



**CITY COUNCIL AGENDA
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET**

MONDAY, DECEMBER 15, 2008, 7:00 P.M.

BILL OF RIGHTS DAY

Call to Order

Flag Ceremony, Pledge of Allegiance Led by Bear Cub Pack 320
Invocation – Allen Kaiser - Good News Jail and Prison Chaplain

Proclamations

Proclaiming December 15, 2008 as “Bill of Rights Day” in the City of Grand Junction

Proclaiming December 18, 2008 as “International Day of the Migrant” in the City of Grand Junction

Council Comments

City Council/City Manager Meeting Schedule Review

Citizen Comments

***** CONSENT CALENDAR ***®**

1. **Minutes of Previous Meetings**

[Attach 1](#)

Action: Approve the Minutes of the December 1, 2008 and the December 3, 2008, Regular Meeting and the Minutes of the December 1, 2008 and December 3, 2008 Special Sessions

2. **Setting a Hearing on the Colorado Army National Guard Campus Annexation, Located at 2800 Riverside Parkway** [File #ANX-2008-290]

[Attach 2](#)

*** Indicates New Item

® Requires Roll Call Vote

Request to annex 57.95 acres, located at 2800 Riverside Parkway. Colorado Army National Guard Campus Annexation Consist of three (3) parcels.

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

Resolution No. 149-08—A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control, Colorado Army National Guard Campus Annexation, Located at 2800 Riverside Parkway

®Action: *Adopt Resolution No. 149-08*

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Colorado Army National Guard Campus Annexation, Approximately 57.95 Acres, Located at 2800 Riverside Parkway

Action: *Introduction of Proposed Ordinance and Set a Hearing for February 2, 2009*

Staff presentation: Michelle Hoshide, Associate Planner

3. Setting a Hearing on the Night Hawk Drive Right-of-Way Annexation, Located Approximately at 30 and B Roads [File #ANX-2008-301] [Attach 3](#)

Request to annex 1.45 acres, located approximately 660 feet west of 30 Road, adjoining B Road on the north and extending southerly approximately 2,060 feet. The Night Hawk Drive Annexation consists entirely of right-of-way.

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

Resolution No. 150-08—A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control, Night Hawk Drive Annexation, Located at Approximately 660 feet West of 30 Road and Adjoining B Road on the North and Extending Southerly for Approximately 2,060 Feet

®Action: *Adopt Resolution No. 150-08*

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Night Hawk Drive Annexation, Approximately 1.45 Acres, Located Approximately 660 feet West of 30 Road and Adjoining B Road on the North and Extending Southerly for Approximately 2,060 Feet

Action: *Introduction of Proposed Ordinance and Set a Hearing for January 21, 2009*

Staff presentation: Ivy Williams, Development Services Supervisor

4. **Setting a Hearing on the Riverside Parkway and Overpass Annexation, Located at 29 Road and North Avenue and at 29 Road and I-70 B** [File #ANX-2008-307] [Attach 4](#)

Request to annex approximately 15.0 acres, located at five locations on Riverside Parkway, a portion of 29 Road adjoining North Avenue on the north and extending southerly to I-70 Business Loop and a portion of I-70 Business Loop beginning at 29 Road northeasterly approximately 2,400 feet. The Riverside Parkway and Overpass Annexation consists only of right-of-way.

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

Resolution No. 151-08—A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control, Riverside Parkway and Overpass Annexation, Approximately 15.0 Acres, Located at Five Sections of Riverside Parkway Right-of-Way, 29 Road From 29 Road Southerly to I-70 Business Loop and I-70 Business Loop from 29 Road Northeasterly, Approximately 2,400 feet

®Action: *Adopt Resolution No. 151-08*

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Riverside Parkway and Overpass Annexation, Approximately 15.0 Acres, Located at Five Sections of Riverside Parkway Right-of-Way, 29 Road From 29 Road Southerly to I-70 Business Loop and I-70 Business Loop from 29 Road Northeasterly, Approximately 2,400 feet

Action: Introduction of Proposed Ordinance and Set a Hearing for January 21, 2009

Staff presentation: Ivy Williams, Development Services Supervisor

5. **Purchase of Motorola Equipment for the Grand Junction Regional Communications Center** [Attach 5](#)

Request is being made by the Grand Junction Regional Communications Center (GJRCC) to purchase only Motorola radio console hardware and software in order for the emergency system to communicate with public safety personnel statewide.

Action: Authorize the Purchasing Division to Purchase the Equipment from Motorola in the Amount of \$223,057

Staff presentation: Troy Smith, Deputy Police Chief

6. **First Responder Training Campus Design Services** [Attach 6](#)

A request is being made to award Blythe Design Group of Grand Junction, Colorado, the design services contract for First Responder Training Campus.

Action: Authorize the City Purchasing Division to Issue a Design Services Contract with Blythe Design Group in the Amount of \$228,000

Staff presentation: Jim Bright, Fire Operations Chief
Jay Valentine, Assistant Financial Operations Manager

7. **Contract for Change Order #3 for Riverside Parkway Phases 2 and 3** [Attach 7](#)

Although the total cost of the Riverside Parkway was less than the budgeted amount, change order #3 is needed to adjusted the contract amount for Phases 2 and 3 which amends the contract from \$54,550,804.99 to \$54,764,027.66 for an increase of \$213,222.67 (+0.39%).

Action: Approve Change Order #3 of the Riverside Parkway Phase 2 and 3 Contract in the Amount of \$213,222.67 for a Total Project Cost of \$54,764,027.66

Staff presentation: Tim Moore, Public Works and Planning Director

8. **2009 Utility and Parking Rates** [Attach 8](#)

Proposed 2009 Utility Rates and Parking Rates as presented and discussed during budget workshops.

Resolution No. 152-08—A Resolution Adopting Rates for Water, Irrigation, Wastewater, Solid Waste, and Parking

®Action: *Adopt Resolution No. 152-08*

Staff presentation: Jodi Romero, Financial Operations Manager

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

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

9. **Public Hearing - Freedom Meadows Annexation and Zoning, Located at 3118 E Road** [File #ANX-2008-290] [Attach 9](#)

Request to annex and zone 7.02 acres located at 3118 E Road to R-8 (Residential 8 DU/ac). The Freedom Meadows Annexation consists of 2 parcels.

a. Accepting Petition

Resolution No. 153-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Freedom Meadows Annexation, Located at 3118 E Road is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4312—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Freedom Meadows Annexation, Approximately 7.02 Acres, Located at 3118 E Road

c. Zoning Ordinance

Ordinance No. 4313—An Ordinance Zoning the Freedom Meadows Annexation to R-8 (Residential 8 du/ac), Located at 3118 E Road

®Action: *Adopt Resolution No. 153-08 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 4312 and 4313*

Staff presentation: Michelle Hoshide, Associate Planner

10. **Public Hearing - Mesa State Outline Development Plan, Located at 2899 D ½ Road** [File #ODP-2008-154] [Attach 10](#)

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.

Ordinance No. 4314—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 ½ Road

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 4314

Staff presentation: Greg Moberg, Planning Services Supervisor

11. **Public Hearing - Zoning the Merkel Annexation and the Thrailkill Property, Located at 769 24 ½ Road and 766 24 Road** [File #ANX-2006-126] [Attach 11](#)

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.

Ordinance No. 4315—An Ordinance Zoning the Merkel Annexation to C-1 (Light Commercial), Located at 769 24 ½ Road

Ordinance No. 4316—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

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 4315 and 4316

Staff presentation: Lori V. Bowers, Senior Planner

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

13. **Other Business**

14. **Adjournment**

Attach 1
Minutes

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

December 1, 2008

The City Council of the City of Grand Junction convened into regular session on the 1st day of December 2008 at 7:02 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Jim Doody, Bruce Hill, Doug Thomason, Linda Romer Todd, and Council President Gregg Palmer. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Palmer called the meeting to order. A representative of Boy Scout Troop 328 led in the Pledge of Allegiance.

Proclamation

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

City Council/City Manager Meeting Schedule Review

City Manager Laurie Kadrich reminded viewers that there is a survey at www.gjcity.org regarding the two City questions that were on the ballot as the City is collecting citizen input. The survey will be closed on Wednesday. On Wednesday, at the December 3, 2008 City Council meeting, the City will be presenting the 2009 Budget to the Council and the community. She then invited Public Works and Planning Director Tim Moore to address community input on the Comprehensive Plan and some traffic concerns.

Mr. Moore announced there are two more public meetings on the Comprehensive Plan on December 16th and 17th at 4 p.m. at Two Rivers. They are Open Houses and the public is invited. The formal review is set for February or March, 2009 where there will be another opportunity for public comment.

Mr. Moore then addressed the construction of Phase II of Ranchmen’s Ditch along Patterson Road. It is in progress and is a big project. The project has to be complete while the irrigation ditch is off. Most times one lane of traffic will be closed.

Ms. Kadrich then referred to the Upcoming Meeting Schedule. The month of December workshops are set for additional review of the Comprehensive Plan. Missing on the schedule is the additional workshop set for Tuesday, December 16th from noon to 2 p.m. at Two Rivers Convention Center. These additional sessions moved the discussion of the 2009 Work Plan into January.

Citizen Comments

Councilmember Hill recognized today as his daughter Avery's birthday and all wished her Happy Birthday.

Mr. Tillman Bishop stated Ms. Allison Sarmo, Cultural Arts Coordinator, is a very important part of the Legends Project and thanked her for her participation on the committee. Council President Palmer asked Mr. Bishop who the next sculptures will depict. Mr. Bishop responded they will be Bill Moyer, Sister Mary, John Otto, and then the founders of Operation Foresight.

