



**CITY COUNCIL AGENDA
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET
MONDAY, DECEMBER 1, 2008, 7:00 P.M.**

Call to Order Pledge of Allegiance
 Invocation/Moment of Silence

Proclamation

Proclaiming December 12, 2008 as "Legends in Grand Junction Day" in the City of Grand Junction

City Council/City Manager Meeting Schedule Review

Citizen Comments

*** * * CONSENT CALENDAR * * ***

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

Action: Approve the Minutes of the November 17, 2008 and the November 19, 2008 Regular Meetings and the Minutes of the November 19, 2008, Special Session

2. **Armantrout Exclusion Request from the Horizon Drive Association Business Improvement District – Continued from November 3, 2008** [Attach 2](#)

The City received a request from Robert and Yvonne Armantrout asking for exclusion from the Horizon Drive Association Business Improvement District (HDABID) for property they own at 751 Horizon Court. The matter was referred to the HDABID board who, after conducting a hearing, recommended denial.

*** Indicates New Item
® Requires Roll Call Vote

Action: Continue to Wednesday, December 3, 2008

Staff presentation: Stephanie Tuin, City Clerk

3. **Purchase of One 2,000 Gallon Asphalt Distributor Truck** [Attach 3](#)

This purchase is for one 2,000 gallon asphalt distributor truck which will replace a 1996 International distributor truck for the Preventative Street Maintenance Division, as identified by the annual review of the Fleet Replacement Committee.

Action: Authorize the City Purchasing Division to Purchase a 2009 International 7300 SBA 4x2 Truck with an Etnyre Centennial Asphalt Distributor from a Local Company, Faris Machinery Company, for \$108,866.00

Staff presentation: Jay Valentine, Assistant Financial Operations Manager

4. **Contract Renewal for the Visitor and Convention Bureau Website Marketing Services** [Attach 4](#)

This is the fourth year of a 5 year annually renewable contract with Miles Media Group to provide website maintenance and advertising services to the VCB.

Action: Authorize the City Manager to Sign a Contract with Miles Media Group, Sarasota, Florida, in the Amount of \$125,000 for the Period January 1 – December 31, 2009

Staff presentation: Barbara Bowman, VCB Division Manager

5. **Contract Renewal for the Visitor and Convention Bureau Advertising Services** [Attach 5](#)

This is the fourth year of a 5 year annually renewable contract with Hill and Company Integrated Marketing and Advertising to provide advertising services to the VCB.

Action: Authorize the City Manager to Sign a Contract with Hill and Company Integrated Marketing and Advertising in the Amount of \$425,000 for the Period of January 1 – December 31, 2008

Staff presentation: Barbara Bowman, VCB Division Manager

6. **Setting a Hearing for the Mesa State Outline Development Plan, Located at 2899 D ½ Road** [File #ODP-2008-154] [Attach 6](#)

A request for approval to zone property located at 2899 D ½ Road to PD (Planned Development) with a default zone of M-U (Mixed Use) by approval of the Outline Development Plan as a Planned Development.

Proposed Ordinance to Zone the Mesa State Development to PD (Planned Development) Zone, by Approving an Outline Development Plan with a Default M-U (Mixed Use) Zone for the Development of a Mixed Use Development, Located at 2899 D ½ Road

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

Staff presentation: Greg Moberg, Planning Services Supervisor

7. **Setting a Hearing Zoning the Merkel Annexation and the Thrailkill Property, Located at 769 24 ½ Road and 766 24 Road** [File #ANX-2006-126] [Attach 7](#)

Request to zone 27.49 acres from County AFT (Agricultural) to a City C-1 (Light Commercial); and request to rezone 14.79 acres from R-R (Residential Rural) to C-1 (Light Commercial) zone district.

Proposed Ordinance Zoning the Merkel Annexation to C-1 (Light Commercial), Located at 769 24 ½ Road

Proposed Ordinance Rezoning the Property Known as the Thrailkill Rezone, from R-R (Residential Rural) to C-1 (Light Commercial), Located at 766 24 Road

Action: Introduction of Proposed Ordinances and Set a Hearing for December 15, 2008

Staff presentation: Lori V. Bowers, Senior Planner

8. **Setting a Hearing Zoning Freedom Meadows Annexation, Located at 3118 E Road** [File #ANX-2008-290] [Attach 8](#)

Request to zone 7.02 acres, Freedom Meadows Annexation located at 3118 E Road to R-8 (Residential 8 du/ac).

Proposed Ordinance Zoning the Freedom Meadows Annexation to R-8 (Residential 8 du/ac), Located at 3118 E Road

Action: Introduction of a Proposed Ordinances and Set a Hearing for December 15, 2008

Staff presentation: Michelle Hoshide, Associate Planner

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

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

9. **Public Hearing - Tall Pines Investments Rezone, Located at 2101 Patterson Road** [File #GPA-2008-199] [Attach 9](#)

Request to rezone 10.44 acres located at 2101 Patterson Road, from R-8 (Residential 8 du/ac) to R-16 (Residential 16 du/ac).

Ordinance No. 4309—An Ordinance Rezoning the Tall Pines Investments Property from R-8 (Residential 8 du/ac) to R-16 (Residential 16 du/ac), Located at 2101 Patterson Road

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4309

Staff presentation: Senta L. Costello, Senior Planner

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

Attach 1

Minutes of Previous Meetings

GRAND JUNCTION CITY COUNCIL MINUTES OF THE REGULAR MEETING

November 17, 2008

The City Council of the City of Grand Junction convened into regular session on the 17th day of November 2008 at 7:05 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Jim Doody, Bruce Hill, Doug Thomason, Linda Romer Todd, and Council President Gregg Palmer. Also present were City Manager Laurie Kadrach, City Attorney John Shaver, and Deputy City Clerk Juanita Peterson.

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

The invited pastor was not present to give the invocation, so a moment of silence was observed.

Certificates of Appointment

Timothy Hudner was present to receive his Certificate of Appointment to the Grand Junction Housing Authority.

Council Comments

There were none.

City Council/City Manager Meeting Schedule Review

City Manager Kadrach reviewed the upcoming meeting schedule with City Council. It was discussed in the pre-meeting to use December 1st and 15th workshops for the 2009 Work Plan and the workshops in January to review all of the Boards and Commissions. All of these workshops begin at 11:30 a.m.

City Manager Kadrach stated that January 19, 2009 is Martin Luther King Junior Day and there would not be a regular City Council Meeting that evening, but Council would still have the 11:30 a.m. workshop.

City Manager Kadrach highlighted the Holiday Parking, which, is on the agenda this evening. Council for the last eight years has approved Holiday Parking which included approximately 1,100 spaces downtown. There will still be metered parking around the Government buildings. The free parking will be from Thanksgiving through New Year's Day.

Citizen Comments

There were none.

CONSENT CALENDAR

Councilmember Doody read the Consent Calendar and moved to approve the Consent Calendar items #1 through #8. Councilmember Hill seconded the motion. Motion carried by roll call vote.

1. **Minutes of Previous Meetings**

Action: Approve the Minutes of the November 3, 2008 and the November 5, 2008, Regular Meetings

2. **Contract for the Monument Road Bridge Replacement Project**

Two bids were received on November 4, 2008 for replacement of the Monument Road Bridge over the Redlands Power Canal. G.A. Western Construction Company submitted the low bid of \$821,389.00. The bridge replacement project is scheduled to begin on January 5, 2009 with a final completion date of April 30, 2009

Action: Authorize the City Manager to Sign a Construction Contract with G.A. Western Construction Company, in the Amount of \$821,389.00 for the Monument Road Bridge Replacement

3. **Accepting a Grant of Federal Funds for Roundabout Construction at 23 Road and G Road**

Federal aid funds have been awarded to the City from the Federal Hazard Elimination Program for reconstruction of the intersection of 23 Road and G Road. The project shall consist of right-of-way acquisition and incidentals, design and construction of a roundabout and associated intersection improvements at 23 Road and G Road.

Resolution No. 141-08—A Resolution Accepting Federal Aid Funds for Construction Work at the Intersection of 23 Road and G Road, Authorizing City Matching Funds and Authorizing the City Manager to Sign the Intergovernmental Agreement with the Colorado Department of Transportation

Action: Adopt Resolution No. 141-08

4. **Accepting an Energy and Mineral Impact Grant for Design of the Emergency Services Training Facility**

A request to accept an Energy and Mineral Impact Grant, in the amount of \$180,000, as partial funding for the design of the Emergency Services Training Facility, to be located with the National Guard facility on D Road in Pear Park.

Action: Authorize the City Manager to Sign the Energy and Mineral Impact Grant Contract, in the Amount of \$180,000

5. **Setting a Hearing on the Tall Pines Investments Rezone, Located at 2101 Patterson Road** [File #GPA-2008-199]

Request to rezone 10.44 acres located at 2101 Patterson Road, from R-8 (Residential 8 du/ac) to R-16 (Residential 16 du/ac).

Proposed Ordinance Rezoning the Tall Pines Investments Property from R-8 (Residential 8 du/ac) to R-16 (Residential 16 du/ac), Located at 2101 Paterson Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for December 1, 2008

6. **Setting a Hearing on the Supplemental Budget Appropriation Ordinance for 2008**

The request is to appropriate additional sums of money for the City's accounting funds that require supplemental funds based on the 2008 revised budget. This request also includes the Downtown Development Authority Funds.

Proposed Ordinance Making Supplemental Appropriations to the 2008 Budget of the City of Grand Junction

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

7. **Setting a Hearing on the 2009 Budget Appropriation Ordinance**

The request is to appropriate certain sums of money to defray the necessary expenses and liabilities of the accounting funds of the City of Grand Junction based on the 2009 proposed budget.

Proposed Ordinance Appropriating Certain Sums of Money to Defray the Necessary Expenses and Liabilities of the City of Grand Junction, Colorado, the Downtown Development Authority, and the Ridges Metropolitan District for the Year Beginning January 1, 2009, and Ending December 31, 2009

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

8. **Downtown Holiday Parking**

The Downtown Partnership and Development Authority have requested free parking in the downtown area again this year during the holiday shopping season. City Staff recommends Free Holiday Parking in all of downtown,

including the first floor of the Rood Avenue parking structure, with the exception of government offices, illegal parking areas, and shared-revenue lots.

Action: Vacate Parking Enforcement at all Designated Downtown Metered Spaces and Signed Parking from Thanksgiving to New Year's Day, Except Loading, No Parking, Handicapped, and Unbagged Meter Spaces Surrounding Government Offices. Metered Spaces will be Designated by Covering the Meter with the well-known "Seasons Greetings-Free Parking" Red Plastic Bag

ITEMS NEEDING INDIVIDUAL CONSIDERATION

5-2-1 Drainage Authority Update, Fee Assessment Proposal and IGA for the Provision of Stormwater Services

The Drainage Authority Manager will be presenting a proposed IGA for the purpose of the Authority to provide stormwater contract services that are currently required under Grand Junction's Colorado Discharge Permit System (CDPS) Stormwater Discharge Permit. Eric Mende, Authority Manager, will present a briefing on the IGA.

Eileen List, Environmental Services Manager, introduced Mr. Eric Mende, 5-2-1 Drainage Authority Manager. Mr. Mende presented this item and gave the background and history of the Drainage Authority which went back to 2000 up until where they are today. Mr. Mende gave a description of what the Authority will be looking at and their future. The Authority serves as contractor to Grand Junction and other Authority parties. There will be a public hearing on the proposed fee Wednesday, November 19, 2008 at the 5-2-1 Drainage Authority board meeting. That fee is \$100 per acre for new developments.

Councilmember Todd asked about the costs Mr. Mende referenced, if that was an annual cost for operation and maintenance. Mr. Mende said yes.

Councilmember Coons asked about the IGA which does not cover Fruita. Mr. Mende explained that Fruita has been a contributor to the Authority but they are not included as of yet. He believes in 2009 he will be able to give more service to them and they will eventually be included in the IGA; probably after the next census.

Councilmember Coons asked about the process. Mr. Mende explained that the 5-2-1 will just be another review phase through the City's current planning process.

Councilmember Doody sits on the Board and believes this partnership is good. The Authority has a great opportunity coming forward.

Councilmember Coons moved to authorize the Mayor to sign the Intergovernmental Agreement for the Provision of Stormwater Services on behalf of the City of Grand Junction. Councilmember Todd seconded the motion. Motion carried.

Public Hearing - Allen Annexation and Zoning, Located at 811 22 Road [File #ANX-2008-258]

Request to annex 6.00 acres, located at 811 22 Road to I-1 (Light Industrial). The Allen Annexation consists of one (1) parcel and includes a portion of the 22 Road Right-of-Way.

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

Judith Rice, Associate Planner, presented this item. She described the request, the site and the location. She asked that the Staff Report and attachments be entered into the record. The Planning Commission recommended approval on October 14, 2008.

Council President Palmer asked about how long this area has been Commercial/Industrial and not Residential. Planning Manager Lisa Cox answered that this area was part of the H Road study area and it has been evolving from Residential to Commercial.

Councilmember Todd said houses on the west side of the road are looking at selling due to the zoning.

The representative, Mandy Rush, was present and added that they have had lots of interest in this area.

There were no public comments.

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

a. Accepting Petition

Resolution No. 142-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Allen Annexation, Located at 811 22 Road and Including a Portion of the 22 Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4303—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Allen Annexation, Approximately 6.00 Acres, Located at 811 22 Road and Including a Portion of the 22 Road Right-of-Way

c. Zoning Ordinance

Ordinance No. 4304—An Ordinance Zoning the Allen Annexation to I-1 (Light Industrial) Located at 811 22 Road

Councilmember Todd moved to adopt Resolution No. 142-08 and Ordinance Nos. 4303 and 4304 and ordered them published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

Public Hearing - Inclusion of Grand Valley Catholic Outreach Property Located at 217 White Avenue into Downtown Development Authority Boundaries

The Grand Valley Catholic Outreach has requested inclusion into the Downtown Development Authority in order to consolidate their holdings under the requirements of Mesa County into one property. The DDA Board of Directors has approved this request, which is now submitted for consideration by the City Council.

The public hearing was opened 7:42 p.m.

Heidi Hoffman Ham, DDA Executive Director, presented this item. The request has been approved by the DDA Board for inclusion. In order to consolidate ownership of all of these various holdings into one property, Mesa County stipulates that all parcels be uniform in their taxing requirements and Grand Valley Catholic Outreach (GVCO) is requesting to consolidate all the property within the DDA recognizable boundaries. GVCO is a nonprofit organization and therefore is exempt. The DDA Board feels they are a valued entity in the downtown area and approved the request on October 9, 2008.

Councilmember Hill said that Grand Valley Catholic Outreach had a choice and asked for the inclusion.

Councilmember Doody noted that St. Benedict Place has won an award since being developed.

There were no public comments.

The public hearing closed at 7:43 p.m.

Ordinance No. 4305—An Ordinance of the City Council of Grand Junction, Colorado Approving Expanding the Boundaries for the Grand Junction, Colorado Downtown Development Authority to Include Property at 217 White Avenue owned by the Grand Valley Catholic Outreach

Councilmember Hill moved to adopt Ordinance No. 4305 and ordered it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Public Hearing - Proposed Amendments to the Submittal Standards for Improvements and Development (SSID) [File #TAC-2008-295]

The City of Grand Junction proposes to amend the Submittal Standards for Improvements and Development (SSID) to reflect the statutory requirement for landscape plans to be stamped by a Landscape Architect licensed by the State of Colorado, pursuant to C.R.S. §12-45-101 *et seq.*

The public hearing opened at 7:46 p.m.

Lisa E. Cox, Planning Manager, presented this item. An amendment is proposed to the Submittal Standards for Improvements and Development (SSID) to reflect the statutory requirement for landscape plans to be stamped by a Landscape Architect licensed by the State. There is an exemption for landscape plans for residential properties consisting of four or fewer lots or units. The proposed amendments are consistent with the goals and policies of the Growth Plan. The Planning Commission forwarded a recommendation of approval.

Councilmember Todd asked if this was mandatory. Ms. Cox directed the question to City Attorney Shaver who responded that it is the view of the City that the City does have to adopt it as it is a statewide licensing requirement and be consistent with State Statute.

Councilmember Todd asked about costs and if they are not licensed now, would they have to partner with someone who was. Ms. Cox stated that depending on the project, the costs would vary. Adoption of this should use more appropriate planning in the long run.

Councilmember Hill inquired about the use of xeriscape in the future and asked Mr. Ted Ciavonne in the audience if he would be able to help with the definition.

Mr. Ciavonne with Ciavonne, Roberts, and Associates came forward. Mr. Ciavonne said he was just in the audience to listen but would be more than happy to address this issue. Mr. Ciavonne gave a history of how landscape architects have not had to be licensed since the mid 70's. There is a committee which Mr. Ciavonne served on which has worked at the State level to set criteria.

Mr. Ciavonne's partner, Craig Roberts, gave a definition of xeriscape for the benefit of the audience. The concept of xeriscape is based on seven principles: planning & design, limiting turf areas, selecting and zoning plants appropriately, improving the soil, using mulches, irrigating efficiently, and doing appropriate maintenance. The word "xeriscape," was coined by the Denver Water Department in 1981 to help make water conserving landscaping an easily recognized concept. The word is a combination of "landscape" and the Greek word "xeros," which means "dry".

Councilmember Todd thanked Mr. Ciavonne for the information and said that she called his office today and they were very helpful.

Councilmember Hill hopes this will help to move forward with xeriscape in the community. Councilmember Beckstein concurred.

There were no public comments.

The public hearing closed at 8:16 p.m.

Ordinance No. 4306—An Ordinance Amending the Submittal Standards for Improvements and Development (SSID) to Require Landscape Plans to be Stamped by a Licensed Landscape Architect

Councilmember Coons moved to adopt Ordinance No. 4306 and ordered it published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Public Hearing - Provisions Regarding Growth Plan Amendments to be Reviewed Concurrently with Zoning Requests [File #TAC-2007-307]

The City of Grand Junction adopted Ordinance No. 4140 on November 19, 2007 which provided that a Growth Plan Amendment could be reviewed more than twice a year. Previously, the Code only allowed Growth Plan Amendments to come forward twice per

year. In Ordinance No. 4140, the City Council included a sunset clause to allow the City Council to review the change and reconsider the provisions of the ordinance twelve (12) months from its adoption.

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

Lisa E. Cox, Planning Manager, presented this item. Ms. Cox noted the agenda title “to be Reviewed with Zoning Request” was incorrect and should be “to be Reviewed More Than Twice a Year”. Adoption of this ordinance will allow Growth Plan Amendments to be reviewed more than twice a year. Currently under Ordinance No. 4140 review of Growth Plan Amendments are allowed more than twice per year but the ordinance included a sunset clause to allow the City Council to review the change and reconsider the provisions of the ordinance twelve months from adoption. Ms. Cox said once the Comprehensive Plan is adopted in early 2009, it may be necessary for Council to revisit the criteria for the new Plan.

Councilmember Coons clarified that adoption of this ordinance would remove the sunset provision but they might need to revisit this again after the new Comprehensive Plan is adopted.

City Manager Kadrich explained that at the time of adoption of the Comprehensive Plan, if adopted, then the Council may choose to suspend this provision or place a moratorium on Growth Plan Amendments until the Comprehensive Plan has been allowed to take effect. Then, unless repealed, this provision would go back into effect.

City Attorney Shaver added that the ordinance being proposed at this time does not contain a sunset provision.

Council President Palmer stated his concern is that in adopting a plan where there was so much community input and involvement, having a process in place that will immediately allow for changes makes him uncomfortable so a moratorium is more in line with his preference. He asked why a sunset clause was not included in this ordinance.

City Manager Kadrich said the question was asked if it would work better as a community review process if the Growth Plan Amendments occurred at the same time the development review occurred. That is why it is presented without a sunset as it appears to work better for the developer and City Staff and for the City Council to hear these more than twice a year.

Councilmember Hill noted several renditions have been considered and commented that it matches a Council focus to whatever can be done to make the process quicker, easier, and faster, however he is torn on how to deal with the Growth Plan. With the current state of the economy and the uncertainty, he feels it needs to be comprehensive, not micromanaged, and allow for flexibility.

There were no public comments.

The public hearing closed at 8:26 p.m.

Ordinance No. 4307—An Ordinance Readopting the Provisions of Ordinance No. 4140 which Amended Section 2.5 of the Zoning and Development Code to Allow Amendments

to the Growth Plan and/or the Future Land Use Map More than Twice each Calendar Year

Councilmember Doody moved to adopt Ordinance No. 4307 and ordered it published. Councilmember Beckstein seconded the motion.

Council President Palmer asked if this is passed, can the Council still discuss a moratorium if they adopt the Comprehensive Plan. City Attorney Shaver said yes and listed a variety of options.

Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting was adjourned at 8:30 p.m.

Juanita Peterson, CMC
Deputy City Clerk

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

November 19, 2008

The City Council of the City of Grand Junction convened into regular session on the 19th day of November 2008 at 7:06 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Jim Doody, Doug Thomason, Linda Romer Todd, and Council President Gregg Palmer. Councilmember Bruce Hill was absent. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and Deputy City Clerk Juanita Peterson.

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

Citizen Comments

Dan Loyd, 703 E. Harbor Circle, Grand Junction, was present to speak with City Council regarding City Contractor's License issues. He detailed his issues and frustrations in obtaining his license and asked that Council intervene on his behalf.

City Manager Kadrich addressed the City Council regarding Mr. Loyd's concerns, expressing disappointment in the treatment, whether real or perceived, of Mr. Loyd especially in the area of customer service. Since the agency in question is a contractor for the City, the City can speak to the contractor about this case but does not have the authority to direct the contractor to act on the matter.

CONSENT CALENDAR

Councilmember Coons read the Consent Calendar and moved to approve items #1 through #3. Councilmember Todd seconded the motion. Motion carried by roll call vote.

