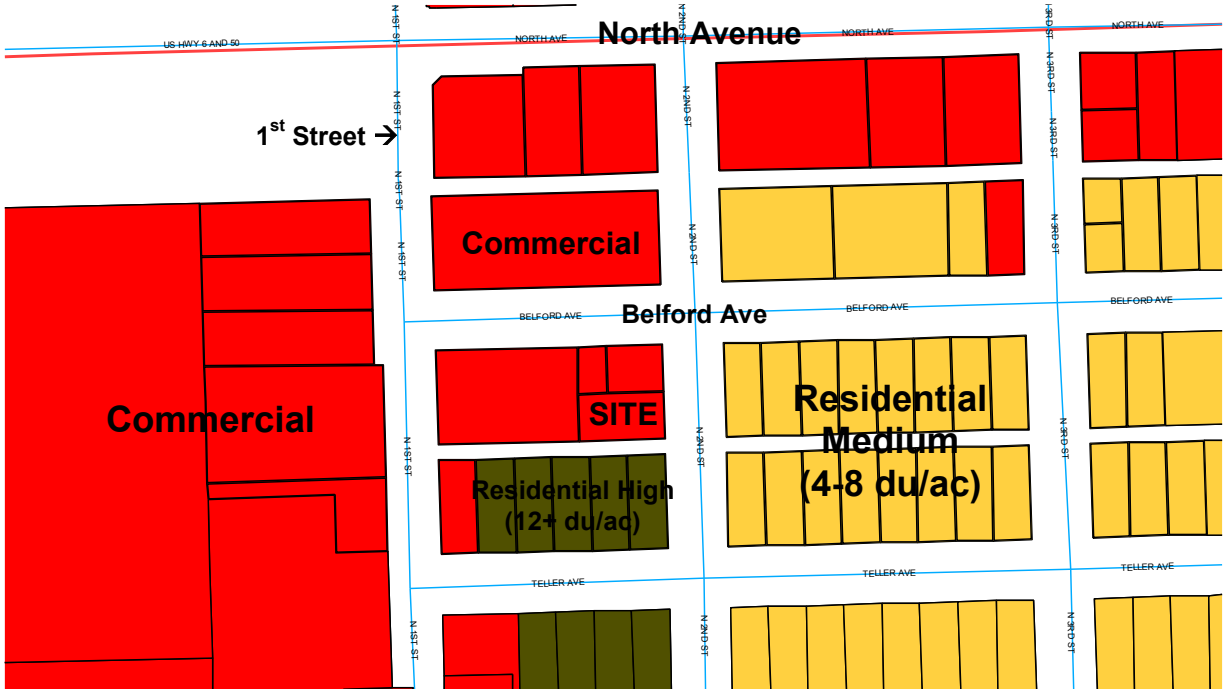
Aerial Photo Map

Figure 2



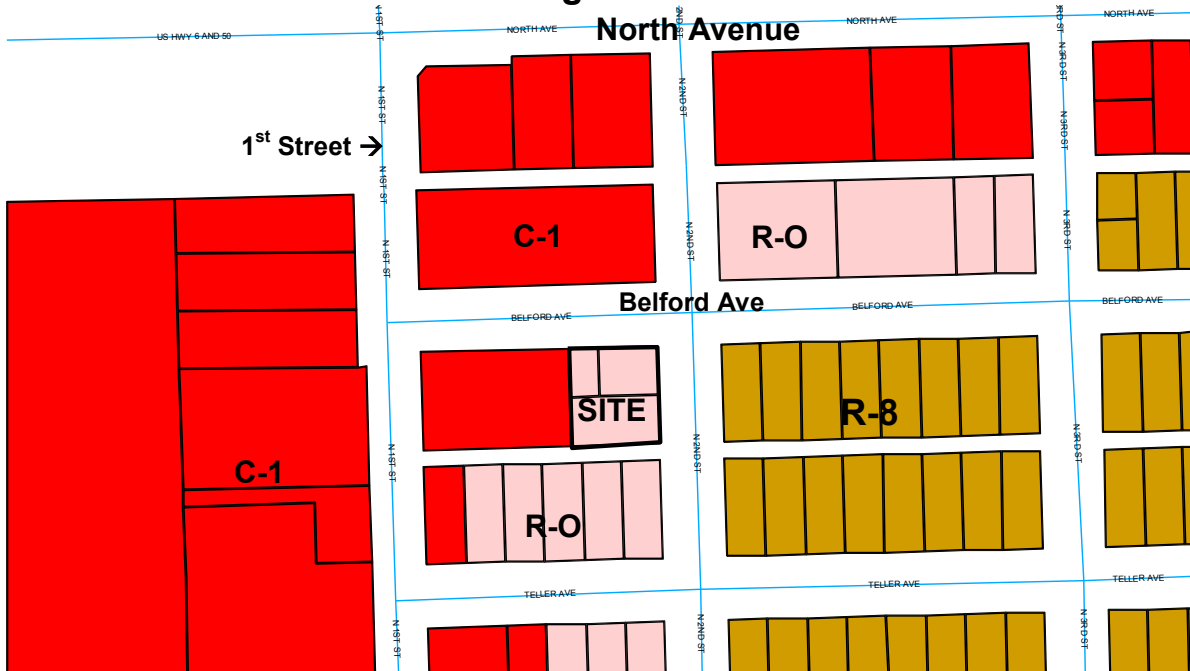
Future Land Use Map

Figure 3



Existing City Zoning

Figure 4



CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. 76-08

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

Recitals:

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

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

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

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

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

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

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

PASSED on this 2nd day of June, 2008.

ATTEST:

/s/ Stephanie Tuin
City Clerk

/s/ Gregg Palmer
President of Council

Planning Commission minutes of August 26, 2008 are not yet available.

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE REZONING THE PROPERTY KNOWN AS
ANDY'S LIQUOR MART ADDITION
FROM R-O (RESIDENTIAL OFFICE) TO C-1 (LIGHT COMMERCIAL)**

**LOCATED AT 145 BELFORD AVENUE AND
925 AND 927 N. 2ND STREET**

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended approval of rezoning property known as the Andy's Liquor Mart Addition to the C-1 (Light Commercial) 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 districts meet the criteria found in Section 2.6 of the Zoning & Development Code.

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

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

The following property be zoned C-1 (Light Commercial):

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

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

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

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

Introduced on first reading this _____ day of _____, 2008 and ordered published.

Adopted on second reading this _____ day of _____, 2008.

ATTEST:

President of the Council

City Clerk

Attach 4

**Setting a Hearing Amending the Zoning and Development Code
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
Subject	Proposed Amendments to Chapters 2 and 3 of the Zoning and Development Code		
File #	TAC-2008-240		
Meeting Day, Date	Monday, September 15, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	September 8, 2008		
Author Name & Title	Lisa E. Cox, Planning Manager		
Presenter Name & Title	Lisa E. Cox, Planning Manager		

Summary: The City of Grand Junction proposes to amend Chapters 2 and 3 of the Zoning and Development Code to extend the validity of administrative and public hearing permits, and to make certain uses in the B-2 (Downtown Business) and MU (Mixed Use) zone districts uses by right.

Budget: N/A

Action Requested/Recommendation: Introduce a proposed Ordinance and set a public hearing for Monday, September 29, 2008.

Attachments: Staff report and proposed ordinance.

Background Information: The City of Grand Junction considers proposed updates and changes to the Zoning and Development Code (Code) on a regular basis to ensure that the Code is addressing development issues in an efficient and effective manner. Certain updates and changes to the Code are desirable to maintain the Code's effectiveness and to ensure that the goals and policies of the Growth Plan and Future Land Use Map are being implemented.

STAFF ANALYSIS:

Staff is proposing amendments to Chapter 2 and 3 of the Zoning and Development Code which are intended to be responsive to economic conditions, facilitate the development review process and create a more efficient Code.

Validity of Development Approvals

Chapter Two of the Zoning and Development Code specifies the length of time that an administrative permit and public hearing permit shall be valid. In working with various development applications, both administrative and those that require a public hearing, it has become apparent by the frequency of requests for extensions that the validity for each type of permit is not sufficient. Changes in the local and national economy have created a more restrictive development environment that requires greater flexibility for the period of time between project or permit approval and final construction and completion of a project.

As Planning Manager, I have proposed several amendments to Chapter 2 of the Zoning and Development Code to extend the length of the validity for administrative permits and those requiring a public hearing. I believe that the proposed amendments are more reflective of the actual time required to complete a project and will reduce the need for development applicants to request extensions for approved permits and projects.

Allowed Uses in the B-2 (Downtown Business) and MU (Mixed Use) Zone Districts

Table 3.5, Use/Zone Matrix, specifies the uses allowed in a particular zone district for development occurring in the City of Grand Junction. Uses are identified by a short narrative description and indicated as either an allowed use (A), a conditional use (C), or as a prohibited use (indicated by a blank space on the matrix).

An "A" indicates that the listed use is allowed by right within the respective zoning district without the need for a public hearing. If compliance with all City, state and federal requirements are fully met, the Director may allow development, construction and/or use. A "C" indicates that the listed use is allowed within the respective zoning district only after review and approval of a conditional use permit. Conditional uses require a public hearing with review and approval by the Planning Commission.

From time to time various provisions of the Zoning and Development Code are reviewed to ensure that the Code is addressing community development issues in an efficient and effective manner.

Safety Service Uses

Safety Service uses (public safety and emergency services) have recently been reviewed for suitability and appropriateness as an allowed use in the B-2 (Downtown Business) zone district. In describing safety service uses, Chapter 9 of the Code notes that “they often need to be located in or near the area where the service is provided.”

A conditional use permit is currently required by the Code for a safety service use in the B-2 zone district. There are no use specific standards required by the Code for a safety service use. Potentially negative impacts such as the use of sirens on emergency service vehicles is not expected to produce a conflict in the B-2 district where many of the uses are businesses with daytime hours of operation. Because safety service uses should be located in the area that they serve and because the primary focus of development in the B-2 district is not residential, an amendment is proposed to make safety service uses an allowed use in the B-2 zone district.

Lodging and Office Uses

The purpose and intent of the MU (Mixed Use) zone district is to provide for a mix of light manufacturing and office park employment centers, retail, service and multifamily residential uses with appropriate screening and other amenities for each development. The MU district serves as a transition between residential and nonresidential use areas. Performance standards required by the Code address loading/service areas, vibration, glare, noise, solid/liquid waste, hazardous materials and outdoor storage and display. The Zoning and Development Code currently requires a conditional use permit for lodging and office uses in the MU zone district.

Because the MU district encourages a mix of uses and provides for performance standards to be incorporated into a site design that would mitigate potentially negative impacts, and because lodging and office uses are an intended type of development for the MU district, an amendment is proposed to permit lodging and office uses in the MU zone district as allowed uses. The proposed amendment would facilitate development of lodging and office uses in the MU zone district where they should be encouraged to locate and operate.

CONSISTENCY WITH GROWTH PLAN:

The proposed amendments are consistent with the goals and policies of the Growth Plan, including, but not limited to the following:

Goal 4: To coordinate the timing, location and intensity of growth with the provision of adequate public facilities.

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

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

Policy 8.2: The City and County will maintain the majority of governmental operations Downtown to help support the area's economic stability/vitality.

FINDINGS/CONCLUSIONS:

Staff recommends approval of the proposed amendments to the Zoning and Development Code with the findings that they are consistent with the goals and policies of the Growth Plan. I find that the proposed amendments are desirable to maintain the Code's responsiveness to the local economy, effectiveness in addressing the development needs of the City, and to ensure that the goals and policies of the Growth Plan and Future Land Use Map are being implemented.

PLANNING COMMISSION RECOMMENDATION:

During its regular September 9, 2008 meeting, the Planning Commission reviewed the proposed amendments and found that the requested amendments furthered the intent and purpose of the Growth Plan by ensuring that the Zoning and Development Code is maintained in a manner that addresses development issues in an efficient and effective manner. The Planning Commission then made a recommendation of approval to the City Council for adoption of the proposed amendments.

CITY OF GRAND JUNCTION

ORDINANCE NO.

AN ORDINANCE AMENDING SECTIONS IN CHAPTERS 2 AND 3 OF THE ZONING AND DEVELOPMENT CODE TO EXTEND THE VALIDITY OF ADMINISTRATIVE AND PUBLIC HEARING PERMITS AND TO MAKE CERTAIN USES IN THE B-2 (DOWNTOWN BUSINESS) AND MU (MIXED USE) ZONE DISTRICTS USES BY RIGHT

Recitals

The City of Grand Junction considers proposed updates and changes to the Zoning and Development Code (Code) on a regular basis to ensure that the Code is addressing development issues in an efficient and effective manner. Certain updates and changes to the Code are desirable to maintain the Code's effectiveness and to ensure that the goals and policies of the Growth Plan are being implemented.

The City of Grand Junction wishes to amend and update various sections of the Code to extend the validity of administrative and public hearing development approvals, and to make certain uses in the B-2 (Downtown Business) and MU (Mixed Use) zone districts uses by right.

The City Council finds that the request to amend the Code is consistent with the goals and policies of the Growth Plan.

The Planning Commission, having heard and considered the request, found the proposed amendments further several goals and policies of the Growth Plan and recommended approval of the proposed revisions to the Zoning and Development Code.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE ZONING AND DEVELOPMENT CODE BE ADMENDED AS FOLLOWS:

Amend Section 2.2.D.4.d, (Major Site Plan Review) Validity, as follows:

Validity. Unless otherwise approved, a major site plan shall ~~only be valid for 180 calendar days~~ expire on the anniversary date, one (1) year after, except that the Director may extend the permit for up to 180 more days if the applicant proves he/she can complete the project in conformance with currently adopted codes and policies. If a building permit is obtained ~~within said 180 calendar days,~~ prior to expiration of the major site plan, the major site plan approval shall be valid for as long as the building permit remains valid.

Amend Section 2.2.D.5.e, (Minor Site Plan) Validity, as follows:

Validity. Unless otherwise approved, a minor site plan shall ~~only be valid for 180 calendar days~~ expire on the anniversary date, one (1) year after, except that the Director may extend the permit for up to 180 more days if the applicant proves he/she can complete the project in conformance with currently adopted codes and policies. If a building permit is obtained ~~within said 180 calendar days,~~ prior to expiration of the minor site plan, the minor site plan approval shall be valid for as long as the building permit remains valid.

Amend Section 2.8.B.5, (Preliminary Subdivision Plan) Validity, as follows:

Validity. The applicant may propose a development phasing schedule at the time of application for a preliminary subdivision plan for consideration by the Planning Commission. In the absence of an approved phasing schedule, preliminary subdivision plan approval shall be valid for ~~only one (1) year~~ two (2) years, during which the applicant shall obtain final plat approval for all or a portion of the property. If a portion of the property in the preliminary subdivision plan is final platted with ~~one (1) year~~ two (2) years, the rest of the preliminary subdivision plan shall be automatically renewed for an additional one (1) year following the recording of each final plat, unless the Director notifies the applicant, in writing, to the contrary. The applicant shall plat the entire property included in the preliminary subdivision plan within ~~five (5)~~ six (6) years of the initial plan approval date. After ~~five (5)~~ six (6) years, approval of unplatted portions of the preliminary subdivision plan shall be considered void unless an extension is requested and approved by the decision making body.

Amend Section 2.8.C.4.d, Form of Final Action, as follows:

d. Form of Final Action. The form of final approval by the Director shall be the recording of the plat as per Section 2.8.E. If the Planning Commission approves the final plat, then the applicant's surveyor or engineer shall then make any changes necessary or required to comply with final approval conditions. The plat shall then be recorded within ~~one (1) year~~ two (2) years of action by the Planning Commission or as directed in the approved phasing plan/development schedule.

Amend Section 2.8.E.4, Recording of Subdivisions, as follows:

If the applicant does not complete all steps in preparation for recording a final plat within ~~one (1) year~~ two (2) years of approval of the preliminary subdivision plan, the plat shall require another review and processing as per Section 2.8 and shall then meet all the required current Code and regulations at that time. One (1) extension of ~~six (6)~~ twelve (12) months may be granted by the Director for good cause. Any additional extensions must be granted by the Planning Commission. The Planning Commission must find good cause for granting the extension.

Amend Section 2.12.D.4.d (Application and Review Procedures) Form of Final Action, as follows:

Form of Final Action. The form of final approval by the Director shall be the recording of the plan. If the Planning commission approves the final development plan then the surveyor or engineer shall make any changes necessary or required to comply with final approval conditions. The plan shall then be recorded with ~~six (6)~~ twelve (12) months of action by the Planning Commission or as directed in the approved phasing plan.

Amend Section 2.13.F, (CUP) Validity, as follows:

Validity. ~~Once established,~~ a A conditional use permit approval shall run with the land and remain valid until the property changes use or the use is abandoned and nonoperational for a period of twelve (12) consecutive months.