Council President Palmer recognized Boy Scout Troop 328 and asked the whole troop to come forward and be recognized. Each came forward and introduced themselves.

Council President Palmer then recognized a Girl Scout in the audience. The scout came forward along with her leader from Troop 194.

CONSENT CALENDAR

Councilmember Beckstein read the Consent Calendar and then moved to approve items #1 through #8 continuing item #2 to December 17, 2008. Councilmember Coons seconded the motion.

Councilmember Hill reiterated that the written agenda stated Item #2 would be continued to December 3rd when in fact that was changed to December 17th. City Attorney Shaver confirmed that Mr. Armantrout and his attorney suggested the December 17th date so they are aware of the change.

Motion carried by roll call vote.

1. Minutes of Previous Meetings

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

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.

Action: Continue to Wednesday, December 17, 2008

3. Purchase of One 2,000 Gallon Asphalt Distributor Truck

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

4. **Contract Renewal for the Visitor and Convention Bureau Website Marketing Services**

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

5. **Contract Renewal for the Visitor and Convention Bureau Advertising Services**

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

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

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

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

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

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

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

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Public Hearing - 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).

The public hearing was opened at 7:25 p.m.

Senta L. Costello, Senior 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 as well as Staff.

Ms. Costello advised the applicant was present and available to answer questions.

There were no public comments.

The public hearing was closed at 7:26 p.m.

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

Councilmember Todd moved to approve Ordinance No. 4309 and ordered it published. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

Councilmember Doody moved to reconvene into executive session for discussion of personnel matters under Section 402 (4)(f)(i) of the Open Meetings Law relative to City Council employees specifically the Municipal Judge and will not return to open session. Councilmember Todd seconded. Motion carried.

Adjournment

The meeting adjourned to a reconvened executive session at 7:30 p.m.

Stephanie Tuin, MMC
City Clerk

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

December 3, 2008

The City Council of the City of Grand Junction convened into regular session on the 3rd day of December 2008 at 7:02 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Jim Doody, Bruce Hill, Doug Thomason, Linda Romer Todd, and Council President Gregg Palmer. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and City Clerk Stephanie Tuin.

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

Citizen Comments

There were none.

CONSENT CALENDAR

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

Setting a Hearing on the Sterling Crane Rezone, Located at 2220 Sanford Drive [File #RZ-2008-315]

Request to rezone 4.32 acres from C-2 (General Commercial) zone district to I-1 (Light Commercial) zone district, located at 2220 Sanford Drive.

Proposed Ordinance Rezoning the Sterling Crane Property from C-2 (General Commercial) to I-1 (Light Industrial), Located at 2220 Sanford Drive

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

Setting a Hearing to Create Alley Improvement District 2009, Phase A

Successful petitions have been submitted requesting a local improvement District be created to reconstruct three alleys:

- East/West Alley from 3rd to 4th, between Glenwood Avenue and Kennedy Avenue
- East/West Alley from 9th to 10th, between Main Street and Rood Avenue
- East/West T Alley from 17th to 18th, between North Avenue and Glenwood Avenue

Resolution No. 145-08--A Resolution Declaring the Intention of the City Council of the City of Grand Junction, Colorado, to Create Within Said City Alley Improvement District No. ST-09, Phase A and Authorizing the City Engineer to Prepare Details and Specifications for the Same

Action: Adopt Resolution No. 145-08 and Set a Public Hearing for January 7, 2009

Purdy Mesa Flow Line Replacement

The project consists of replacing approximately 17,700 lineal feet of deteriorating 20" waterline through developing areas in Whitewater.

Action: Authorize the City Manager to Sign a Construction Contract for the Purdy Mesa Flow Line Replacement to Downey Excavation, Inc. in the Amount of \$393,595.00

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Council President Palmer advised that the item relative to the Brady South Referendum Petition has been removed from the agenda as a protest was filed so that will not be heard tonight.

Public Hearing and Presentation of the 2008 Supplemental and 2009 Budgets

This 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 2008 amended and 2009 proposed budgets.

The public hearing was opened at 7:07 p.m.

City Manager Laurie Kadrach introduced the planned presentation and noted for the viewing audience the number of hours Staff and City Council have already taken in reviewing the proposed budget in workshops. This presentation is to the City Council and the public.

City Manager Kadrach first addressed the focus of this year's budget including revenues, reserves and the high priority capital projects.

She then went through the priorities for the City including paying off the Riverside Parkway debt, the continuation of the Parkway with the 29 Road Project, which is a joint project with the County, and getting ready for the Public Safety Facility. She clarified that the City had budgeted funds to acquire the needed land, site preparation, relocation of some operations, and design work on the facility in anticipation of the Public Safety Project.

Ms. Kadrach reviewed budget development and the review process. The last two years, a one year budget has been developed. The capital requests were significantly greater

than the available resources, even after being pared back. Local government budgets must be balanced.

Local economic conditions were then summarized. Grand Junction's economy has tracked stronger than the national economy. The diversity in the local economy, especially in the job sector, has stayed strong.

Councilmember Coons asked if there is any way to determine the impact the mining jobs have on the other job sectors. City Manager Kadrach said she is not able to extract that information but estimates that there are one or two additional jobs as a result of each mining job.

There continues to be concern that if one employer left the valley, what would the impact be? Ms. Kadrach stated there are over 5,000 employers in the valley which is very different than the situation in the 1980's. The valley's unemployment rate, although higher than last year, is still much lower than the state and national average. The Valley is experiencing continued growth in its GMP (gross municipal product), although lower than last year, but growth nonetheless, which is better than the rest of the State. Grand Junction was ranked the 5th best performing small metro area in the nation.

The budget being presented does include the cost of increased petroleum as it is uncertain the lower prices will remain in 2009.

Councilmember Hill clarified that the slide indicating requested budget is not what was originally requested. City Manager Kadrach advised the requested budget is the City Manager's budget request, which is much less than the request originally brought forward.

Council President Palmer pointed out the amount of the budget being allocated toward capital. He noted the percentage being spent on capital has increased in the 2009 proposed budget.

City Manager Kadrach reviewed allocations by type and by department. A review of the number of personnel per thousand citizens showed that the present number is lower than the number in 1988.

A list of the major capital projects was displayed and included Riverside Parkway (29 Road), sewer projects, Ranchman's Ditch, other road projects, the emergency response training facility, vehicle replacements, local street improvements, contract street maintenance, a new computer aided dispatch system, and water projects.

Councilmember Coons asked about the local street improvements. City Manager Kadrach advised the original request was over \$4 million. The \$1.9 million proposed includes overlays and road repair but it does not keep up with the needed maintenance.

City Manager Kadrich then introduced Deputy Police Chief Troy Smith for the Police Department budget presentation. Deputy Police Chief Smith advised the Police Department's main focus is to address the meth problem and major crimes. There has been some success in the fight against meth.

A second goal is to continue the partnership with Mesa State College, Western Colorado Community College, and Mesa County Sheriff's Office for the police academy. There have been four academies and the academy has been a proven success.

The third goal is to increase staffing in the Communication Center. All emergency calls in Mesa County come to the 911 center except State Patrol calls which are forwarded to Montrose.

Mr. Smith then reviewed the operating budget and the reasons for the increase which include both fuel costs and increased technology.

Council President Palmer asked if the percentage of personnel costs are comparable to similar sized cities. Mr. Smith said it is right in the range for the size of this city.

Council President Palmer asked for additional information regarding technology. Deputy Chief Smith described the COPLink system that will soon be up and running which will connect law enforcement agencies across the State. They are replacing the Computer Aided Dispatch System and the Records Management System. There are also video cameras in all the patrol cars which has sped up convictions and reduced internal investigations with video corroboration.

Councilmember Coons asked about the radio transmitters. Mr. Smith described both the 900 MHz for data transfer and the 800 MHz for voice communication that are being installed and expanded. More expansion is planned and grant funds are being pursued for some of that cost.

Deputy Police Chief Smith introduced Rob Schoeber, Parks and Recreation Director. Mr. Schoeber first listed the planned park improvements at Melrose and Canyon View Parks. He noted that the City is about 100 acres short in developed parks per national standards.

Another program being focused on is department efficiencies including the various irrigation systems and maintenance of parks and restrooms.

Other items planned for 2009 is a community partnership with the School District for the park by Chipeta Elementary, a partnership with the Weeminuche subdivision developer for a neighborhood park, and Staff development and training.

The bulk of the Parks and Recreation budget is personnel.

Council President Palmer asked if the cost of operating has stayed steady percentage-wise. Mr. Schoeber said there has likely been an increase due to the increase in fuel and other costs.

Tim Moore, Public Works and Planning Director, was next to present. Mr. Moore stated the opening of Riverside Parkway has decreased congestion on Highway 6 and 50. The other big project is the Ranchman's Ditch which is underway and will be completed in 2009. The Neighborhood Services Division has increased in its responsibilities, most notably the graffiti removal program and working on specific developments that may need additional coordination. The Comprehensive Plan has been a large effort in the Planning Division as well as a rewrite of the Zoning and Development Code. New software to assist in the tracking of development is planned for 2009.

One capital project to begin in 2009 is 29 Road as a continuation of the Riverside Parkway project. Other road projects include the F ½ Road Parkway and the Main Street redevelopment.

Council President Palmer asked for clarification on the 29 Road project for the audience. Mr. Moore described that it will connect D Road to North Avenue which will make 29 Road go through to Patterson Road.

Councilmember Coons asked him to confirm that it does not include the interchange with I-70. Mr. Moore said that is correct; that is anticipated to begin with the design phase in 2015.

Mr. Moore reviewed the breakdown of expenses noting no new personnel are planned for 2009.