1. **Contract for the 29 Road and I-70 B Phase I Irrigation Package**

This Phase One Irrigation Package of the 29 Road and I-70 B Interchange project will relocate two existing irrigation lateral ditches and construct a new box culvert crossing the Mesa County Ditch. This work is being constructed ahead of the 29 Road and I-70B Interchange project in order to take advantage of the irrigation off-season and clear the way for construction of the interchange to begin as scheduled during the Summer of 2009.

Action: Authorize the City Manager to Sign a Construction Contract for the 29 Road and I-70 B Phase I Irrigation Package with M.A. Concrete Construction Inc., in the Amount of \$368,806.60

2. **Purchase of Property at 2897 North Avenue for the 29 Road and I-70 B Interchange Project**

The City has entered into a contact to purchase a portion of the property at 2897 North Avenue from Hilltop Health Services Corporation. The City's offer to purchase this property is contingent upon City Council's ratification of the purchase contract.

Resolution No. 143-08—A Resolution Authorizing the Purchase of Real Property at 2897 North Avenue from Hilltop Health Services Corporation

Action: Adopt Resolution No. 143-08

3. **Contract for Sale of a Redlands Parkway Remnant Parcel**

The City Council Property Committee approved the sale of a vacant parcel of City right-of-way property located along the Redlands Parkway. Staff put the sale of the parcel out to bid and received one offer of \$3,000.00 from Dan and Joellen McIntyre. The offer was accepted by the Committee and Staff has prepared a Sales Contract, which needs to be ratified by the Council.

Resolution No. 144-08—A Resolution Authorizing the Sales Contract for a Vacant Parcel of City Right-of-Way Property Located along the Redlands Parkway, Grand Junction

Action: Adopt Resolution No. 144-08

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Public Hearing - Loy Rezone, Located at 2872 F Road [File #RZ-2008-273]

A request to rezone 1.425 acres located at 2872 F Road, from R-5 (Residential, 5 DU/Ac) zone district to RO (Residential Office) zone district.

The public hearing was opened at 7:24 p.m.

Ronnie Edwards, Associate Planner, presented this item. She described the request, the site, and location. She asked that the Staff Report and attachments be entered into the record. The Planning Commission recommended approval on October 28, 2008.

The representative was present but did not wish to speak.

There were no public comments.

The public hearing closed at 7:25 p.m.

Ordinance No. 4308—An Ordinance Rezoning a Parcel of Land from R-5 (Residential— 5 DU/Ac) to RO (Residential Office) Located at 2872 F Road Known as the Loy Rezone

Councilmember Thomason moved to adopt Ordinance No. 4308 and ordered it published. Councilmember Doody seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

Mr. Dan Loyd addressed the Council again regarding contractor licensing. Mr. Loyd wanted the Council to know he was only asking for an extension of the deadline. The contractors licenses are not being ran through the County any longer and asked where he goes from here.

Council President Palmer told Mr. Loyd the Council is a policy board and does not direct the operations of a contractor.

City Attorney Shaver said what he told Mr. Loyd in their meeting was that he would waive half the cost of the fee which Mr. Loyd said was \$150, but there are other issues Mr. Loyd needs to take care of.

Council President Palmer told Mr. Loyd he hoped he would take the test again and thanked him for coming.

Other Business

There was none.

Adjournment

The meeting adjourned at 7:37 p.m.

Juanita Peterson, CMC
Deputy City Clerk

GRAND JUNCTION CITY COUNCIL

SPECIAL SESSION MINUTES

NOVEMBER 19, 2008

The City Council of the City of Grand Junction, Colorado met in Special Session on Wednesday, November 19, 2008 at 6:00 p.m. in the Administration Conference Room, 2nd Floor, City Hall, 250 N. 5th Street. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Doug Thomason, Linda Romer Todd, and President of the Council Gregg Palmer. Those absent were Councilmembers Jim Doody and Bruce Hill. Also present were City Manager Laurie Kadrach, City Attorney John Shaver, and Deputy City Manager Rich Englehart.

Council President Palmer called the meeting to order.

Councilmember Doody entered the meeting at 6:20 p.m.

Councilmember Coons moved to go into executive session to discuss the Purchase, Acquisition, Lease, Transfer, or Sale of Real, Personal, or Other Property Interest under Section 402 (4)(a) 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 6:13 p.m.

Juanita Peterson, CMC
Deputy City Clerk

Attach 2

Armantrout Exclusion Request from the Horizon Drive Association Business Improvement District

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Armantrout Exclusion Request from the Horizon Drive Association Business Improvement District		
File #			
Meeting Day, Date	Monday, December 1, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	October 17, 2008		
Author Name & Title	Stephanie Tuin, City Clerk		
Presenter Name & Title	Stephanie Tuin, City Clerk		

Summary: The City received a request from Robert and Yvonne Armantrout asking for exclusion from the Horizon Drive Association Business Improvement District (HDABID) for property they own at 751 Horizon Court. The matter was referred to the HDABID board who, after conducting a hearing, recommended denial.

Budget: N/A

Action Requested/Recommendation: Continue to Wednesday, December 3, 2008

Attachments:

Map of Property Location

Petition for Exclusion from Robert and Yvonne Armantrout

Minutes from HDABID's Meeting of September 10, 2008

Background Information: The Horizon Drive Association Business Improvement District was formed by Ordinance No. 3621 on April 21, 2004. The District assesses a property tax of five mills on properties within the District. On July 3, 2008, the City received a petition from Robert and Yvonne Armantrout asking for exclusion from the District for property they own at 751 Horizon Court known as the Skyline Building. The City Council referred that petition to the Horizon Drive Association Business Improvement District (HDABID) for their recommendation. The HDABID held a hearing on September 10, 2008 and recommended denial of the petition for exclusion.

Horizon

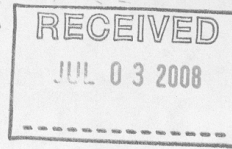
Horizon

City Map®
Do you have a suggestion?
The GIS Team would like to hear it!

GIS Main Page
GIS Help Desk
(970) 256-4070
www.gjcity.org

Parcels : BEST WESTERN HORIZON INN TRES PUEBLO PTN -2701-361-26-002-Acres = 0.45763916649
1 Parcels selected
1 : 1,291
1,643 x 803 (ft)

751 Horizon Court



CITY OF GRAND JUNCTION
City Council

Petitioners: ROBERT J ARMANTROUT & YVONNE C ARMANTROUT 2291 Shiprock Rd Grand Junction, CO 81503-1189	<p align="center">PETITION FOR EXCLUSION FROM THE HORIZON DRIVE BUSINESS IMPROVEMENT DISTRICT</p> <p align="center">Tax Parcel # 2701-364-26-033 LEGAL DESCRIPTION: Lot 22, 23, 24 & S 50 Ft Lot 25 Horizon Park Plaza Sec 36 1N 1W Mesa County, Colorado</p> <p align="center">Commonly Known As: 751 Horizon Court Grand Junction, CO 81506</p>
<p>Attorney or Party Without Attorney: (Name & Address) TRAYLOR, TOMPKINS & BLACK, P.C. Lance Phillip Timbreza, Esq. 751 Horizon Court, Suite 200 Grand Junction, CO 81506-8754 Phone Number: (970) 242-2636 FAX Number: (970) 241-3234 E-mail: lpt@grandjunctionlaw.com Atty. Reg. #: 38229</p>	
<p align="center">PETITION FOR EXCLUSION FROM HORIZON DRIVE BUSINESS IMPROVEMENT DISTRICT</p>	

TO: The City Council of the City of Grand Junction

COMES NOW Petitioners Robert J. Armantrout & Yvonne C. Armantrout (collectively "Petitioner" or "Armantrout") by and through their attorneys, Traylor, Tompkins & Black, P.C. and Petitions the Grand Junction City Council for exclusion from the horizon Drive Business Improvement District pursuant to C.R.S. § 31-25-1220 and states as follows:

FACTUAL BACKGROUND

Petitioner owns real property located at 751 Horizon Court, Grand Junction, Colorado. This real property is commonly known as "The Skyline Building." The Skyline Building is an office suite containing offices leased by 24 business tenants.

On March 30, 2004, the Horizon Drive Association business improvement district organizing committee filed a petition with the Grand Junction City Council requesting formation of a business improvement district. *See Ordinance No. 3621.*

On April 21, 2004, the Petition came before the City Council for public hearing and consideration by the Council. The City Clerk certified that the requisite signatures had been obtained representing at least 50% of the property and valuation within the business district. *See April 21, 2004 Grand Junction City Council Minutes*, p. 11. At that time, the City Clerk informed the City Council that, “the statute does not require the District to be contiguous, so if the Council chooses to exclude any properties, the District could still be formed.” *See April 21, 2004 Minutes*, p. 12. Councilmember Enos-Martinez inquired as to whether any property owners had requested exclusion and Richard Talely, President of the Horizon Drive Association, expressed that none had. *Id.* The City Clerk reported that signatures of 55.2% of the property and 60.8% of the value had been obtained. *Id.* at 12-13. Robert Armantrout attended the April 21, 2004 meeting and voiced his disapproval with the formation of the Horizon Drive Business Improvement District. *Id.* at 13. Mr. Armantrout also requested that the Skyline Building be excluded from the Horizon Drive Business Improvement District. *Id.* at 14.

A/R investments, another property owner, requested exclusion from the Horizon Drive Business Improvement District by way of a letter from its counsel, Reutzel & Associates, LLC, read by the City Clerk. *Id.* at 14. Doug Briggs, attorney for the Horizon Drive Association, stated that the exclusions “can’t be gerrymandered, since all in the District will benefit. Excluding some will provide them with the benefit at no cost. He said even though the statute allows exclusions, the reasons given [were] not significant.” *Id.* at 14.

Councilmember Hill inquired as to whether a property owner could be excluded at a later date. *Id.* John Shaver, City Attorney, stated that “the statute contains inclusion provisions, not an exclusion proviso.” *Id.*

The Council then adopted Ordinance No. 3621 “An Ordinance Creating and Establishing the Horizon Drive Association Business Improvement and Approving an Operating Plan and Budget Therefore” and Resolution 38.04 “A resolution Levying Taxes for the Year 2004 in the Horizon Drive Association Business Improvement District a part of the City of Grand Junction, Colorado.” *Id.* at 15. The former establishing the Horizon Drive Business Improvement District (“District”) and the latter imposing a Mill Levy at 5 Mills. *Id.*

Since the inception of the District, Petitioner has paid the annual assessment each tax year as follows:

2004	\$1,1813.70
2005	\$1,946.40
2006	\$1,946.40
2007	<u>\$2,530.10</u>
TOTAL	\$8,237.00

Throughout the time Petitioner has been included in the District, information has been slow in coming, they have not received notices of meetings, they have not seen budgets for the

District, they have not participated in the selection or election of Board Members, have not seen nor does Petitioner know of financial audits of the District books.

PETITION FOR EXCLUSION

A. The Colorado Statutory Scheme for Business Improvement Districts Permits Petitioner's Exclusion

A property within a business improvement district has a statutory right to petition for exclusion. *See* C.R.S. § 31-25-1220. In the past, the City Attorney's office has expressed its opinion that the "statute" contains only *inclusion* provisions and not *exclusion* provisions. *See City Council Minutes*, dated April 21, 2007. This reference in the City Council minutes makes it unclear whether the City Attorney was referring to the Ordinance itself or the Colorado Business Improvement District statutory scheme. In any case, C.R.S. § 31-25-1220 clearly provides a statutory right to seek exclusion.

While the formation ordinance may not have included an exclusion provision, the statute does. Petitioner's request for exclusion is being made pursuant to the statute and not pursuant to the formation ordinance. The City Attorney's office has conceded Petitioner's right to seek exclusion, "You may file the petition with the City Clerk as provided in the statute." *See E-mail from Shelly Dakonish to Lance Timbreza* dated October 19, 2007.

B. The Skyline Building Is Not Located on Horizon Drive and Other Property Owners Were Excluded Of Approximate Distances.

The Skyline Building is located at 751 Horizon Court. Horizon Court intersects with Horizon Drive. The Skyline Building is located approximately 125 yards from Horizon Drive and sits behind other buildings that are directly on Horizon Drive. The Bookcliff Country Club consists of substantially more property than the whole of the Horizon Drive Business District and sits in as close, if not closer, proximity to Horizon Drive than Petitioner's building. Bookcliff Country Club was not included within the Horizon Drive Business District. Like the Skyline Building, Bookcliff Country Club is privately owned and access has been gained via Horizon Drive.

C. The Skyline Building's Costs Cannot Be Passed Along to Consumers.

The Skyline Building costs of office suites. It is not a retail shopping center like a substantial majority of the members of the Horizon Drive Business District. Other businesses within the District consist of restaurants, hotels and stores. These businesses directly benefit from the beautification efforts of the District. Importantly, these businesses are located directly on Horizon Drive where the District's improvements take place. These businesses also provide service to customers and the costs associated with the District can be passed along to these business customers; however, such is not the case with Petitioner. Petitioner does not have "customers" of the Skyline building. They do not operate a service or goods business and the costs incurred by Petitioner cannot be passed along to consumers.

D. The Skyline Building's Fees to the District Limit Its Ability to Make Capital Improvements.

Since its inception, Petitioner has paid more than \$8,000 in fees, costs and/or dues to the District. These payments have precluded Petitioner from making capital improvement and other maintenance to the Skyline Building that serve to benefit, directly, the Skyline Building's tenants and those members of the general public who use the Skyline Building. For example, Petitioner would like to repair the Skyline Building parking lot; however, such costs have been prohibitive as a result of Petitioner's membership in the District.

E. The Skyline Building Does Not Directly Benefit from District Membership.

Business located directly on Horizon Drive benefit from the District's efforts at beautification. Additionally, the District's improvements provide for a more aesthetically pleasing commercial area. These improvements are beneficial to those business that directly benefit from the District.

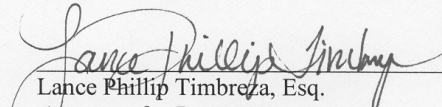
The District has not made any improvements nor has it planned to make any improvements along Horizon Court. Any benefit the Skyline Building receives are incidental to the direct benefits received by other business along Horizon Drive. Additionally, since the Skyline Building does not require customers to be "attracted" to its building or the area it does not benefit from overall improvement. The tenants of the Skyline Building also do not operate commercial or retail business. The substantial majority of the Skyline Building's tenants are involved in professional services and those tenants do not depend upon individuals being attracted to the businesses.

REQUEST FOR HEARING

For the reasons set forth in the Petition and for such additional reasons as may be presented at a public hearing, Petitioner requests a hearing, pursuant to Colorado law, for consideration of their Petition for exclusion. Petitioner submits this Petition together with the fee of \$437.50.

DATED this 4th day of June, 2008

TRAYLOR, TOMPKINS & BLACK, P.C.


Lance Phillip Timbreza, Esq.
Attorneys for Petitioner

**HORIZON DRIVE BUSINESS IMPROVEMENT DISTRICT
MINUTES OF
HEARING ON PETITION FOR EXCLUSION
FILED BY ROBERT J. ARMANTROUT AND YVONNE C. ARMANTROUT**

The Board of Directors of Horizon Drive Business Improvement District (the District) convened a special meeting at 9:00 a.m. on Wednesday, September 10, 2008 in the City of Grand Junction Auditorium, for the purposes of conducting a hearing on a "Petition for Exclusion from Horizon Drive Business Improvement District," (Petition) filed by Robert J. Armantrout and Yvonne C. Armantrout (Armantrouts).

Present at the meeting on behalf of the District were all members of the Board of Directors, Dale Reece, Patrick J. Duncan, Eileen Blanchard, Richard Tally, Merv Heinecke, Clark Atkinson and Chuck Keller.

Present at the meeting on behalf of the Armantrouts, was Robert J. Armantrout and Mr. Lance Timbreza, an attorney with the law firm of Traylor, Tompkins & Black, P.C. Mrs. Yvonne C. Armantrout was absent from the hearing.

Armantrouts received proper notice of the hearing, as did their legal counsel, and public notice was posted in the offices of the City of Grand Junction.

Mr. Dale Reece, President, chaired the hearing, which opened at 9:00 a.m. After calling the meeting to order, Mr. Reece read a recommended procedures for the meeting, to which Mr. Timbreza acknowledged his agreement.

Beginning at 9:03 a.m., Mr. Timbreza spoke on behalf of Armantrouts and presented photographs and other data for consideration by the Board, using a power point presentation. Mr. Timbreza summarized his view of the original formation of the District and then summarized the objections that Armantrouts have to remain within the boundaries of the District, including the following:

1. The Board did not disclose a budget.
2. The Board has not given notices of meetings.
3. The Board has not given notices of its projects.
4. The Armantrouts have had no input on projects in the District.
5. The Armantrouts receive no direct benefit to their property by being in the District.

Mr. Timbreza argued that the District will not be adversely affected if Armantrouts' property is excluded and that Armantrouts will be benefited by not paying the taxes assessed by the

District. Mr. Timbreza said that the location and appearance of improvements on Horizon Drive on the intersection of Interstate 70 has no favorable impact on Armantrouts, and that Armantrouts are financially unable to raise rents for the tenants in their building in order to pass along the District taxes. Mr. Timbreza ended his presentation at 9:23 a.m.

In keeping with the agreed upon hearing procedures, the Board opened the floor to comments by interested persons in attendance at the hearing.

The Board heard first from Mr. Jim Garber, Property Manager for CORE, Inc., which owns property at 715 Horizon Drive, Assessor's schedule no. 2701-363-00-121. Mr. Garber, on behalf of CORE, Inc., expressed opposition to the Petition, presented evidence that refuted some of Armantrouts' statements about Armantrouts' own tenants, and suggested that the District serves the common good of all properties located within its boundaries.

On behalf of the Board of Directors, Ms. Eileen Blanchard responded to allegations made by Armantrouts against the Board.

1. Ms. Blanchard testified that meeting notices for the District are posted in the City Council building and she offered into evidence an example of a notice of a meeting that had been posted. Exhibit A.

2. Ms. Blanchard testified that invitations to the ground breaking celebration for the Horizon Drive Gateway Improvements project had been mailed to all properties in the District and had also been hand-delivered to all such properties. She offered into evidence a color copy of the invitation. Exhibit B.

3. Ms. Blanchard testified that there had been several public meetings to develop a master plan for the District. She informed the hearing that a survey had been mailed to all owners in the District and she offered into evidence a sample of the District's Master Plan Questionnaire/Survey, dated Spring 2007. Exhibit C.

4. Ms. Blanchard testified that Cobb & Associates, a contractor that provides marketing services for the District, had called Armantrouts to obtain contact information, so that the District could be sure to keep Armantrouts informed of all notices, meetings and activities. Cobb & Associates received an uncooperative response from Mr. Armantrout and he expressed disinterest in having any involvement with the District.

5. Ms. Blanchard testified that the District's budget is filed annually with the City and with the State. She offered into evidence a cover letter from legal counsel for the District dated September 28, 2007 and a copy of the Operating Budget for fiscal year 2008. Exhibit D.

6. Ms. Blanchard testified that all members of the Board are appointed by the City and she referred to the City's website which explains how to apply to serve on the Board and the procedures for being a board member. She offered into evidence an exert from the City's website that addresses the District and its board. Exhibit E.

7. Ms. Blanchard testified that Value Enhancement Group, Inc., a Grand Junction firm of certified public accountants and business development specialists, compiles financial statements for the District, and that the financials are also posted on the District's website. She offered into evidence the financial statements and accountants' compilation report for the year ended December 31, 2007. Exhibit F.

8. Ms. Blanchard informed the hearing that the District's website also provides other substantive information about the District.

At the conclusion of Ms. Blanchard's testimony, Mr. Dale Reece asked if other persons present at the meeting wanted to address the Board. Mr. Timbreza objected to the procedure of allowing others to address the Board before Mr. Timbreza had an opportunity to do so. Mr. Timbreza asserted that before any other witnesses provided testimony to the Board, that Armantrouts should have a chance to respond to the testimony and evidence provided by Ms. Blanchard.

Accordingly, the Board granted Mr. Timbreza's request and he again addressed the Board on behalf of Mr. and Mrs. Armantrout. Mr. Timbreza denied that Armantrouts have ever received any notices from the Board and stated that the Board did not have written proofs of mailing. Secondly, Mr. Timbreza stated that Cobb & Associates did not return Mr. Timbreza's call.

At the conclusion of Mr. Timbreza's remarks, the Board asked if others present at the hearing want to address the Board. The following persons testified:

Ms. Lynn Sorley addressed the Board on behalf of the Holiday Inn, a business on Horizon Drive that owns approximately fifteen (15) acres and a hotel. Ms. Sorley informed the Board that Holiday Inn opposes the Petition. She informed the Board that she has received all notices from the Board throughout its history and has been actively involved participating in District issues. Ms. Sorley informed the Board that the Holiday Inn has five (5) tenants on its property and can easily pass along the taxes imposed by the District, for which it has never had any complaints. Ms. Sorley suggested that the strength of the District is its contiguous land, and that the Petition should be denied.

Ms. Terry Cormier addressed the Board on behalf of Rocky Mountain Health Maintenance Organization, Inc. doing business as Rocky Mountain Health Plans (RMHP). Ms. Cormier informed the Board that RMHP opposes the Petition. Like Armantrouts,

RMHP owns property in the District that does not front on Horizon Drive. It is RMHP's position that all members of the District benefit from it, regardless of the specific location of their property, and that it would be contrary to the best interests of the District to grant the Petition.

Mr. John Moss addressed the Board, as owner of property at 736 Horizon Drive on which a Taco Bell restaurant is located and as owner of 2764 Compass Drive, an office building and an adjoining parking lot, that is in the District but does not front Horizon Drive. Mr. Moss opposes the Petition. Mr. Moss testified that his office building does not front on Horizon Drive, has a similar tenant mix to that of Armantrouts, that he has owned it for approximately twenty-five (25) years, and has successfully passed along the increased cost of District taxes to his tenants. Mr. Moss observed that Armantrouts, while arguing that they could not afford to maintain their building, have in fact done a very nice remodel of their building that benefits the community.