Amend Table 3.5, Use/Zone Matrix to show Safety Services- public safety and emergency services as an allowed use in the B-2 zone district.

Amend Table 3.5, Use/Zone Matrix to show Lodging-hotels, motels and similar establishments: Hotels/Motels as an allowed use in the MU zone district.

Amend Table 3.5, Use/Zone Matrix to show Office- activities conducted in an office setting and generally focusing on business, government, professional, or financial services: Office with Drive-Through as an allowed use in the MU zone district.

The Director shall be authorized to apply the provisions of this ordinance retroactively to development projects except to those projects that have expired.

Introduced for first reading this ____ day of _____, 2008.

Passed and adopted this ____ day of _____, 2008.

Attest:

Gregg Palmer
President of the Council

Stephanie Tuin
City Clerk

Attach 5

**Contract Modification for Additional Design Services for the Public Safety Initiative
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
Subject	Humphries Poli Architects – Contract Modification for Additional Design Services for the Public Safety Initiative		
File #			
Meeting Day, Date	Monday, September 15, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	September 9, 2008		
Author Name & Title	Troy Smith, Deputy Chief of Police		
Presenter Name & Title	Troy Smith, Deputy Chief of Police		

Summary: This request is for approval of a contract modification for further design services related to the Public Safety Initiative. This modification reflects the next steps in preparation of design for the Public Safety Facilities located between Ute Avenue and Pitkin Avenue, 5th Street, and half a block east of 7th Street. These site improvements, utility relocations and design services will move the project into position to begin phased construction in early 2009, should the voters approve the project.

Budget: These design services are not to exceed \$200,000 and will be funded with an Energy Impact Grant, awarded by the Department of Local Affairs.

Action Requested/Recommendation: Authorize the City Manager through the Purchasing Division to enter into a contract modification with Humphries Poli Architects for design services associated with the Public Safety Initiative, not to exceed \$200,000.

Attachments: Professional Services Contract Scope of Work Amendment

Background Information: Humphries Poli Architects is assisting the City in preparing the site for future use and preparing documents for the land use/development process. This contract modification includes site improvements such as utility relocations and preliminary sizing estimates for future utility usage. Additionally, it includes schematic design of Fire Station Number 1, which is required for the City's institutional and civic master plan, the major site plan review and other planning requirements; an analysis of the parking structure to further refine access points and their impact on traffic flow; and coordination with Shaw Construction on constructability reviews and scheduling.

This scope of services does not take the public safety project or Fire Station Number One to a completed design phase. Rather, it would allow for continued progress in preparing the site for future usage and accelerate the ability to begin phase one of construction, which includes Fire Station Number One, should the voters approve the ballot question. Significant additional design work will be needed on the public safety building, annex building, parking structure, and municipal courts, which will not be undertaken until the results of the November election are ascertained.

The three neighborhood fire stations, located generally in the northeast, northwest and near the airport that are a part of the Public Safety Initiative are not included in this contract proposal. Preliminary design on these three facilities has not been undertaken at this time.

02 September 2008/REVISED 05 September 2008

Deputy Chief Troy Smith
Grand Junction Police Department
625 Ute Ave
Grand Junction CO 81501

RE: Revised Proposal for Professional Services
Schematic Design Fire Station No. 1
City of Grand Junction Public Safety Complex.

Dear Troy:

Humphries Poli Architects, P.C. (Architect) is pleased to submit this Revised Letter of Proposal to the City of Grand Junction (Client) to provide additional professional services associated with the above referenced project. The purpose of this letter is to define the scope of services and confirm the compensation associated with the work.

Scope of Services

We understand the City of Grand Junction intends to pursue the schematic design of Fire Station #1 and various site improvements and preliminary studies for the proposed Public Safety Campus (PSC).

Fire Station #1 consists of a two story building of approximately 27,000 sf located between Pitkin and Ute and east of 7th Street in Grand Junction. The scope of this Agreement will be the finalization of the programming effort and the schematic design. Schematic Design services will include those typical to a project of this nature and will include Civil Engineering, Structural Engineering, Mechanical and Electrical Engineering, Architecture, Landscape Architecture and Interiors. The Architect will consult with TCA of Seattle to provide specific design services related to the unique aspect of this building. The Schematic Design documents shall establish the conceptual design of the Project illustrating the scale and relationship of the Project components. The Schematic Design Documents shall include a conceptual site plan, preliminary building plans, sections and elevations. Preliminary selections of major building systems and construction materials shall be noted on drawings or described in writing.

The PSC site improvements will be constructed on a site located between Ute Ave., Pitkin Ave., 5th Street and a half block east of 7th Street in downtown Grand Junction. The scope of this work will include the relocation of various existing utilities on site, including but not limited to, sewer, storm, and water, at the request of the City's staff. The Architect will prepare design and bid documentation consistent with the Standards of the City of Grand Junction for this work. This work also includes the preliminary sizing and location of gas and electrical utilities for the PSC in order that the local utility providers can commence the process of bringing appropriately sized services to the site.

The scope of services will also include an analysis of the access points to/from the Parking Structure in order to facilitate preliminary approvals by the City and CDOT.

The Entitlement/Rezoning process has been initiated through an Additional Services Agreement in place between the Architect and City. The services associated with this work are being performed on an hourly basis within the limited funds available through that Agreement. Further studies required for the Entitlement/Rezoning process will be conducted through this Agreement, if needed, through 5 November 2008 at which time the compensation for facilitating this process will be developed into a lump sum amount compensated through a separate Agreement.

We also understand the City has retained the services of a qualified CM/GC to provide preconstruction services to the project team. These preconstruction services can be summarized by stating the involvement of the CM/GC will include constructability reviews, scheduling, and cost estimating.

Services Not Included

The following professional services have not been included in the scope to be provided by the Architect:

1. Cost Estimating.
2. Identification of or design services related to the removal of hazardous materials.
3. Site Survey
4. Geotechnical Engineering
5. Design Services Beyond those noted above.
6. Traffic Studies

These services could be provided on an hourly basis at the rates noted below.

Fees for Professional Services

Compensation for professional services will be based upon a lump sum of \$200,000.00.: This fee will include reimbursable expenses for travel, printing, postage, etc with the exception of air travel by the consultant which will be paid directly by the City. The Architect will coordinate their travel arrangements through the City. The following represents a general breakdown of the fees for these services:

Schematic Design Fire Station #1		\$ 150,000.00
Utility Relocation		\$ 15,000.00
Preliminary Electrical/Gas Sizing	\$ 5,000.00	
Parking Garage Access Study	\$ 5,000.00	
Entitlement/Rezoning		\$ 20,000.00
Expenses		<u>\$ 5,000.00</u>
Total		<u>\$ 200,000.00</u>

Invoices will be submitted to your attention on a monthly basis illustrating a percent of completion to date with payment due within 30 days after receipt. Interest at the rate of 1.0% per month will be assessed on the unpaid balances Expenses associated with the collection of unpaid balances will be the responsibility of the Client.

Reimbursable expenses for items such as travel, copies, CADD plots, long distance telephone, messenger and prints will be invoiced on an at-cost basis with a 10% mark-up. With the exception of airfare we have included these costs within the lump sum fee noted above. We understand the City will be responsible for arranging flights to and from Seattle for TCA and will include those costs in a separate budget.

Compensation for additional professional services if requested will be charged on an hourly basis at the following rates:

Principal		\$ 225/hr.
Associate		\$ 145/hr.
Architect III		\$ 125/hr.
Architect II		\$ 115/hr.
Architect I		\$ 100/hr.
Project Manager		\$ 110/hr.
Senior Designer	\$ 90/hr.	
Designer		\$ 75/hr.
Landscape Architect	\$ 75/hr.	
Staff		\$ 50/hr.

These rates are subject to change on a on annual basis in January of each year commencing in January 1, 2009.

Summary

We are most appreciative of your requesting this proposal to provide these services. We have thoroughly enjoyed our collaboration to date with the entire City of Grand Junction team and are confident that resulting design of the Public Safety Campus will be one that will appropriately reflect the City, its populace and be recognized for its efficiency and sophistication amongst peer organizations around the world. We are excited by this opportunity. We have the team ready to commence the work with you.

Please do not hesitate to ask me any questions concerning this matter.

Sincerely,
Humphries Poli Architects, P.C.



Dennis R. Humphries AIA
Principal

Cc: Michelle Lopez Orsini
Jim Shanks- City of Grand Junction

Attach 6
Revise the City's 1% for Art Program
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Revise the City's 1% for Art Program		
File #			
Meeting Day, Date	Monday, Sept. 15, 2008		
Placement on the Agenda	Consent		Individual X
Date Prepared	Thursday, Sept. 4, 2008		
Author Name & Title	Allison Sarmo, Cultural Arts Coordinator		
Presenter Name & Title	Allison Sarmo, Cultural Arts Coordinator		

Summary: The Commission on Arts and Culture recommends several changes to the guidelines governing the City's Art in Public Places program, which was established in 1997 in order to include works of art as part of certain capital improvement projects, in order to allow the placement of art in locations that are the most visible and beneficial to the general public, and to allow for the pooling of funds from smaller CIP projects so that more significant and sizeable artwork may be purchased, if appropriate.

Budget: None – this is actually a budget reduction since the minimum CIP project budget toward which the 1% for Art program would apply will be raised from \$50,000 to \$100,000.

Action Requested/Recommendation: The Commission recommends that the City Council approve Resolution No. -08 which revises and replaces Resolution No. 20-97.

Attachments: Resolution No. -08

Background Information: The City Council established the Art in Public Places program in 1997 to enhance City properties, parks, and buildings by including works of art for certain sites when major capital improvement projects are undertaken. Over the last decade the Commission on Arts and Culture has spearheaded the selection of artwork for eighteen different CIP projects, from small tile murals on parks restrooms to major sculptures at City Hall, Two Rivers Convention Center, and Canyon View Park.

Resolution No. 20-97 stipulates that the art selected through the 1% for Art program be installed at the site of each CIP project, and occasionally this means that the location is not the most beneficial to the public, such as the traffic engineering building and the engineering lab building. Revising the guidelines to allow the Commission to select a more appropriately public location would be more in keeping with the actual intend of the public art program – to enhance public spaces and improve the urban environment.

Because Resolution No. 20-97 mandates site-specific art acquisition, this also means that sometimes the budget for art is very small (under \$1,000), and impactful, high quality artwork for that price can be difficult to find. Allowing the pooling of funds from several projects in the “Public Art Fund”, rather than having to spend exactly 1% of each construction budget at each specific construction site will result in larger, more impressive and striking works of art for the community.

The changes to the original Resolution No. 20-97 include the following:

1. Providing for the placement of works of art in the most appropriate locations for the enjoyment of the general public and the pooling of 1% funds by including the phrase “or at an alternate and more appropriately public site” in the first paragraph of Section 1, and by including the phrase “or may be placed at a more appropriate site selected by the Grand Junction Commission on Arts and Culture and accessible to the general public” in the first paragraph of Section 4;
2. Increasing the minimum capital improvement project budget toward which the 1% for Art appropriation applies, in the first paragraph of Section 2, from \$50,000 to \$100,000;
3. Providing for the inclusion of artwork in traffic circles (but no other street projects), when possible, by including the phrase in Section 2, under the definition of a structure, “or a traffic circle or vehicular roundabout, if inclusion of artwork would be suitable and feasible at such a location”;
4. Assuring that the City Department on whose property the artwork will eventually be placed is involved in the art selection process by including the phrase “or, if an alternative site is selected, the City department in which the artwork will be located” in the first paragraph of Section 5; and
5. Bringing the Resolution in line with actual current practice by including the phrase “with the advice and guidance of the Commission on Arts and Culture” in the second paragraph of Section 5.

RESOLUTION NO. ____-08

A RESOLUTION REVISING THE CITY OF GRAND JUNCTION'S ART IN PUBLIC PLACES PROGRAM – ONE PERCENT FOR ART

RECITALS:

In February 1997 the City of Grand Junction (“City”) created the City’s Art in Public Places program, authorizing the allocation of funds for the acquisition of art in conjunction with certain City capital improvement projects, establishing a method of calculating art appropriations for City capital projects, providing for an art selection process, and establishing a Public Art Fund. The program has been successful. The City chooses to continue the program with some revisions.

The City wishes to enhance the aesthetic environment of its public spaces, buildings, and property by integrating high quality urban design and art into its capital improvement projects.

The City wishes to create a more visually pleasing environment and expand the opportunities for residents and visitors to experience quality works of art by facilitating the acquisition, display, and development of such works of art in public places.

The City wishes to provide for the placement of works of art in the most appropriate locations for the enjoyment of the general public and the enhancement of City spaces and property; and to provide for the pooling of funds allocated through the 1% for Art program in a Public Art Fund; and to increase the minimum amount of the capital improvement construction budget toward which the 1% for Art appropriation applies;

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

Section 1. Purpose

The purpose of this ordinance is to establish and implement an Art in Public Places program which provides for acquisition by the City of works of art in conjunction with certain City capital improvement projects by requiring that all applicable City projects include funding for a work or works of art to be placed at that site or at an alternate and more appropriately public site in a location visible and accessible to the general public.

Section 2. Definitions

Capital Improvement Project means any capital improvement project included in the City of Grand Junction Capital Improvement Plan with a total budgeted allocation of \$100,000 or higher, paid for or completed wholly or in part by the City, regardless of the

source of funding, for construction, renovation, or remodeling of any public building, structure, or park. Projects not subject to this program shall be: Water, Sewer and Sanitation Enterprise Fund projects; land acquisition; projects consisting solely of purchase or installation of equipment, including but not limited to, lighting, traffic signals, signage, underground utilities, electronics, playground, equipment, or HVAC; and projects to resurface, repaint, reroof, or overlay existing streets, sidewalks, trails, cart paths, parking lots, buildings, or structures.

Commission on Arts and Culture means the board established and appointed by the City Council pursuant to Resolution No. 44-89.

Public Art Fund means a separate account established by the City to receive monies appropriated to the Art in Public Places program.

Structure means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner, or a traffic circle or vehicular roundabout, if inclusion of artwork would be suitable and feasible at such a location.

Works of Art means all forms of original creations of visual art, including but not be limited to sculpture, painting, fountains, mosaics, graphic arts, printmaking, drawing, photography, ceramics, stained glass, fiber art, woodworking, metal work, and mixed media. Works of art may also include unique and artistic landscaping features or environmental installations when located within a park, and decorative or ornamental architectural embellishments not part of the basic design of a structure or building.

Section 3. Funding

All appropriations for applicable City capital improvement projects shall include an amount equal to one percent (1%) of the lesser of the City's Engineer's estimate (or other City staff estimate if an engineer's estimate is not available) or the amount of the bid awarded; *i.e., multiply by 0.01* the lesser of any available engineer's estimate or the original bid award for the capital construction project but exclude costs of real property acquisition and exclude the amounts of any subsequent change orders, additions or deletions.

Section 4. Uses of Funds

Funds appropriated for art shall be transferred to a "Public Art Fund" established for this purpose. Money collected in this fund shall be used solely for selection, acquisition, purchase, commissioning, placement, installation, exhibition, and display of works of art. Artwork may be temporary or permanent, may be integral to the architecture, and/or may be incorporated into the site of the construction project for which the appropriation is allocated or may be placed at a more appropriate site selected by the Grand Junction Commission on Arts and Culture and accessible to the general public.

Any costs and responsibilities associated with administration of this program shall be reflected in the budget of the Grand Junction Commission on Arts and Culture or other appropriate department of the City, and any costs and responsibilities associated with maintenance or repair of the artwork shall be reflected within the budget of the department having possession of the work.

Any excess or unexpended funds in the "Public Art Fund" shall carry forward in this account at the end of each fiscal year and may be allocated in conjunction with future capital improvement projects.

Section 5. Responsibilities.

Responsibility for administration of the Art in Public Places Program shall rest with the Grand Junction Commission on Arts and Culture. The Commission shall establish and amend, with City Council approval, criteria and guidelines governing the selection, acquisition, purchase, commissioning, placement, installation, and maintenance of works of art. Selection and placement of works of art shall be in conjunction with representatives of the City Council and the City department responsible for the specific capital improvement project or, if an alternative site is selected, the City department in which the artwork will be located.

Following placement or installation, maintenance and repair of the artwork shall be the responsibility of the department having possession of the work, with the advice and guidance of the Commission on Arts and Culture. Any proposed works of art requiring extraordinary operation or maintenance expenses shall receive prior approval of the department head responsible for such operation or maintenance.

Section 6. Public Art Fund.

There is hereby established a "Public Art Fund" into which shall be deposited funds appropriated pursuant to Section 3 of this ordinance, together with any other funding appropriated by City Council for the purchase of works of art, and any grants or donations received from other sources for this purpose. Funds shall be approved for expenditure in accordance with City financial policies, department regulations, and criteria established pursuant to Section 5 of this ordinance.