Fire Chief Ken Watkins reviewed trends and challenges in the Fire Department. There have been increasing calls and response times. The Fire Department covers more than just the City. The revenues have leveled and the ambulance service has added value to Department operations. This has also added personnel to the Department which can respond to all types of calls and which has helped in recruitment.

Council President Palmer asked if having more personnel has helped with capacity. Chief Watkins said yes and with mutual aid response too.

Chief Watkins then addressed the 2009 goals and opportunities for the department. A full-time EMS trainer is planned for 2009. Hiring personnel for in-house ambulance billing rather than using a contractor as well as bringing in non-emergent ambulance dispatch to the City's dispatch system.

The Fire Administration Office is working on relocation plans, likely to the Riverside Parkway office. An additional ladder truck and additional ambulances are planned for 2009.

A training facility is in the works partially funded by grant funding.

Personnel costs are 82% of the overall budget. A number of retirements are anticipated.

Councilmember Coons asked about the academies and noted the successful Public Safety Citizen Academies in 2008. She asked if there will be others. Chief Watkins said a spring academy is being discussed.

Councilmember Hill said he thought the Riverside Parkway office was to be sold. City Manager Kadrach stated it was discussed that it might be a temporary location for the Fire Department Administration and that evaluation is taking place so that it might be used for the Parks and Recreation Department or even an office for the Cemetery in the future.

Councilmember Hill thought the proceeds were built into the Riverside Parkway budget. City Manager Kadrach apologized, noting a facilities update should be brought to the City Council as there have been several changes.

Council President Palmer called a ten minute recess at 8:32 p.m.

The meeting reconvened at 8:44 p.m.

Utilities and Street Systems Director Greg Trainor reviewed the proposed budget for his department. The bulk of his department is as a utility provider for water, sewer, trash, and irrigation. The increases in the various areas will be very low with the exception of trash service which has high equipment maintenance and fuel costs. However, City trash service continues to be significantly lower than other providers.

In street maintenance, the proposed budget is tripling because the dollars for street construction has decreased proportionately.

Rates for utilities will increase but are still the lowest cost provider in the valley. Water rates are actually lower than they were ten years ago.

Two part-time workers will become full-time to help with street maintenance.

In the facilities arena, 46 buildings are maintained. A long range improvement plan for facilities will be presented to the City Council in 2009. An additional maintenance technician is requested for 2009.

Councilmember Hill noted the uniqueness of this department as it is comprised of several enterprise funds. He asked if gas stays down will that reap dividends next year a rate increase may not be needed next year? Mr. Trainor concurred but added that rates adjustments are based on a longer term view to ensure adequate fund balances. Councilmember Hill asked about the effect of possible savings with asphalt patching if

those costs go down. Mr. Trainor said that would be evaluated with the management if cost savings are realized.

Councilmember Coons asked Mr. Trainor to address the department's plans for conservation efforts.

Mr. Trainor described two ongoing projects, converting methane at the wastewater plant to natural gas and additionally a major energy audit is underway for all City buildings. Those results will be evaluated and then discussed with the City Council. The cost of energy savings devices would likely be paid for by the savings and/or through the energy audit company.

Debbie Kovalik, Director of the newly formed Economic, Convention, and Visitor Services Department, described the different facets and responsibilities of the department. She listed a number of the programs planned for 2009. Maintaining the level of service of the Visitor Bureau is critical to maintain the number of visitors who come to the community and spend money which actually accounts for 38% of the sales tax collected.

Several new hotels are being planned for future construction in Grand Junction.

Ms. Kovalik then reviewed the events and programs at the Two Rivers Convention Center, the Avalon Theatre, and the food concessions at the various sports facilities.

In conclusion, the breakdown of the expense is greater on the operating side, higher than personnel costs.

Council President Palmer reviewed the events described by Ms. Kovalik for the Avalon Theatre which will include movie "events" that will be combined with other activities which will be some independent films and children's films. There are many other ideas being discussed.

Deputy City Manager Rich Englehart then presented the Administration budget which includes seven different divisions that support the other departments.

Goals of the Administration Department are organizational sustainability and fostering community partnerships and public safety. Organizational sustainability includes the succession planning, the class and compensation study, the restructure of the health insurance plan, and the refinement of health rewards program.

Mr. Englehart reviewed a list of highlights for 2009 including the update to the Council Chambers and the City Council election.

Council President Palmer asked how retirements are funded. City Manager Kadrich clarified that the City pays nothing when someone retires; the majority of City

employees have a separate retirement account. There is a small unfunded liability for old pension plans.

Councilmember Beckstein clarified that the City does contribute to the retirement accounts. City Manager Kadrich concurred noting that is considered part of the benefit package. The cost when retirements are anticipated in the public safety arena is overhires to get replacements fully trained before personnel retire.

City Manager Kadrich recapped the presentation. The proposed budget is ten percent less than last year's budget. She reviewed fund balance and expressed the goal of sustaining existing service levels.

Council President Palmer asked about revenue projections. Ms. Kadrich said the projections are lower. Council President Palmer confirmed that the budget includes an increase in emergency reserves. Ms. Kadrich concurred.

There were no public comments.

The public hearing was closed at 9:26 p.m.

Ordinance No. 4310—An Ordinance Making Supplemental Appropriations to the 2008 Budget of the City of Grand Junction

Ordinance No. 4311—An 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

Councilmember Coons moved to adopt Ordinance Nos. 4310 and 4311 and ordered them published. Councilmember Hill seconded the motion.

Councilmember Hill thanked City Manager Kadrich for the process and the way the improved process has helped the City Council be able to digest the amount of information included in the budget and budget process. Councilmember Hill made some observations; that the budget is a guideline and wisely the numbers are good regarding revenue projections and expenses, but this could change. Everyone has displayed the passion for the job even with the challenges. The organization is getting better due to the commitment of the Staff. There are some amazing challenges coming in the future but he is proud and privileged that the City is maximizing the dollars the City does have.

Councilmember Doody thanked City Manager Kadrich and the Staff for their conservatism in the 2009 Budget. Others talked about the City being an economic engine in the community and it is.

Council President Palmer addressed the viewing audience to have them understand that the Council has spent forty to fifty hours reviewing and discussing the proposed budget

and it is a very responsible budget. He commended Staff for the hours and effort and he can defend the budget to anyone that it is responsible and right.

Motion carried by roll call vote.

City Manager Kadrich thanked the City Council and mentioned to the community her contact information. The plan for budget development next year is to form a Citizen's Budget Committee.

Councilmember Beckstein pointed out that involvement of citizens will result in a healthier community. She thanked City Manager Kadrich for pursuing that.

Set Mill Levies for Property Tax for Levy Year 2008

The resolutions set the mill levies of the City of Grand Junction (City), Ridges Metropolitan District #1, and the Downtown Development Authority (DDA). The City and DDA mill levies are for operations; the Ridges levy is for debt service only.

Financial Operations Manager Jodi Romero presented this item. She explained the request sets the mill levies for property tax collection. The City's mill levy has stayed flat. Also included are mill levies for the DDA and the Ridges Metropolitan debt reduction.

Councilmember Beckstein asked when the Ridges debt will be paid off. Ms. Romero answered 2013.

Ms. Romero noted that both DDA and the Ridges mill levies have also remained the same.

Resolution No. 146-08—A Resolution Levying Taxes for the Year 2008 in the City of Grand Junction, Colorado

Resolution No. 147-08—A Resolution Levying Taxes for the Year 2008 in the Downtown Development Authority

Resolution No. 148-08—A Resolution Levying Taxes for the Year 2008 in the Ridges Metropolitan District #1

Councilmember Hill moved to adopt Resolution Nos. 146-08, 147-08, and 148-08. Councilmember Thomason seconded the motion.

Councilmember Todd pointed out a resolution numbering discrepancy. The numbering was clarified.

Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting was adjourned at 9:40 p.m.

Stephanie Tuin, MMC
City Clerk

GRAND JUNCTION CITY COUNCIL

SPECIAL SESSION MINUTES

DECEMBER 1, 2008

The City Council of the City of Grand Junction, Colorado met in Special Session on Monday, December 1, 2008 at 5:00 p.m. in the Administration Conference Room, 2nd Floor, City Hall, 250 N. 5th Street. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Jim Doody, Bruce Hill, Doug Thomason, Linda Romer Todd, and President of the Council Gregg Palmer.

Council President Palmer called the meeting to order.

Councilmember Hill moved to go into Executive Session for discussion of personnel matters under Section 402 (4)(f)(l) of the Open Meetings Law Relative to City Council Employees Specifically the Municipal Judge and will not be returning to open session. Councilmember Thomason seconded the motion. The motion carried.

The City Council convened into executive session at 5:06 p.m.

Juanita Peterson, CMC
Deputy City Clerk

GRAND JUNCTION CITY COUNCIL

SPECIAL SESSION MINUTES

DECEMBER 3, 2008

The City Council of the City of Grand Junction, Colorado met in Special Session on Wednesday, December 3, 2008 at 5:00 p.m. in the Administration Conference Room, 2nd Floor, City Hall, 250 N. 5th Street. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Jim Doody, Bruce Hill, Doug Thomason, Linda Romer Todd, and President of the Council Gregg Palmer.

Council President Palmer called the meeting to order.

Councilmember Todd moved to go into Executive Session for discussion of personnel matters under Section 402 (4)(f)(l) of the Open Meetings Law Relative to City Council Employees Specifically the City Attorney and will not be returning to open session. Councilmember Coons seconded the motion. The motion carried.

The City Council convened into executive session at 5:03 p.m.