Mr. Bill Millius addressed the Board, as owner of property located at 759 Horizon Drive. Mr. Millius opposes the Petition. Mr. Millius observed that the District is in many ways a community, and that the improvements it has completed, and that it plans to undertake, benefit everyone in the District. Mr. Millius observed that Horizon Drive is principally composed of retail services, not merchandise retailers.

Mr. Steve Myer addressed the Board as an owner of property located at 760 Horizon Drive. Mr. Myer opposes the Petition. Mr. Myer said that he echoed the comments of the persons who had already addressed the hearing. Mr. Myer is concerned that if the Board allows the Petition, it places itself on a slippery slope, such that if one owner is excluded from the District, many others may seek exclusion also. Mr. Myer believes that excluding properties from the District is not in the best interests of the District.

At the conclusion of comments by persons attending the hearing, the Board opened the meeting to discussion about the evidence that had been presented. Mr. Reece addressed the Armantrouts and informed them that the Board has always attempted to be open, transparent and available to all members, and he expects that to continue. Mr. Clark Atkinson addressed Mr. Armantrout and thanked him for his participation at the hearing. Mr. Atkinson said that the District will function best when there are collaborative efforts among all stakeholders. He informed the Armantrouts that nothing could be further from the truth to argue that they get no benefit from the efforts of the District.


At the conclusion of the open discussion by the Board, Mr. Lance Timbreza again addressed the Board and summarized points that he had made in his opening remarks and his remarks after testimony by Ms. Eileen Blanchard.

After the conclusion of Mr. Timbreza's remarks, Mr. Dale Reece asked for a vote, calling upon each member of the Board to announce their vote on the Exclusion for Petition. The vote was as follows:

<u>Name of Board Member</u>	<u>Vote on the Petition</u>
Mr. Patrick J. Duncan	Deny
Ms. Eileen Blanchard	Deny
Mr. Richard Tally	Deny
Mr. Merv Heinecke	Deny
Mr. Clark Atkinson	Deny
Mr. Chuck Keller	Deny
Mr. Dale Reece	Deny

Mr. Reece then noted that in light of the unanimous vote of the Board, the Petition is denied. Mr. Reece then concluded the hearing at 10:00 a.m.

HORIZON DRIVE BUSINESS IMPROVEMENT DISTRICT

By: 
Merv Heinecke, Secretary

I-70/Horizon Drive Interchange Landscape Project Open House

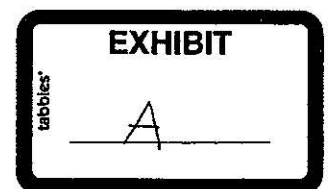
Wednesday, December 14, 2005
5 to 7 PM

Grand Junction Visitor & Convention Bureau
740 Horizon Drive

You are invited to attend our open house presentation of proposed landscape improvements at the Horizon Drive Interchange. The goal of the **I-70/Horizon Drive Interchange Landscape Project** is to improve this important gateway to the City with pedestrian walkways and lighting, signage, and enhanced landscaping. The final design of the landscape improvements is nearly complete. The City of Grand Junction and its design consultants, Carter & Burgess, will present the proposed improvements and give you the opportunity to make comments regarding the details of the design.

The design phase is scheduled to be completed by mid-January, with construction beginning in the spring of 2006.

For more information about the project, please contact D. Paul Jagim, City of Grand Junction Project Engineer, at 256-4023 or paulj@gjcity.org.



Your presence is requested

06

Horizon Drive Gateway Improvements Groundbreaking

The Horizon Drive Business Improvement District invites you to the Groundbreaking Celebration for the \$1.3 Million Dollar Horizon Drive Gateway Improvements Project.

Project enhancements will include landscaping, lighting, artwork, pedestrian walkways and more.

Concept drawings will be on display.

Tuesday, August 29th
9:30 am
Horizon Drive Exit at
Taco Bell

Bring Along Your Trowel
to help us with the groundbreaking
- we want all to participate!

This is a major accomplishment and a wonderful demonstration of how our money is being put to work.

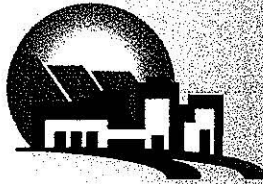


Park in the
Taco Bell lot
or across
Horizon Drive
in the Doubletree
Hotel lot.



HORIZON DRIVE
D i s t r i c t
Gateway to Grand Junction®

April 3, 2007



HORIZON DRIVE

District

Gateway to Grand Junction®

Horizon Drive BID Master Plan Questionnaire/ Survey Spring 2007

The Horizon Drive Business Improvement District (BID) seeks your help in developing a vision for our community. In order to secure the broadest input into this process, the BID is requesting your answers to the following questions. It is important to us that we hear from you! The information provided from these questionnaires will help to define the priorities and goals for the Horizon Drive BID Master Plan.

Business / Property Information:

Contact Name: _____ Owner [] or Tenant []

Email: _____

Business Name: _____

Business Address: _____

Telephone Number: (_____) _____ Fax Number: (_____) _____

Owner Name: _____

Owner Address: _____

Telephone Number: (_____) _____ Fax Number: (_____) _____

What is the best way to communicate with you?

_____ Fax _____ Email _____ Phone – best time _____

Horizon Drive BID Master Plan Stakeholder Workshop

Please join us for the 1st Stakeholder Workshop to discuss potential improvements in the Horizon Business Improvement District

When: April 25th

Where: Holiday Inn on Horizon Drive

Time: 4 PM to 7 PM

Formal Presentation from 5:00 – 5:30

EXHIBIT
tabbles
C

Horizon Drive BID Master Plan Questionnaire/ Survey

Questionnaire / Survey:

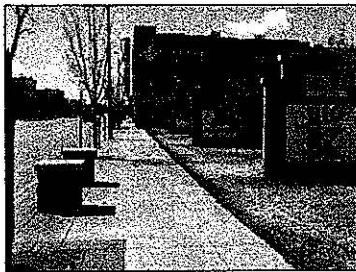
1. What are your main priorities for the District? (label top 3)

- | | |
|--|---|
| <input type="checkbox"/> Improve pedestrian safety | <input type="checkbox"/> Develop gateways |
| <input type="checkbox"/> Improve pedestrian crosswalks | <input type="checkbox"/> Develop aesthetics / theming |
| <input type="checkbox"/> Provide pedestrian recreation | <input type="checkbox"/> Introduce art |
| <input type="checkbox"/> Signage restrictions | <input type="checkbox"/> Provide displays (banners) |
| <input type="checkbox"/> Maintain business visibility | <input type="checkbox"/> Provide seating |
| <input type="checkbox"/> Provide trees | <input type="checkbox"/> Low maintenance |
| <input type="checkbox"/> Provide lighting | <input type="checkbox"/> Introduce small parks |

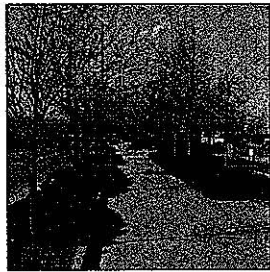
2. What is the key element that you like about the Horizon Drive BID Streetscape? _____

3. What is the key element missing in the Horizon Drive BID streetscape? _____

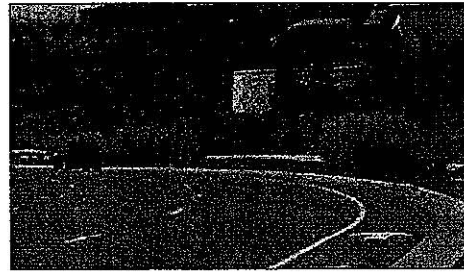
4. Identify which of the streetscape photos shown below best illustrates what you would like Horizon Drive to be like? _____



A.



B.



C.

5. Describe what elements you like about your preferred streetscape _____

Horizon Drive BID Master Plan Questionnaire/ Survey

6. Would you like to see provisions made to hang banners along Horizon Drive? Yes / No

7. Would you like to see Gateway treatments at the Horizon Drive and G Road and Horizon Drive and H Road denoting the limits of the Business Improvement District? Yes / No

8. Do you perceive the pedestrian circulation along Horizon Drive to be unsafe? Yes / No

If Yes, please explain _____

9. Would you like to see pedestrian lighting along Horizon Drive? Yes / No

10. Is the existing width of the Horizon Drive sidewalk sufficient? Yes / No

11. Would you like to maintain the tree lawn, which is the green space between the back of curb and the sidewalk? Yes / No If Yes, would you like to see a uniform landscape design applied throughout the BID? Yes / No

12. Pedestrian connections between the east side and west side of Horizon Drive have been identified as a concern of this project. Do you feel your business would benefit from an improved connection? Yes / No If yes, where would you like to see these connections?

13. Do you perceive a problem with handicap accessibility on Horizon Drive, at crosswalks, with relation to sidewalk widths or access to amenities? Yes / No If Yes, please explain.

Horizon Drive BID Master Plan Questionnaire/ Survey

14. Do you perceive a conflict between pedestrians and bicyclists on the existing walks along Horizon Drive? Yes / No

15. Do you see a need for special bicycle provisions along Horizon Drive like dedicated bike lanes or bicycle parking? Yes / No

16. Are you open to the idea of a median on Horizon Drive? Yes / No

17. Would you see benefit to design guidelines that set standards for business signage in order to increase aesthetic appeal? Yes / No

18. Would you see benefit to architectural design standards within the Business Improvement District? Yes / No

19. Do you anticipate any physical improvements / renovations to your property in the next 2 – 3 years? Yes / No If Yes, please explain? _____

20. Do you anticipate any utility improvements to your property in the next 2 – 3 years? Yes / No If Yes, please explain? _____

21. Do you anticipate any landscape improvements to your property in the next 2 – 3 years? Yes / No If Yes, please explain? _____

22. Do you desire to have street trees in front of your business? Yes / No

Horizon Drive BID Master Plan Questionnaire/ Survey

23. Would you be willing to grant an easement to have a display of public art in front of your business? Yes / No

24. Would you be willing to grant an easement for public park space adjacent to your business? Yes / No

25. Would you like to see the continuation of the existing bike path that ends south of G Road? Yes / No If Yes, where would you like to see the trail placed? _____

26. Would you be supportive of a multi-use recreational loop trail within the Business Improvement District? Yes / No If Yes, please provide examples of locations you would like to see considered for such a trail. _____

Please return the questionnaire/ survey by April 12th

For questions pertaining to this survey or the Horizon Drive BID Master Plan please contact Richard Tally at (970) 261-7758. The information you have provided will help make a difference in improving the Horizon Drive Master Plan. The results of this survey will be summarized and presented at the Stakeholder Workshop being held on April 25. Thank you for completing the survey. Please return it in the enclosed postage-paid envelope to:

Carter & Burgess
Attention: Jennifer Merer
707 17th Street Suite 2300
Denver, CO 80202

CASTOR & ASSOCIATES, PC
ATTORNEYS AT LAW

DENVER
GRAND JUNCTION

743 HORIZON COURT, SUITE 204
GRAND JUNCTION, COLORADO
81506

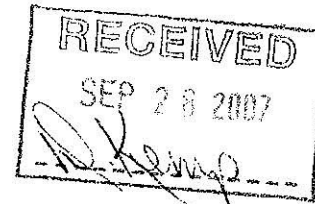
970.242.9012
970.245.1730 FAX

Douglas E. Briggs, Attorney
dbriggs@castorlaw.com

September 28, 2007

VIA HAND DELIVERY

Ms. Stephanie Tuin
City Clerk
CITY OF GRAND JUNCTION
250 North 5th Street
Grand Junction, CO 81501



RE: Horizon Drive Business Improvement District

Dear Ms. Tuin:

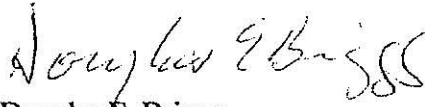
Pursuant to Section 31-25-1211, C.R.S., please find enclosed Horizon Drive Business Improvement District's proposed year 2008 Budget and Service and Operating Plan.

Also enclosed is a copy of the Mesa County Assessor's Certification of Valuations for the District dated August 25, 2007.

If you have any questions, please give me a call. Thank you.

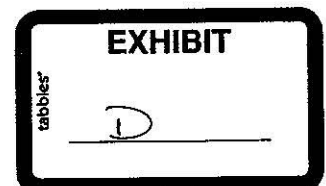
Sincerely,

CASTOR & ASSOCIATES, P.C.


Douglas E. Briggs

Enclosures

cc Richard Tally, President Horizon Drive BID (w/enclosures)



HORIZON DRIVE BUSINESS IMPROVEMENT DISTRICT

Operating Budget for Fiscal Year 2008

Current Fund Balance 09/30/2007	\$394,941	
Less Reserve For 2007 Obligations:	<u>(92,500)</u>	
Beginning Fund Balance 01/01/2008		\$302,441
Tax Revenues		180,000
Interest Income		<u>1,000</u>
Total Funds Available		483,441
Expenditures		
Administrative		
Insurance	1,500	
Professional Services	10,000	
Marketing & Communications	18,000	
Clerical/Administrative	<u>3,500</u>	33,000
Horizon Drive/I70 Improvement Payment**		57,000
Long Term Planning, Design & Improvement Projects		<u>390,000</u>
Ending Fund Balance		<u><u>\$3,441</u></u>

**Third of five annual payments to City of Grand Junction for Horizon Drive/I70 Improvements

Horizon Drive Association Business Improvement District

Service and Operating Plan 2008

Introduction

In the year 2007, the Horizon Drive Business Improvement District began investing in its future. After months of planning and consultation with cooperating government agencies, including the City of Grand Junction and the Colorado Department of Transportation, work has been substantially completed on major improvements to the I-70/Horizon Drive interchange.

The Board of Directors continues to operate the District conservatively regarding expenditures for administrative, staff, offices and other non-capital expenses. As such, the District's focus will be on careful evaluation of capital projects and other direct investment in the District, rather than administrative development. This is reflected in the attached budget. In the future, it is anticipated that administrative expenditures will necessarily increase. But the Board is committed to primary dedication of the District's funds toward direct capital improvements to the District.

In accordance with the Board's stated objectives, the District adopts the following general Service and Operating Plan:

Goals and Objectives:

- Improve communication amongst businesses in the district
- Work together for a common goal
- Beautification
- Signage
- Coordinating holiday presentation
- Improve entrances to Grand Junction
- Serve as an ambassador to the City, County, and other organizations
- Represent the District in decisions that may impact the area

Services and Improvements Offered by the District:

- Liaison for its constituencies to the City of Grand Junction on improvement projects to the District.
- Improve the communications throughout the district.
- Enhance the District with long range planning of improvements.
- Be accessible to constituents for questions on various issues that may arise.
- Represent the District in decisions that may impact the area..
- The district is allowed to make and contemplates a broad range of public improvements

including but not limited to: streets, sidewalks, curbs, gutters, pedestrian malls, streetlights, drainage facilities, landscaping, decorative structures, statuary, fountains, identification signs, traffic safety devices, bicycle paths, off-street parking facilities, benches, rest rooms, information booths, public meeting facilities, and all incidental including relocation of utility lines.

Governance of the District:

- New Board of Directors are appointed by Grand Junction City Council.
- Board of Directors appoints management staff in accordance with District bylaws.

Powers of the District:

- The power to sue and be sued, to enter into contracts and incur indebtedness, to issue bonds subject to statutory authority.
- To consider and, if deemed necessary, provide services within the district including but not limited to:
 - * management and planning
 - * maintenance of improvements, by contract if necessary
 - * promotion or marketing
 - * organization, promotion and marketing of public events
 - * activities in support of business recruitment, management and development
 - * snow removal or refuse collection
 - * provide design assistance
- To acquire, construct, finance, install, and operate public improvements and to acquire and dispose of real and personal property.
- To refund bonds of the district.
- To have management, control and supervision of business affairs of the district.
- To construct and install improvements across or along any public street, alley or highway and to construct work across any stream or watercourse.
- To fix, and from time to time increase or decrease, rates, tolls, or charges for any services or improvements. Until paid, such charges become a lien on commercial property in the district, and such liens can be foreclosed like any other lien on real or personal commercial property.
- The power to levy taxes against taxable commercial property.
- See the attached Bylaws of the Horizon Drive Business Improvement District.

CERTIFICATION OF VALUATION

NAME OF JURISDICTION HORIZON DRIVE BUSINESS IMPROVEMENT DIST NEW DISTRICT YES X NO
IN MESA COUNTY ON August 25 2007 ARE:

USE FOR STATUTORY CALCULATION (5.5 LIMIT) ONLY

IN ACCORDANCE WITH 39-5-121(2) AND 39-5-128(1), C.R.S., THE TOTAL ASSESSED VALUATIONS FOR THE TAXABLE YEAR 2007 ARE:

Table with 2 columns: Description and Amount. Rows include: PREVIOUS YEAR'S NET TOTAL ASSESSED VALUATION (\$ 32,250,000), CURRENT YEAR'S GROSS TOTAL ASSESSED VALUE (\$ 42,923,590), LESS TIP DISTRICT INCREMENT, IF ANY (\$ N/A), CURRENT YEAR'S NET TOTAL ASSESSED VALUATION (\$ 42,923,590), NEW CONSTRUCTION (*), INCREASED PRODUCTION OF PRODUCING MINE (A), ANNEXATION/INCLUSIONS (\$ 0), PREVIOUSLY EXEMPT FEDERAL PROPERTY (A), NEW PRIMARY OIL OR GAS PRODUCTION FROM ANY OIL AND GAS, LEASEHOLD OR LAND (29-1-101(1)(b), C.R.S.) (Phi), TAXES COLLECTED LAST YEAR ON OMITTED PROPERTY AS OF AUG. 1 (29-1-50(1)(a)(C.R.S.)), TAXES ABATED AND REFUNDED AS OF AUG. 1 (29-1-101(1)(a), C.R.S. (39-10-134(1)(a)(1)(C.R.S.))

* This value reflects personal property exemptions if enacted by the jurisdiction as authorized by Art. X, Sec 20(8)(b), Colo. Constitution

*New construction is defined as: Taxable real property structures and the personal property connected with the structure.

A Jurisdiction must submit a certification (Form DUC 52 & 52A) to the Division of Local Government in order for a value to be counted as growth in the calculation.

Phi Jurisdiction must apply Form DUC 52B to the Division of Local Government before the value can be counted as growth in the calculation.

USE FOR "TABOR LOCAL GROWTH" CALCULATION ONLY

IN ACCORDANCE WITH THE PROVISION OF ART. X, SEC 20, COLO. CONS., THE ACTUAL VALUATION FOR THE TAXABLE YEAR 2007 ARE:

Table with 2 columns: Description and Amount. Rows include: CURRENT YEAR'S VALUE OF ALL REAL PROPERTY (Y) (\$ 135,878,226), ADDITIONS TO TAXABLE REAL PROPERTY: CONSTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS (O) (\$ 1,124,280), ANNEXATIONS/INCLUSIONS (\$ 0), INCREASED MINING PRODUCTION (E) (\$ 0), PREVIOUSLY EXEMPT PROPERTY (\$ 0), OIL OR GAS PRODUCTION FROM A NEW WELL (\$ 0), TAXABLE REAL PROPERTY OMITTED FROM THE PREVIOUS YEAR'S TAX WARRANT (\$ 0), DELETIONS FROM TAXABLE REAL PROPERTY: DESTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS (\$ 0), DISCONNECTION/EXCLUSION (\$ 0), PREVIOUSLY TAXABLE PROPERTY (\$ 0)

Y This includes the actual value of all taxable real property plus the actual value of religious, private schools, and charitable real property.

O Construction is defined as newly constructed taxable real property structures.

E Inclusion production from a new mine and increase in production of an existing producing mine.

USE FOR SCHOOL DISTRICTS ONLY

NOTE: No later than August 25, the Assessor shall certify the TOTAL ACTUAL VALUE OF ALL TAXABLE PROPERTY to SCHOOL DISTRICTS, (39-5-128(1), C.R.S.) \$

NOTE: All Levies Must Be Certified To The Board of County Commissioners NO LATER THAN DECEMBER 15, 2007 DUC-57 (Rev 6-00)



Gregg Palmer, Mayor Teresa Coons Bruce Hill Linda Romer Todd Jim Doody Bonnie Beckstein

City Council	Contact Us	Convention	Hot Topics	Jobs	News	Recreation
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City Services

Search:

City Departments

Horizon Drive Association Business Improvement District Board

Directors must be electors of the District. Appointments are made by the City Council of the City of Grand Junction .

The function of the Horizon Drive Association Business Improvement District Board of Directors is to take such actions and perform such duties as are required of the operations of the District. The district is allowed to make and contemplate a broad range of public improvements including but not limited to: streets, sidewalks, curbs, gutters, pedestrian malls, streetlights, drainage facilities, landscaping, decorative structures, statuary, fountains, identification signs, traffic safety devices, bicycle paths, off-street parking facilities, benches, rest rooms, information booths, public meeting facilities and all incidental including relocation of utility lines. The District may provide services within the district including but not limited to: management and planning, maintenance of improvements, by contract if necessary, promotion or marketing, organization, promotion and marketing of public events, activities in support of business recruitment, management and development, snow removal or refuse collection and provide design assistance. The Board meets as needed.

You may apply to serve on this board by submitting a letter of interest accompanied by an application and brief resume addressed to the Grand Junction City Council, c/o the City Clerk, 250 N. 5th Street, Grand Junction, CO 81501. [\(click here for application\)](#)

Board Members:

Richard Tally - Term: 04-21-04 through 04-30-10*

Chuck Keller - Term: 01-02-08 through 04-30-12*

Merv Heinecke, Secretary- Term: 11-05-07 through 04-30-12*

Dale Reece, President - Term: 04-21-04 through 04-30-10*

Eileen Blanchard, VP - Term: 04-05-05 through 04-30-10*

Patrick Duncan, Treasurer - Term: 01-02-08 through 04-09

Clark Atkinson - Term: 01-02-08 through 04-09

More information at

[Airport Authority](#)

[Avalon Theatre Advisory Committee](#)

[Building Code Board of Ap](#)

[City Youth Council](#)

[Commission on Arts and C](#)

[Downtown Development Authority/Downtown Grand Junction Business Improv District](#)

[Forestry Board](#)

[Historic Preservation Boar](#)

[Horizon Drive Association Business Improvement Dis Board](#)

[Housing Authority](#)

[Parks & Recreation Adviso](#)

[Parks Improvement Adviso Board](#)

[Planning Commission](#)

[Public Finance Corporator](#)

[Ridges Architectural Contr Committee](#)

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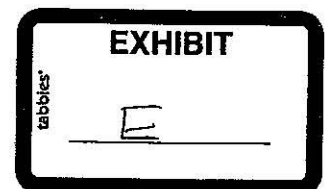
[Riverview Technology Cor](#)

[Urban Trails Committee](#)

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*Re-appointed, not first term

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VALUE ENHANCEMENT GROUP, INC.