Section 7. Other Works of Art.

Nothing in this ordinance shall be construed to preclude the selection, acquisition, purchase, commissioning, placement, or installation of works of art in public places other than those placed pursuant to this ordinance.

Resolution No. 20-97 is hereby repealed and replaced by this policy.

Passed and adopted this day of , 2008.

ATTEST:

President of the Council

City Clerk

Attach 7
Public Hearing—Panorama Point Annexation and Zoning
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Annexing and Zoning the Panorama Point Annexation - Located at 2122 and 2123 Sequoia Court		
File #	ANX-2008-176		
Meeting Day, Date	Monday, September 15, 2008		
Placement on the Agenda	Consent		Individual X
Date Prepared	August 22, 2008		
Author Name & Title	Senta L. Costello – Senior Planner		
Presenter Name & Title	Senta L. Costello – Senior Planner		

Summary: Request to annex and zone 12.55 acres, located at 2122 and 2123 Sequoia Court, to CSR (Community Services and Recreation). The Panorama Point Annexation consists of 2 parcels, is a 2 part serial annexation, and includes portions of the Broadway, Panorama Drive, Sequoia Road, Sequoia Court, and Wild Rose Way rights-of-way.

Budget: N/A

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

Attachments:

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

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION				
Location:		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:

ANNEXATION:

This annexation area consists of 12.55 acres of land and is comprised of 2 parcels. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

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

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

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

The following annexation and zoning schedule is being proposed.

<u><i>ANNEXATION SCHEDULE</i></u>	
August 4, 2008	Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use
August 26, 2008	Planning Commission considers Zone of Annexation
September 3, 2008	Introduction of a proposed Ordinance on Zoning by City Council
September 15, 2008	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
October 17, 2008	Effective date of Annexation and Zoning

PANORAMA POINT ANNEXATION SUMMARY

File Number:	ANX-2008-176	
Location:	2122 and 2123 Sequoia Court	
Tax ID Number:	2947-142-00-265 / 2947-142-00-023	
Parcels:	2	
Estimated Population:	0	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	0	
Acres land annexed:	12.55 acres	
Developable Acres Remaining:	11.85 acres	
Right-of-way in Annexation:	13190.23 sq ft of the Broadway, Panorama Drive, Sequoia Road, Sequoia Court, and Wild Rose Way rights-of-way	
Previous County Zoning:	RSF-4 (Residential Single Family 4 du/ac)	
Proposed City Zoning:	CSR (Community Services and Recreation)	
Current Land Use:	Vacant	
Future Land Use:	2 Single Family Lots	
Values:	Assessed:	= \$1330
	Actual:	= \$4600
Address Ranges:	2122 and 2123 Sequoia Court	
Special Districts:	Water:	Ute Water
	Sewer:	City of Grand Junction
	Fire:	Grand Junction Rural
	Irrigation:	Redlands Water & Power
	School:	Mesa County School District #51
	Pest:	Grand River Mosquito District

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.

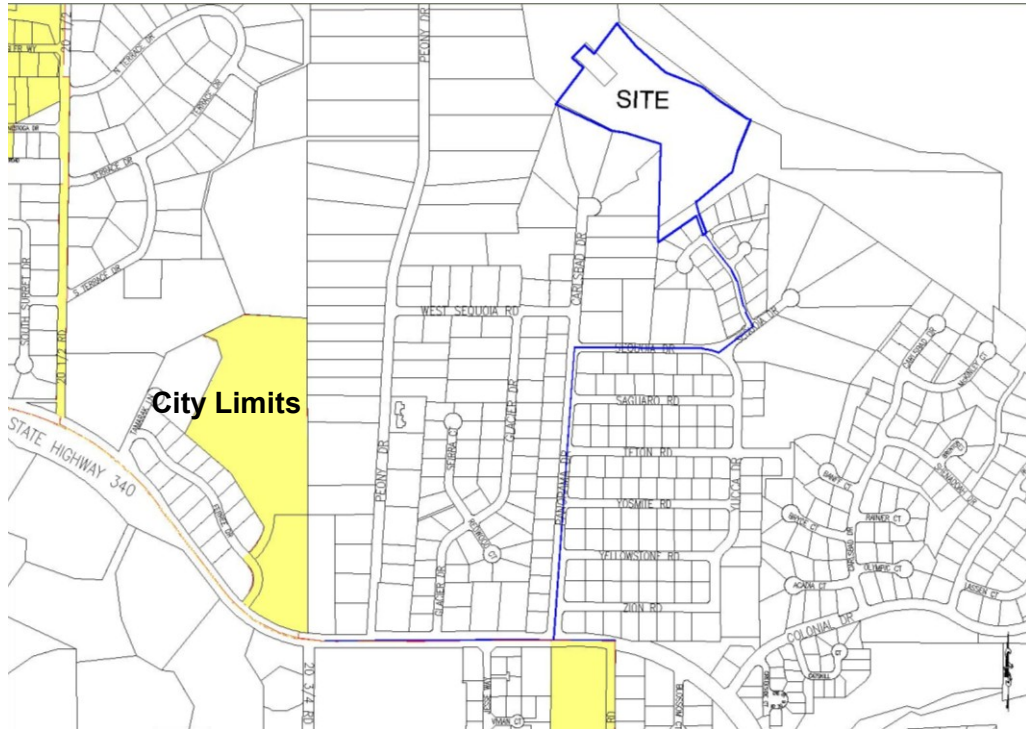
Alternatives: In addition to the zoning that the petitioner has requested, the following zone district would also be consistent with the Growth Plan designation for the subject property.

- a. 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.

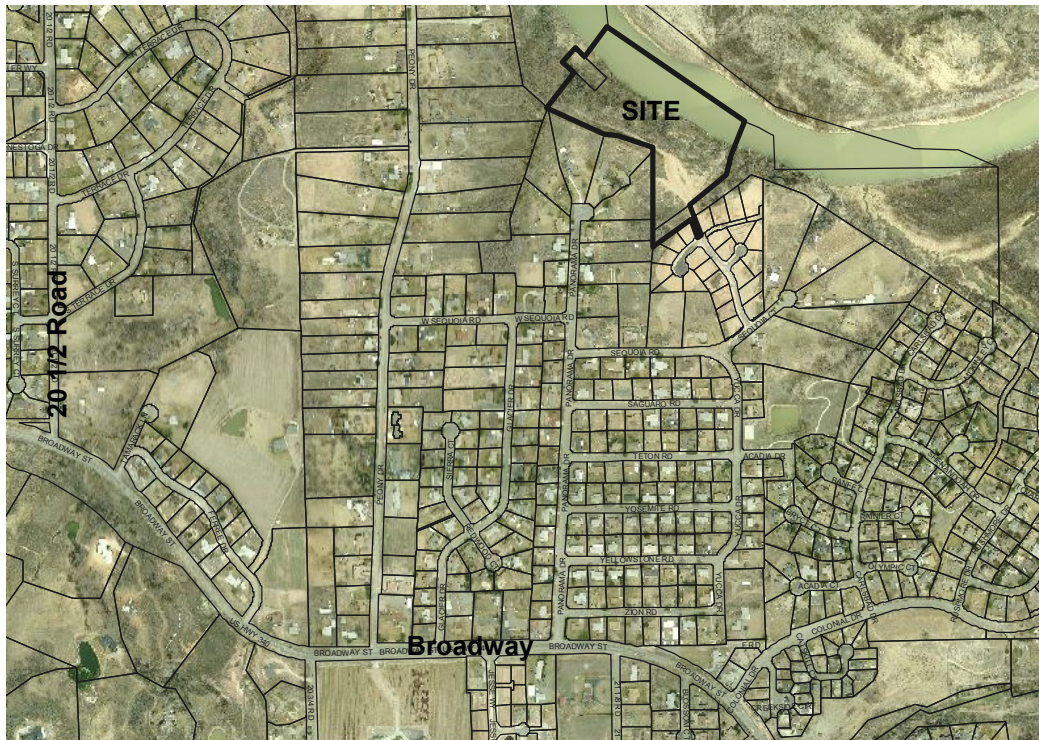
Annexation-Site Location Map

Figure 1



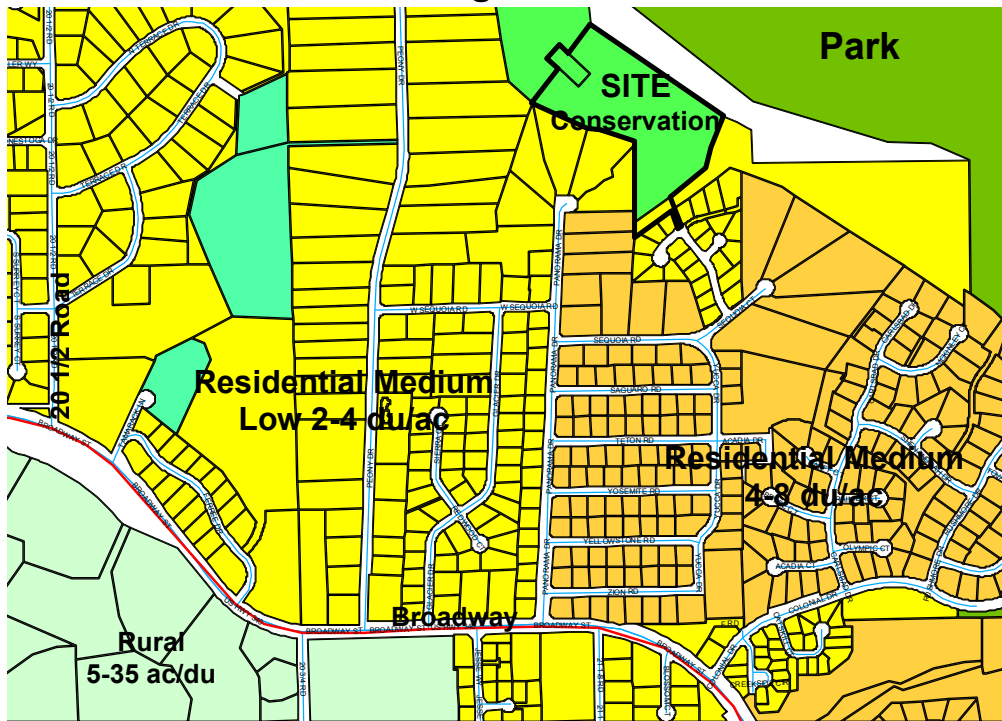
Aerial Photo Map

Figure 2



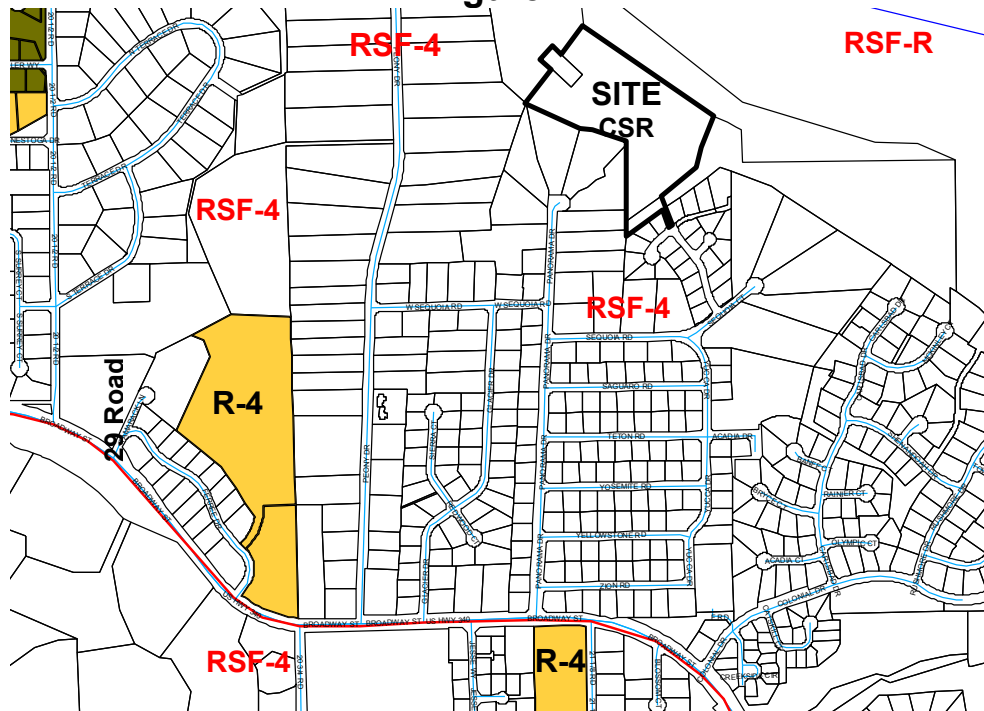
Future Land Use Map

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

RESOLUTION NO. ____

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

PANORAMA POINT ANNEXATIONS NO. 1 AND 2

**LOCATED AT 2122 AND 2123 SEQUOIA COURT AND INCLUDING PORTIONS OF
THE BROADWAY, PANORAMA DRIVE, SEQUOIA ROAD, SEQUOIA COURT, AND
WILD ROSE WAY RIGHTS-OF-WAY**

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 4th day of August, 2008, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

PANORAMA POINT ANNEXATION NO. 1

A certain parcel of land located in the Northeast Quarter (NE 1/4) of Section 22, the Southeast Quarter (SE 1/4) of Section 15, and the West Half (W 1/2) of Section 14, Township Eleven South, Range One Hundred and One West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Beginning at the Southwest corner of SW 1/4 SW 1/4 of said Section 14 and assuming the South line of the SW 1/4 SW 1/4 of said Section 14 to bear S89°34'19"E with all bearings contained herein relative thereto; thence S89°47'50"W a distance of 1125.50 feet along the North line of Rim View Estates Annexation, Ordinance No. 4129, City of Grand Junction; thence N00°06'34"W a distance of 2.00 feet; thence N89°47'50"E a distance of 1125.50 feet along a line being 2.00 feet North of and parallel with the North line of said Rim View Estates Annexation; thence S89°34'19"E a distance of 158.17 feet along a line being 2.00 feet North of and parallel with the South line of the SW 1/4 SW 1/4 of said Section 14; thence N04°11'00"E a distance of 1645.79 feet; thence S89°21'00"E a distance of 722.38 feet; thence 96.53 feet along the arc of a 197.01 foot radius curve, concave Southwest, having a central angle of 28°26'50" and a chord bearing S75°39'05"E a distance of 95.57 feet; thence N53°13'38"E a distance of 239.19 feet; thence N27°22'09"W a distance of 91.95 feet; thence 36.66 feet along the arc of a 152.00 foot radius curve, concave Northeast, having a central angle of 13°49'08" and a chord bearing N20°27'36"W a distance of 36.57 feet; thence N13°33'02"W a distance of 147.78 feet; thence 64.96 feet along the arc of a 148.00 foot radius curve, concave Southwest, having a central angle of 25°08'53" and a chord

bearing N26°07'32"W a distance of 64.44 feet; thence N38°42'02"W a distance of 164.88 feet; thence N51°17'58"E a distance of 2.00 feet; thence S38°42'02"E a distance of 164.88 feet; thence 65.84 feet along the arc of a 150.00 foot radius curve, concave Southwest, having a central angle of 25°08'53" and a chord bearing S26°07'32"E a distance of 65.31 feet; thence S13°33'02"E a distance of 147.78 feet; thence 36.18 feet along the arc of a 150.00 foot radius curve, concave Northeast, having a central angle of 13°49'08" and a chord bearing S20°27'36"E a distance of 36.09 feet; thence S27°22'09"E a distance of 93.65 feet; thence S53°13'38"W a distance of 242.16 feet; thence 96.82 feet along the arc of a 195.01 foot radius curve, concave Southwest, having a central angle of 28°26'50" and a chord bearing N75°39'05"W a distance of 95.83 feet; thence N89°21'00"W a distance of 720.50 feet; thence S04°11'00"W a distance of 1643.78 feet; thence S89°34'19"E a distance of 349.12 feet along a line being 2.00 feet North of and parallel with the South line of the SW 1/4 SW 1/4 of said Section 14; thence S00°32'41"W a distance of 2.00 feet to a point on the South line of the SW 1/4 SW 1/4 of said Section 14, said point also being the Northeast corner of said Rim View Estates Annexation; thence N89°34'19"W a distance of 509.30 feet along the South line of the SW 1/4 SW 1/4 of said Section 14, said line also being the Northerly line of said Rim View Estates to the Point of Beginning

Said parcel contains 0.22 acres (9,691.36 sq. ft.), more or less, as described.