Stephanie Tuin, MMC
City Clerk

Attach 2

Setting a Hearing on the Colorado Army National Guard Campus Annexation, Located at 2800 Riverside Parkway

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Colorado Army National Guard Campus Annexation - Located at 2800 Riverside Parkway		
File #	ANX-2008-290		
Meeting Day, Date	Monday, December 15, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	December 3, 2008		
Author Name & Title	Michelle Hoshide, Associate Planner		
Presenter Name & Title	Michelle Hoshide, Associate Planner		

Summary: Request to annex 57.95 acres, located at 2800 Riverside Parkway. Colorado Army National Guard Campus Annexation Consist of three (3) parcels.

Budget: N/A

Action Requested/Recommendation: Adopt a resolution referring the petition for Annexation and introduce the proposed Ordinance and set a hearing for February 2, 2009.

Attachments:

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

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION				
Location:		2800 Riverside Parkway		
Applicants: < Prop owner, developer, representative>		Owners: State of Colorado, Department of Human Services and Department of Military and Veterans Affairs Representative: Domenick Scarimbolo		
Existing Land Use:		National Guard Armory and Military Cemetery		
Proposed Land Use:		National Guard Armory and Military Cemetery		
Surrounding Land Use:	North	Industrial		
	South	Planned Unit Development, Residential Single Family (2 du/ac) and Residential Single Family Rural		
	East	Agriculture, Vacant, CSU Facility		
	West	Industrial		
Existing Zoning:		PUD (Planned Unit Development)		
Proposed Zoning:		Public		
Surrounding Zoning:	North	I-1		
	South	RSF (Residential Single Family)		
	East	PD Zoning (under review)		
	West	I-1, I-2, PUD (Planned Unit Development)		
Growth Plan Designation:		Public		
Zoning within density range?	X	Yes		No

Staff Analysis:

ANNEXATION:

This annexation area consists of 57.95 acres of land and is comprised of 3 parcels. The property owners have requested annexation into the City to allow for development of a National Guard armory. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

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

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;

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

The following annexation and zoning schedule is being proposed.

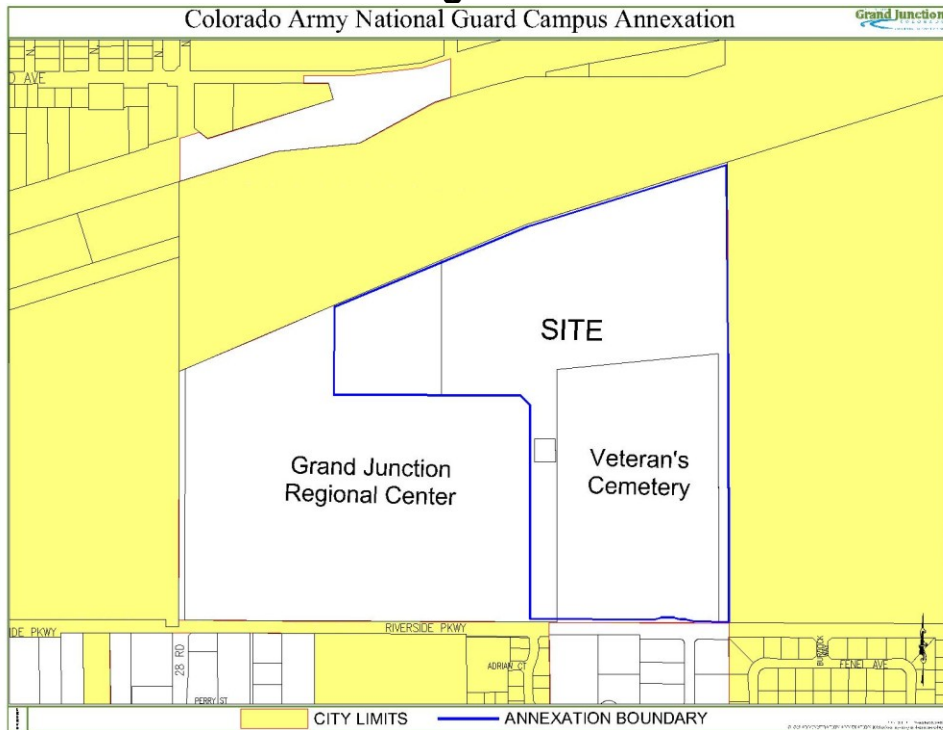
<i>ANNEXATION SCHEDULE</i>	
December 15, 2008	Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use
January 13, 2009	Planning Commission considers Zone of Annexation
January 21, 2009	Introduction of a proposed Ordinance on Zoning by City Council
February 2, 2009	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
March 3, 2009	Effective date of Annexation and Zoning

FREEDOM MEADOWS ANNEXATION SUMMARY

File Number:	ANX-2008-344	
Location:	2800 Riverside Parkway	
Tax ID Number:	2943-183-00-929, 2943-183-00-923, 2943-183-00-922	
Parcels:	3	
Estimated Population:	0	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	0	
Acres land annexed:	57.95 acres	
Developable Acres Remaining:	57.95 acres	
Right-of-way in Annexation:	none	
Previous County Zoning:	PUD (Planned Unit Development)	
Proposed City Zoning:	CSR	
Current Land Use:	Planned Unit Development	
Future Land Use:	Public	
Values:	Assessed:	= \$ 69,758
	Actual:	= \$ 240,525
Address Ranges:	2800, 2810, 2830 Riverside Parkway	
Special Districts:	Water:	Ute Water
	Sewer:	Central Grand Valley
	Fire:	Grand Junction Fire
	Irrigation:	Grand Valley Irrigation/ Grand Valley Drainage
	School:	District 51
	Pest:	Grand Valley Pest Control District and Grand Valley Mosquito District

Annexation/ Site Location Map

Figure 1



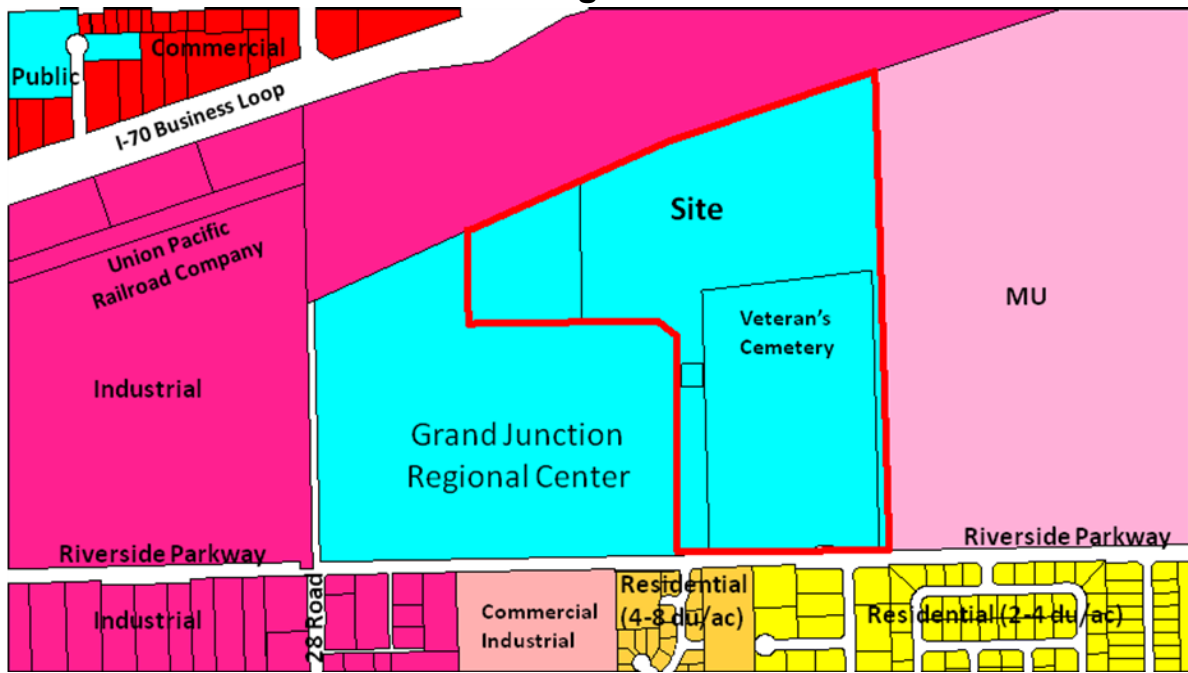
Aerial Photo Map

Figure 2



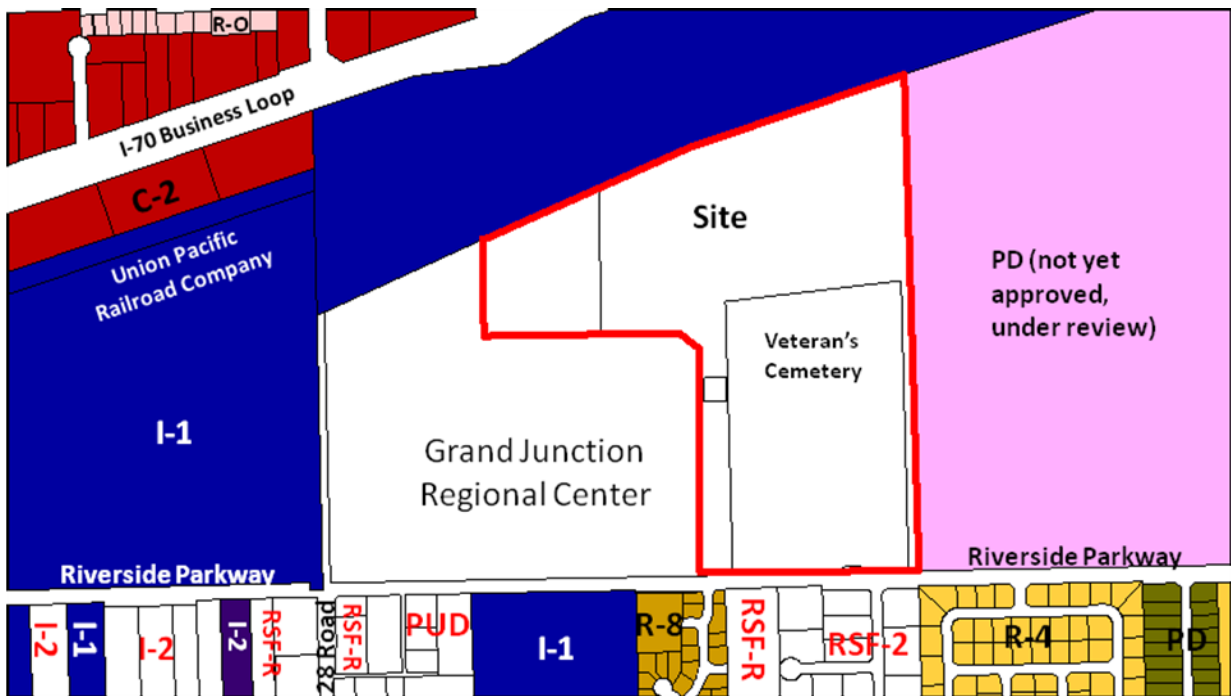
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