CERTIFIED PUBLIC ACCOUNTANTS AND BUSINESS DEVELOPMENT SPECIALISTS

Karl Pfeiffer, CPA

2754 COMPASS DRIVE, SUITE 240
GRAND JUNCTION, COLORADO 81506

Phone: 970-241-8633

Toll Free: 866-212-1216

Bruce Dwire, CPA

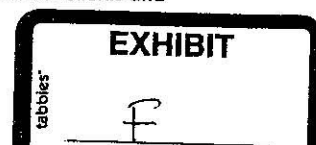
FAX: 970-241-7211

HORIZON DRIVE BUSINESS IMPROVEMENT DISTRICT

Financial Statements and
Accountants' Compilation Report
For the Year Ended December 31, 2007

Value Enhancement Group, Inc.

Value Enhancement Group, Inc. is committed to providing a total business and financial management service to our clients and associates, giving them the opportunity to identify, develop and achieve their goals.



HORIZON DRIVE BUSINESS IMPROVEMENT DISTRICT

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Statement of Revenue, Expenses and Changes in Fund Net Assets	3
Statement of Cash Flows	4
Notes to Financial Statements	5-6

VALUE ENHANCEMENT GROUP, INC.

CERTIFIED PUBLIC ACCOUNTANTS AND BUSINESS DEVELOPMENT SPECIALISTS

2754 COMPASS DRIVE, SUITE 240

Phone: 970-241-8633

Karl Pfeiffer, CPA

GRAND JUNCTION, COLORADO 81506

Toll Free: 866-212-1216

Bruce Dwire, CPA

FAX: 970-241-7211

Board of Directors
Horizon Drive Business Improvement District
Grand Junction, CO

We have compiled the accompanying statement of net assets of Horizon Drive Business Improvement District as of December 31, 2007, and the related statements of revenue, expenses and changes in fund net assets, and cash flows for the year then ended, in accordance with Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants.

A compilation is limited to presenting in the form of financial statements information that is the representation of management. We have not audited or reviewed the accompanying financial statements and, accordingly, do not express an opinion or any other form of assurance on them.

Value Enhancement Group, Inc.

Value Enhancement Group, Inc.
March 20, 2008

Value Enhancement Group, Inc.

Value Enhancement Group, Inc. is committed to providing a total business and financial management service to our clients and associates, giving them the opportunity to identify, develop and achieve their goals.

HORIZON DRIVE BUSINESS IMPROVEMENT DISTRICT
STATEMENT OF NET ASSETS
As of December 31, 2007

ASSETS

CURRENT ASSETS

Cash in banks \$ 368,336

TOTAL ASSETS \$ 368,336

NET ASSETS

Unrestricted \$ 197,336

Restricted 171,000

TOTAL NET ASSETS \$ 368,336

See accompanying notes to financial statements and accountants' report.

HORIZON DRIVE BUSINESS IMPROVEMENT DISTRICT
STATEMENT OF REVENUE, EXPENSES AND CHANGES IN FUND NET ASSETS
For the Year Ended December 31, 2007

OPERATING REVENUE	\$ 189,847
OPERATING EXPENSES	
Accounting fees	1,050
I-70 Horizon Drive Interchange Landscape Improvements Project contribution	57,000
Legal fees	1,974
Meals	317
Post office box	92
Professional services	67,866
Travel & lodging	275
Total Operating Expense	<u>128,574</u>
Net Income from Operations	61,273
NON-OPERATING REVENUE	
Interest income	<u>10,370</u>
NET INCOME	71,643
Total Fund Net Assets - Beginning	<u>296,693</u>
Total Fund Net Assets - Ending	<u><u>\$ 368,336</u></u>

See accompanying notes to financial statements and accountants' report.

HORIZON DRIVE BUSINESS IMPROVEMENT DISTRICT
STATEMENT OF CASH FLOWS
For the Year Ended December 31, 2007

INCREASE IN CASH & CASH EQUIVALENTS	
CASH FLOW FROM OPERATING ACTIVITIES	
Cash received	\$ 189,847
Cash payments	<u>(128,574)</u>
NET CASH PROVIDED BY OPERATING ACTIVITIES	61,273
CASH FLOW FROM INVESTING ACTIVITIES	
Interest income	<u>10,370</u>
NET INCREASE IN CASH & CASH EQUIVALENTS	71,643
CASH - Beginning of year	<u>296,693</u>
CASH - End of year	<u>\$ 368,336</u>

See accompanying notes to financial statements and accountants' report.

HORIZON DRIVE BUSINESS IMPROVEMENT DISTRICT
NOTES TO THE FINANCIAL STATEMENTS
December 31, 2007

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

HISTORY AND ACTIVITY

The Horizon Drive Business Improvement District operates as a special district formed in 2005. The purpose of the district is to improve and maintain the Horizon Drive corridor.

The accounting policies of the Horizon Drive Business Improvement District conform to generally accepted accounting principles. The following is a summary of such significant policies.

BASIS OF PRESENTATION – FUND ACCOUNTING

The operations of the District are accounted for as an enterprise fund. Enterprise funds are used to account for operations (a) that are financed and operated in a manner similar to private business enterprises – where the intent of the governing body is that the costs (expenses, including depreciation) of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges; or (b) where the governing body had decided that periodic determination of revenues earned, expenses incurred, an/or net income is appropriate for capital maintenance, public policy, management control, accountability or other purpose.

BASIS OF ACCOUNTING

The District uses the accrual basis of accounting. Revenues are recognized when earned, and expenses are recognized when incurred. Operating revenues and expenses generally result from providing services in connection with the District's principal ongoing operations. All revenues and expenses not meeting this definition are reported as non-operating revenues and expenses.

USE OF ESTIMATES

The presentation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosures of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenue and expenses during the reporting period. Actual results could differ from those estimates.

NOTE 2 – CASH AND INVESTMENTS

The Colorado Public Deposit Protection Act (PDPA) requires that all units of local government deposit cash in eligible public depositories; eligibility is determined by state regulators. Amounts on deposit in excess of federal insurance levels must be collateralized. The eligible collateral is determined by the PDPA. PDPA allows the institution to create a single collateral pool for all public funds. The pool is to be maintained by another institution or held in trust for all the uninsured public deposits as a group. The market value of the collateral must be at least equal to the aggregate uninsured deposits.

HORIZON DRIVE BUSINESS IMPROVEMENT DISTRICT
NOTES TO THE FINANCIAL STATEMENTS
December 31, 2007

NOTE 2 – CASH AND INVESTMENTS - continued

Deposits are categorized to give an indication of risk assumed by the government at the end of the year. Category 1 includes deposits that are insured, Category 2 includes collateralized deposits held by the pledging institution's department or agent in the District's name, and Category 3 included uncollateralized, uninsured deposits. At year end, the balance of the District's deposits were \$381,403, of which \$100,000 was covered by federal depository insurance and \$281,403 was collateralized under PDPA.

NOTE 3 – RESTRICTED NET ASSETS

The District and the City of Grand Junction have a memorandum of agreement where the District is obligated to pay \$57,000 a year for the renovation of the I-70 and Horizon Drive interchange, the funds were due starting on July 1, 2006 annually thereafter through 2010. The remaining balance of \$171,000 is reported as restricted net assets on the statement of net assets.

Attach 3

Purchase of One 2,000 Gallon Asphalt Distributor Truck

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Purchase of one 2,000 Gallon Asphalt Distributor Truck		
File #			
Meeting Day, Date	December 1, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	November 12, 2008		
Author Name & Title	Shirley Nilsen, Senior Buyer		
Presenter Name & Title	Jay Valentine, Assistant Financial Operations Manager		

Summary: This purchase is for one 2,000 gallon asphalt distributor truck which will replace a 1996 International distributor truck for the Preventative Street Maintenance Division, as identified by the annual review of the Fleet Replacement Committee.

Budget: The funding for this replacement has been approved in the 2008 fiscal year budget. The purchase price for the replacement asphalt distributor truck is \$128,866.00 less \$20,000.00 trade for a net cost of \$108,866.00.

Action Requested/Recommendation: Authorize the City Purchasing Division to purchase a 2009 International 7300 SBA 4 x 2 truck with an Etnyre Centennial asphalt distributor from a local company, Faris Machinery Company, for \$108,866.00.

Background Information: The solicitation was advertised in the Daily Sentinel and was sent to 109 potential bidders. Six bids were received as shown below. Faris Machinery Company submitted two bids, one was considered non-responsive as it contained a six speed transmission and did not meet the 10 speed requirement.

The Assistant Financial Operations Manager agrees with this purchase.

Company	Location	Total Purchase Price
Faris Machinery Co. (non responsive)	Grand Junction, CO	\$103,696.00
Faris Machinery Company	Grand Junction CO	\$108,866.00

Hanson Equipment Inc.	Grand Junction, CO	\$122,650.00
Hanson Equipment Inc.	Grand Junction, CO	\$129,836.00
Transwest Truck	Commerce City, CO	\$133,699.00
Western Colorado Truck Center	Fruita, CO	\$138,638.00

Attach 4

Contract Renewal for the VCB Website Marketing Services

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	VCB Website Marketing Services Contract Renewal		
File #			
Meeting Day, Date	Monday, December 1, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	November 21, 2008		
Author Name & Title	Barbara Bowman, VCB Division Manager		
Presenter Name & Title	Barbara Bowman, VCB Division Manager		

Summary: This is the fourth year of a 5 year annually renewable contract with Miles Media Group to provide website maintenance and advertising services to the VCB.

Budget: \$125,000 is budgeted in 2009

Action Requested/Recommendation: Authorize the City Manager to sign a contract with Miles Media Group, Sarasota, Florida, in the amount of \$125,000 for the period January 1 – December 31, 2009.

Attachments: None

Background Information: This is the fourth year of the contract originally approved by Council September 2, 2005 that resulted from the RFQ/RFP issued in 2005. In that process, seven responsive and responsible proposals were received and three agencies were chosen as short listed finalists that participated in an oral presentation. A review panel consisting of VCB Board members, the VCB Director and three staff members, two members of the City management team, the City Purchasing Manager and the City Information Services Manager rated each agency on a set of established criteria. Miles Media received the highest ratings and was unanimously selected by the panel.

At the November 12, 2008 meeting, the VCB Board voted unanimously to recommend renewal of this contract for 2009.

Attach 5

Contract Renewal for the VCB Advertising Services

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	VCB Advertising Services Contract Renewal		
File #			
Meeting Day, Date	Monday, December 1, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	November 21, 2008		
Author Name & Title	Barbara Bowman, VCB Division Manager		
Presenter Name & Title	Barbara Bowman, VCB Division Manager		

Summary: This is the fourth year of a 5-year annually renewable contract with Hill and Company Integrated Marketing and Advertising to provide advertising services to the VCB.

Budget: \$425,000 is budgeted in 2009

Action Requested/Recommendation: Authorize the City Manager to sign a contract with Hill and Company Integrated Marketing and Advertising in the amount of \$425,000 for the period January 1 – December 31, 2009.

Attachments: None

Background Information: This is the fourth year of the contract originally approved by Council September 21, 2005 that resulted from the RFQ/RFP issued in 2005. Six responsive and responsible proposals were received and three of those respondents were invited to make an oral presentation. A review panel consisting of VCB Board members, the VCB Director and three staff members, two members of the City management team and the City Purchasing Manager rated each agency on a set of

established criteria. Hill and Co. received the highest ratings and was the unanimous selection of the panel.

At the November 12, 2008 meeting, the VCB Board voted unanimously to recommend renewal of this contract for 2009.

Attach 6

Setting a Hearing for the Mesa State Outline Development Plan, Located at 2899 D ½ Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Mesa State Outline Development Plan – Located at 2899 D ½ Road		
File #	ODP-2008-154		
Meeting Day, Date	Monday, December 1, 2008		
Placement on the Agenda	Consent	<input checked="" type="checkbox"/>	Individual
Date Prepared	November 17, 2008		
Author Name & Title	Greg Moberg, Planning Services Supervisor		
Presenter Name & Title	Greg Moberg, Planning Services Supervisor		

Summary: A request for approval to zone property located at 2899 D ½ Road to PD (Planned Development) with a default zone of M-U (Mixed Use) by approval of the Outline Development Plan as a Planned Development.

Budget: N/A

Action Requested/Recommendation: Introduction of a proposed Ordinance zoning the property to Planned Development and set a public hearing for December 15, 2008.

Attachments:

1. Staff Report
2. Site Location Map/Aerial Photo Map
3. Future Land Use Map/Existing City and County Zoning Map
4. Outline Development Plan
5. Proposed Buffer
6. Planning Commission Minutes November 10, 2008
7. Proposed Ordinance

BACKGROUND INFORMATION					
Location:		2899 D ½ Road			
Applicants:		Owner/Applicant: Mesa State College Real Estate Foundation Representative: Ciavonne, Roberts and Associates/			
Existing Land Use:		Agriculture/Vacant/CSU Facility/Lineman School			
Proposed Land Use:		Mixed Use: Residential/Commercial/Industrial			
Surrounding Land Use:	North	Industrial			
	South	Single Family Residential			
	East	Single Family Residential			
	West	State Offices/Cemetery			
Existing Zoning:		County PUD			
Proposed Zoning:		PD (Planned Development)			
Surrounding Zoning:	North	I-1 (Light Industrial)			
	South	County RSF-R, County RSF-2, County PUD, R-4 (Residential 4 du/ac), PD (Planned Development)			
	East	County RSF-R			
	West	County PUD			
Growth Plan Designation:		Mixed Use			
Zoning within density range?		X	Yes		No

Staff Analysis:

1. Background

The property was annexed into the City on June 6, 2007 but was not zoned pending a decision on the requested Growth Plan Amendment. On March 5, 2008 the City Council amended the Growth Plan – Future Land Use Map from Public to a Mixed Use designation. The requested approval by City Council is for zoning the parcel as a part of the annexation.

Current use of the property includes an electrical lineman training facility, Colorado State University Animal Diagnostic Laboratory and agriculturally cultivated lands. Also existing on the property are miscellaneous vacant buildings. The site is bounded by Riverside Parkway (also known as D Road) to the south, the Union Pacific Railroad and the I-70 Business Loop to the north, 29 Road to the east and land owned by the State and the Department of Military and Veteran’s Affairs to the west.

The Applicant is proposing that the property be developed as a PD (Planned Development) with a default zone of M-U (Mixed Use). Section 3.4 J. of the Zoning and Development Code (“Code”) states that the purpose of the M-U zone is:

“To provide for a mix of light manufacturing and office park employment centers, retail, service and multifamily residential uses with appropriate screening, buffering and open space and enhancement of natural features and other amenities such as trails, shared drainage facilities, and common landscape and streetscape character. This District implements the commercial, commercial/industrial, industrial and mixed use future land use classifications of the Growth Plan, as well as serving as a transition between residential and nonresidential use areas.”

Uses and Development Character

The proposal is to allow multifamily residential, commercial and industrial uses within four pods. Pod A would be developed as industrial. Pods B, C, and D would allow a mix of uses both residential and commercial with commercial uses being the principle uses of Pods B and C and residential use being the principle use of Pod D.

The uses for each Pod are defined in the draft ordinance hereto attached. Pod A only allows commercial and industrial uses and does not allow residential uses. Also Pod A has no limitation in the amount of square footage at buildout. The limitation will be subject to parking and bulk standards. Pods B and C will contain a maximum of 450,000 square feet and 115,000 square feet of commercial respectively. The maximum building size for any commercial structure will be 250,000 square feet. It should be noted that a Traffic Impact Study (TIS) has not been completed for the proposed development. A TIS will determine if additional commercial development (square footage) can occur on the site relative to the capacity of the road system.

Unified development of the site is proposed with similar architectural styles and themes across the four pods including common landscape features and streetscape character. The Applicant is also proposing that detached trails will be located along 29 Road and the Riverside Parkway.

Density

The overall proposed residential density of the development is 1,124 dwelling units. These multifamily units can be located within Pods B, C, and D. Pod B allows a maximum 371 dwelling units and Pod D allows a maximum 754 dwelling units. A maximum density for Pod C has not been established therefore any units located in Pod C would be subject to the maximum overall density and would have to be subtracted from the total 1,124 units. The maximum density of Pods B, C and D is

10.90 dwelling units per acre which is consistent with the density allowed in the M-U zone.

Access

Four access points are being proposed for the development. Two access points are located along 29 Road, one at the new D 1/2 Road intersection and one located further south. In addition to the two access points on 29 Road, two access points are proposed along Riverside Parkway (also known as D Road). One access is proposed at the intersection of Burdock Way and one at the intersection of Skyler Street.

Open Space / Park

No open space or parkland has been proposed as part of the proposed ODP. However the Applicant has proposed a 25 foot landscaped buffer along the west property line to buffer the potential uses of the development with the cemetery. Open space and park dedication requirements will be reviewed as part of the Preliminary Development Plan ("PDP").

Signage

Freestanding signage along 29 Road and Riverside Parkway will be limited to monument signs no higher than eight feet and one per intersection on arterial streets. Sign packages will be submitted as part of the PDP for all internal signage.

Community Benefit

The objective of a mixed use development is to create a mixture of land uses which may include residential, retail, offices, recreational, entertainment, and light industrial within a compatible design. The interaction between the mixed uses and design of the development should create the following benefits:

1. Active urban areas during more hours of the day;
2. Increased housing options and diverse household types;
3. Reduction of auto dependence;
4. A local sense of place;
5. Reduction of traffic congestion and auto pollution;
6. Vibrant and dynamic developments.

The proposed development combines multifamily residential dwelling units, commercial uses and light industrial uses within a 154 acre site. Internal traffic and pedestrian circulation and concentrated development create more efficient use of infrastructure. In addition, the City of Grand Junction is experiencing a rental vacancy rate of less than 2%. The development of up to 1,124 multifamily residential dwelling units will help fill

this void. Finally, mixed use sites and buildings encourage innovative building, site and infrastructure design.

Therefore the proposed development meets the following community benefits as outlined in Chapter 5:

1. More effective infrastructure;
2. Needed housing types and/or mix;
3. Innovative designs.

Phasing Schedule

Pursuant to the Code, the PDP will be submitted within 2 years after approval of the ODP, unless a phasing schedule is otherwise approved with the preliminary plan.

Default Zoning

The Applicant is proposing a default zone of MU, which is consistent with the Growth Plan designation of Mixed Use. The bulk standards for the M-U zone, as indicated in Table 3.2 in the Zoning and Development Code, are as follows:

Density: 8 to 24 dwelling units per acre
Nonresidential FAR: 0.50
Maximum building size: 150,000 square feet (30,000 square feet for retail)
Minimum lot area: one acre
Minimum lot width: 100 feet
Front yard setback: 15 feet for principal structures/25 feet for accessory structures
Side yard setback: 15 feet for principal structures/15 feet for accessory structures
Rear yard setback: 25 feet for principal structures/25 feet for accessory structures
Maximum building height: 40 feet (65 feet is allowed if all building setbacks are 1.5 times the overall height of the building).

The Planning Commission may recommend and the City Council may deviate from the default district standards if the Applicant has provided community amenity from the list under Section 5.4.G of the Code. The Applicant has proposed off-street trails within the Development that are not required by the Urban Trails Master Plan. Furthermore, the Applicant is proposing a 50-foot setback and a 25-foot landscape buffer along the western property. The proposed setback and buffer is greater than that required by the M-U zone (The M-U zone would not require a landscaped buffer adjacent to property located within the County and the minimum rear setback is 25 feet).

The Applicant is proposing the following deviations from the M-U bulk standards:

Nonresidential FAR: 2.0
Maximum building size: 250,000 square feet
Minimum lot area: Pod B, C, and D – no minimum requirement

Setbacks (principal structures/accessory structures)

Pod A (Industrial)

Front yard setback: 15'/25'
Side yard setback: 5'/5'
Rear yard setback: 25'/5'

Pod B and C (Commercial and Residential)

Front yard setback: 15'/25'
Side yard setback: 0'/0'
Rear yard setback: 10'/10'

Pod D (Residential and Commercial)

Front yard setback: 15'/20'
Side yard setback: 5'/3'
Rear yard setback: 10'/5'

The Applicant is also proposing a setback of 50 feet for structures along the western property line adjacent to the Cemetery.

Building Heights

Pod A shall have a maximum height of 40 feet. Pods B and C, commercial use buildings shall have a maximum height of 40 feet and mixed use buildings shall have a maximum height of 65 feet. The maximum height for multifamily residential buildings in Pods B, C, and D, shall be 65 feet.

2. Consistency with the Growth Plan:

The Future Land Use Map designates the subject property as Mixed Use. The proposed ODP proposes a default zone of MU, a density, and a variety of uses that are consistent with the Mixed Use designation.

3. Section 2.12.B.2 of the Zoning and Development Code:

Requests for an Outline Development Plan (ODP) for property zoned Planned Development (PD) must demonstrate conformance with all of the following:

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

The proposed ODP is consistent with the Growth Plan and the Grand Valley Circulation Plan.

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

- 1) The existing zoning was in error at the time of adoption.

The property was last zoned in the County to a PUD. A plan was not included as part of the resolution. A Planned Unit Development without a plan is in error. Without more information the zone is not developable.