PANORAMA POINT ANNEXATION NO. 2

A certain parcel of land located in the Northwest Quarter of the Southwest (NW 1/4 SW 1/4) and the Southwest Quarter of the Northwest (SW 1/4 NW 1/4) of Section 14, Township Eleven South, Range One Hundred and One West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Beginning at the Northwest corner of Lot 11 of the replat of Panorama Subdivision Filing No. 2, as same is recorded in Plat Book 9, Page 200, public records of Mesa County, Colorado and assuming the North line of Lot 11 of said replat of Panorama Subdivision Filing No. 2 to bear N64°23'28"W with all bearings contained herein relative thereto; thence along the following sixteen (16) courses: (1) N37°24'39"E a distance of 254.24 feet; (2) N46°12'30"W a distance of 82.81 feet; (3) N43°47'30"E a distance of 100.00 feet; (4) S46°12'30"E a distance of 71.63 feet; (5) N37°24'39"E a distance of 214.68 feet; (6) S33°37'34"E a distance of 9.28 feet; (7) S39°36'25"E a distance of 159.03 feet; (8) S49°00'02"E a distance of 221.06 feet; (9) S68°20'53"E a distance of 220.38 feet; (10) S52°00'12"E a distance of 120.98 feet; (11) S56°45'55"E a distance of 192.34 feet; (12) S67°42'21"E a distance of 16.56 feet; (13) S22°17'39"W a distance of 192.72 feet; (14) S15°07'42"W a distance of 117.64 feet; (15) S50°32'50"W a distance of 260.76 feet; (16) S16°12'23"E a distance of 68.20 feet to the Northwest corner of Lot 13 of Panorama Terraces, as same is recorded in Book 4541, Page 953, public records of Mesa County, Colorado; thence S19°41'18"E a distance of 112.39 feet along the West line of Lot 13 of said Panorama Terraces; thence S51°17'58"W a distance of 8.82 feet; thence S29°28'00"E a distance of 18.03 feet; thence 71.41 feet along the

arc of a 498.00 foot radius curve, concave Northeast, having a central angle of 08°12'59" and a chord bearing S34°35'31"E a distance of 71.35 feet; thence along a line being 2.00 feet East of Panorama Point Annexation No. 1 the following five (5) courses: (1) S38°42'02"E a distance of 164.88 feet; (2) 66.72 feet along the arc of a 152.00 foot radius curve, concave Southwest, having a central angle of 25°08'53" and a chord bearing S26°07'32"E a distance of 66.18 feet; (3) S13°33'02"E a distance of 147.78 feet; (4) 35.70 feet along the arc of a 148.00 foot radius curve, concave Northeast, having a central angle of 13°49'08" and a chord bearing S20°27'36"E a distance of 35.61 feet; (5) S27°22'09"E a distance of 95.34 feet; thence along a line being 2.00 feet South of said Panorama Point Annexation No. 1 the following three (3) courses: (1) S53°13'38"W a distance of 245.15 feet; (2) 97.13 feet along the arc of a 193.01 foot radius curve, concave Southwest, having a central angle of 28°26'50" and a chord bearing N75°39'05"W a distance of 96.10 feet; (3) N89°21'00"W a distance of 720.62 feet to a point on the Easterly line of said Panorama Terrace Annexation No. 1; thence along the South line of said Panorama Terrace Annexation No. 1 the following four (4) courses: (1) N04°11'00"E a distance of 2.00 feet; (2) S89°21'00"E a distance of 720.50 feet; (3) 96.82 feet along the arc of a 195.01 foot radius curve, concave Southwest, having a central angle of 28°26'50" and a chord bearing S75°39'05"W a distance of 95.83 feet; (4) N53°13'38"E a distance of 242.16 feet; thence along the Northeasterly line of said Panorama Terrace Annexation No. 1 the following six (6) courses: (1) N27°22'09"W a distance of 93.65 feet; (2) 36.18 feet along the arc of a 150.00 foot radius curve, concave Northeast, having a central angle of 13°49'08" and a chord bearing N20°27'36"W a distance of 36.09 feet; (3) N13°33'02"W a distance of 147.78 feet; (4) 65.84 feet along the arc of a 150.00 foot radius curve, concave Southwest, having a central angle of 25°08'53" and a chord bearing N26°07'32"W a distance of 65.31 feet; (5) N38°42'02"W a distance of 164.88 feet; (6) S51°17'58"W a distance of 2.00 feet; thence 72.02 feet along the arc of a 502.00 foot radius curve, concave Northeast, having a central angle of 08°12'59" and a chord bearing N34°35'31"W a distance of 71.96 feet; thence N29°28'04"W a distance of 17.41 feet; thence S51°20'16"W a distance of 8.27 feet to the Southeasterly corner of Lot 12 of said Panorama Terraces; thence N19°41'18"W a distance of 113.87 feet along the Easterly line of Lot 12 of said Panorama Terraces; thence S55°09'20"W a distance of 262.13 feet along the Northerly line of said Panorama Terraces to a point on the East line of Lot 7 of Panorama Subdivision Filing No. 2, as same is recorded in Plat Book 9, Page 178, public records of Mesa County, Colorado; thence N01°28'51"E a distance of 551.38 feet along the Easterly of said Panorama Subdivision Filing No. 2; thence along the Northerly line of said replat of Panorama Subdivision Filing No. 2 the following three (3) courses: (1) N72°35'35"W a distance of 208.40 feet; (2) N81°29'35"W a distance of 74.22 feet; (3) N64°23'28"W a distance of 351.78 feet to the Point of Beginning

Said parcel contains 12.33 acres (537,303.32 sq. ft.), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 15th day of September, 2008; and

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

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

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

ADOPTED this ____ day of _____, 2008.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

PANORAMA POINT ANNEXATION NO. 1

APPROXIMATELY 0.22 ACRES

**LOCATED AT 2122 AND 2123 SEQUOIA COURT AND INCLUDING PORTIONS OF
THE BROADWAY, PANORAMA DRIVE, SEQUOIA ROAD, SEQUOIA COURT, AND
WILD ROSE WAY RIGHTS-OF-WAY**

WHEREAS, on the 4th day of August, 2008, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 15th day of September, 2008; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

PANORAMA POINT ANNEXATION NO 1

A certain parcel of land located in the Northeast Quarter (NE 1/4) of Section 22, the Southeast Quarter (SE 1/4) of Section 15, and the West Half (W 1/2) of Section 14, Township Eleven South, Range One Hundred and One West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Beginning at the Southwest corner of SW 1/4 SW 1/4 of said Section 14 and assuming the South line of the SW 1/4 SW 1/4 of said Section 14 to bear S89°34'19"E with all bearings contained herein relative thereto; thence S89°47'50"W a distance of 1125.50 feet along the North line of Rim View Estates Annexation, Ordinance No. 4129, City of Grand Junction; thence N00°06'34"W a distance of 2.00 feet; thence N89°47'50"E a

distance of 1125.50 feet along a line being 2.00 feet North of and parallel with the North line of said Rim View Estates Annexation; thence S89°34'19"E a distance of 158.17 feet along a line being 2.00 feet North of and parallel with the South line of the SW 1/4 SW 1/4 of said Section 14; thence N04°11'00"E a distance of 1645.79 feet; thence S89°21'00"E a distance of 722.38 feet; thence 96.53 feet along the arc of a 197.01 foot radius curve, concave Southwest, having a central angle of 28°26'50" and a chord bearing S75°39'05"E a distance of 95.57 feet; thence N53°13'38"E a distance of 239.19 feet; thence N27°22'09"W a distance of 91.95 feet; thence 36.66 feet along the arc of a 152.00 foot radius curve, concave Northeast, having a central angle of 13°49'08" and a chord bearing N20°27'36"W a distance of 36.57 feet; thence N13°33'02"W a distance of 147.78 feet; thence 64.96 feet along the arc of a 148.00 foot radius curve, concave Southwest, having a central angle of 25°08'53" and a chord bearing N26°07'32"W a distance of 64.44 feet; thence N38°42'02"W a distance of 164.88 feet; thence N51°17'58"E a distance of 2.00 feet; thence S38°42'02"E a distance of 164.88 feet; thence 65.84 feet along the arc of a 150.00 foot radius curve, concave Southwest, having a central angle of 25°08'53" and a chord bearing S26°07'32"E a distance of 65.31 feet; thence S13°33'02"E a distance of 147.78 feet; thence 36.18 feet along the arc of a 150.00 foot radius curve, concave Northeast, having a central angle of 13°49'08" and a chord bearing S20°27'36"E a distance of 36.09 feet; thence S27°22'09"E a distance of 93.65 feet; thence S53°13'38"W a distance of 242.16 feet; thence 96.82 feet along the arc of a 195.01 foot radius curve, concave Southwest, having a central angle of 28°26'50" and a chord bearing N75°39'05"W a distance of 95.83 feet; thence N89°21'00"W a distance of 720.50 feet; thence S04°11'00"W a distance of 1643.78 feet; thence S89°34'19"E a distance of 349.12 feet along a line being 2.00 feet North of and parallel with the South line of the SW 1/4 SW 1/4 of said Section 14; thence S00°32'41"W a distance of 2.00 feet to a point on the South line of the SW 1/4 SW 1/4 of said Section 14, said point also being the Northeast corner of said Rim View Estates Annexation; thence N89°34'19"W a distance of 509.30 feet along the South line of the SW 1/4 SW 1/4 of said Section 14, said line also being the Northerly line of said Rim View Estates to the Point of Beginning

Said parcel contains 0.22 acres (9,691.36 sq. ft.), more or less, as described.

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

INTRODUCED on first reading on the 4th day of August, 2008 and ordered published.

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

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

PANORAMA POINT ANNEXATION NO. 2

APPROXIMATELY 12.33 ACRES

**LOCATED AT 2122 AND 2123 SEQUOIA COURT AND INCLUDING A PORTION OF
THE WILD ROSE WAY RIGHT-OF-WAY**

WHEREAS, on the 4th day of August, 2008, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 15th day of September, 2008; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

PANORAMA POINT ANNEXATION NO 2

A certain parcel of land located in the Northwest Quarter of the Southwest (NW 1/4 SW 1/4) and the Southwest Quarter of the Northwest (SW 1/4 NW 1/4) of Section 14, Township Eleven South, Range One Hundred and One West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Beginning at the Northwest corner of Lot 11 of the replat of Panorama Subdivision Filing No. 2, as same is recorded in Plat Book 9, Page 200, public records of Mesa County, Colorado and assuming the North line of Lot 11 of said replat of Panorama Subdivision Filing No. 2 to bear N64°23'28"W with all bearings contained herein relative thereto; thence along the following sixteen (16) courses: (1) N37°24'39"E a distance of 254.24 feet; (2) N46°12'30"W a distance of 82.81 feet; (3) N43°47'30"E a distance of

100.00 feet; (4) S46°12'30"E a distance of 71.63 feet; (5) N37°24'39"E a distance of 214.68 feet; (6) S33°37'34"E a distance of 9.28 feet; (7) S39°36'25"E a distance of 159.03 feet; (8) S49°00'02"E a distance of 221.06 feet; (9) S68°20'53"E a distance of 220.38 feet; (10) S52°00'12"E a distance of 120.98 feet; (11) S56°45'55"E a distance of 192.34 feet; (12) S67°42'21"E a distance of 16.56 feet; (13) S22°17'39"W a distance of 192.72 feet; (14) S15°07'42"W a distance of 117.64 feet; (15) S50°32'50"W a distance of 260.76 feet; (16) S16°12'23"E a distance of 68.20 feet to the Northwest corner of Lot 13 of Panorama Terraces, as same is recorded in Book 4541, Page 953, public records of Mesa County, Colorado; thence S19°41'18"E a distance of 112.39 feet along the West line of Lot 13 of said Panorama Terraces; thence S51°17'58"W a distance of 8.82 feet; thence S29°28'00"E a distance of 18.03 feet; thence 71.41 feet along the arc of a 498.00 foot radius curve, concave Northeast, having a central angle of 08°12'59" and a chord bearing S34°35'31"E a distance of 71.35 feet; thence along a line being 2.00 feet East of Panorama Point Annexation No. 1 the following five (5) courses: (1) S38°42'02"E a distance of 164.88 feet; (2) 66.72 feet along the arc of a 152.00 foot radius curve, concave Southwest, having a central angle of 25°08'53" and a chord bearing S26°07'32"E a distance of 66.18 feet; (3) S13°33'02"E a distance of 147.78 feet; (4) 35.70 feet along the arc of a 148.00 foot radius curve, concave Northeast, having a central angle of 13°49'08" and a chord bearing S20°27'36"E a distance of 35.61 feet; (5) S27°22'09"E a distance of 95.34 feet; thence along a line being 2.00 feet South of said Panorama Point Annexation No. 1 the following three (3) courses: (1) S53°13'38"W a distance of 245.15 feet; (2) 97.13 feet along the arc of a 193.01 foot radius curve, concave Southwest, having a central angle of 28°26'50" and a chord bearing N75°39'05"W a distance of 96.10 feet; (3) N89°21'00"W a distance of 720.62 feet to a point on the Easterly line of said Panorama Terrace Annexation No. 1; thence along the South line of said Panorama Terrace Annexation No. 1 the following four (4) courses: (1) N04°11'00"E a distance of 2.00 feet; (2) S89°21'00"E a distance of 720.50 feet; (3) 96.82 feet along the arc of a 195.01 foot radius curve, concave Southwest, having a central angle of 28°26'50" and a chord bearing S75°39'05"W a distance of 95.83 feet; (4) N53°13'38"E a distance of 242.16 feet; thence along the Northeasterly line of said Panorama Terrace Annexation No. 1 the following six (6) courses: (1) N27°22'09"W a distance of 93.65 feet; (2) 36.18 feet along the arc of a 150.00 foot radius curve, concave Northeast, having a central angle of 13°49'08" and a chord bearing N20°27'36"W a distance of 36.09 feet; (3) N13°33'02"W a distance of 147.78 feet; (4) 65.84 feet along the arc of a 150.00 foot radius curve, concave Southwest, having a central angle of 25°08'53" and a chord bearing N26°07'32"W a distance of 65.31 feet; (5) N38°42'02"W a distance of 164.88 feet; (6) S51°17'58"W a distance of 2.00 feet; thence 72.02 feet along the arc of a 502.00 foot radius curve, concave Northeast, having a central angle of 08°12'59" and a chord bearing N34°35'31"W a distance of 71.96 feet; thence N29°28'04"W a distance of 17.41 feet; thence S51°20'16"W a distance of 8.27 feet to the Southeasterly corner of Lot 12 of said Panorama Terraces; thence N19°41'18"W a distance of 113.87 feet along the Easterly line of Lot 12 of said Panorama Terraces; thence S55°09'20"W a distance of 262.13 feet along the Northerly line of said Panorama Terraces to a point on the East line of Lot 7 of Panorama Subdivision Filing No. 2, as same is recorded in Plat Book 9, Page 178, public records of Mesa County, Colorado; thence N01°28'51"E a distance of

551.38 feet along the Easterly of said Panorama Subdivision Filing No. 2; thence along the Northerly line of said replat of Panorama Subdivision Filing No. 2 the following three (3) courses: (1) N72°35'35"W a distance of 208.40 feet; (2) N81°29'35"W a distance of 74.22 feet; (3) N64°23'28"W a distance of 351.78 feet to the Point of Beginning

Said parcel contains 12.33 acres (537,303.32 sq. ft.), more or less, as described.

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

INTRODUCED on first reading on the 4th day of August, 2008 and ordered published.

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

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE 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 3rd day of September, 2008 and ordered published.

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

ATTEST:

President of the Council

City Clerk

Attach 8
Public Hearing—Krogh Annexation and Zoning
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Annexing and Zoning the Krogh Annexation - Located at 2932 B 1/2 Road		
File #	ANX-2008-164		
Meeting Day, Date	Monday, September 15, 2008		
Placement on the Agenda	Consent	<input type="checkbox"/>	Individual <input checked="" type="checkbox"/>
Date Prepared	August 22, 2008		
Author Name & Title	Senta L. Costello – Senior Planner		
Presenter Name & Title	Senta L. Costello – Senior Planner		

Summary: Request to annex and zone 9.58 acres, located at 2932 B 1/2 Road, to R-4 (Residential 4 du/ac). The Krogh Annexation consists of 1 parcel and includes a portion of the B 1/2 Road right-of-way.

Budget: N/A

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

Attachments:

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

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION			
Location:		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) / City R-4 (Residential 4 du/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:

ANNEXATION:

This annexation area consists of 9.58 acres of land and is comprised of 1 parcel. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

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

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

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

The following annexation and zoning schedule is being proposed.