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

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 15th of December, 2008, the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. _____

**A RESOLUTION
REFERRING A PETITION TO THE CITY COUNCIL
FOR THE ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO,
SETTING A HEARING ON SUCH ANNEXATION,
AND EXERCISING LAND USE CONTROL**

COLORADO ARMY NATIONAL GUARD CAMPUS ANNEXATION

LOCATED AT 2800 RIVERSIDE PARKWAY

WHEREAS, on the 15th day of December, 2008, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

COLORADO ARMY NATIONAL GUARD CAMPUS ANNEXATION

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

Commencing at the Southeast corner of the SE 1/4 SW 1/4 of said Section 18 and assuming the East line of the SE 1/4 SW 1/4 of said Section 18 to bear S00°06'42"E with all bearings contained herein relative thereto; thence N00°06'42"W a distance of 35.00 feet along the East line of the SE 1/4 SW 1/4 of said Section 18 to the Northeast corner of Riverside Parkway Annexation No. 5, said point also being the Point of Beginning; thence along the Northerly line of said Riverside Parkway Annexation No. 5 the following seven (7) courses: (1) N89°39'17"W a distance of 166.49 feet; (2) N78°20'43"W a distance of 40.79 feet; (3) N89°39'17"W a distance of 27.38 feet; (4) N70°21'54"W a distance of 31.78 feet; (5) N89°39'17"W a distance of 63.23 feet; (6) S71°00'15"E a distance of 31.70 feet; (7) N89°39'17"W a distance of 602.50 feet; thence N00°03'11"E a distance of 1026.59 feet; thence N44°39'53"W a distance of 62.57 feet; thence N89°39'53"W a distance of 898.98 feet; thence N00°20'07"E a distance of 420.99 feet to a point on the Southerly line of Southern Pacific Railroad Annexation No. 1, Ordinance No. 3158, City of Grand Junction; thence N67°38'39"E a distance of 1010.16 feet along the Southerly line of said Southern Pacific Railroad

Annexation No. 1; thence N73°01'18"E a distance of 999.11 feet along the Southerly line of said Southern Pacific Railroad Annexation No. 1 to a point on the West line of Mesa State Annexation, Ordinance No. 4081, City of Grand Junction, said point also being on the East line of the NE 1/4 SW 1/4 of said Section 18; thence S00°25'24"E a distance of 903.46 feet along the West line of said Mesa State Annexation, said line also being the East line of the NE 1/4 SW 1/4 of said Section 18 to the Northeast corner of the SE 1/4 SW 1/4 of said Section 18; thence S00°06'42"E a distance of 1283.65 feet along the West line of said Mesa State Annexation, said line also being the East line of the SE 1/4 SW 1/4 of said Section 18 to the Point of Beginning.

Said parcel contains 57.95 acres (2,524,320.23 sq. ft.), more or less, as described.

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

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

1. That a hearing will be held on the 2nd day of February, 2009, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Public Works and Planning Department of the City.

ADOPTED the _____ day of _____, 2008

Attest:

President of the Council

City Clerk

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

City Clerk

<i>DATES PUBLISHED</i>
December 17, 2008
December 24, 2008
December 31, 2008
January 7, 2009

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

COLORADO ARMY NATIONAL GUARD CAMPUS ANNEXATION

APPROXIMATELY 57.95 ACRES

LOCATED AT 2800 RIVERSIDE PARKWAY

WHEREAS, on the 15th day of December, 2008, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 2nd day of February, 2009; and

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

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

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

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

Commencing at the Southeast corner of the SE 1/4 SW 1/4 of said Section 18 and assuming the East line of the SE 1/4 SW 1/4 of said Section 18 to bear S00°06'42"E with all bearings contained herein relative thereto; thence N00°06'42"W a distance of 35.00 feet along the East line of the SE 1/4 SW 1/4 of said Section 18 to the Northeast corner of Riverside Parkway Annexation No. 5, said point also being the Point of Beginning; thence along the Northerly line of said Riverside Parkway Annexation No. 5 the following seven (7) courses: (1) N89°39'17"W a distance of 166.49 feet; (2) N78°20'43"W a distance of 40.79 feet; (3) N89°39'17"W a distance of 27.38 feet; (4) N70°21'54"W a distance of 31.78 feet; (5) N89°39'17"W a distance of 63.23 feet; (6) S71°00'15"E a distance of 31.70 feet; (7) N89°39'17"W a distance of 602.50 feet;

thence N00°03'11"E a distance of 1026.59 feet; thence N44°39'53"W a distance of 62.57 feet; thence N89°39'53"W a distance of 898.98 feet; thence N00°20'07"E a distance of 420.99 feet to a point on the Southerly line of Southern Pacific Railroad Annexation No. 1, Ordinance No. 3158, City of Grand Junction; thence N67°38'39"E a distance of 1010.16 feet along the Southerly line of said Southern Pacific Railroad Annexation No. 1; thence N73°01'18"E a distance of 999.11 feet along the Southerly line of said Southern Pacific Railroad Annexation No. 1 to a point on the West line of Mesa State Annexation, Ordinance No. 4081, City of Grand Junction, said point also being on the East line of the NE 1/4 SW 1/4 of said Section 18; thence S00°25 '24"E a distance of 903.46 feet along the West line of said Mesa State Annexation, said line also being the East line of the NE 1/4 SW 1/4 of said Section 18 to the Northeast corner of the SE 1/4 SW 1/4 of said Section 18; thence S00°06'42"E a distance of 1283.65 feet along the West line of said Mesa State Annexation, said line also being the East line of the SE 1/4 SW 1/4 of said Section 18 to the Point of Beginning.

Said parcel contains 57.95 acres (2,524,320.23 sq. ft.), more or less, as described.

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

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

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

Attest:

President of the Council

City Clerk

Attach 3

Setting a Hearing on the Night Hawk Drive ROW Annexation, Located Approximately at 30 and B Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Night Hawk Drive Right-of-Way Annexation		
File #	ANX-2008-301		
Meeting Day, Date	Monday, December 15, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	November 25, 2008		
Author Name & Title	Ivy Williams, Development Services Supervisor		
Presenter Name & Title	Ivy Williams, Development Services Supervisor		

Summary: Request to annex 1.45 acres, located approximately 660 feet west of 30 Road, adjoining B Road on the north and extending southerly approximately 2,060 feet. The Night Hawk Drive Annexation consists entirely of right-of-way.

Budget: N/A

Action Requested/Recommendation: Adopt a Resolution referring the petition for the Night Hawk Drive Right-of-Way Annexation, introduce the proposed Ordinance and set a hearing for January 21, 2009.

Attachments:

1. Staff report/Background information
2. Site Location Map
3. Resolution Referring Petition
4. Annexation Ordinance

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION

Location:		All of Night Hawk Drive as described in Book 4470, Page 532, Public Records of Mesa County, Colorado lying approximately 660 feet west of 30 Road, adjoining B Road on the north and extending southerly for approximately 2,060 feet		
Applicants:		Owner: Mesa County Representative: Tim Moore		
Existing Land Use:		Right-of-Way		
Proposed Land Use:		Right-of-Way		
Surrounding Land Use:	North	N/A		
	South	N/A		
	East	N/A		
	West	N/A		
Existing Zoning:		N/A		
Proposed Zoning:		N/A		
Surrounding Zoning:	North	N/A		
	South	N/A		
	East	N/A		
	West	N/A		
Growth Plan Designation:		N/A		
Zoning within density range?	N/A	Yes		No

Staff Analysis:

ANNEXATION:

This annexation area consists of 1.45 acres of land, all of which lies in the Night Hawk right-of-way. The City of Grand Junction is requesting annexation into the City to allow for ease of maintenance and delivery of services. Under the 1998 Persigo Agreement, the County consents to the annexation of all or a portion of any road, street, easement, right-of-way, open space or other County-owned property within the Persigo Wastewater Treatment boundary.

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

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

The following annexation and zoning schedule is being proposed.