- 2) There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, redevelopment, etc.

The character of this neighborhood has been and continues to be developing with urban land uses; specifically medium to medium-low density residential. These types of uses require supporting uses such as high density residential, commercial and industrial. Furthermore there is a need to transition from the residential designated lands to the south and east to the industrial designated lands to the north and west.

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

The proposed rezone to PD with a default zone of M-U is compatible with the surrounding area and furthers the goals and policies of the Growth Plan.

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

Adequate public facilities (roads and utilities) are currently available or will be made available that can address the impacts of the proposed development. Central Grand Valley sewer lines and a Ute water line are located adjacent to the property. Furthermore, improvements to the Riverside Parkway and 29 Road have been made that allow for more

intense use of the property. In addition, the Central Grand Valley Sanitation District recently replaced the Riverside Parkway (also known as D Road) interceptor with a new 24-inch PVC pipe that will add additional capacity to the system and be able to serve potential uses of the Mesa State property. It should be noted that a Traffic Impact Study (TIS) has not been completed for the proposed development. A TIS will determine if additional commercial development (square footage) can occur on the site relative to the capacity of the road system.

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

There is an inadequate supply of high density residential and commercially zoned land within the Pear Park area. Furthermore, there is a need to transition the residential land uses from the south and east to the industrial lands to the north and west. The proposed development would accommodate both of these concerns.

6) The community will benefit from the proposed zone.

The proposed PD with a default zone of M-U would create a transition between the existing residential and industrial uses. The proposal would also allow for the development of needed commercial and high density residential uses. This would benefit both the Pear Park area and the City as a whole.

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

The proposed plan is in conformance with the requirements of Chapter Five.

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

There are no corridor or overlay district guidelines for this property.

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

Adequate public facilities are currently available or can be made available and can address the impacts of any development consistent with a Mixed Use designation.

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

The ODP provides graphic representation of four access points and how the internal circulation system will be designed. Detailed access and circulation that serves all of the pods will be identified and designed as part of the PDP.

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

The Applicant has proposed a 25 foot landscaped buffer along the western most property line adjacent to the existing cemetery. Railroad tracks and I-70 Business Loop are located along the north property line and D and 29 Roads are located south and east. The Applicant has proposed detached trails along the arterial frontages which are intended to provide for safe multi-modal transportation and provide access to uses within the development. These detached trails will also provide connectivity from the development to other points of interest adjacent to the subject property including the Colorado River Front trail.

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

The proposed residential overall density of 1,124 dwelling units and the range of dwelling units per pod is appropriate and consistent with the Growth Plan designation of Mixed Use.

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

The Applicant has proposed a default zone of M-U with the requested deviations that are outlined in the attached Ordinance.

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

The development shall be in accordance with the Code, unless a different phasing/development schedule is approved with the PDP. The PDP will be submitted within 2 years after approval of the ODP.

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

The subject property is approximately 154.05 acres in size, therefore meeting this criterion.

FINDINGS OF FACT AND CONCLUSIONS:

After reviewing the Mesa State Planned Development application, ODP-2008-154, for a rezone to PD, the following findings of fact and conclusions have been determined:

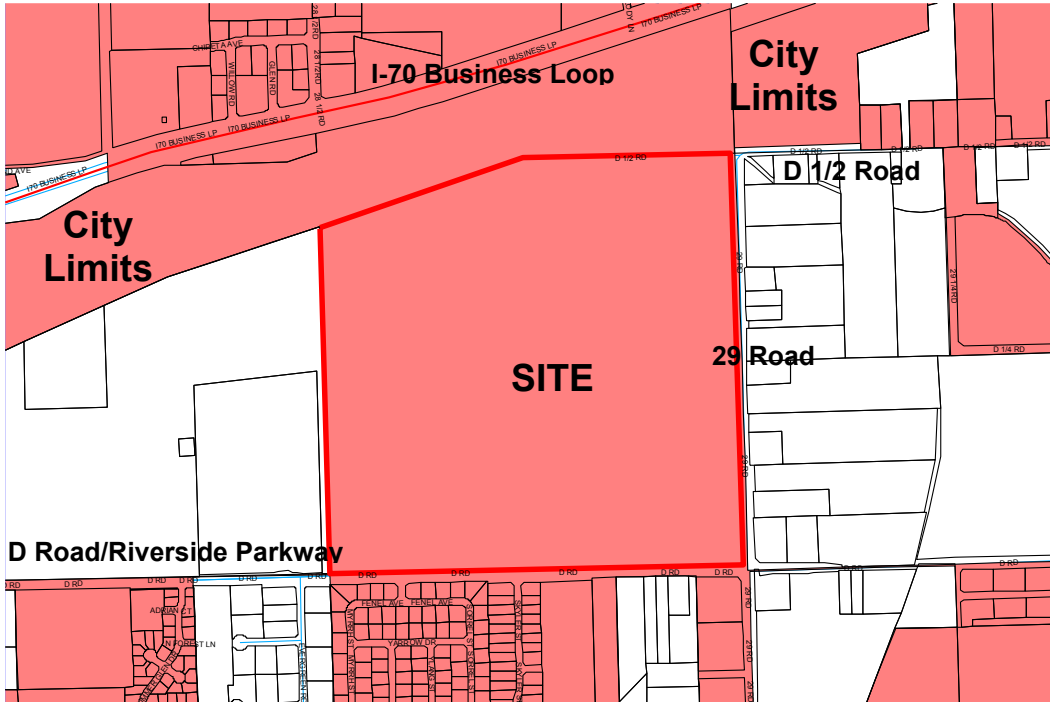
1. The requested rezone is consistent with the Growth Plan.
2. The review criteria of Section 2.6.A. of the Zoning and Development Code have been met.
3. The review criteria of Section 2.12.B.2. of the Zoning and Development Code have been met.
4. The proposed development provides long-term community benefits above and beyond those required to mitigate the impacts of development and complies with Chapter 5 of the Zoning and Development Code.

PLANNING COMMISSION RECOMMENDATION:

At their regularly scheduled meeting of November 10, 2008; the Planning Commission forwarded a recommendation of approval to the City Council, for the requested zone to PD and approval of the Outline Development Plan for the Mesa State Development, file number ODP-2008-154, with the findings and conclusions as listed above.

Site Location Map

Figure 1



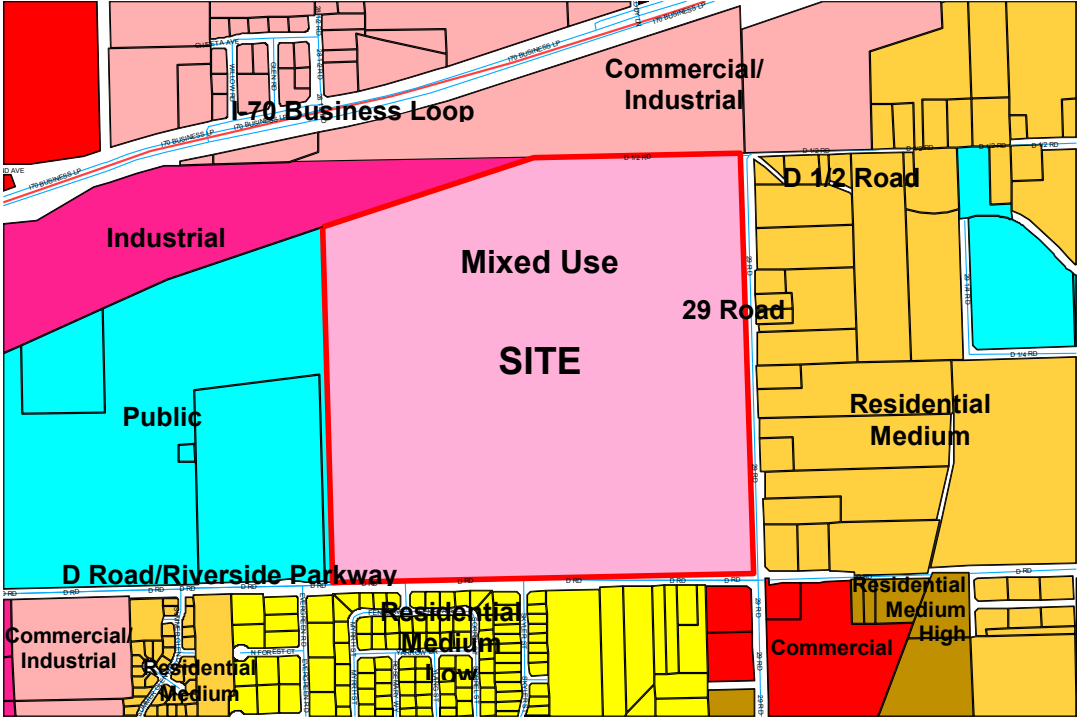
Aerial Photo Map

Figure 2



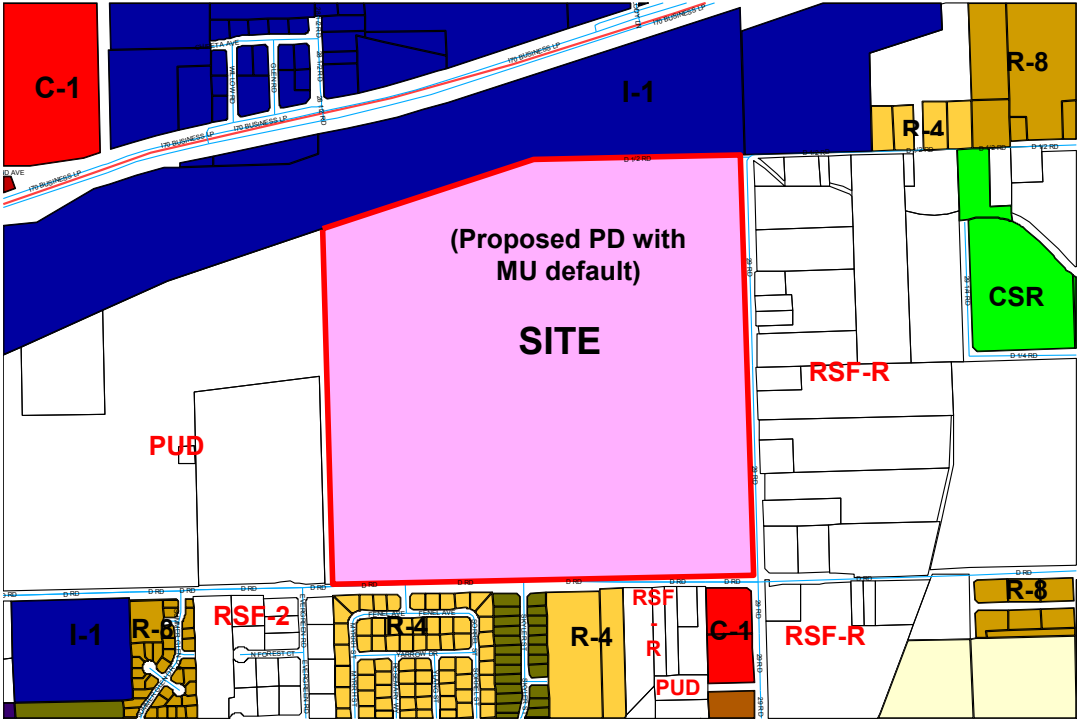
Future Land Use Map

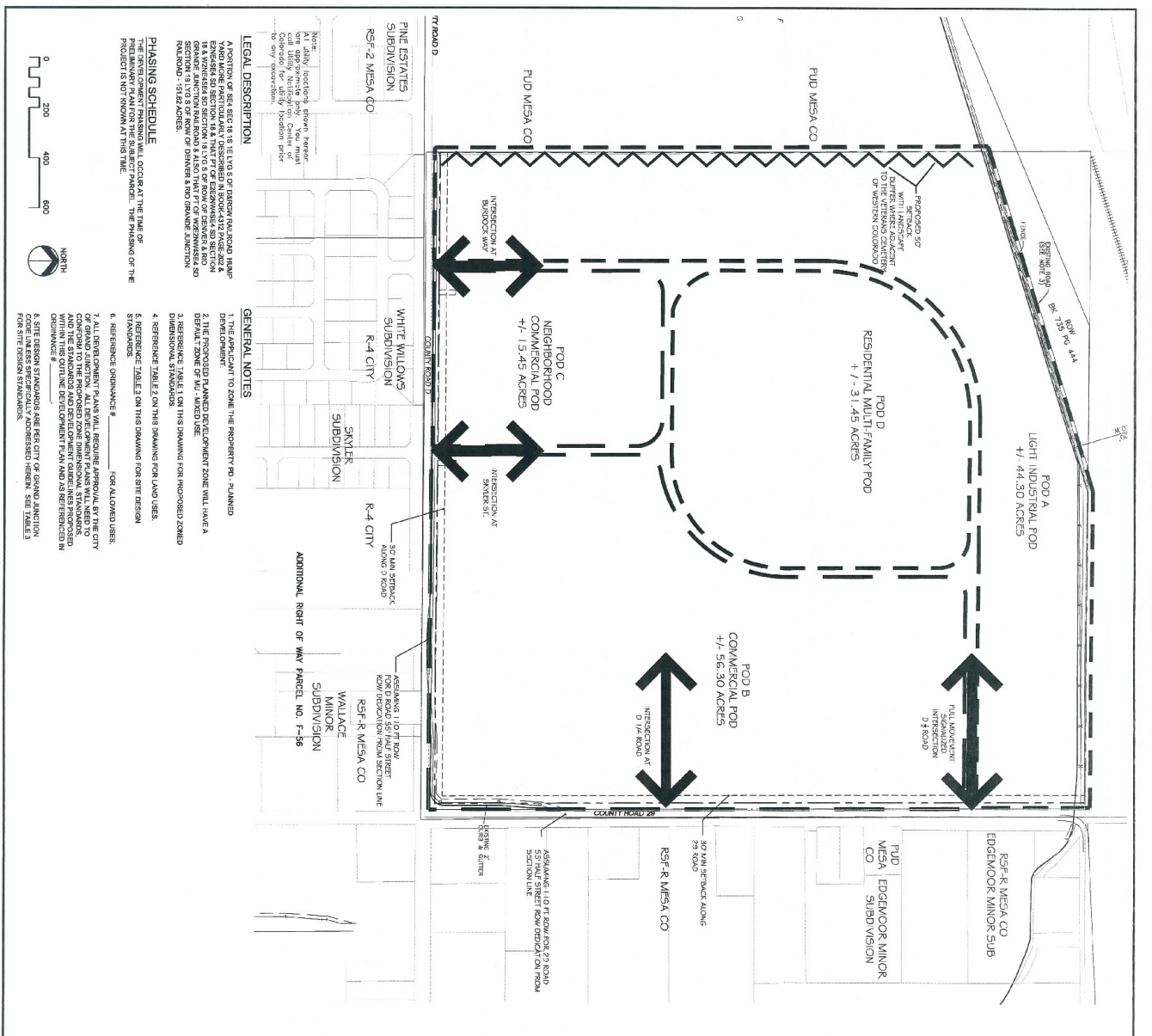
Figure 3



Existing City and County Zoning Map

Figure 4





PHASING SCHEDULE

THE PROJECT WILL BE DEVELOPED IN PHASES AS SHOWN ON THE DRAWINGS. THE ORDER AND PHASING OF THE PROJECT IS NOT KNOWN AT THIS TIME.

1. ALL DEVELOPMENT PLANS WILL REQUIRE APPROVAL BY THE CITY OF MESAS PLANNING DEPARTMENT.

2. THE PROPOSED PLANNED DEVELOPMENT ZONE WILL HAVE A DEFAULT ZONE OF PUD - MIXED USE.

3. REFERENCE TABLE 1 ON THIS DRAWING FOR PROPOSED ZONED DEVELOPMENT STANDARDS.

4. REFERENCE TABLE 3 ON THIS DRAWING FOR LAND USES.

5. REFERENCE TABLE 2 ON THIS DRAWING FOR SITE DESIGN STANDARDS.

6. REFERENCE ORDINANCE # _____ FOR ALLOWED USES.

7. ALL DEVELOPMENT PLANS WILL REQUIRE APPROVAL BY THE CITY OF MESAS PLANNING DEPARTMENT.

8. THE STANDARDS AND DEVELOPMENT TABLES PREVIOUSLY APPROVED BY THE CITY OF MESAS PLANNING DEPARTMENT IN RESPECT TO THIS PROJECT ARE APPLICABLE UNLESS OTHERWISE SPECIFIED IN THIS PHASING SCHEDULE.

9. SITE DESIGN STANDARDS ARE PER CITY OF GRAND JUNCTION CODE UNLESS SPECIFICALLY ADDRESSED HEREIN. SEE TABLE 3 FOR THE DESIGN STANDARDS.

LEGAL DESCRIPTION

A PORTION OF SECTION 18 IS LOTS 9 OF BARON HILL ROAD MAP AND MAPS THEREON, DESCRIBED IN BOOK 432 PAGE 202 & 18 & W/NE/4 SECTION 18 1/4 CS OF ROW OF PEPPER & RIO GRANDE RAILROAD - 15182 ACRES.

GENERAL NOTES

1. THE APPLICANT TO ZONE THE PROPERTY PD - PLANNED DEVELOPMENT.

2. THE PROPOSED PLANNED DEVELOPMENT ZONE WILL HAVE A DEFAULT ZONE OF PUD - MIXED USE.

3. REFERENCE TABLE 1 ON THIS DRAWING FOR PROPOSED ZONED DEVELOPMENT STANDARDS.

4. REFERENCE TABLE 3 ON THIS DRAWING FOR LAND USES.

5. REFERENCE TABLE 2 ON THIS DRAWING FOR SITE DESIGN STANDARDS.

6. REFERENCE ORDINANCE # _____ FOR ALLOWED USES.

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OUTLINE DEVELOPMENT PLAN

CLAVONNE ROBERTS & ASSOC., INC.
 LANDSCAPE ARCHITECTS
 228 NORTH 7TH STREET
 GRAND CAY 81501
 TEL: 724-318-8811
 FAX: 724-318-8815
 EMAIL: info@clavonne.com

TABLE 1
PROPOSED ZONE DIMENSIONAL STANDARDS (Table 3.2 ZDC)

POD	HEIGHT		BUILDING FOOTPRINT		SETBACKS		MAX LOT COVER	MAX LOT COVER	MAX HEIGHT	MAX FOOTPRINT
	(1)	(2)	FRONT	REAR	FRONT	REAR				
POD A	40'	50'	15%	15%	15'	15'	20%	20%	40'	1500
POD B	40'	50'	15%	15%	15'	15'	20%	20%	40'	1500
POD C	40'	50'	15%	15%	15'	15'	20%	20%	40'	1500
POD D	40'	50'	15%	15%	15'	15'	20%	20%	40'	1500

TABLE 2
LAND USE TABLE

LAND USE	AREA	% OF SITE	USES		ESTIMATED INTENSITY/DENSITY
			GENERAL USES PER POD	POD INTENSITY / DENSITY (B/M)	
INDUSTRIAL	1.4-3.0 ACRES	20%	GENERAL INDUSTRIAL	N/A	N/A
COMMERCIAL	1.0-2.0 ACRES	37%	RETAIL/COMMERCIAL/RESTAURANT/MULTI-FAMILY/ENTERTAINMENT	40-60,000 SQ FEET	N/A
RESIDENTIAL (C)	1.5-3.5 ACRES	10%	RESIDENTIAL/COMMERCIAL/RESTAURANT/MULTI-FAMILY/ENTERTAINMENT	40-60,000 SQ FEET	N/A
RESIDENTIAL (D)	3.17-4.4 ACRES	20%	RETAIL/COMMERCIAL/RESTAURANT/MULTI-FAMILY/ENTERTAINMENT	40-60,000 SQ FEET	N/A
ARTISAN	1.0-2.0 ACRES	4%	ARTISAN	N/A	N/A
OFFICE	1.0-2.0 ACRES	100%	OFFICE	N/A	N/A

TABLE 3
SITE DESIGN STANDARDS

(1) NON-RESIDENTIAL INTENSITY CAN BE CONVERTED TO RESIDENTIAL DENSITY. SEE ORDINANCE FOR CONVERSION FACTORS.

(2) DEVELOPMENT INTENSITY - NUMBER OF DWELLING UNITS PER ACRE AND A MINIMUM OF 10 DWELLING UNITS PER ACRE FOR PODS WITH RESIDENTIAL USES ALLOWS. DENSITY CAN BE AVERAGED ACROSS THE PROPERTY.

(3) ALL LOT WIDTHS AND ABOVE GROUND MECHANICAL EQUIPMENT SHALL BE LOCATED WITHIN THE SAME COLOR AS THE BUILDING OR SCREENED FROM VIEW. LATITUDE OR PLANT MAINTENANCE IS A PERMITTED SCREEN.

(4) ALL UTILITY METERS AND ABOVE GROUND MECHANICAL EQUIPMENT SHALL BE LOCATED WITHIN THE SAME COLOR AS THE BUILDING OR SCREENED FROM VIEW. LATITUDE OR PLANT MAINTENANCE IS A PERMITTED SCREEN.

(5) ALL UTILITY METERS AND ABOVE GROUND MECHANICAL EQUIPMENT SHALL BE LOCATED WITHIN THE SAME COLOR AS THE BUILDING OR SCREENED FROM VIEW. LATITUDE OR PLANT MAINTENANCE IS A PERMITTED SCREEN.

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(12) ALL UTILITY METERS AND ABOVE GROUND MECHANICAL EQUIPMENT SHALL BE LOCATED WITHIN THE SAME COLOR AS THE BUILDING OR SCREENED FROM VIEW. LATITUDE OR PLANT MAINTENANCE IS A PERMITTED SCREEN.