<i>ANNEXATION SCHEDULE</i>	
August 4, 2008	Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use
August 26, 2008	Planning Commission considers Zone of Annexation
September 3, 2008	Introduction of a proposed Ordinance on Zoning by City Council
September 15, 2008	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
October 17, 2008	Effective date of Annexation and Zoning

<u>KROGH ANNEXATION SUMMARY</u>	
File Number:	ANX-2008-164
Location:	2932 B 1/2 Road
Tax ID Number:	2943-292-00-020
Parcels:	1
Estimated Population:	2
# of Parcels (owner occupied):	1
# of Dwelling Units:	1
Acres land annexed:	9.58 acres
Developable Acres Remaining:	8.305 acres
Right-of-way in Annexation:	0.24 acres of the B 1/2 Road right-of-way
Previous County Zoning:	RSF-R (Residential Single Family Rural 1 du/ 5 ac)
Proposed City Zoning:	R-4 (Residential 4 du/ac)
Current Land Use:	Single Family Home / Agriculture
Future Land Use:	Single Family Residential Development
Values:	Assessed: = \$10,980
	Actual: = \$109,500
Address Ranges:	2932 B 1/2 Road only
Special Districts:	Water: Ute Water
	Sewer: City of Grand Junction
	Fire: Grand Junction Rural
	Irrigation: Orchard Mesa Irrigation
	School: Mesa County School District #51
	Pest: Grand River Mosquito District

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.

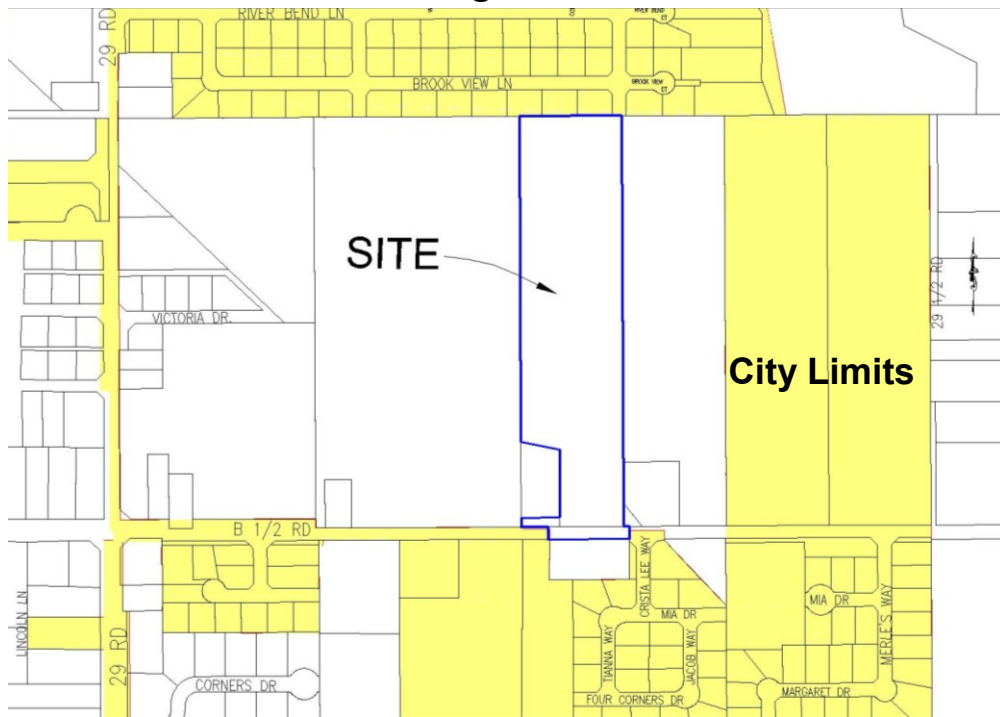
b. R-2

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-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



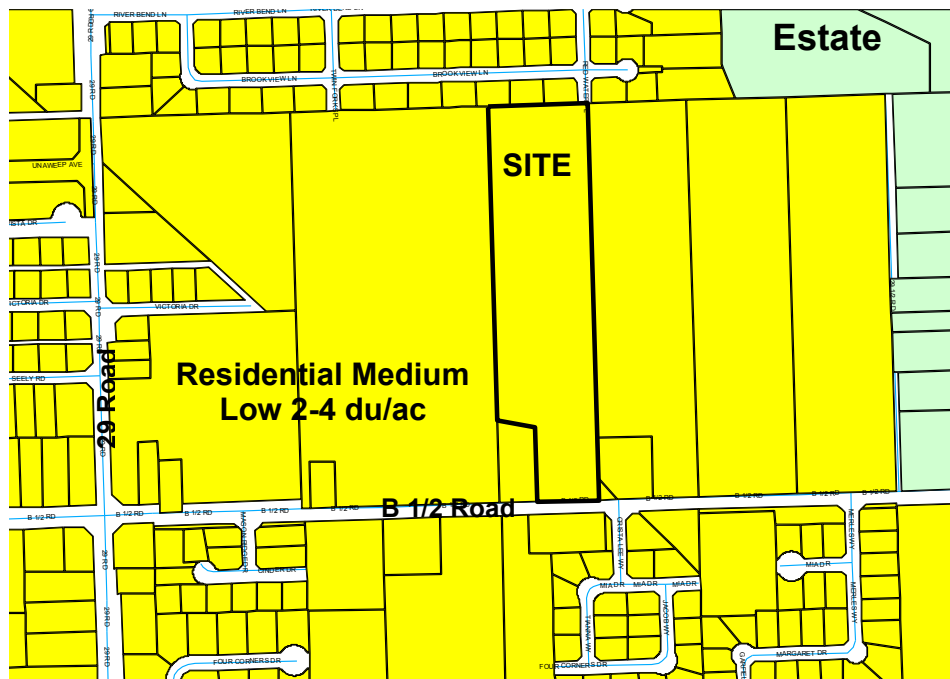
Aerial Photo Map

Figure 2



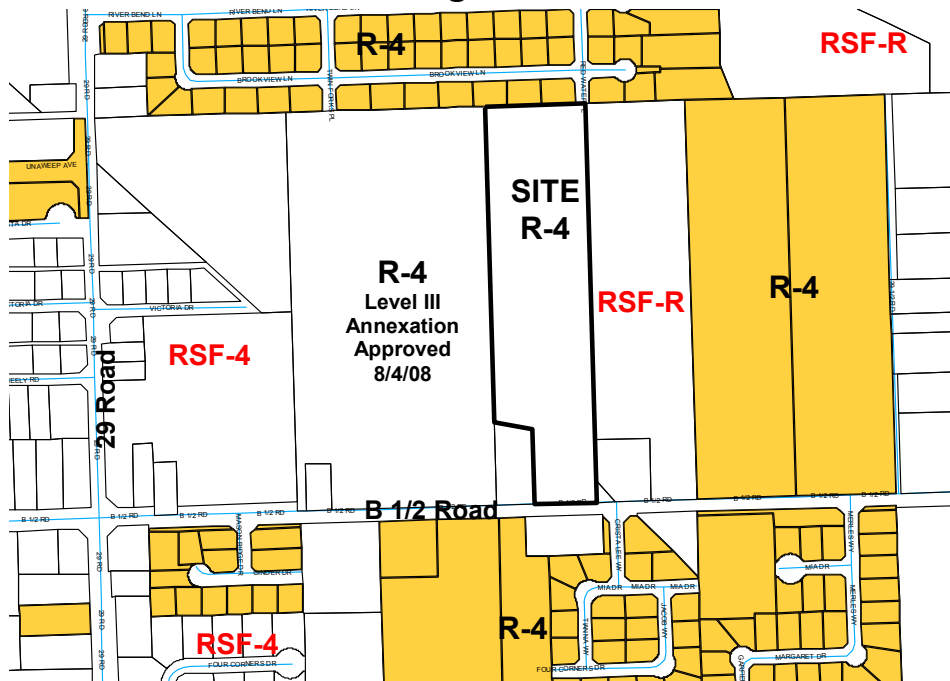
Future Land Use Map

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

RESOLUTION NO. _____

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

KROGH ANNEXATION

**LOCATED AT 2932 B 1/2 ROAD INCLUDING A PORTION OF THE B 1/2 ROAD
RIGHT-OF-WAY**

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 4th day of August, 2008, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

KROGH ANNEXATION

A certain parcel of land located in the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) and the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 29, Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Beginning at the Southwest corner of the SE 1/4 NW 1/4 of said Section 29 and assuming the West line of the SE 1/4 NW 1/4 of said Section 29 to bear N00°10'25"W with all bearings contained herein relative thereto; thence N00°10'25"W a distance of 30.00 feet along the West line of the SE 1/4 NW 1/4 of said Section 29, said line also being the East line of Level III Annexation, City of Grand Junction; thence N89°50'36"E a distance of 125.00 feet; thence N00°10'24"W a distance of 218.03 feet; thence N78°25'24"W a distance of 127.68 feet to a point on the West line of the SE 1/4 NW 1/4 of said Section 29, said point also being on the East line of said Level III Annexation; thence N00°10'25"W a distance of 1045.99 feet along the West line of the SE 1/4 NW 1/4 of said Section 29 to the Northwest corner of the SE 1/4 NW 1/4 of said Section 29, said point also being on the South line of Riverview Estates, as same is recorded in Book 4354, Pages 734 through 737, inclusive, public records of Mesa County, Colorado; thence N89°50'55"E a distance of 330.04 feet along the North line of SE 1/4 NW 1/4 of said Section 29, said line also being the South line of said Riverview Estates; thence S00°10'03"E a distance of 1319.96 feet to a point on the South line of the SE 1/4 NW 1/4 of said Section 29; thence N89°50'36"E a distance of 18.39 feet along the South line of the SE 1/4 NW 1/4 of said Section 29 to the Northwesterly corner of Crista Lee Annexation, Ordinance No. 3471, City of Grand Junction; thence S00°10'41"E a distance of 40.00 feet along the Westerly line of said Crista Lee Annexation; thence S89°50'36"W a distance of 261.36 feet along a line being 40.00 feet South of and parallel with the South line of the SE 1/4 NW 1/4 of said Section 29 to a point on the Easterly line of Larson Annexation No. 3, Ordinance No. 3425, City of

Grand Junction; thence N00°10'28"W a distance of 40.00 feet along the Easterly line of said Larson Annexation No. 3 to a point on the South line of the SE 1/4 NW 1/4 of said Section 29; thence S89°50'36"W a distance of 86.93 feet along the South line of the SE 1/4 NW 1/4 of said Section 29, said line also being the North line of said Larson Annexation No. 3 to the Point of Beginning.

Said parcel contains 9.58 acres (417,127.99sq. ft.), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 15th day of September, 2008; and

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

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

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

ADOPTED this ____ day of _____, 2008.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

KROGH ANNEXATION

APPROXIMATELY 9.58 ACRES

**LOCATED AT 2932 B 1/2 ROAD INCLUDING A PORTION OF THE B 1/2 ROAD
RIGHT-OF-WAY**

WHEREAS, on the 4th day of August, 2008, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 15th day of September, 2008; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

KROGH ANNEXATION

A certain parcel of land located in the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) and the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 29, Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Beginning at the Southwest corner of the SE 1/4 NW 1/4 of said Section 29 and assuming the West line of the SE 1/4 NW 1/4 of said Section 29 to bear N00°10'25"W with all bearings contained herein relative thereto; thence N00°10'25"W a distance of 30.00 feet along the West line of the SE 1/4 NW 1/4 of said Section 29, said line also being the East line of Level III Annexation, City of Grand Junction; thence N89°50'36"E a distance of 125.00 feet; thence N00°10'24"W a distance of 218.03 feet; thence N78°25'24"W a distance of 127.68 feet to a point on the West line of the SE 1/4 NW 1/4 of said Section 29, said point also being on the East line of said Level III Annexation; thence N00°10'25"W a distance of 1045.99 feet along the West line of the SE 1/4 NW 1/4 of said Section 29 to the Northwest corner of the SE 1/4 NW 1/4 of said Section 29, said point also being on the South line of Riverview Estates, as same is recorded in Book 4354, Pages 734 through 737, inclusive, public records of Mesa County, Colorado; thence N89°50'55"E a distance of 330.04 feet along the North line of SE 1/4 NW 1/4 of said Section 29, said line also being the South line of said Riverview Estates; thence S00°10'03"E a distance of 1319.96 feet to a point on the South line of the SE 1/4 NW 1/4 of said Section 29; thence N89°50'36"E a distance of 18.39 feet along the South line of the SE 1/4 NW 1/4 of said Section 29 to the Northwesterly corner of Crista Lee Annexation, Ordinance No. 3471, City of Grand Junction; thence S00°10'41"E a distance of 40.00 feet along the Westerly line of said Crista Lee Annexation; thence S89°50'36"W a distance of 261.36 feet along a line being 40.00

feet South of and parallel with the South line of the SE 1/4 NW 1/4 of said Section 29 to a point on the Easterly line of Larson Annexation No. 3, Ordinance No. 3425, City of Grand Junction; thence N00°10'28"W a distance of 40.00 feet along the Easterly line of said Larson Annexation No. 3 to a point on the South line of the SE 1/4 NW 1/4 of said Section 29; thence S89°50'36"W a distance of 86.93 feet along the South line of the SE 1/4 NW 1/4 of said Section 29, said line also being the North line of said Larson Annexation No. 3 to the Point of Beginning.

Said parcel contains 9.58 acres (417,127.99sq. ft.), more or less, as described.

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

INTRODUCED on first reading on the 4th day of August, 2008 and ordered published.

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

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE 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 3rd day of September, 2008 and ordered published.

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

ATTEST:

President of the Council

City Clerk

**Attach 9
Public Hearing—Green Leaf Annexation and Zoning
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
Subject	Green Leaf Annexation and Zoning - Located at 3109 E Road		
File #	ANX-2008-196		
Meeting Day, Date	Monday, September 15, 2008		
Placement on the Agenda	Consent		Individual X
Date Prepared	September 4, 2008		
Author Name & Title	Brian Rusche, Senior Planner		
Presenter Name & Title	Brian Rusche, Senior Planner		

Summary: Request to annex and zone 2.29 acres, located at 3109 E Road, to R-8 (Residential 8 du/ac). The Green Leaf Annexation consists of one (1) parcel.

Budget: N/A

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

Attachments:

1. Staff report/Background information
2. Annexation – Site Location Map / Aerial Photo Map
3. Future Land Use Map / Existing City and County Zoning Map
4. Minutes of August 12, 2008 Planning Commission
5. Acceptance Resolution
6. Annexation Ordinance
7. 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:

ANNEXATION:

This annexation area consists of 2.29 acres of land and is comprised of one parcel. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

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

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

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

The following annexation and zoning schedule is being proposed.

<i>ANNEXATION SCHEDULE</i>	
August 4, 2008	Referral of Petition (30 Day Notice), Introduction of a Proposed Ordinance, Exercising Land Use
August 12, 2008	Planning Commission considers Zone of Annexation
September 3, 2008	Introduction of a proposed Ordinance on Zoning by City Council
September 15, 2008	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
October 17, 2008	Effective date of Annexation and Zoning

GREEN LEAF ANNEXATION SUMMARY	
File Number:	ANX-2008-196
Location:	3109 E Road
Tax ID Number:	2943-152-00-015
Parcels:	1
Estimated Population:	0
# of Parcels (owner occupied):	0
# of Dwelling Units:	0
Acres land annexed:	2.29 acres
Developable Acres Remaining:	2.29 acres
Right-of-way in Annexation:	None
Previous County Zoning:	County RMF-5 (Residential Multi-Family 5 du/ac)
Proposed City Zoning:	R-8 (Residential 8 du/ac)
Current Land Use:	Vacant – former commercial greenhouse
Future Land Use:	Residential
Values:	Assessed: \$65,580
	Actual: \$226,130
Address Ranges:	3109 E Road
Special Districts:	Water: Clifton Water
	Sewer: Central Grand Valley Sewer District
	Fire: Clifton Fire Protection District
	Irrigation: Grand Valley Irrigation Company
	School: Mesa County Valley School District #51
	Pest: Upper Grand Valley Pest Control District
	Mosquito: Grand River Mosquito District
Drainage: Grand Valley Drainage District	

Zone of Annexation: The requested zone of annexation to the R-8 (Residential 8 du/ac) district is consistent with the Growth Plan density 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. This 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 designated 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.