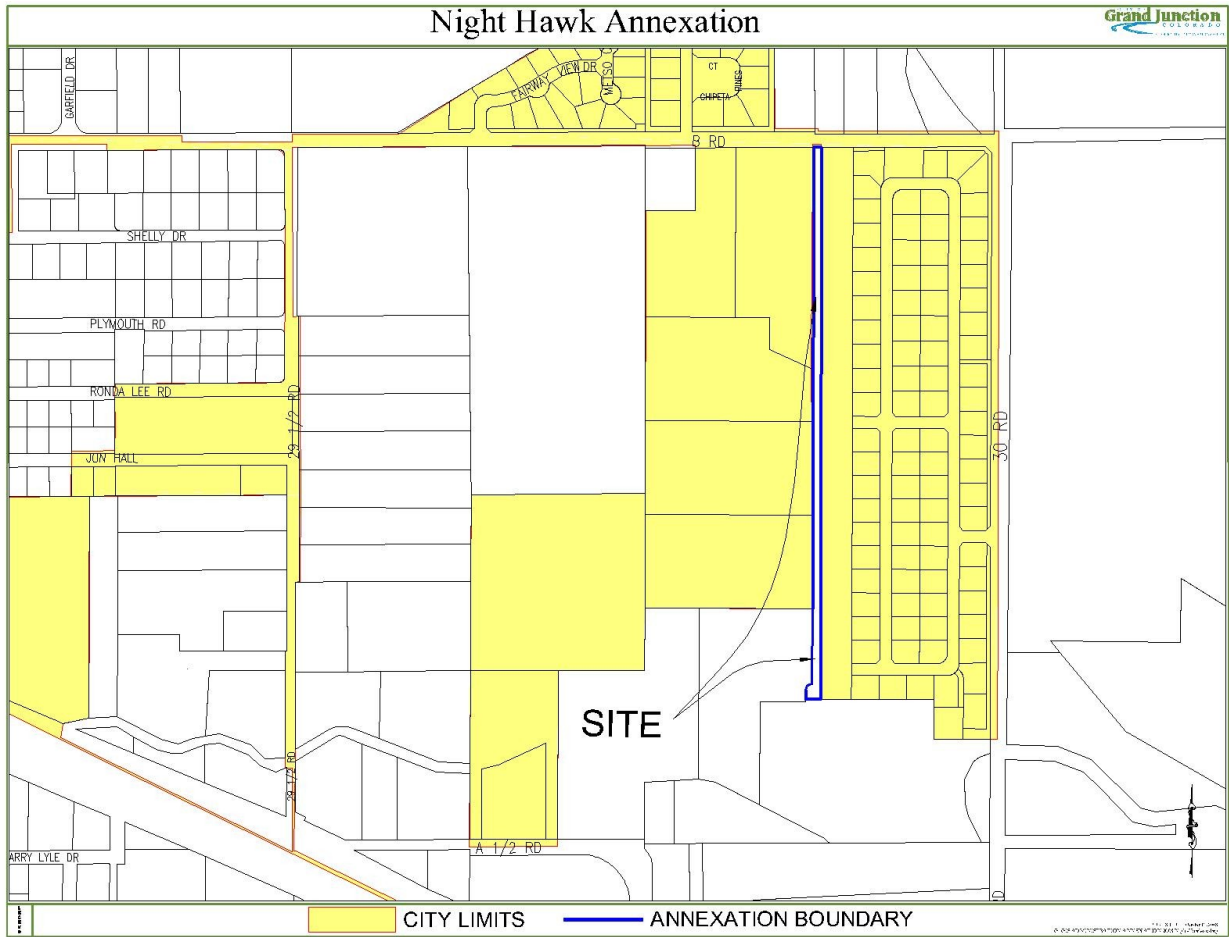
<i>ANNEXATION SCHEDULE</i>	
December 15, 2008	Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use
January 21, 2009	Acceptance of Petition and Public Hearing on Annexation by City Council
February 22, 2009	Effective date of Annexation and Zoning

NIGHT HAWK DRIVE ANNEXATION SUMMARY

File Number:	ANX-2008-301	
Location:	All of Night Hawk Drive as described in Book 4470, Page 532, Public Records of Mesa County, Colorado lying approximately 660 feet west of 30 Road, adjoining B Road on the north and extending southerly for approximately 2,060 feet	
Tax ID Number:	See legal description	
Parcels:	One	
Estimated Population:	None	
# of Parcels (owner occupied):	None	
# of Dwelling Units:	None	
Acres land annexed:	1.45 acres	
Developable Acres Remaining:	0 acres	
Right-of-way in Annexation:	1.45 acres	
Previous County Zoning:	N/A	
Proposed City Zoning:	N/A	
Current Land Use:	N/A	
Future Land Use:	N/A	
Values:	Assessed:	N/A
	Actual:	N/A
Address Ranges:	N/A	
Special Districts:	Water:	N/A
	Sewer:	N/A
	Fire:	N/A
	Irrigation/ Drainage:	N/A
	School:	N/A
	Pest:	N/A

SITE LOCATION MAP NIGHT HAWK DRIVE

Night Hawk Annexation



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

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 15th day of December 2008, the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

**A RESOLUTION
REFERRING A PETITION TO THE CITY COUNCIL
FOR THE ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO,
SETTING A HEARING ON SUCH ANNEXATION,
AND EXERCISING LAND USE CONTROL**

NIGHT HAWK DRIVE ANNEXATION

**LOCATED AT APPROXIMATELY 660 FEET WEST OF 30 ROAD AND ADJOINING B
ROAD ON THE NORTH AND EXTENDING SOUTHERLY FOR
APPROXIMATELY 2,060 FEET**

WHEREAS, on the 15th day of December 2008, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

A certain parcel of land located in the East 1/2 of the Northeast Quarter (E 1/2 NE 1/4) of Section 32, Township One South, Range One East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Commencing at the Northwest corner of the NE 1/4 NE 1/4 of said Section 32 and assuming the North line of the NE 1/4 NE 1/4 of said Section 32 to bear N89°51'58"E with all bearings contained herein relative thereto; thence S00°06'53"W a distance of 30.00 feet along the West line of the NE 1/4 NE 1/4 of said Section 32; thence N89°51'58"E a distance of 625.77 feet along a line being 30.00 feet South of and parallel with the North line of the NE 1/4 NE 1/4 of said Section 32 to the Point of Beginning; thence N89°51'58"E a distance of 30.00 feet along a line being 30.00 feet South of and parallel with the North line of the NE 1/4 NE 1/4 of said Section 32, said line also being the Southerly line of Hawks Nest Annexation No. 2, Ordinance No. 3737, City of Grand Junction; thence S00°15'22"W a distance of 2059.41 feet along the West line of Hawks Nest Subdivision Filing Two, as same is recorded in Book 4470, Pages 500 through 501, inclusive, public records of Mesa County, Colorado; thence N89°44'27"W a distance of 55.30 feet; thence N00°15'33"E a distance of 32.72 feet; thence 39.57 feet along the arc of a 25.00 foot radius curve, concave Southeast, having a central angle of 90°41'52" and a chord bearing N45°35'42"E a distance of 35.57 feet; thence N00°15'22"E a distance of 2001.47 feet to the Point of Beginning.

Said parcel contains 1.45 acres (63,101.43 sq. ft.), more or less, as described.

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

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

1. That a hearing will be held on the 21st day of January 2009, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Public Works and Planning Department of the City.

ADOPTED the _____ day of _____, 2008.

Attest:

President of the Council

City Clerk

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

City Clerk

<i>DATES PUBLISHED</i>
December 17, 2008
December 24, 2008
December 31, 2008
January 7, 2009

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

NIGHT HAWK DRIVE ANNEXATION

APPROXIMATELY 1.45 ACRES

**LOCATED APPROXIMATELY 660 FEET WEST OF 30 ROAD AND ADJOINING B
ROAD ON THE NORTH AND EXTENDING SOUTHERLY FOR
APPROXIMATELY 2,060 FEET**

WHEREAS, on the 15th day of December 2008, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 21st day of January 2009; and

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

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

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

A certain parcel of land located in the East 1/2 of the Northeast Quarter (E 1/2 NE 1/4) of Section 32, Township One South, Range One East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Commencing at the Northwest corner of the NE 1/4 NE 1/4 of said Section 32 and assuming the North line of the NE 1/4 NE 1/4 of said Section 32 to bear N89°51'58"E with all bearings contained herein relative thereto; thence S00°06'53"W a distance of 30.00 feet along the West line of the NE 1/4 NE 1/4 of said Section 32; thence N89°51'58"E a distance of 625.77 feet along a line being 30.00 feet South of and parallel with the North line of the NE 1/4 NE 1/4 of said Section 32 to the Point of Beginning; thence N89°51'58"E a distance of 30.00 feet along a line being 30.00 feet South of and parallel with the North line of the NE 1/4 NE 1/4 of said Section 32, said line also being the Southerly line of Hawks Nest Annexation No. 2, Ordinance No. 3737, City of Grand Junction; thence S00°15'22"W a distance of 2059.41 feet along the West

line of Hawks Nest Subdivision Filing Two, as same is recorded in Book 4470, Pages 500 through 501, inclusive, public records of Mesa County, Colorado; thence N89°44'27"W a distance of 55.30 feet; thence N00°15'33"E a distance of 32.72 feet; thence 39.57 feet along the arc of a 25.00 foot radius curve, concave Southeast, having a central angle of 90°41'52" and a chord bearing N45°35'42"E a distance of 35.57 feet; thence N00°15'22"E a distance of 2001.47 feet to the Point of Beginning.

Said parcel contains 1.45 acres (63,101.43 sq. ft.), more or less, as described.

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

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

ADOPTED on second reading the _____ day of _____, 2009.

Attest:

President of the Council

City Clerk

Attach 4

Setting a Hearing on the Riverside Parkway and Overpass Annexation, Located at 29 Road and North Avenue and at 29 Road and I-70B

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Riverside Parkway and Overpass Rights-of-Way Annexation		
File #	ANX-2008-307		
Meeting Day, Date	December 15, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	November 24, 2008		
Author Name & Title	Ivy Williams, Development Services Supervisor		
Presenter Name & Title	Ivy Williams, Development Services Supervisor		

Summary: Request to annex approximately 15.0 acres, located at five locations on Riverside Parkway, a portion of 29 Road adjoining North Avenue on the north and extending southerly to I-70 Business Loop and a portion of I-70 Business Loop beginning at 29 Road northeasterly approximately 2,400 feet. The Riverside Parkway and Overpass Annexation consists only of right-of-way.