MESA STATE COLLEGE
 REAL ESTATE FOUNDATION
 29 & D ROAD MIXED-USE DEVELOPMENT

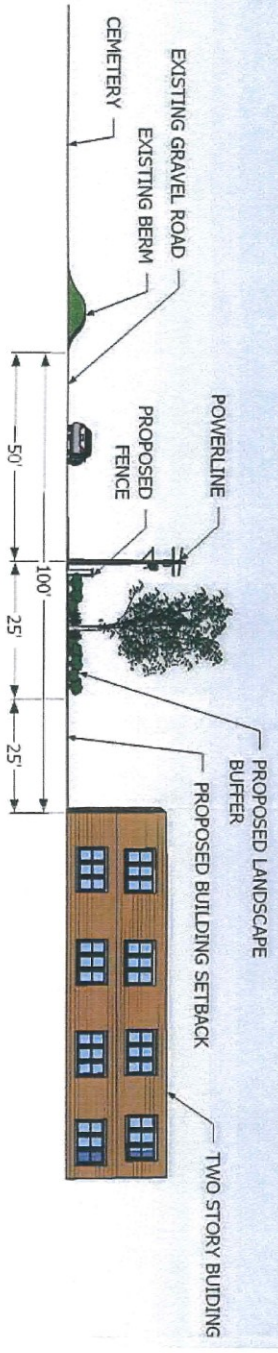
SHEET NO. 1

STATUS

- CDP & REZONE
- PRELIMINARY PLAN
- FINAL PLAN

DRAWN BY: JC
CHECKED BY: TO
DATE: 05-01-2018
JOB NO.: 0722
REVISIONS:
 01-20-18 COMPASS
 02-20-18 COMPASS
 03-20-18 COMPASS
 04-20-18 COMPASS
 05-20-18 COMPASS
 06-20-18 COMPASS
 07-22-18-30-08

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PREFERRED OPTION

DRAWN BY AS
 CHECKED JC
 JOB NO. 0000
 DATE 8/10/08
 REVISED

MSC FOUNDATION
 GRAND JUNCTION, COLORADO



MSC FOUNDATION
 GRAND JUNCTION,
 COLORADO
 PRELIMINARY
 SUBMITTAL

SHEET NO.
L01

Reserved for the November 10, 2008 Planning Commission Minutes

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE TO ZONE THE MESA STATE DEVELOPMENT TO PD (PLANNED DEVELOPMENT) ZONE, BY APPROVING AN OUTLINE DEVELOPMENT PLAN WITH A DEFAULT M-U (MIXED USE) ZONE FOR THE DEVELOPMENT OF A MIXED USE DEVELOPMENT

LOCATED AT 2899 D 1/2 ROAD

Recitals:

A request to zone 154.05 acres to PD (Planned Development) by approval of an Outline Development Plan (Plan) with a default M-U (Mixed Use) zone has been submitted in accordance with the Zoning and Development Code (Code).

This Planned Development zoning ordinance will establish the standards, default zoning (M-U) and adopt the Outline Development Plan for the Mesa State Development. If this approval expires or becomes invalid for any reason, the property shall be fully subject to the default standards of the M-U zone district.

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

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

A A certain parcel of land located in the Southeast Quarter of (SE 1/4) of Section 18, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southeast corner of said Section 18 and assuming the South line of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of said Section 18 bears N89°40'51"W with all other bearings contained herein being relative thereto; thence N89°40'51"W along said South line a distance of 1319.50 feet to the Southwest corner of said SE 1/4 SE 1/4; thence N00°21'19"W along the West line of said SE 1/4 SE 1/4 a distance of 30.00 feet

to a point on the North line of Riverside Parkway (also known as D Road); thence N89°37'59"W along said North line a distance of 1328.65 feet to a point on the West line of the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of said Section 18, said North line also being the North line of the Darren Davidson Annexation, City of Grand Junction, Ordinance No. 3205; thence N00°06'35"W along said West line a distance of 1288.69 feet to the Northwest corner of said SW 1/4 SE 1/4; thence N00°25'09"W along the West line of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of said Section 18 a distance of 903.48 feet to a point on the South line of the Southern Pacific Railroad Annexation, City of Grand Junction, Ordinance No. 3158; thence N73°01'14"E along said South line a distance of 1415.51 feet to a point on the North line of the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of said Section 18; thence N00°15'05"E a distance of 30.00 feet; thence N89°35'13"E along a line being 30.00 feet North of and parallel with the North line of said NE 1/4 SE 1/4 a distance of 1292.57 feet; thence S00°13'55"E along the East line of said NE 1/4 SE 1/4 a distance of 1350.87 feet to the Northeast corner of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of said Section 18; thence S00°13'09"E along the East line of said SE 1/4 SE 1/4, a distance of 1321.23 feet, more or less to the POINT OF BEGINNING.

Said parcel contains 154.05 acres (6,710,387 square feet), more or less, as described.

B. Mesa State Development Outline Development Plan is approved with the Findings of Fact and Conclusions listed in the Staff Reports dated _____ and _____ including attachments and Exhibits.

C. The default zone is M-U (Mixed Use) with deviations contained within this Ordinance.

D. Unified Development

The project should be developed in a unified manner with similar architectural styles and themes throughout. Detached trails along the arterial frontages are intended to provide for safe multi-modal transportation haven and provide access to uses within the development. These detached trails will also provide connectivity from the development to other points of interest adjacent to the subject property including the Colorado River Front trail.

E. Purpose

The proposed development will provide for a mix of light manufacturing, office park employment centers, retail, service and multifamily residential uses with appropriate screening, buffering and open space, enhancement of natural

features and other amenities such as trails, shared drainage facilities, and common landscape and streetscape character.

F. Intensity

1. Nonresidential intensity shall not exceed a floor area ratio (FAR) of 2.0.
2. Nonresidential minimum lot size shall be one (1) acre, except commercial lots within a retail center.
3. Maximum building size of a retail commercial use shall be 250,000 square feet
4. Maximum overall gross residential density shall not exceed twenty-four (24) units per acre.
5. Minimum overall net residential density shall be eight (8) units per acres.
6. The minimum and maximum density shall be calculated utilizing Pods B, C and D. Individual lots or sites do not have to be density compliant.

G. Performance Standards

1. Any applicable overlay zone district and/or corridor design standards and guidelines shall apply, unless otherwise approved by the City, to encourage design flexibility and coordination of uses.
2. Loading docks and trash areas or other service areas when located in the side or rear yards must be screened from adjacent right-of-ways with either a wall or landscaping. Front façade loading docks shall be recessed a minimum of 20 feet behind the front façade of the building.
3. Vibration, Smoke, Odor Noise, Glare, Wastes, Fire Hazards and Hazardous Materials. No person shall occupy, maintain or allow any use in an M-U zone without continuously meeting the following minimum standards regarding vibration, smoke, odor, noise, glare, wastes, fire hazards and hazardous materials.
 - a. Vibration: Except during construction or as authorized by the City, activity or operation which causes any perceptible vibration of the earth to an ordinary person on any other lot or parcel shall not be permitted.

b. Noise: The owner and / or occupant shall regulate uses and activities on a lot so that the Day-Night Average Sound Level does not exceed sixty-five decibels (65 dB) at any point along the property line. This sound level is not intended apply to limited periods of landscape maintenance activity for the subject property.

c. Glare: Lights, spotlights, high temperatures processes or otherwise, whether direct or reflected, shall not be visible from any other lot, parcel or any right-of-way.

d. Solid and Liquid Waste: All solid waste, debris and garbage shall be contained within a closed and screened dumpster, refuse bin and/or trash compactor(s). Incineration of trash or garbage is prohibited. No sewage or liquid wastes shall be discharged or spilled on the property.

e. Hazardous Materials: Information and materials to be used or located on the site whether on a full-time or part-time basis, that are required by the SARA Title III Community Right to Know shall be provided at the time of any City review, including the site plan. Such information regarding the activity shall be provided to the Director at the time of any proposed change, use or expansion, even for existing uses.

f. Outdoor Storage and Display: Outdoor storage and permanent display areas shall only be located in the rear half of the lot beside or behind the principal structure. Portable display or retail merchandise may be permitted as provided in Chapter four of the Zoning and Development Code.

H. Pod Character

The property will be developed into three distinct areas within the development that have a character similar to the following uses:

1. Pod A – Light Industrial (Commercial is allowed)
2. Pods B and C – Commercial (Multifamily residential is allowed)
3. Pod D – Multifamily Residential (Ground floor commercial is allowed)

I. Authorized Uses

1. The list of authorized uses allowed within the M-U zone is hereby amended to include and exclude the following. The following uses are allowed without the need for approval of a conditional use permit.

a) POD A – LIGHT INDUSTRIAL

- 1) All other community service
- 2) Golf Driving Ranges
- 3) Utility Basic (indoor or outdoor)
- 4) General Offices
- 5) Office with Drive-through
- 6) Commercial Parking
- 7) Skating Rink
- 8) Shooting Range, Indoor
- 9) All other indoor recreation
- 10) Animal Care / Boarding / Sales, Indoor
- 11) Delivery and Dispatch Services
- 12) Fuel Sales, automotive/appliance
- 13) General Retail Sales, outdoor operations, display and storage
- 14) Landscaping Materials Sales/Greenhouse/Nursery
- 15) All other sales and services
- 16) Auto and Light Truck Mechanical Repair
- 17) Body shop
- 18) Car wash
- 19) Gasoline Service Station
- 20) Quick Lube
- 21) All other vehicle service, limited
- 22) Indoor Operations and Storage
 - i. Assembly
 - ii. Food Products
 - iii. Manufacturing/Processing
- 23) Indoor Operations with Outdoor Storage
 - i. Assembly
 - ii. Food Products
 - iii. Manufacturing/Processing
- 24) Outdoor Operations and Storage
 - i. Assembly
 - ii. Food Products
 - iii. Manufacturing/Processing
- 25) Contractors and Trade Shops
- 26) Indoor operations and outdoor storage (heavy vehicles)
- 27) Warehouse and Freight Movement
- 28) Indoor Storage with Outdoor Loading Docks

- i. Outdoor Storage or Loading
- 29) Sand or Gravel Storage
- 30) Wholesale Sales – allowed
 - i. Wholesale Business
 - ii. Agricultural Products
 - iii. All other Wholesale Uses
- 31) Telecommunications Facilities

b) PODS B & C – COMMERCIAL

- 1) Community Service
- 2) Cultural Uses
- 3) Multi-family residential
- 4) General Day Care
- 5) Entertainment Event,
 - i. Indoor Facilities
 - ii. Outdoor Facilities
- 6) Hotels / Motels
- 7) General Offices
- 8) Office with drive-through
- 9) Commercial Parking
- 10) Health Club
- 11) Movie Theater
- 12) Skating Rink
- 13) Arcade
- 14) Bar / Nightclub
- 15) Alcohol Sales
- 16) Drive-through Uses (restaurants)
- 17) Drive-through Uses (retail)
- 18) Food Service, Catering
- 19) Food Service, Restaurant (including alcohol sales)
- 20) Farmers Market
- 21) General Retail Sales, Indoor Operations, display and storage
- 22) Gasoline Service Station
- 23) Repair, small appliance
- 24) Repair, large appliance
- 25) Personal Service
- 26) All other retails sales and service
- 27) Utility Service Facilities (underground)
- 28) All other Utility, Basic
- 29) Transmission Lines, (above ground)
- 30) Transmission Lines, (underground)

c) POD D – RESIDENTIAL

- 1) Multifamily residential
- 2) Non-residential uses are limited to a combined total of 10,000 square feet in POD D.
 - i. Large Group Living Facilities
 - ii. Unlimited Group Living Facilities
 - iii. General Day Care
 - iv. Bar / Nightclub
 - v. Food Service, Restaurant (including alcohol sales)
 - vi. Farmers Market
 - vii. General Retail Sales, Indoor Operations, display and storage

d) Restricted Uses

The uses below are not allowed within any of the Pods.

- 1) Cemetery
- 2) Golf Course
- 3) Religious Assembly
- 4) Funeral Homes/Mortuaries/Crematories
- 5) Schools – Boarding, Elementary, Secondary
- 6) Transmission Lines (above ground)
- 7) Bed and Breakfast (1 – 3 guest rooms)
- 8) Bed and Breakfast (4 or more guest rooms)
- 9) Amusement Park
- 10) Miniature Golf
- 11) All other outdoor recreation
- 12) Adult Entertainment
- 13) Farm Implement / Equipment Sales / Service
- 14) Fuel Sales, heavy vehicle
- 15) Mini warehouse
- 16) Agriculture
- 17) Winery
- 18) Aviation
- 19) Helipads

J. Dimensional Standards

Minimum Lot Area	
Pod A	1 acre minimum
Pods B and C	No minimum when part of a retail center

	1 acre when stand alone
Pod D	No minimum

Minimum Lot Width	
Pod A	100' Minimum
Pods B and C	No minimum when part of a retail center 100' when stand alone use
Pod D	No minimum

Minimum Street Frontage	
Pod A	100' Minimum
Pods B and C	No minimum when part of a retail center 100' when stand alone use
Pod D	No minimum

Pod A Minimum Setbacks	Principle Structure / Accessory Structure
Front	15' / 25'
Side	5' / 5'
Rear	25' / 5' ^a

Pods B and C Minimum Setbacks	Principle Structure / Accessory Structure
Front	15' / 25'
Side	0 / 0
Rear	10' / 10'

Pod D Minimum Setbacks	Principle Structure / Accessory Structure
Front	15' / 20'
Side	5' / 3'
Rear	10' / 5'

Maximum Lot Coverage	
Pod A	N/A
Pods B and C	N/A
Pod D	N/A

Maximum FAR	
Pod A	2.0 FAR
Pods B and C	2.0 FAR
Pod D	N/A

Maximum Height	
Pod A	40'
Pods B and C / Mixed Use Buildings	40'/65'
Pod D	65'

1. Footnotes: The applicable footnotes in Table 3.2 of the Zoning and Development Code shall be referenced including the following:

a. A 50 foot wide building setback is required along the western property line of the development adjacent to the Department of Military and Veterans Affairs Cemetery.

K. Other Regulations

1. Fencing: A fence is required along the western most boundary of the property (adjacent to the Department of Military and Veterans Affairs Cemetery).

2. Construction Cessation: During military funerals, services or veterans ceremonies, construction on any and all projects will cease until these funerals, service or ceremonies have ended. Each general contractor will contact the Department of Military and Veterans Affairs to work out details for construction cessation during the requested periods of time.

3. Landscape Buffer

a. A 25 foot wide landscape buffer, including a six (6) foot fence, is required along the western property line of the development. The landscape buffer will count towards the overall landscape requirements of each site.

b. A 50 foot wide building setback is required along the western property line of the development adjacent to the Department of Military and Veterans Affairs Cemetery.

4. Parking per Section 6.6 of the Zoning and Development Code with the following modifications:

a. Commercial – Per Shopping Center Calculations (1 parking space per every 250 square feet of gross floor area).

b. Mixed-use structures – parking calculated per use per floor of structure (Shopping center parking calculation can be used for ground floor commercial uses at 1 parking space per every 250 square feet of gross floor area).

5. Landscaping shall meet Section 6.5 of the Zoning and Development Code.

6. Buildings shall meet Section 4.3 M. of the Zoning and Development Code.

7. Sign Regulations shall meet Section 4.2 with the following exceptions:

a. Freestanding signs shall be limited to monument type signage.

b. Freestanding signs shall not exceed 8' in height – sign face calculated per Section 4.2.

c. Only one freestanding monument sign shall be allowed at each intersection along Riverside Parkway and 29 Road.

d. A sign package will be required as part of each Preliminary Development Plan.

8. Hours of Operation

a. Pod A – unrestricted

b. Pods B and C – unrestricted

c. Pod D – non-residential uses shall be restricted from 5 am to 11 pm.

9. Mixed-Use Development

a. The maximum residential densities within Pod C shall not exceed twenty-four (24) dwelling units per acre, minus (1) dwelling unit per 2,000 square feet of nonresidential development or portion thereof. In Pod C, residential uses shall not constitute more than seventy-five percent (75%) of the total floor area. In no case shall the total number of dwelling units in Pod C exceed 370 dwelling units.

b. The total number of residential dwelling units on the project shall not exceed 24 dwelling units per acre.

c. Mixed-use development in Pod D shall not exceed the plan density minus one (1) dwelling unit per 1,000 square feet of nonresidential development or portion thereof. No more than ten percent (10%) of the land area may be dedicated to commercial uses.

d. Multifamily residential development in Pod D is eligible for density bonuses pursuant to Chapter 3.6.B.10.

10. Definitions

a. Mixed-use structure: Any mix of residential and nonresidential uses in the same building.

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

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

ATTEST:

Gregg Palmer
President of the Council

Stephanie Tuin
City Clerk

Attach 7

Setting a Hearing Zoning the Merkel Annex. And the Thraikill Property, Located at 769 24 ½ Road and 766 24 Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Zoning the Merkel Annexation and Thraikill Property - Located at 769 24 ½ Road and 766 24 Road		
File #	ANX-2006-126		
Meeting Day, Date	Monday, December 1, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	November 26, 2008		
Author Name & Title	Lori V. Bowers, Senior Planner		
Presenter Name & Title	Lori V. Bowers, Senior Planner		

Summary: Request to zone 27.49 acres from County AFT (Agricultural) to a City C-1 (Light Commercial); and request to rezone 14.79 acres from R-R (Residential Rural) to C-1 (Light Commercial) zone district.

Budget: N/A

Action Requested/Recommendation: Introduce two proposed Ordinances and set a public hearing for Monday, December 15, 2008.

Attachments:

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

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION				
Location:		769 24 ½ Road and 766 24 Road		
Applicants:		Owners: W and D Merkel Family and Leland and Roberta Thrailkill.		
Existing Land Use:		Residential and Agricultural		
Proposed Land Use:		Commercial		
Surrounding Land Use:	North	Residential and Agricultural		
	South	Agricultural and Canyon View Park		
	East	Residential and Agricultural		
	West	Church		
Existing Zoning:		City Residential Rural (Residential, 5 to 35 ac/du) and County AFT (Agricultural/Forestry/ Transitional)		
Proposed Zoning:		C-1 (Light Commercial)		
Surrounding Zoning:	North	County Rural (Residential Single Family-Rural 5 to 35 acres per lot)		
	South	City C-1 and CSR		
	East	County AFT (Agricultural/Forestry/Transitional)		
	West	City R-R (Residential Single Family-Rural 5 to 35 acres per lot)		
Growth Plan Designation:		Commercial		
Zoning within density range?		X	Yes	No

Staff Analysis:

Zone of Annexation: This request consists of two proposals. The first is to zone the 27.49 acre (less the 24 1/2 Road right-of-way) Merkel Annexation to C-1. This is required as the 1998 Persigo Agreement with Mesa County requires the City to zone annexed areas with a zone that is either identical to current County zoning or conforms to the City’s Growth Plan Future Land Use Map. The proposed zoning of C-1 (Light Commercial) conforms to the Future Land Use Map.

The second request is to rezone the Thrailkill parcel (14.79 acres) from R-R (Residential Rural) to C-1 (Light Commercial). A previous Growth Plan amendment allows the requested rezoning to C-1, as the proposed C-1 zone conforms to the Future Land Use Map.

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

Merkel Annexation Zone of Annexation Request:

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:

- Section 2.6.A.3 - 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: Since the Growth Plan's Future Land Use Map was recently amended to "Commercial" (November 5, 2008) for the subject properties, the proposed zone conforms to the Growth Plan. The Commercial designation in the Growth Plan permits a wide range of commercial development (office, retail, service, lodging, entertainment) with no outdoor storage or operations. Mixed commercial and residential developments will be encouraged in some areas.

The proposed zoning meets Goal 18: To maintain the City's position as a regional provider of goods and services. Policy 18.1 states: The City and County will coordinate with appropriate entities to monitor the supply of land zoned for commercial and industrial development and retain an adequate supply of land to support projected commercial and industrial employment.

The 1998 North Central Valley Plan recommends non-residential highway oriented services at the northeast corner of Interstate 70 and 24 Road, thereby conforming to the area plan.

- Section 2.6.A.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;

Response: Adequate public facilities are currently available or can be made available (sewer is located approximately 200 feet away on the south side of Interstate 70) and can address the impacts of any development consistent with a "Commercial" designation. The Colorado Department of Transportation completed interchange improvements including a double round-about at I-70 and 24 Road a couple of years ago which has increased the capacity and safety of this interchange and provided increased capacity for traffic to this site.

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

Thrailkill Rezone Request:

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

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

The existing City zoning is Residential Rural (Residential, 5 to 35 ac/du). It was not in error at the time of the zoning, but the Future Land Use Map has been amended to allow for a Commercial zoning designation, therefore the current zoning is not in sync with the Future Land Use Map. For the subject properties to develop, a rezone must occur consistent with the Future Land Use Map.

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 area is experiencing an interest in higher intensity development. The character of the Appleton area as well as the traffic using the 24 Road interchange shows that the neighborhood has been and continues to be developing with urban land uses. The subject parcels were proposed for mix of retail and office space, due to the proximity of Interstate 70

and the

changes that have been made to the interchange at 24 Road. There is added capacity for additional traffic in this area. The urban impacts to this area of Appleton, I-70 continues to become busier and noisier. The highway visibility from I-70 to the Merkel properties is substantial. The terrain is relatively flat with no vertical barrier to soften noise.

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

The proposed rezone to C-1 is within the allowable density range recommended by the Growth Plan. This criterion must be considered in conjunction with criterion 4 which requires that public facilities and services are available when the impacts of any proposed development are realized. Staff has determined that public infrastructure can address the impacts of any development consistent with the C-1 zone district, therefore this criterion is met. The 1998 North Central Valley Plan recommends non-residential highway oriented services at the northeast corner of Interstate 70 and 24 Road.

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;

As stated above, adequate public facilities are currently available or can be made available (sewer is located approximately 200 feet away on the south side of Interstate 70) and can address the impacts of any development consistent with a “Commercial” designation. The Colorado Department of Transportation completed interchange improvements including a double round-about at I-70 and 24 Road a couple of years ago which has increased the capacity and safety of this interchange and provided increased capacity for traffic to this site.