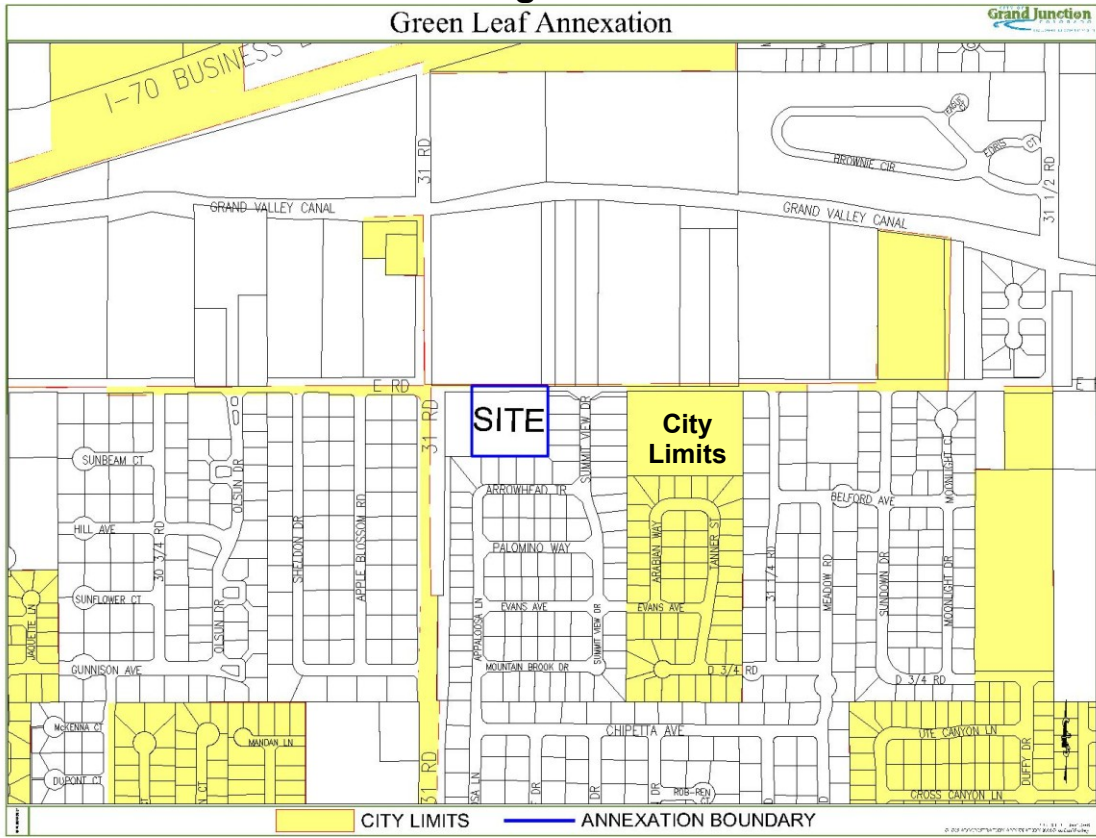
- c. R-4 (Residential 4 du/ac)
- d. R-5 (Residential 5 du/ac)

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.

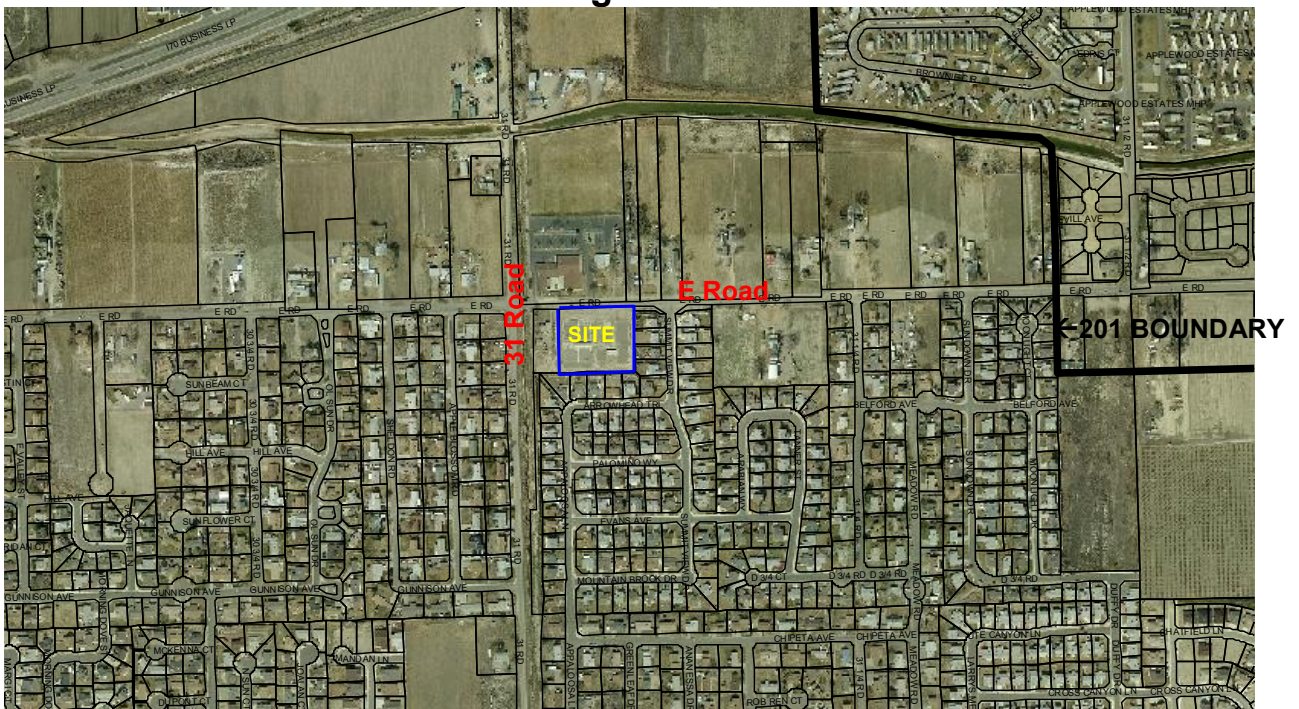
Annexation - Site Location Map

Figure 1



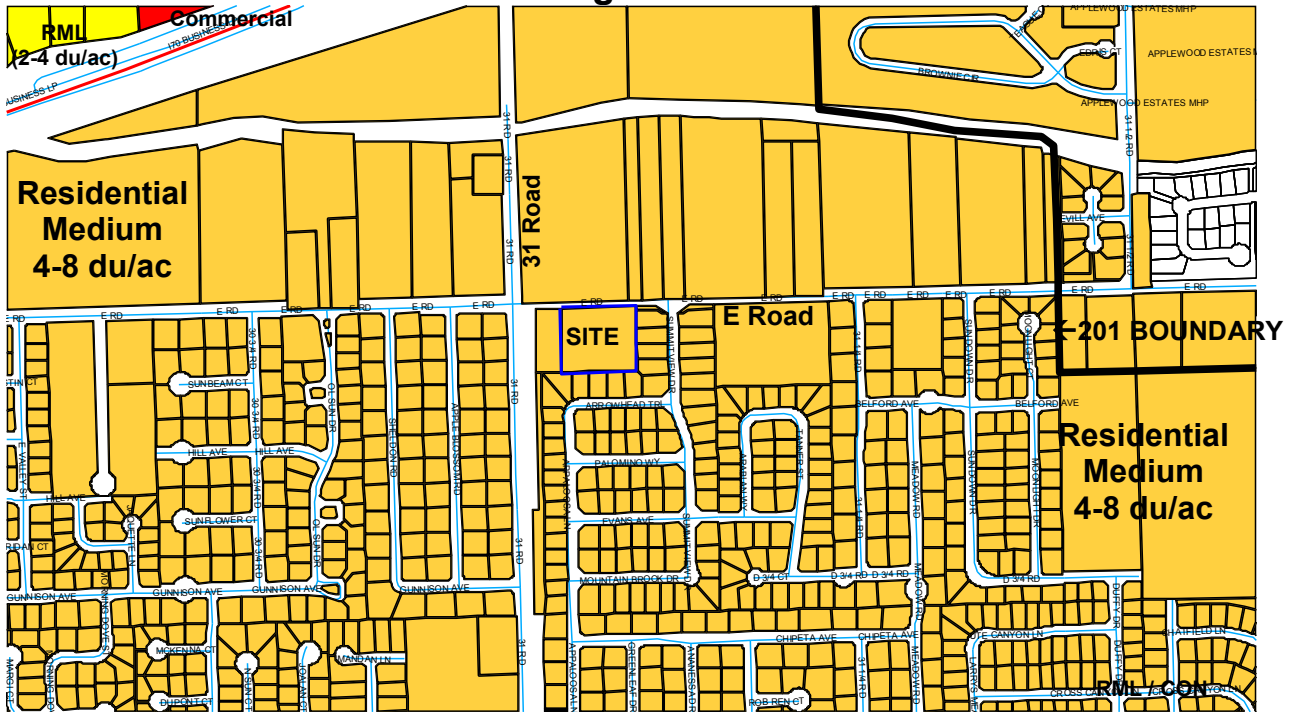
Aerial Photo Map

Figure 2



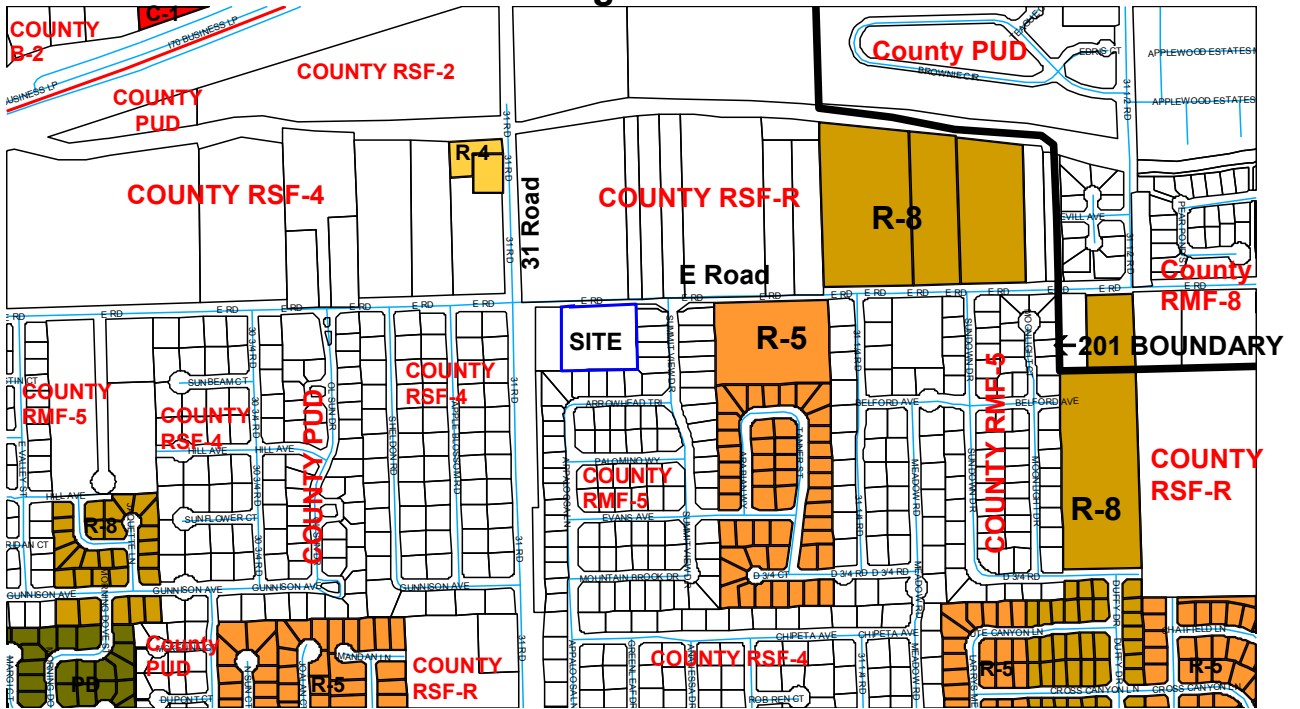
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



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

In attendance, representing the City Planning Commission, were Roland Cole (Chairman), Tom Lowrey (Vice-Chairman), Dr. Paul A. Dibble, William Putnam, Lynn Pavelka-Zarkesh, Bill Pitts and Patrick Carlow (1st alternate). Also present was Ken Sublett (2nd alternate) for a portion of the hearing. Commissioner Reggie Wall was absent.

In attendance, representing the City's Public Works and Planning Department – Planning Division, were Greg Moberg (Planning Services Supervisor), Lisa Cox (Planning Manager), David Thornton (Principal Planner), Kristen Ashbeck (Senior Planner, Neighborhood Services Division), Brian Rusche (Senior Planner), Lori Bowers (Senior Planner), Senta Costello (Senior Planner), Judith Rice (Associate Planner), Ronnie Edwards (Associate Planner) and Rick Dorris (Development Engineer).

Also present was Jamie Beard (Assistant City Attorney).

Lynn Singer was present to record the minutes.

There were 69 interested citizens present during the course of the hearing.

ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

There were no announcements, presentations and/or visitors.

Consent Agenda

4. Green Leaf Annexation – Zone of Annexation

Request a recommendation of approval to City Council to zone 2.29 acres from a County RMF-5 (Residential Single Family 5 du/ac) to a City R-8 (Residential 8 du/ac) zone district.

FILE #: ANX-2008-196
PETITIONER: Gregg Boone – Villa Tasso
LOCATION: 3109 E Road
STAFF: Brian Rusche, Senior Planner

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

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

GREEN LEAF ANNEXATION

LOCATED AT 3109 E ROAD

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 4th day of August, 2008, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

GREEN LEAF ANNEXATION

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

Commencing at the Northwest corner of the NW 1/4 NW 1/4 of said Section 15 and assuming the North line of the NW 1/4 NW 1/4 of said Section 15 to bear S89°50'35"E with all bearings contained herein relative thereto; thence S89°50'35"E a distance of 164.29 feet along the North line of the NW 1/4 NW 1/4 of said Section 15, said line also being the South line of Pellam Annexation, Ordinance No. 3613, City of Grand Junction to the Point of Beginning; thence S89°50'35"E a distance of 330.00 feet along the North line of the NW 1/4 NW 1/4 of said Section 15, said line also being the South line of said Pellam Annexation; thence S00°02'15"W a distance of 302.40 feet along the Northwesterly line of Summit View Ranch Filing No. 2, as same is recorded in Plat Book 18, Pages 60 through 61, inclusive, public records of Mesa County, Colorado; thence N89°50'35"W a distance of 330.00 feet along the Northerly line of said Summit View Ranch Filing No. 2; thence N00°02'15"E a distance of 302.40 feet to a point on the North line of the NW 1/4 NW 1/4 of said Section 15 and the Point of Beginning.

Said parcel contains 2.29 acres (99,791.79 sq. ft.), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 15th day of September, 2008; and

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

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

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

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

ADOPTED this ____ day of _____, 2008.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

GREEN LEAF ANNEXATION

APPROXIMATELY 2.29 ACRES

LOCATED AT 3109 E ROAD

WHEREAS, on the 4th day of August, 2008, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 15th day of September, 2008; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

GREEN LEAF ANNEXATION

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

Commencing at the Northwest corner of the NW 1/4 NW 1/4 of said Section 15 and assuming the North line of the NW 1/4 NW 1/4 of said Section 15 to bear S89°50'35"E with all bearings contained herein relative thereto; thence S89°50'35"E a distance of 164.29 feet along the North line of the NW 1/4 NW 1/4 of said Section 15, said line also being the South line of Pellam Annexation, Ordinance No. 3613, City of Grand Junction to the Point of Beginning; thence S89°50'35"E a distance of 330.00 feet along the North line of the NW 1/4 NW 1/4 of said Section 15, said line also being the South line of said Pellam Annexation; thence S00°02'15"W a distance of 302.40 feet along the Northwesterly line of Summit View Ranch Filing No. 2, as same is recorded in Plat Book 18, Pages 60 through 61, inclusive, public records of Mesa County, Colorado; thence N89°50'35"W a distance of 330.00 feet along the Northerly line of said Summit View Ranch Filing No. 2; thence N00°02'15"E a distance of 302.40 feet to a point on the North line of the NW 1/4 NW 1/4 of said Section 15 and the Point of Beginning.

Said parcel contains 2.29 acres (99,791.79 sq. ft.), more or less, as described.

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

INTRODUCED on first reading on the 4th day of August, 2008 and ordered published.

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

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE 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 3rd day of September, 2008 and ordered published.

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

ATTEST:

President of the Council

City Clerk

**Attach 10
Public Hearing—Mesa View Elementary School Annexation
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
Subject	Mesa View Elementary School Annexation – Located at 2967 B Road		
File #	GPA-2008-206		
Meeting Day, Date	Monday, September 15, 2008		
Placement on the Agenda	Consent	<input type="checkbox"/>	Individual <input checked="" type="checkbox"/>
Date Prepared	September 4, 2008		
Author Name & Title	Brian Rusche – Senior Planner		
Presenter Name & Title	Brian Rusche – Senior Planner		

Summary: Request to annex 19.51 acres, located at 2967 B Road. The Mesa View Elementary Annexation consists of one (1) parcel.