Budget: N/A

Action Requested/Recommendation: Adopt a Resolution referring the petition for the Riverside Parkway and Overpass Right-of-Way Annexation and introduce the proposed Ordinance and set a hearing for January 21, 2009.

Attachments:

1. Staff report/Background information
2. Site Location Maps
3. Resolution Referring Petition
4. Proposed Annexation Ordinance

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION

Location:		Five sections of Riverside Parkway right-of-way as shown on the site maps in this report, 29 Road from North Avenue and southerly to I-70 B and I-70 Business Loop from 29 Road, northeasterly approximately 2,400 feet		
Applicants:		Owner: Mesa County and State of Colorado – Representative: Tim Moore		
Existing Land Use:		Right-of-Way		
Proposed Land Use:		Right-of-Way		
Surrounding Land Use:	North	N/A		
	South	N/A		
	East	N/A		
	West	N/A		
Existing Zoning:		N/A		
Proposed Zoning:		N/A		
Surrounding Zoning:	North	N/A		
	South	N/A		
	East	N/A		
	West	N/A		
Growth Plan Designation:		N/A		
Zoning within density range?		N/A	Yes	No

Staff Analysis:

ANNEXATION:

This annexation area consists of approximately 15.0 acres of land, all of which lies in the Riverside Parkway, 29 Road and I-70 Business Loop rights-of-way. The City of Grand Junction is requesting annexation into the City to allow for ease of maintenance and delivery of services. Under the 1998 Persigo Agreement, the County consents to the annexation of all or a portion of any road, street, easement, right-of-

way, open space or other County-owned property within the Persigo Wastewater Treatment boundary. The State of Colorado is aware of the annexation of certain of its ROW's and according to Colorado State policy, will neither be consenting nor objecting to the annexation.

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

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

Please note that this petition has been prepared by the City. Because the petition annexes right-of-way, the ownership and area requirements of the statute are not applicable.

The following annexation and zoning schedule is being proposed.

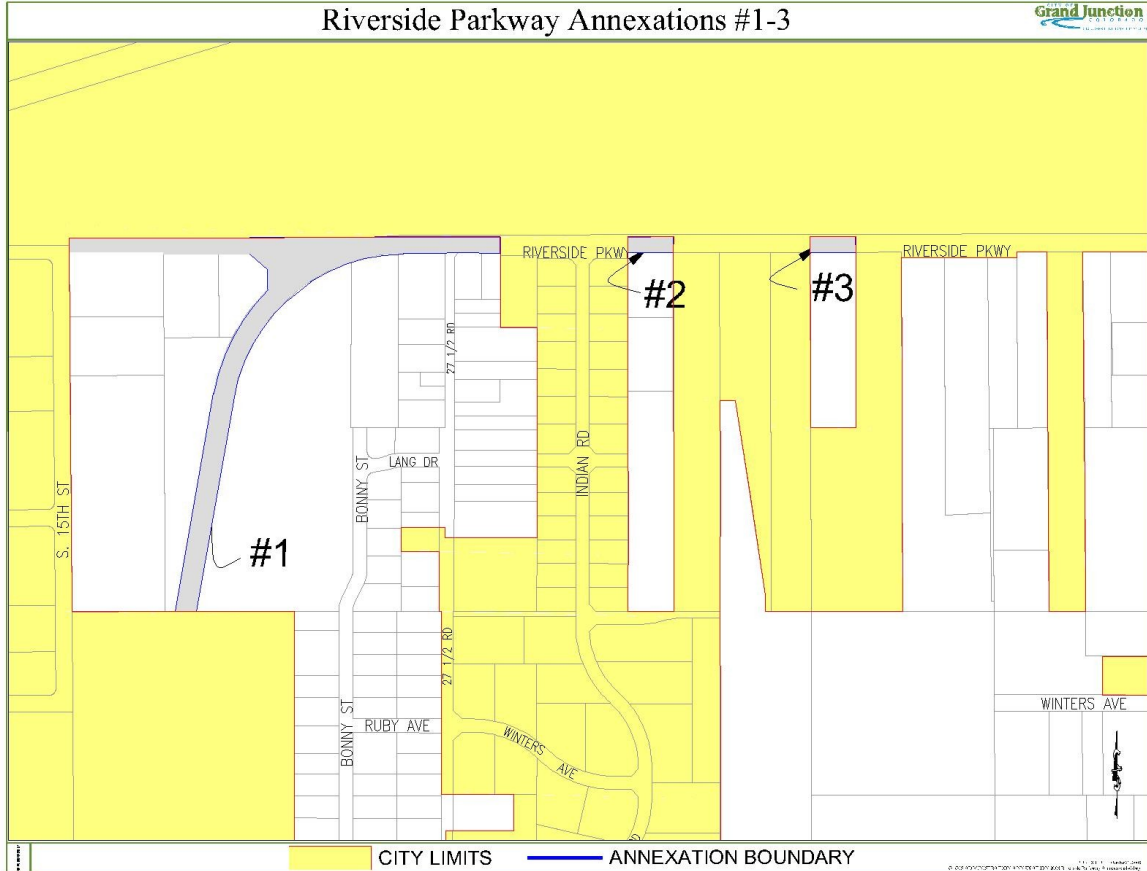
<i>ANNEXATION SCHEDULE</i>	
December 15, 2008	Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use
January 21, 2009	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
February 22, 2009	Effective date of Annexation and Zoning

RIVERSIDE PARKWAY AND OVERPASS ANNEXATION SUMMARY

File Number:	ANX-2008-307	
Location:	Five sections of Riverside Parkway as shown on the site maps provided in this report, 29 Road from North Avenue and southerly to I-70 B and I-70 Business Loop from 29 Road, northeasterly approximately 2,400 feet	
Tax ID Number:	See legal descriptions	
Parcels:	One	
Estimated Population:	None	
# of Parcels (owner occupied):	None	
# of Dwelling Units:	None	
Acres land annexed:	Approximately 15.0 acres	
Developable Acres Remaining:	0 acres	
Right-of-way in Annexation:	Approximately 15.0 acres	
Previous County Zoning:	N/A	
Proposed City Zoning:	N/A	
Current Land Use:	N/A	
Future Land Use:	N/A	
Values:	Assessed:	N/A
	Actual:	N/A
Address Ranges:	N/A	
Special Districts:	Water:	N/A
	Sewer:	N/A
	Fire:	N/A
	Irrigation/ Drainage:	N/A
	School:	N/A
	Pest:	N/A