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

The “inadequate supply of designated land” for this proposal relates mainly to the issue of access. The area shown for the “Commercial” designation as described in the North Central Valley Plan for the Northeast corner of I-70 and 24 Road is currently too limited in size with access issues along 24 Road to the site. With the additional Thraikill property the commercial area is better served from 24 Road and the I-70 visibility and impacts supports increasing the commercial area to include the 25.98 acres the Merkel Family owns.

6. The community will benefit from the proposed zone.

By designating the entire area from 24 Road to 24 ½ Road on the north side of I-70 will allow for commercial/business to develop the 57 acres on a site with highway visibility and flat terrain that is heavily impacted by highway noise. Commercial uses in this area will act as a buffer and transitional area from a high impact area (a busy interstate highway system) to less intensive land uses north of the site. With the visibility for business, economic value can be realized for the community.

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

- a. C-2 (Heavy Commercial)

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

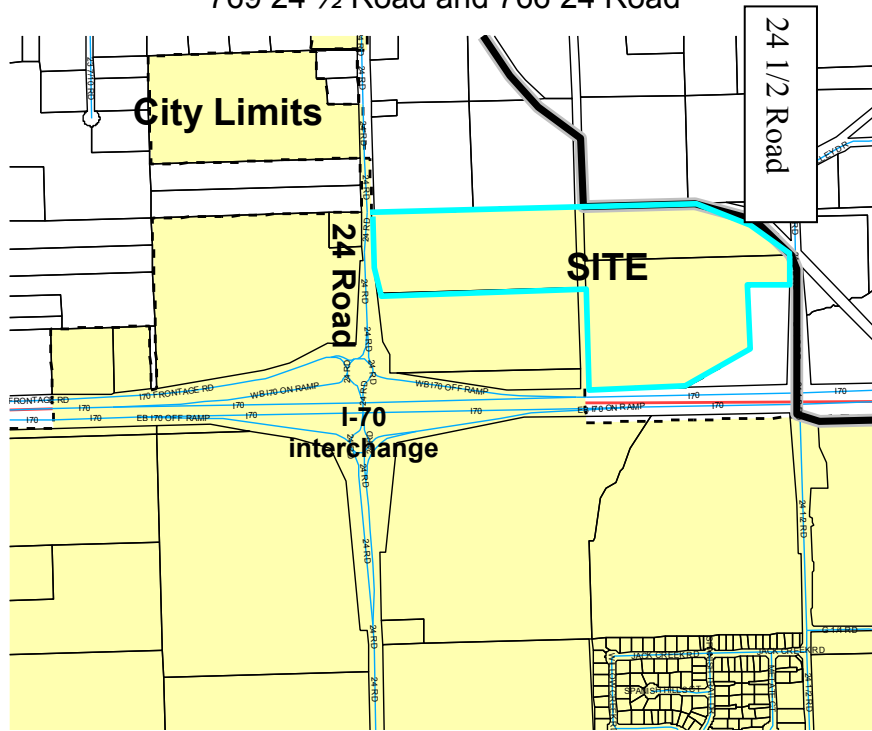
PLANNING COMMISSION RECOMMENDATIONS:

1. On November 25, 2008, the Planning Commission recommended approval of the requested zone of annexation for the Merkel property, to the City Council, finding the zoning to the C-1 district to be consistent with the Growth Plan, and Sections 2.6 and 2.14 of the Zoning and Development Code.

2. On November 25, 2008, the Planning Commission recommended approval of the requested rezone of the Thrailkill property, to the City Council, finding the zoning to the C-1 district to be consistent with the Growth Plan, and Sections 2.6.A of the Zoning and Development Code.

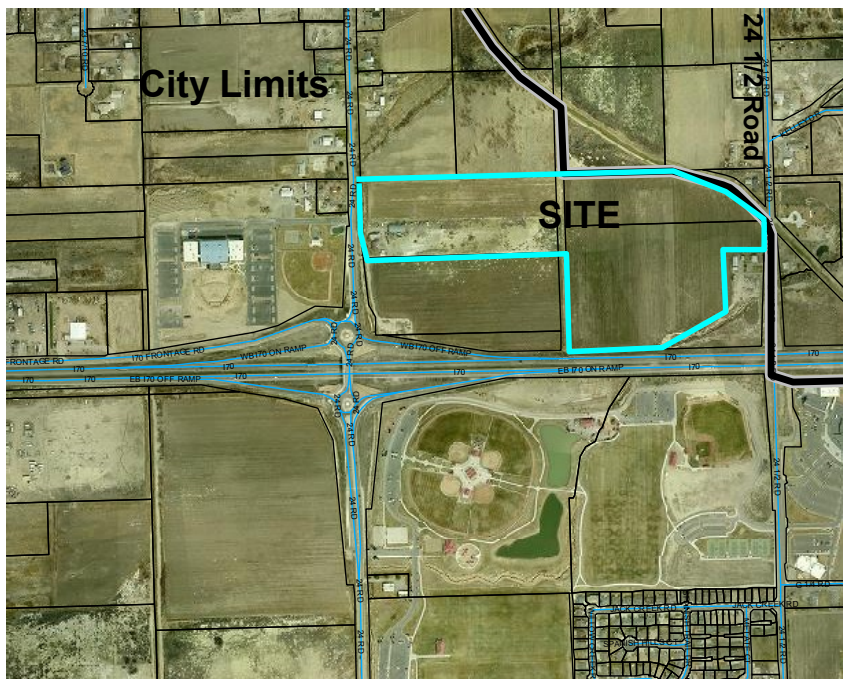
Site Location Map

769 24 1/2 Road and 766 24 Road



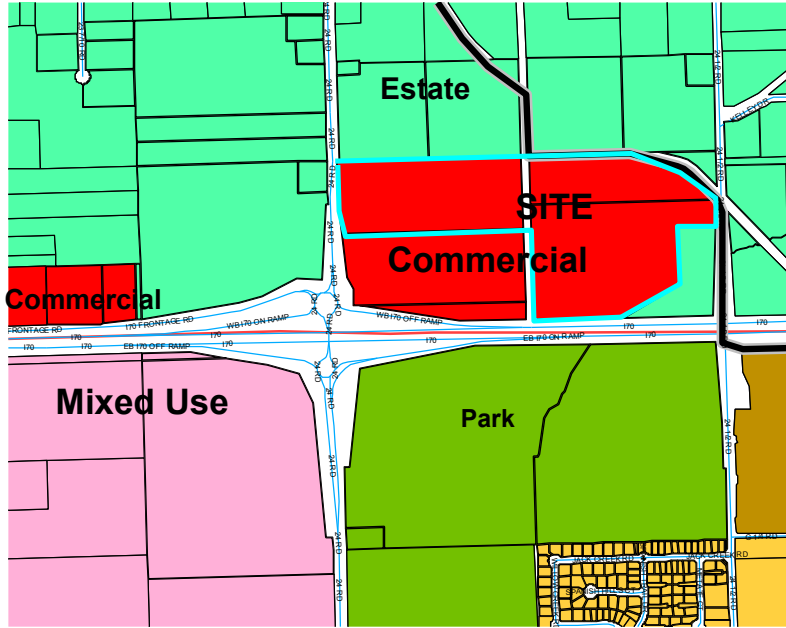
Aerial Photo Map

769 24 1/2 Road and 766 24 Road



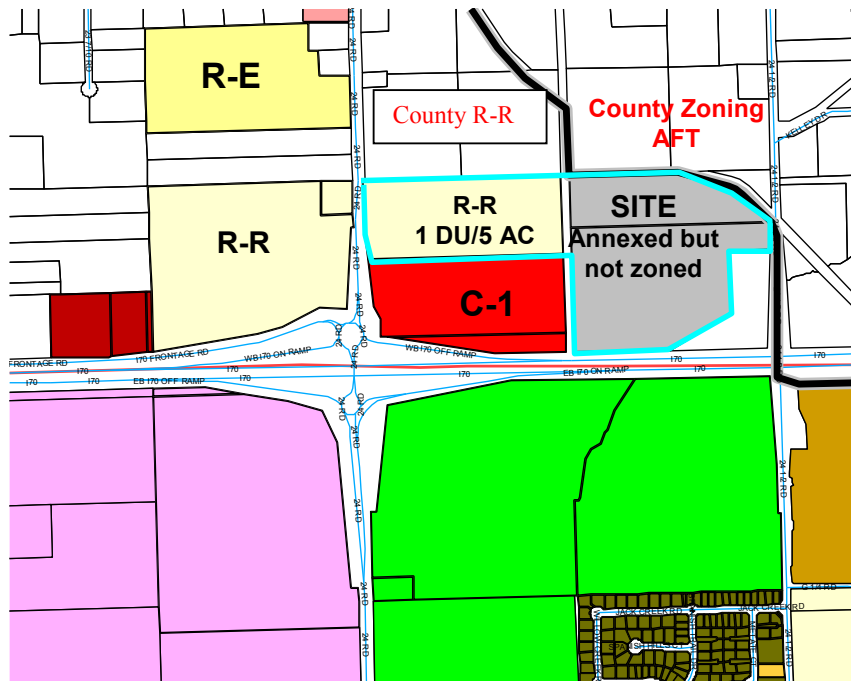
Future Land Use Map

769 24 ½ Road and 766 24 Road



Existing City and County Zoning

769 24 ½ Road and 766 24 Road



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

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE MERKEL ANNEXATION
TO C-1 (LIGHT COMMERCIAL)**

LOCATED AT 769 24 ½ ROAD

Recitals:

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Merkel Annexation 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 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 C-1 (Light Commercial) zone district is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

The following properties be zoned C-1 (Light Commercial).

A certain parcel of land lying in the South-half of the Northwest quarter (S1/2 NW 1/4) of Section 33, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado being a portion of Lots 9, 10, 11, 12, 15 and 16 of Pomona Park Subdivision, as same is recorded in Plat Book 1, Page 24, Public Records of Mesa County, Colorado and being more particularly described as follows:

BEGINNING at the Northwest corner of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 33 and assuming the North line of said SE 1/4 NW 1/4 bears S89°50'39"E with all other bearings contained herein being relative thereto; thence S89°50'39"E a distance of 772.10 feet to a point on the centerline of the Grand Valley Canal; thence S75°15'49"E along said centerline a distance of 228.75 feet; thence 160.38 feet along said centerline and the arc of a 301.19 foot radius curve concave Southwest, having a central angle of 30°30'32" and a chord bearing S62°19'02"E a distance of 158.49 feet; thence S46°24'53"E a distance of 108.84 feet; thence S40°18'58"E a distance of 123.59 feet to a point on the Westerly right of way of 24 1/4 Road; thence N89°56'21"E a distance of 25.00 to a point on the East line of the

SE 1/4 NW 1/4 of said Section 33; thence S00°03'39"E along said East line a distance of 211.12; thence N89°55'06"W a distance of 298.55 feet to the Northwest corner of that certain parcel of land as described in Book 1283, Page 226, Public Records of Mesa County, Colorado; thence S00°05'10"E a distance of 390.53 feet; thence S60°59'15"W a distance of 437.48 feet; thence N89°40'33"W a distance of 637.08 feet to a point on the West line of the SE 1/4 NW 1/4 of said Section 33; thence along said West line N00°00'20"W a distance of 1112.96 feet, more or less, to the Point of Beginning.

Said parcel contains 27.11 acres (1,181,225 square feet), more or less as described.

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

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

ATTEST:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE REZONING THE PROPERTY KNOWN AS
THE THRAILKILL REZONE
FROM R-R (RESIDENTIAL RURAL) TO C-1 (LIGHT COMMERCIAL)**

LOCATED AT 766 24 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 Merkel Annexation 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 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 C-1 (Light Commercial) zone district is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

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

The North 15 Acres of Lots 11 and 12 of said Pomona Park Subdivision, Less However, right of way for 24 Road and Interstate 70 right of way, as laid out and now in use.

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

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

ATTEST:

President of the Council

City Clerk

Attach 8

Setting a Hearing Zoning Freedom Meadows Annexation, Located at 3118 E Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Freedom Meadows Annexation - Located at 3118 E Road		
File #	ANX-2008-290		
Meeting Day, Date	Monday, December 1, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	November 19, 2008		
Author Name & Title	Michelle Hoshide, Associate Planner		
Presenter Name & Title	Michelle Hoshide, Associate Planner		

Summary: Request to zone 7.02 acres, Freedom Meadows Annexation located at 3118 E Road to R-8 (Residential 8 du/ac)

Budget: N/A

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

Attachments:

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

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION				
Location:		3118 E Road		
Applicants: < Prop owner, developer, representative>		Owners: Ed Wilson Developer: Freedom Meadows Representative: Ciavonne, Roberts and Associates		
Existing Land Use:		Single Family Residential		
Proposed Land Use:		R-8 Single Family Residential (8 du/ac)		
Surrounding Land Use:	North	Single Family Residential		
	South	Single Family Residential		
	East	Single Family Residential		
	West	Single Family Residential		
Existing Zoning:		County RSF-R Agriculture		
Proposed Zoning:		City Residential R-8 (8 du/ac)		
Surrounding Zoning:	North	County RSF-R (1du/5ac)		
	South	City R-5 and County RMF-5 (5 du/ac)		
	East	County RSF-R (1du/5ac)		
	West	County RSF-R (1du/5ac)		
Growth Plan Designation:		Residential Medium 4-8 du/ac		
Zoning within density range?	X	Yes		No

Staff Analysis:

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

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

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

Response: The proposed R-8 zoning district, is compatible with the neighborhood and conforms to and furthers the goals and policies of the Growth Plan. The surrounding zoning in this area is RSF-5 (County Zoning, Residential Single Family 5du/ac), R-5 (City Zoning, Residential 5du/ac) and R-8. The Future Growth plan designation is Residential Medium (4-8 du/ac) for the property and the surrounding area.

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

Response: Adequate public facilities and services are available for future development of the property. A 6" Clifton water line and an 8" Central Grand Valley Sanitary sewer line are available along E Road.

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

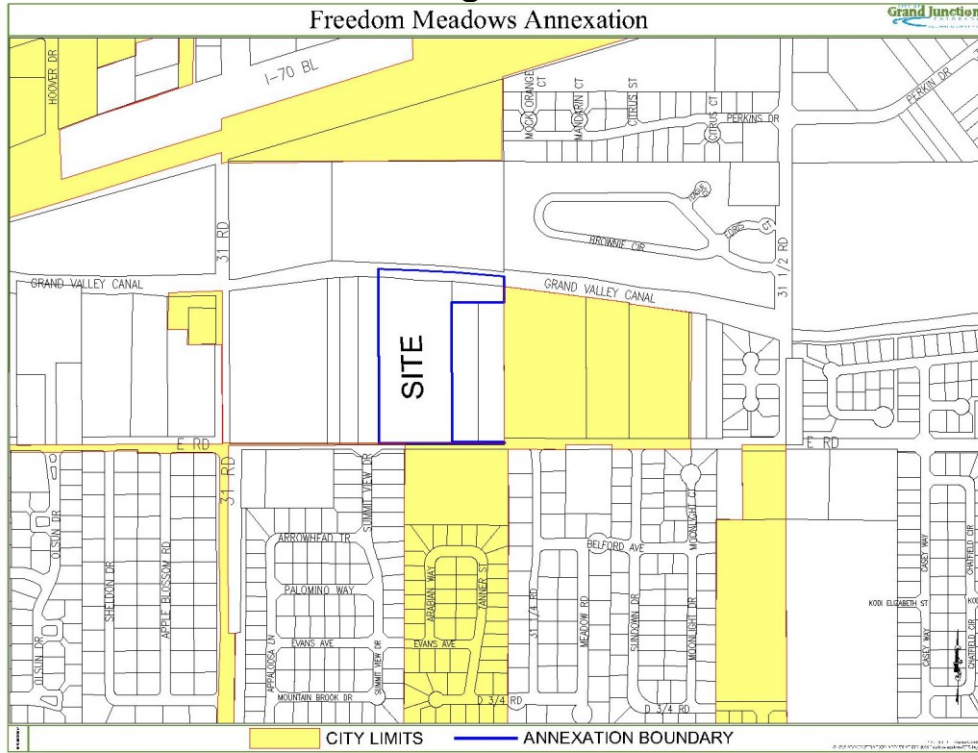
- a. R-4 (Residential 4du/ac)
- b. R-5 (Residential 5du/ac)

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

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommended approval of the requested zone of annexation to the City Council on November 1, 2008, finding the zoning to the R-8 (Residential 8du/ac) district to be consistent with the Growth Plan and Sections 2.6 and 2.14 of the Zoning and Development Code.

Site Location Map

Figure 1



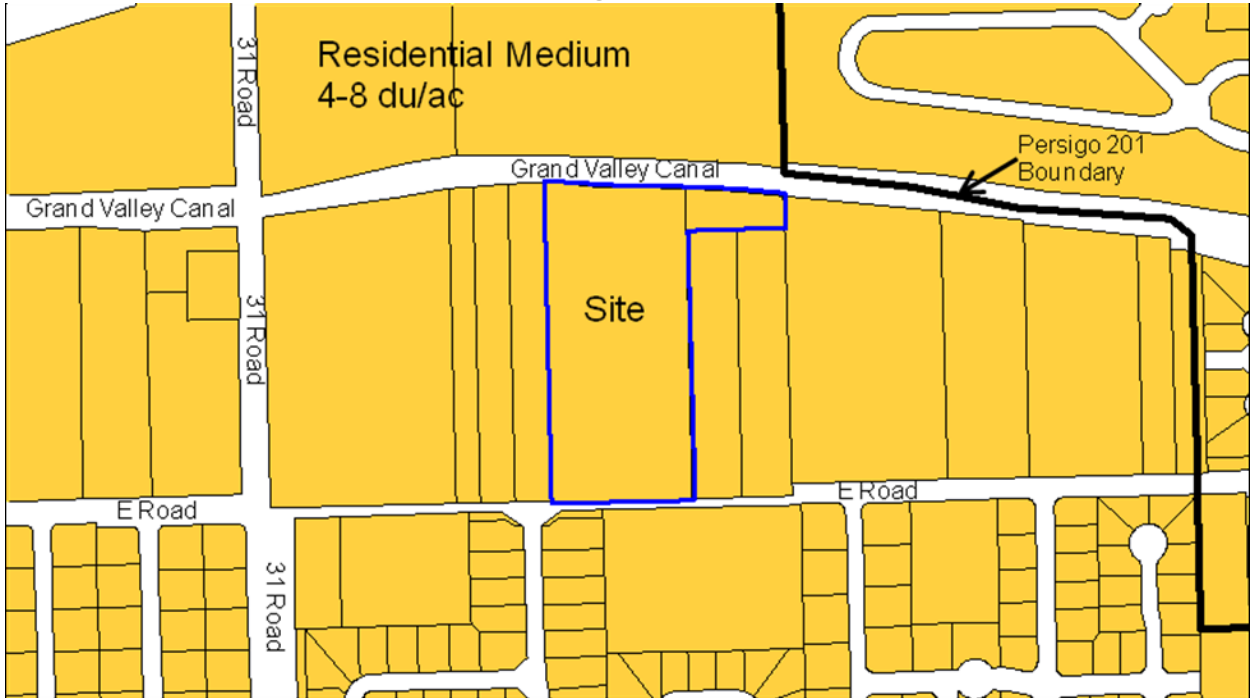
Aerial Photo Map

Figure 2



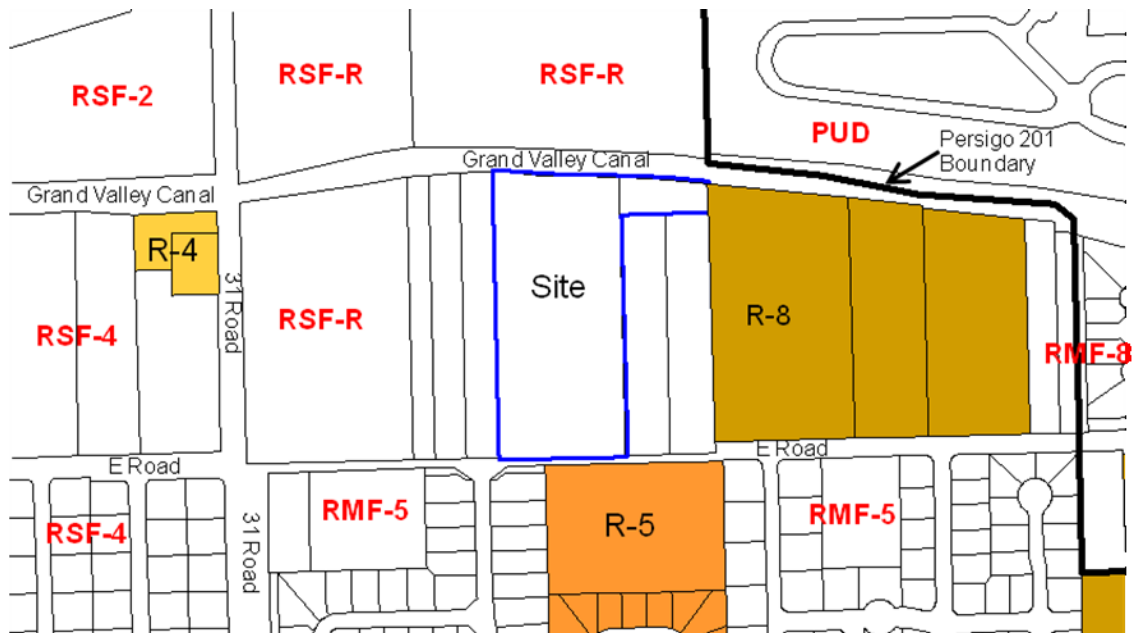
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

LOCATED AT 3118 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 Freedom Meadows Annexation to the R-8 (Residential 8du/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 8du/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).