Budget: N/A

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

Attachments:

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

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION	
Location:	2967 B Road
Applicants:	Mesa County Valley School District #51
Existing Land Use:	Mesa View Elementary School
Proposed Land Use:	Elementary School / Residential

Surrounding Land Use:	North	Single Family Residential		
	South	Agricultural		
	East	Agricultural / Single Family Residential		
	West	Agricultural / Single Family Residential		
Existing Zoning:		County RSF-R (Residential Single Family Rural 1du/ 5ac)		
Proposed Zoning:		CSR (Community Services and Recreation) R-4 (Residential 4 du/ac)		
Surrounding Zoning:	North	R-4 (Residential 4 du/ac) PD (Planned Development)		
	South	R-4 (Residential 4 du/ac)		
	East	R-4 (Residential 4 du/ac) County RSF-R (Residential Single Family Rural 1du/ 5ac)		
	West	County RSF-R (Residential Single Family Rural 1du/ 5ac)		
Growth Plan Designation:		Public / Residential Medium Low (2-4 du/ac) GPA approved 9/3/08 (Resolution 123-08)		
Zoning within density range?	X	Yes		No

STAFF ANALYSIS:

ANNEXATION:

This annexation area consists of 19.51 acres of land and is comprised of one (1) parcel. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

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

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

The following annexation and zoning schedule is being proposed.

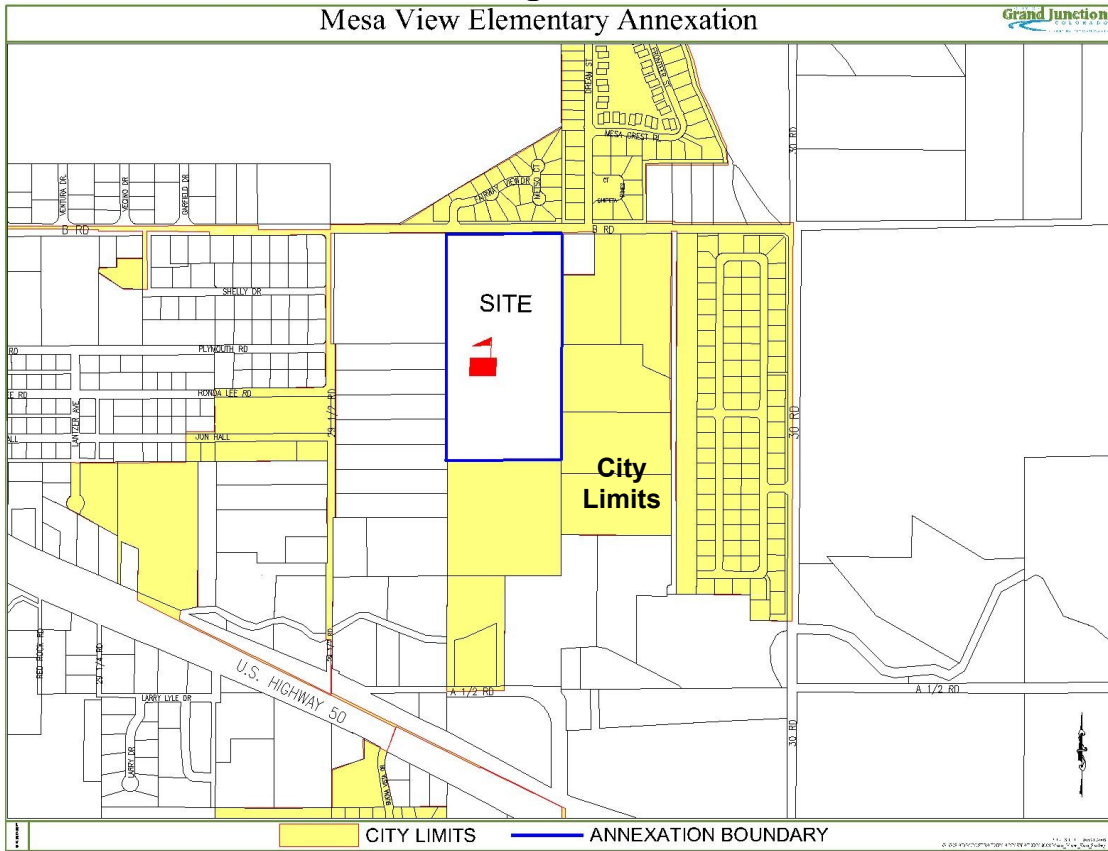
<i>ANNEXATION SCHEDULE</i>	
August 4, 2008	Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use
August 12, 2008	Planning Commission considers Growth Plan Amendment (GPA)
September 3, 2008	City Council considers Growth Plan Amendment (GPA)
September 15, 2008	Acceptance of Petition and Public Hearing on Annexation by City Council
September 23, 2008	Planning Commission considers Zone of Annexation
September 29, 2008	Introduction of a Proposed Ordinance on Zoning by City Council
October 13, 2008	Public Hearing on Zoning By City Council
October 17, 2008	Effective date of Annexation
November 14, 2008	Effective Date of Zoning

MESA VIEW ELEMENTARY ANNEXATION SUMMARY

File Number:		GPA-2008-206
Location:		2967 B Road
Tax ID Number:		2943-321-00-942
Parcels:		1
Estimated Population:		0
# of Parcels (owner occupied):		1
# of Dwelling Units:		0
Acres land annexed:		19.51 acres
Developable Acres Remaining:		9.497 acres
Right-of-way in Annexation:		None
Previous County Zoning:		County RSF-R (Residential Single Family Rural 1du / 5ac)
Proposed City Zoning:		To be determined
Current Land Use:		Elementary School
Future Land Use:		Elementary School / Residential
Values:	Assessed:	\$1,140,440
	Actual:	\$3,932,570
Address Ranges:		2967 B Road
Special Districts:	Water:	Ute Water
	Sewer:	Persigo 201
	Fire:	Grand Junction Rural
	Irrigation:	Orchard Mesa Irrigation District
	School:	Mesa County Valley School District #51
	Mosquito:	Grand River Mosquito District

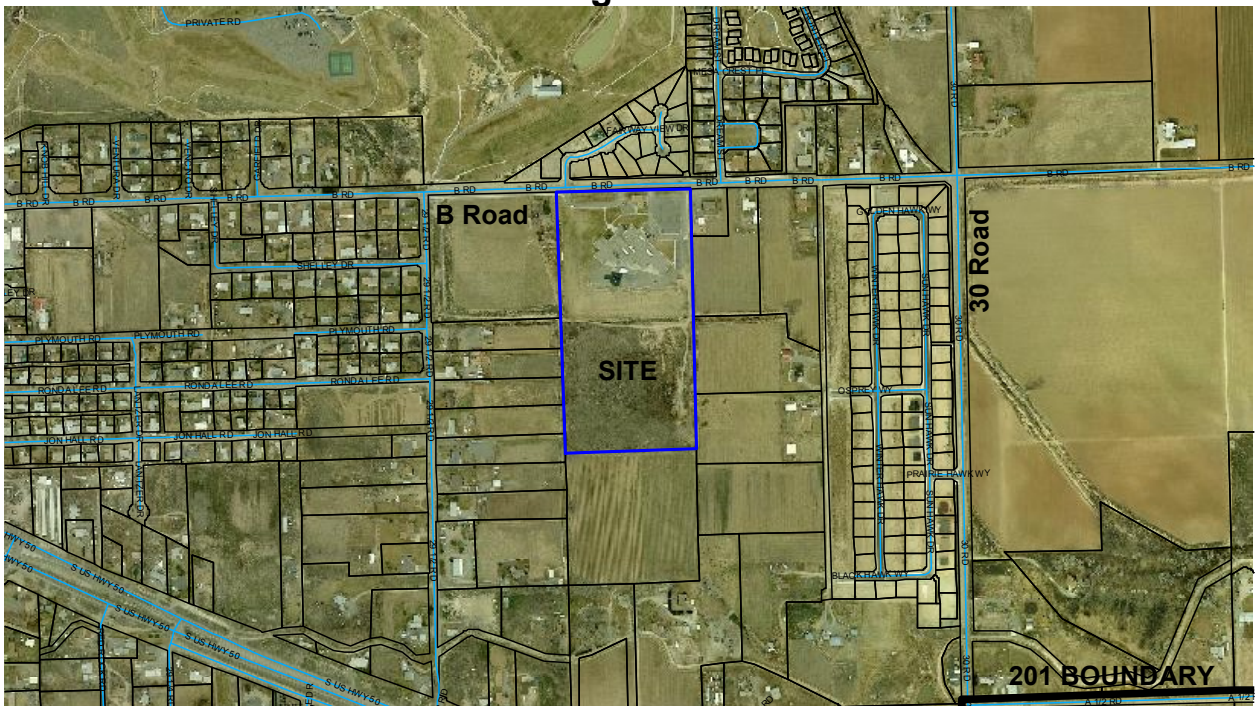
Annexation - Site Location Map

Figure 1



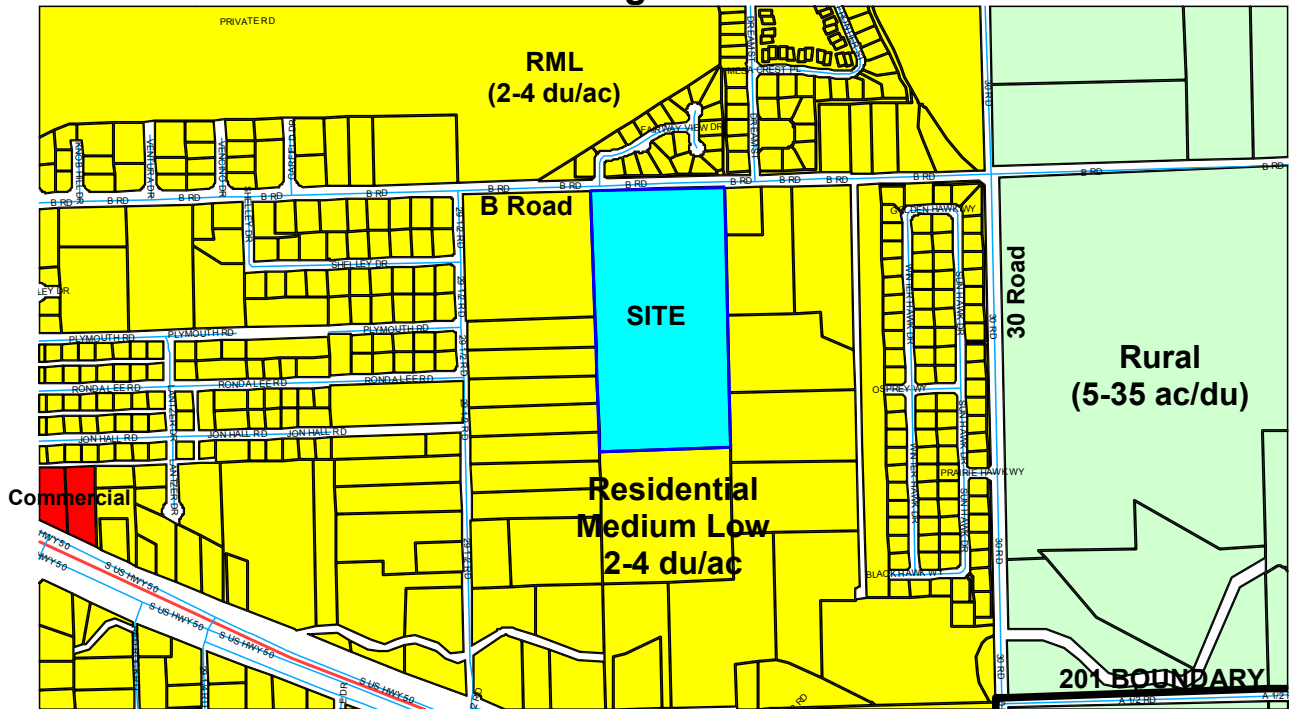
Aerial Photo Map

Figure 2



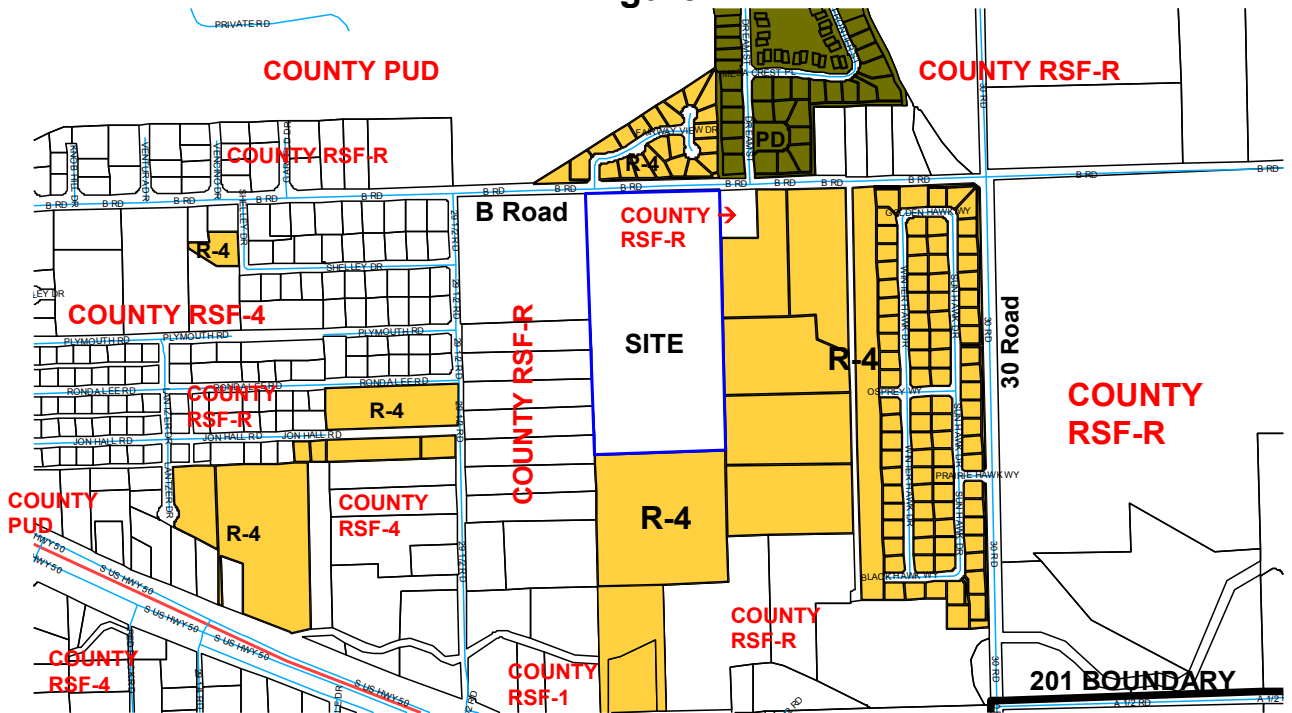
Future Land Use Map

Figure 3



Existing City and County Zoning Map

Figure 4



CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

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

MESA VIEW ELEMENTARY ANNEXATION

LOCATED AT 2967 B ROAD

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 4th day of August, 2008, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

MESA VIEW ELEMENTARY SCHOOL ANNEXATION

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

Beginning at the Southeast corner of the NW 1/4 NE 1/4 of said Section 32 and assuming the South line of the NW 1/4 NE 1/4 of said Section 32 to bear S89°51'22"W with all bearings contained herein relative thereto; thence S89°51'22"W a distance of 657.87 feet along the South line of the NW 1/4 NE 1/4 of said Section 32, said line also being the North line of Garden Grove-Turley Annexation No. 1, Ordinance No. 4193, City of Grand Junction; thence N00°07'30"E, along the West line of the East half (E 1/2) of the NW 1/4 NE 1/4 of said Section 32, a distance of 1289.87 feet to a point on the South line of Red Tail Ridge Annexation No. 1, Ordinance No. 3499, City of Grand Junction; thence N89°52'02"E a distance of 659.61 feet along the South line of the said Red Tail Ridge Annexation No. 1, said line also being 30.00 feet South of and parallel with the North line of NW 1/4 NE 1/4 of said Section 32; thence S00°12'09"W a distance of 1289.75 feet along the East line of said NW 1/4 NE 1/4 of said Section 32 to Point of Beginning.