A certain parcel of land located in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 10, Township One South, Range One East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Commencing at the Southeast corner of the SW 1/4 SW 1/4 of said Section 10 and assuming the East line of the SW 1/4 SW 1/4 of said Section 10 to bear N00°08'11"W with all bearings contained herein relative thereto; thence N00°08'11"W a distance of 6.00 feet along the East line of the SW 1/4 SW 1/4 of said Section 10 to a point on the Northerly line of Pellam Annexation, Ordinance No. 3613, City of Grand Junction, said point also being the Point of Beginning; thence N89°51'00"W a distance of 584.85 feet along a line being 6.00 feet North of and parallel with the South line of the SW 1/4 SW 1/4 of said Section 10, said line also being the Northerly line of said Pellam Annexation; thence N00°08'11"W a distance of 810.28; thence along the centerline of the Grand Valley Canal the following five (5) courses: (1) S86°46'37"E a distance of 55.00 feet;

(2) S87°26'17"E a distance of 112.91 feet; (3) S87°48'14"E a distance of 92.26 feet; (4) S86°24'26"E a distance of 80.30 feet; (5) S85°04'47"E a distance of 245.81 feet to a point on the East line of the SW 1/4 SW 1/4 of said Section 10; thence S00°08'11"E a distance of 120.00 feet along the East line of the SW 1/4 SW 1/4 of said Section 10, said line also being the West line of Pioneer Meadows Annexation, Ordinance No. 4267, City of Grand Junction; thence N89°50'45"W a distance of 244.85 feet; thence S00°08'11"E a distance of 650.03 feet; thence S89°51'00"E a distance of 244.83 feet along a line being 10.00 feet North of and parallel with the South line of the SW 1/4 SW 1/4 of said Section 10 to a point on the East line of the SW 1/4 SW 1/4 of said Section 10; thence S00°08'11"E a distance of 4.00 feet along the East line of the SW 1/4 SW 1/4 of said Section 10, said line also being the West line of said Pioneer Meadows Annexation to the Point of Beginning.

Said parcel contains 7.02 acres (305,747.79 sq. ft.), more or less, as described.

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

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

ATTEST:

President of the Council

City Clerk

Attach 9

Public Hearing – Tall Pines Investments Rezone, Located at 2101 Patterson Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Tall Pines Investments Rezone – Located at 2101 Patterson Road		
File #	GPA-2008-199		
Meeting Day, Date	Monday, December 1, 2008		
Placement on the Agenda	Consent		Individual X
Date Prepared	November 5, 2008, 2008		
Author Name & Title	Senta L. Costello – Senior Planner		
Presenter Name & Title	Senta L. Costello – Senior Planner		

Summary: Request to rezone 10.44 acres located at 2101 Patterson Road, from R-8 (Residential 8 du/ac) to R-16 (Residential 16 du/ac).

Budget: N/A

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

Attachments:

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

Background Information: See attached report.

BACKGROUND INFORMATION			
Location:		2101 Patterson Road	
Applicants:		Owner: Tall Pines Investments, LLC – Dave McDonald Representative: CCI Engineering – Nate Beard	
Existing Land Use:		2 apartment buildings with a total of 18 units	
Proposed Land Use:		Multi-Family development	
Surrounding Land Use:	North	Single Family Residential	
	South	Single Family Residential	
	East	Single Family Residential / Vacant	
	West	Northeast Christian Church	
Existing Zoning:		R-8 (Residential 8 du/ac)	
Proposed Zoning:		R-16 (Residential 16 du/ac)	
Surrounding Zoning:	North	R-5 (Residential 5 du/ac) / CSR (Community Services and Recreation)	
	South	R-8 (Residential 8 du/ac)	
	East	R-8 (Residential 8 du/ac)	
	West	R-8 (Residential 8 du/ac)	
Growth Plan Designation:		Residential High 12+ du/ac	
Zoning within density range?	X	Yes	No

Staff Analysis:

1. Background

The property was annexed as a part of the Brodak Enclave Annexation in 1975 and zoned PD-8. In 1996, with the adoption of the Growth Plan and Future Land Use Map, the property was designated Residential Medium 4-8 du/ac. In 2000, a new Zoning and Development Code was adopted and many PD properties throughout the City were rezoned to a straight zone in anticipation of a more comprehensive look at the zoning in the future. The subject property was rezoned to R-8 through this process.

The applicant requested a Growth Plan Amendment to Residential High 12+ du/ac to allow for a higher density. The Growth Plan Amendment request was approved by City Council on October 13, 2008.

2. 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
Applicant's Response: It is not possible to justify that the current housing situation was foreseeable when the existing zoning was adopted.

Staff's Response – The rapid rate of growth in the valley has increased the need for a variety of housing types and higher densities. Given the way in which the PD was rezoned to a straight zone, it is reasonable to conclude that the R-8 zone was an error, or, at least was not a fully thought-out decision. However, on October 13, 2008, the City Council approved a change to the Future Land Use Map designation from Residential Medium 4-8 du/ac to Residential High 12+ du/ac. Therefore, the zone district needs to be amended as well in order to reflect the new designation.

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.;

Applicant's Response: An adequate supply of suitably designated land is not available in the community to accommodate the increased demand for affordable rental properties. Strong economic growth and escalating home prices have created an increased demand for rentals.

Staff's Response – In addition to the increased need for a variety of housing types and higher densities, there are developments in the area that have a mix of housing types ranging in density from 5 du/ac to 16 du/ac. Infill and redevelopment opportunities have become a strong focus as tools to facilitate filling this need.

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;

Applicant's Response: The land use in the surrounding area is compatible with an increase in density at this location. The parcels located to the east, west, and south are all zoned R-8. R-8 zoning is a transitional district between lower density single family districts and higher density multifamily or business development. The parcel(s) located to the north are zoned R-5 and are located on the north side of Patterson Road. There are six parcels zoned R-24 that are located less than 1/4 mile of the subject property to the southeast.

Staff's Response – The proposal meets the following goals and policies of the Growth Plan.

Goal 1: To achieve a balance of open space, agricultural, residential and non-residential land use opportunities that reflects the residents' respect for the natural environment, the integrity of the community's neighborhoods, the economic needs of the residents and business owners, the rights of private property owners and the needs of the urbanizing community as a whole.

Policy 1.1: The City and County will use the future land use categories listed and described in Exhibit V.2 (Future Land Use Categories, Page 15) to designate appropriate land uses within the Joint Planning Area identified in Exhibit V.1(Joint Planning Area, Pages 3-4). City and County actions on land use proposals within the Joint Planning Area will be consistent with the plan.

Policy 1.2: The City and County will use Exhibit V.2 (Future Land Use Categories, Page 15) to guide decisions on the gross density of residential development.

Policy 1.3: The City and County will use Exhibit V.3 (Future Land Use Map, Pages 17-18) in conjunction with the other policies of this plan to guide zoning and development decisions.

- City and County decisions about the type and intensity of land uses will be consistent with the Future Land Use Map and Plan policies.
- The City and County may limit site development to a lower intensity than shown on the Future Land Use Map if site specific conditions do not support planned intensities.

Policy 1.7: The City and County will use zoning to establish the appropriate scale, type, location and intensity for development. Development standards should ensure that proposed residential and non-residential development is compatible with the planned development of adjacent property.

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.

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;

Applicant's Response: Adequate public facilities and services are available or will be made available concurrent with the projected impacts of development allowed by the proposed zoning.

Staff's Response – Patterson Road borders the property to the north which would be utilized for access. There is also potential for a secondary future access to the southwest through the Brickyard development. There is a 20" City water line, 6" City water line, and an 8" sanitary sewer line available in Patterson Road directly in front of the property and a 15" storm sewer line at 27 1/2 Road and Patterson Road. There is a City fire station within 1 mile, the property is on a designated bike/pedestrian route, has 2 developed parks within walking distance, and has two bus stops within 120' of the property. These are all adequate and well-suited to support the additional density requested.

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

Applicant's Response: Continued job growth and high levels of in-migration, coupled with a virtual lack of available units, will support an increase in rental demand. The rental market will support completion of 400 to 500 units over the next four years; most of this demand will occur in the first two years of the forecast period. This is well above recent production of about 250 non-senior units over the past six years.

Staff's Response – The rapid rate of growth in the valley has created a low vacancy rate while increasing the need for a variety of housing types and higher densities. This area of Grand Junction has a few developed properties designated for higher densities and many vacant or underdeveloped parcels designated for densities of 8 du/ac or less. There are very few vacant parcels with designations of anything greater than 8 du/ac.

6. The community will benefit from the proposed zone.

Applicant's Response: Increased zoning will ensure that more housing is closer to places of employment, social services, and public transportation. An inadequate supply of affordable housing in the area results in large-scale commuting from outside the area which overtaxes existing roads, contributes to air and noise pollution, and leads to greater than normal personnel turnover for business. This adversely affects the health, safety and welfare of, and results in an added financial burden on, the citizens of Grand Junction. This vacant area is perceived by many as an "eye-sore" and Grand Junction architectural and landscape requirements produce developments that are both visually appealing and provide environmental benefits. In Fill development is more beneficial to the environment than even "green" suburban homes. It multiplies the reduction in vehicle miles traveled and reduces municipal investments by using existing

infrastructure while increasing municipal revenues. Higher density also saves energy due to stacked units and shared walls.

Staff's Response – The rapid rate of growth in the valley has created a low vacancy rate while increasing the need for a variety of housing types and higher densities. With this property's proximity to a variety of services and existing infrastructure, higher density could fulfill a community need for more housing on an underdeveloped infill 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-12 (Residential 12 du/ac)
- d. R-24 (Residential 24 du/ac)

If the City Council chooses to approve one of the alternative zone designations, specific alternative findings must be made as to why the City Council is approving an alternative zone designation.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Tall Pines Investments rezone application, GPA-2008-199 for a rezone, I recommend that the City Council make the following findings of fact and conclusions:

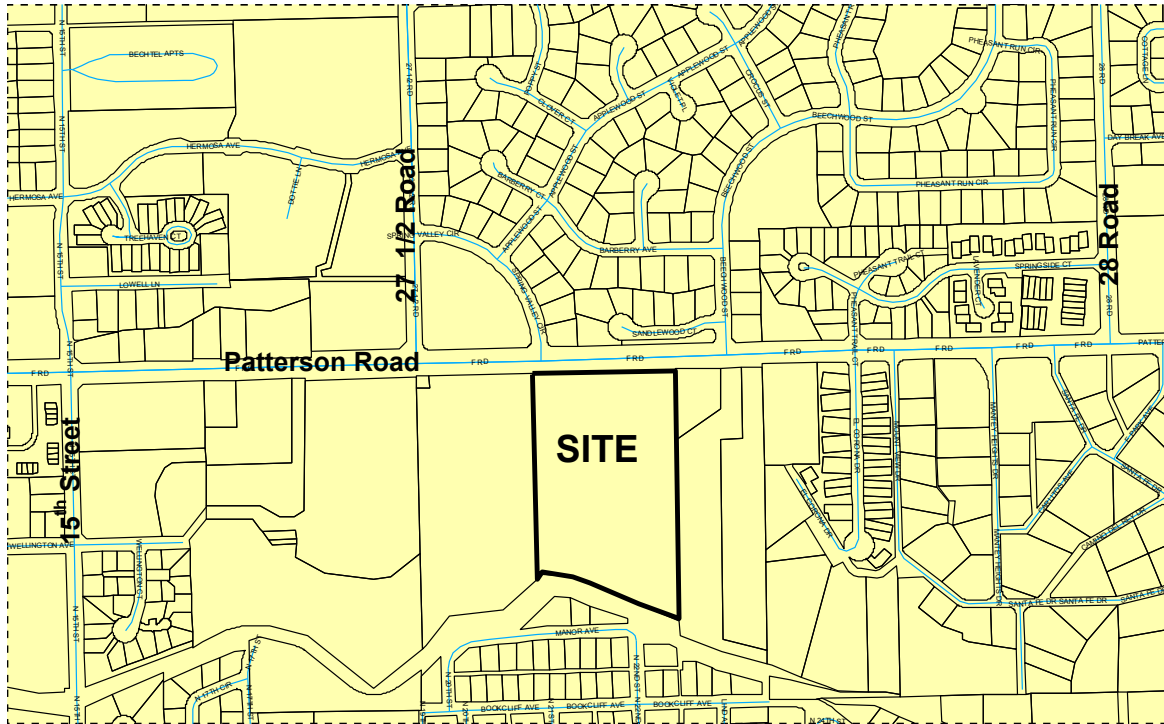
1. The requested zone is consistent with the Growth Plan
2. The review criteria in Section 2.6.A of the Zoning and Development Code have all been met.

PLANNING COMMISSION RECOMMENDATION:

On October 28, 2008, the Planning Commission forwarded a recommendation of approval of the requested rezone, GPA-2008-199 to the City Council with the findings and conclusions listed above.

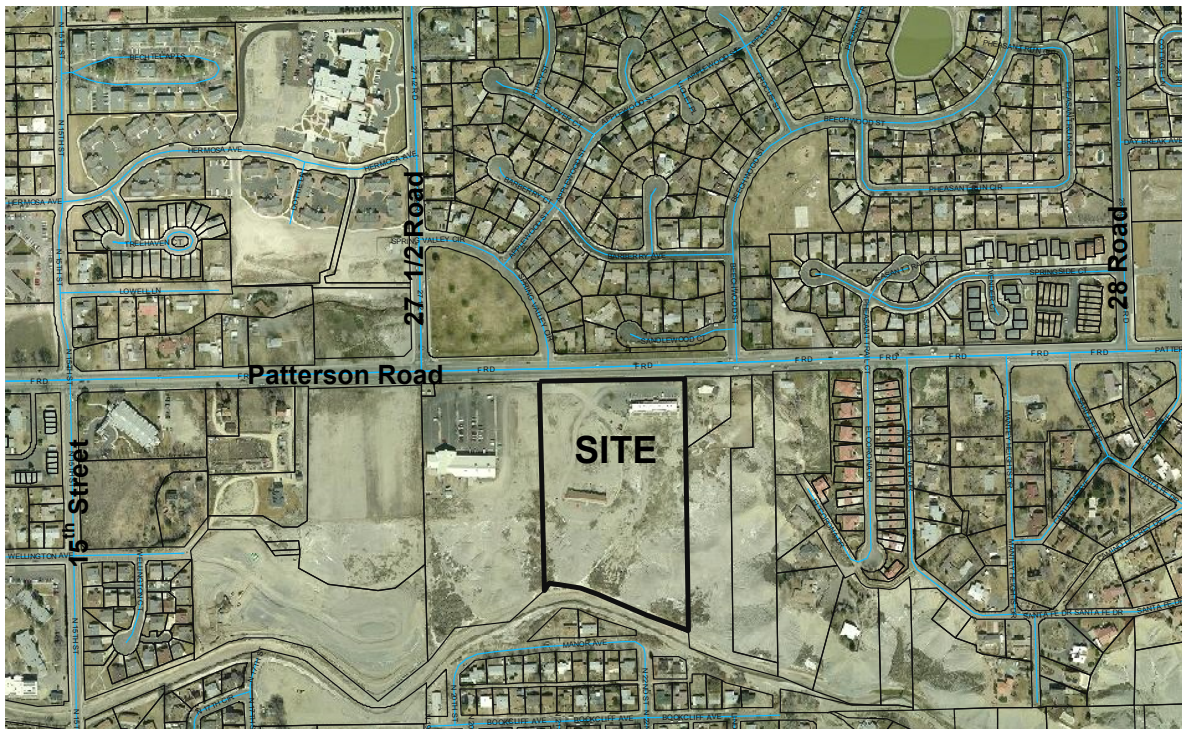
Site Location Map

Figure 1



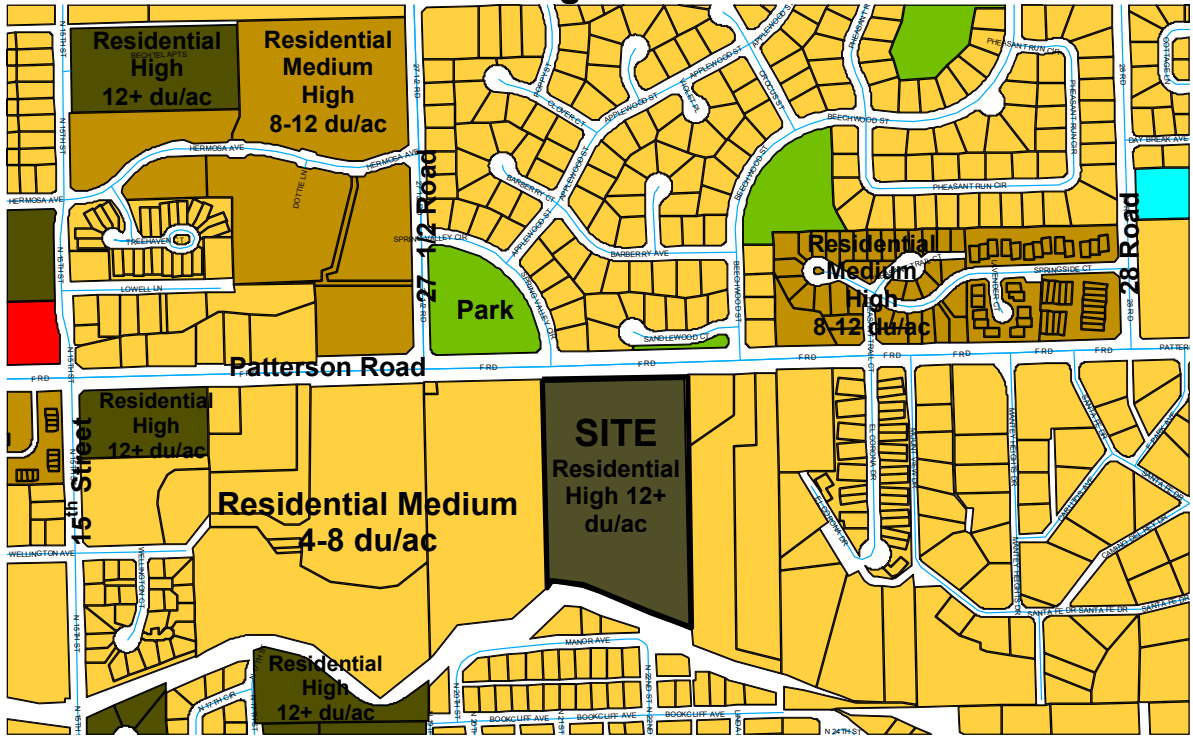
Aerial Photo Map

Figure 2



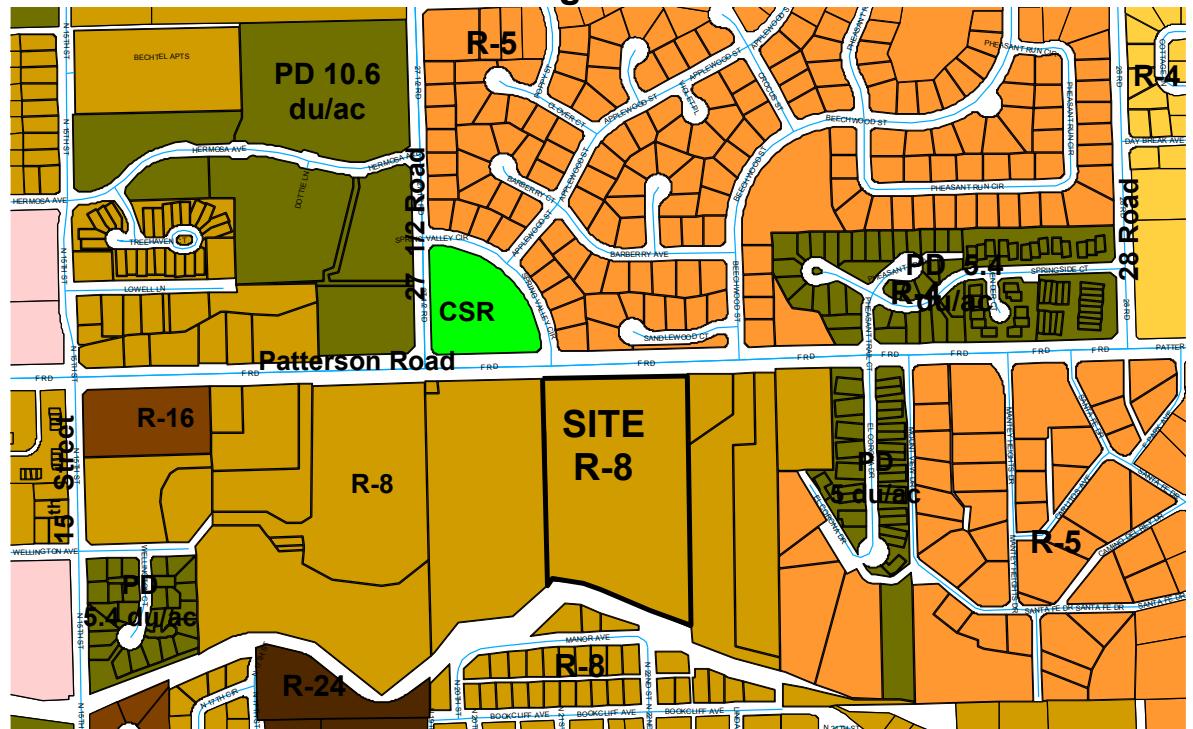
Future Land Use Map

Figure 3



Existing City Zoning Map

Figure 4



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE REZONING THE TALL PINES INVESTMENTS PROPERTY
FROM R-8 (RESIDENTIAL 8 DU/AC) TO
R-16 (RESIDENTIAL 16 DU/AC)**

LOCATED AT 2101 PATTERSON 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 rezoning the Tall Pines Investments property from R-8 (Residential 8 du/ac) to the R-16 (Residential 16 du/ac) zone district for the following reasons:

The zone district meets the recommended land use category as shown on the future land use map of the Growth Plan, Residential High 12+ du/ac and the Growth Plan's goals and policies and/or is generally compatible with appropriate land uses located in the surrounding area.

After the public notice and public hearing before the Grand Junction City Council, City Council finds that the R-16 zone district be established.

The Planning Commission and City Council find that the R-16 zoning 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 shall be rezoned R-16 (Residential 16 du/ac).

Lot 2, NE Christian Church Subdivision

Introduced on first reading this 17th day of November, 2008 and ordered published.

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

ATTEST:

City Clerk

Mayor