Said parcel contains 19.51 acres (849,727.80sq. ft.), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 15th day of September, 2008; and

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

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

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

ADOPTED the ____ day of _____, 2008.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

MESA VIEW ELEMENTARY ANNEXATION

APPROXIMATELY 19.51 ACRES

LOCATED AT 2967 B ROAD

WHEREAS, on the 4th day of August, 2008, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 15th day of September, 2008; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

MESA VIEW ELEMENTARY SCHOOL ANNEXATION

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

Beginning at the Southeast corner of the NW 1/4 NE 1/4 of said Section 32 and assuming the South line of the NW 1/4 NE 1/4 of said Section 32 to bear S89°51'22"W with all bearings contained herein relative thereto; thence S89°51'22"W a distance of 657.87 feet along the South line of the NW 1/4 NE 1/4 of said Section 32, said line also being the North line of Garden Grove-Turley Annexation No. 1, Ordinance No. 4193, City of Grand Junction; thence N00°07'30"E, along the West line of the East half (E 1/2) of the NW 1/4 NE 1/4 of said Section 32, a distance of 1289.87 feet to a point on the South line of Red Tail Ridge Annexation No. 1, Ordinance No. 3499, City of Grand Junction; thence N89°52'02"E a distance of 659.61 feet along the South line of the said Red Tail Ridge Annexation No. 1, said line also being 30.00 feet South of and parallel with the North line of NW 1/4 NE 1/4 of said Section 32; thence S00°12'09"W a

distance of 1289.75 feet along the East line of said NW 1/4 NE 1/4 of said Section 32 to Point of Beginning.

Said parcel contains 19.51 acres (849,727.80sq. ft.), more or less, as described.

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

INTRODUCED on first reading on the 4th day of August, 2008 and ordered published.

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

Attest:

President of the Council

City Clerk

Attach 11
Public Hearing—Martin R and S Annexation and Zoning
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Annexing and Zoning the Martin R and S Annexation - Located at 2105 H Road		
File #	ANX-2008-205		
Meeting Day, Date	Monday, September 15, 2008		
Placement on the Agenda	Consent		Individual X
Date Prepared	September 5, 2008		
Author Name & Title	Judith Rice, Associate Planner		
Presenter Name & Title	Judith Rice, Associate Planner		

Summary: Request to annex and 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: Adopt Resolution accepting the petition for the Martin R and S Annexation and hold a public hearing and consider final passage of the Annexation Ordinance and Zoning Ordinance.

Attachments:

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

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION				
Location:		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 and the Fruita Cooperative Planning Area		
Growth Plan Designation:		Commercial Industrial		
Zoning within density range?		X	Yes	No

STAFF ANALYSIS:

ANNEXATION:

This annexation area consists of 1.54 acres of land and is comprised of one (1) parcel. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

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

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

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

The following annexation and zoning schedule is being proposed.

<i>ANNEXATION SCHEDULE</i>	
August 4, 2008	Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use
August 12, 2008	Planning Commission considers Zone of Annexation
September 3, 2008	Introduction of a proposed Ordinance on Zoning by City Council
September 15, 2008	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
October 17, 2008	Effective date of Annexation and Zoning

MARTIN R AND S ANNEXATION SUMMARY		
File Number:		ANX-2008-205
Location:		2105 H Road
Tax ID Number:		2697-362-00-040
# of Parcels:		1
Estimated Population:		2
# of Parcels (owner occupied):		-0-
# of Dwelling Units:		1
Acres land annexed:		1.54 acres
Developable Acres Remaining:		1.24 acres
Right-of-way in Annexation:		.30 acres in H Road and 21Road ROW
Previous County Zoning:		RSF-R (Residential Single Family Rural)
Proposed City Zoning:		I-1 (Light Industrial)
Current Land Use:		Residential
Future Land Use:		Commercial Industrial
Values:	Assessed:	\$13,340
	Actual:	\$167,590
Address Ranges:		2100 to 2106, Even Only
Special Districts:	Water:	Ute Water
	Sewer:	201 Boundary
	Fire:	Lower Valley Fire District
	Irrigation/ Drainage:	Grand Valley Irrigation/ Grand Valley Drainage
	School:	District 51
	Pest:	n.a.

STAFF ANALYSIS:

Zone of Annexation: The requested zone of annexation to the I-1 (Light Industrial) district is consistent with the Growth Plan density/intensity 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.

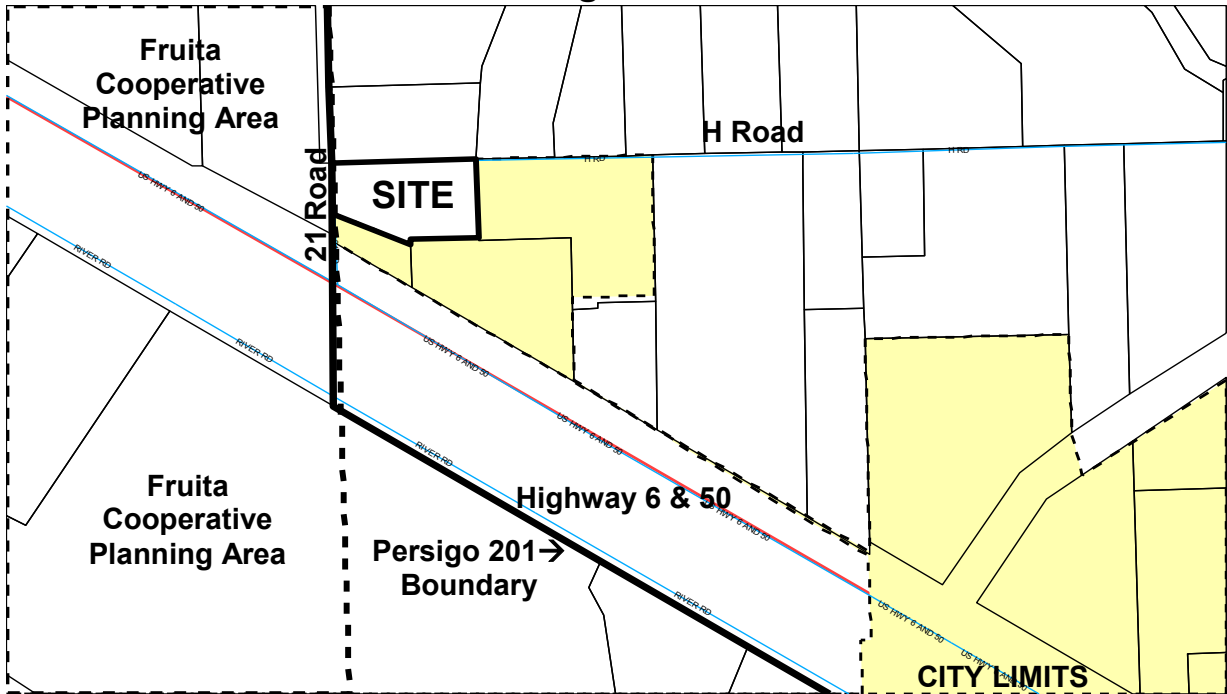
- e. C-2 (General Commercial)
- f. I-O (Industrial/Office Park)

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.

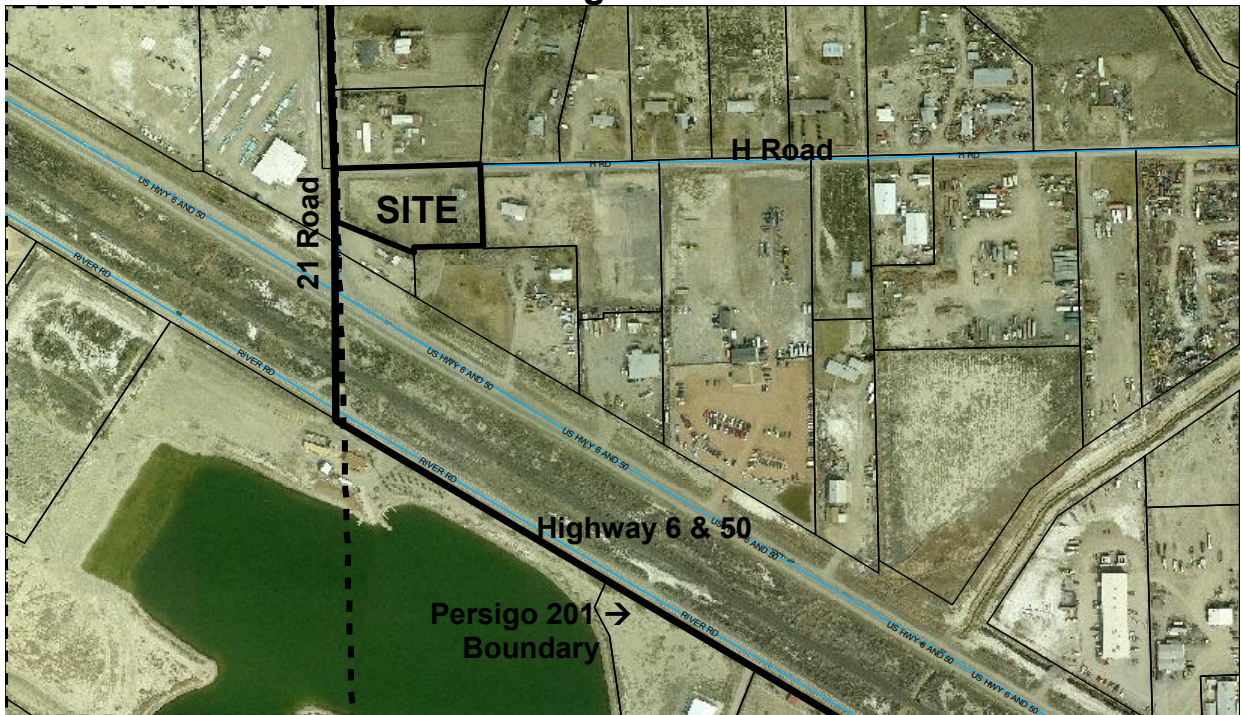
Site Location Map

Figure 1



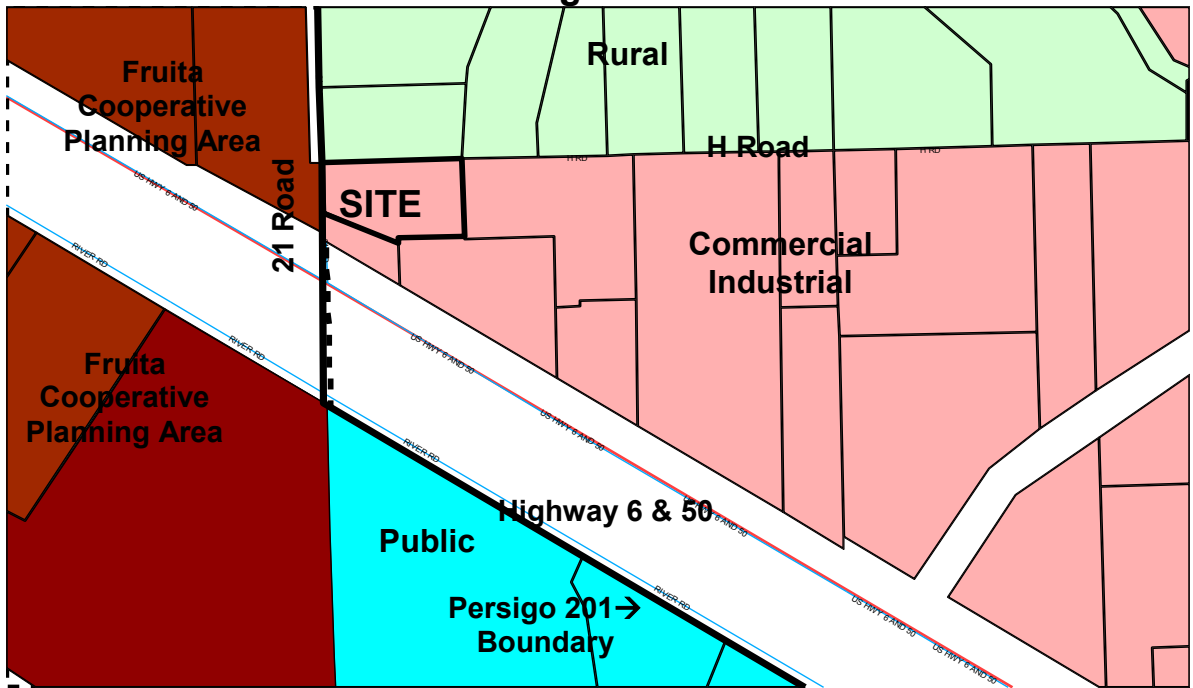
Aerial Photo Map

Figure 2



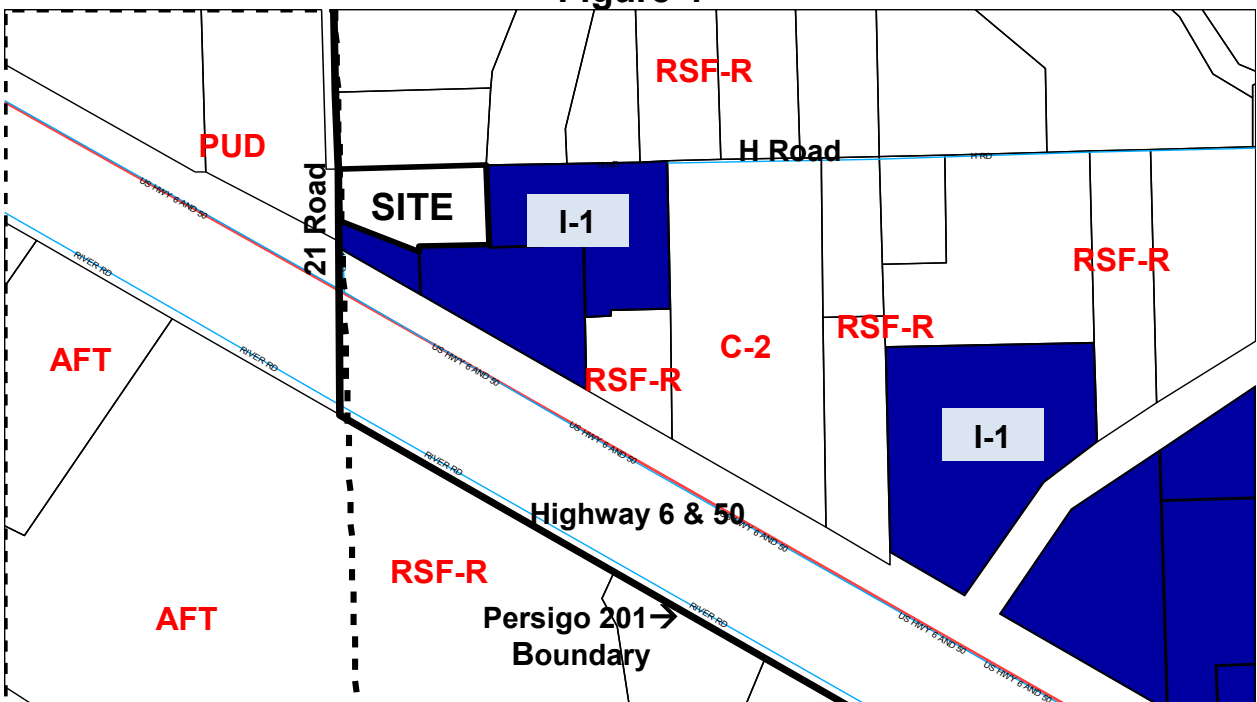
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. _____

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

MARTIN R AND S ANNEXATION

**LOCATED AT 2105 H ROAD AND INCLUDES PORTIONS OF THE 21 ROAD AND
H ROAD RIGHTS OF WAY**

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 8th day of August, 2008, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

MARTIN R AND S ANNEXATION

A certain parcel of land lying in the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) 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 $0^{\circ}10'$ West 100.0 feet, thence South $56^{\circ}24'$ East 230.0 feet, thence North $0^{\circ}10'$ East 210.28 feet, thence North $89^{\circ}42'$ 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.

Said parcel contains 1.54 acres (67,082.4 sq. ft.), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 15 day of September, 2008; and

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

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

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

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

ADOPTED this ____ day of _____, 2008.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

MARTIN R AND S ANNEXATION

APPROXIMATELY 1.54 ACRES

**LOCATED AT LOCATED AT 2105 H ROAD AND INCLUDES PORTIONS OF THE
21 ROAD AND H ROAD RIGHTS OF WAY**

WHEREAS, on the 4th day of August, 2008, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 15 day of September, 2008; and

WHEREAS, the City Council determined that said territory was eligible for annexation and that no election was necessary to determine whether such territory should be annexed;

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

That the property situate in Mesa County, Colorado, and described to wit:

MARTIN R AND S ANNEXATION

A certain parcel of land lying in the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) 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 $0^{\circ}10'$ West 100.0 feet, thence South $56^{\circ}24'$ East 230.0 feet, thence North $0^{\circ}10'$ East 210.28 feet, thence North $89^{\circ}42'$ 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.

Said parcel contains 1.54 acres (67,082.4 sq. ft.), more or less, as described.

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

INTRODUCED on first reading on the 4th day of August, 2008 and ordered published.

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

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE 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 1/4 NW 1/4) 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 3rd day of September, 2008 and ordered published.

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

ATTEST:

President of the Council

City Clerk