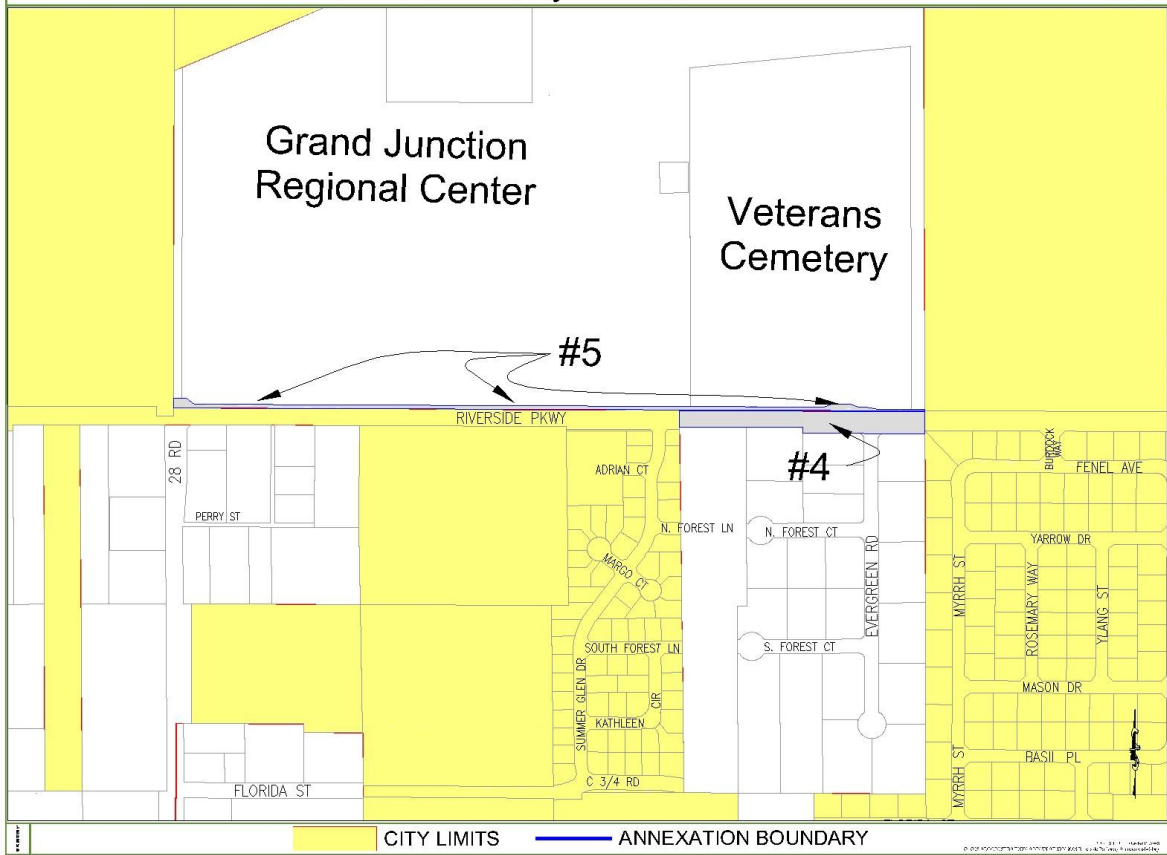
SITE LOCATION MAP RIVERSIDE PARKWAY

Riverside Parkway Annexations #1-3



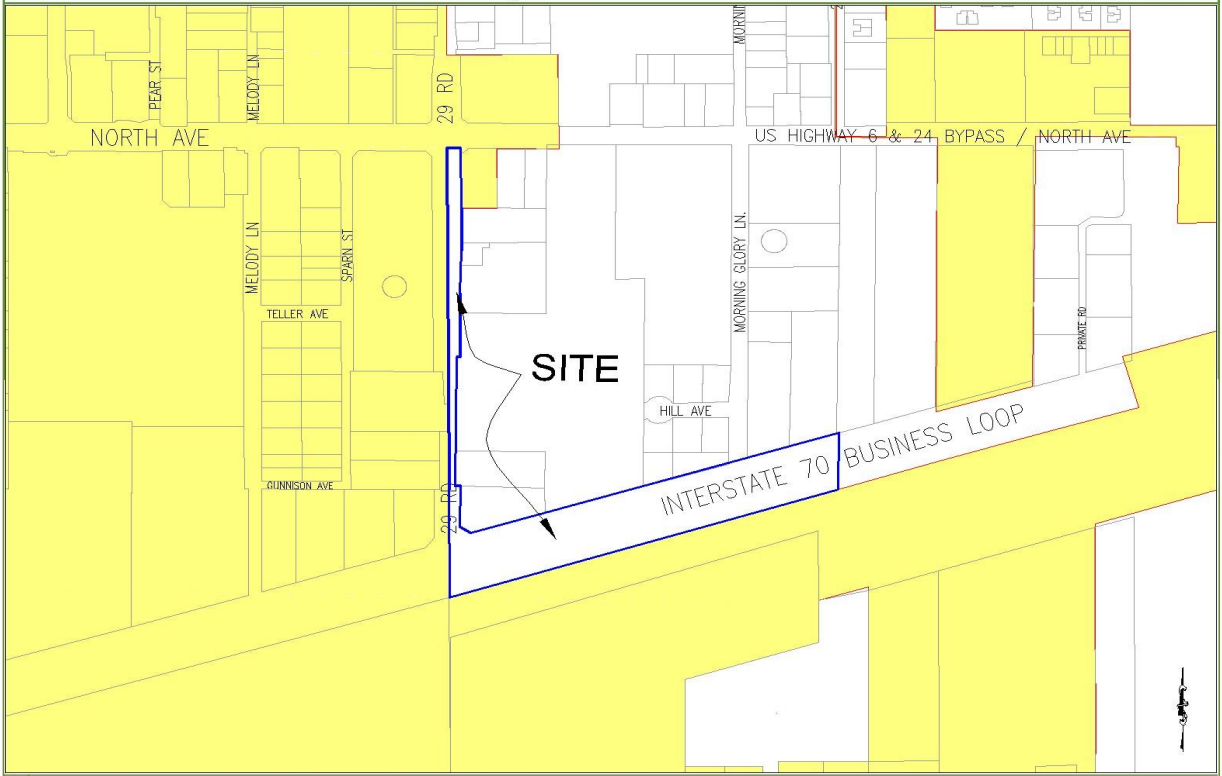
SITE LOCATION MAP RIVERSIDE PARKWAY

Riverside Parkway Annexations #4-5



SITE LOCATION MAP OVERPASS

Overpass Annexation



CITY LIMITS **ANNEXATION BOUNDARY**

11.11.11 Update 2011
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**NOTICE OF HEARING
ON PROPOSED ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO**

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 15th day of December 2008, the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

**A RESOLUTION
REFERRING A PETITION TO THE CITY COUNCIL
FOR THE ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO,
SETTING A HEARING ON SUCH ANNEXATION,
AND EXERCISING LAND USE CONTROL**

RIVERSIDE PARKWAY AND OVERPASS ANNEXATION

**APPROXIMATELY 15.0 ACRES LOCATED AT FIVE SECTIONS OF RIVERSIDE
PARKWAY RIGHT-OF-WAY, 29 ROAD FROM 29 ROAD SOUTHERLY TO I-70
BUSINESS LOOP AND I-70 BUSINESS LOOP FROM 29 ROAD NORTHEASTERLY
APPROXIMATELY 2,400 FEET**

WHEREAS, on the 15th day of December 2008, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

Riverside Parkway Annexation No. 1

A certain parcel of land lying in the North Half (N1/2) of Section 24 and the South Half (S1/2) of Section 13, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the Northwest corner of D Road Storage Annexation, City Ordinance No. 3683, and considering the North line of the N1/2 of said Section 24 to bear S89°59'19"E with all bearings herein relative thereto; thence S00°08'44"W, along the west line of said D Road Storage Annexation, a distance of 58.57 feet; thence N89°29'49"W a distance of 150.72 feet; thence S89°28'17"W a distance of 80.30 feet; thence N 89°59'09"W a distance of 115.99 feet to a point of tangency; thence 353.44 feet along the arc of a 625.00 foot radius curve, concave southeast, through a central angle of 32°24'03" and which chord bears S73°30'38"W a distance of 348.75 feet to a point of non-tangent compound curvature; thence 105.94 feet along the arc of a 625.00 foot radius curve, concave southeast, through a central angle of 09°42'42" and which chord bears S51°05'48"W a distance of 105.81 feet to a point of non-tangent compound curvature; thence 407.40 feet along the arc of a 622.50 foot radius curve, concave southeast; through a central angle of 37°29'52" and which chord bears S28°49'57"W a distance of 400.17 feet to a point of tangency; thence S10°05'01"W a distance of 783.78 feet to the North line of South Fifteenth Street Annexation, City Ordinance No. 2312; thence N89°52'24"W, along said North line, a distance of 77.16 feet; thence N10°05'01"E a distance of 797.12 feet to a point of tangency; thence 428.01 feet along

the arc of a 698.50 foot radius curve, concave southeast, through a central angle of 35°06'31" and which chord bears N27°38'18"E a distance of 421.35 feet to a point of non-tangency; thence N00°00'10"E a distance of 71.19 feet; thence N49°13'37"W a distance of 84.97 feet; thence N89°59'19"W a distance of 290.65 feet; thence N00°00'41"E a distance of 33.00 feet to a point on the north line of the NE1/4NW1/4 of said Section 24; thence N89°59'19"W, along the north line of the NE1/4NW1/4 of said Section 24, a distance of 358.46 feet to the southeast corner Keith's Addition as recorded in Plat Book 1, Page 13, in the office of the Mesa County Clerk; thence N00°09'05"E, along the east line of said Keith's Addition, a distance of 28.00 feet to a point on the south line of the two-foot strip for Darren Davidson Annexation, City Ordinance No. 3205, said south line running 28.00 feet north of and parallel with the North line of said Section 24; thence S89°59'19"E, along said south line, a distance of 1,549.47 feet, more or less, to the point of beginning.

CONTAINING 205,909 square feet, or 4.7 Acres, more or less, as described.

Riverside Parkway Annexation No. 2

A certain parcel of land lying in the North Half (N1/2) of Section 24 and in the South Half (S1/2) of Section 13, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

That portion of the North 30.00 feet of said Section 24 lying east of Indian Road Industrial Subdivision, City Ordinance No. 3677 and West of Pine Industrial No. 1 Annexation No. 1, City Ordinance No. 3942, together with that portion of the South 28.00 feet of said Section 13, being South of and adjacent to the South line of the 2.00 foot strip for Darren Davidson Annexation, City Ordinance No. 3205, Lying east of said Indian Road Industrial Subdivision and West of said Pine Industrial No. 1 Annexation No. 1.

CONTAINING 9,512 square feet, or 0.218 Acres, more or less, as described

Riverside Parkway Annexation No. 3

A certain parcel of land lying in the South Half (S1/2) of Section 13 and the North Half (N1/2) of Section 24, all in Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

That portion of the D Road right of way, being 58.00 feet in width, bounded on the East and West by Home Lumber Annexation, City Ordinance No. 4059, and bounded on the North by the South line of the 2.00 foot strip for Darren Davidson Annexation, City Ordinance No 3205.

CONTAINING 9,512 square feet, or 0.218 acres, more or less, as described.

Riverside Parkway Annexation No. 4

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

Beginning at the Northeast corner of the NE 1/4 NW 1/4 of said Section 19 and assuming the North line of the NE 1/4 NW 1/4 of said Section 19 to bear N89°39'17"W with all bearings contained herein relative thereto; thence S00°04'09"E a distance of 50.00 feet along the East line of the NE 1/4 NW 1/4 of said Section 19, said line also being the West line of White Willows Annexation, Ordinance No. 3242, City of Grand Junction; thence N89°39'17"W a distance of 430.36 feet along a line being 50.00 feet South of and parallel with the North line of the NE 1/4 NW 1/4 of said Section 19; thence N00°06'11"W a distance of 20.00 feet; thence N89°39'17"W a distance of 435.79 feet along a line being 30.00 feet South of and parallel with the North line of the NE 1/4 NW 1/4 of said Section 19 to a point on the East line of Tomkins Annexation, Ordinance No. 3602, City of Grand Junction; thence N00°34'23"W a distance of 58.00 feet along the East line of said Tomkins Annexation to a point on the South line of Darren Davidson Annexation, Ordinance No. 3205, City of Grand Junction; thence S89°39'17"E a distance of 866.67 feet along a line being 28.00 North of and parallel with the North line of the NE 1/4 NW 1/4 of said Section 19, said line also being the South line of said Darren Davidson Annexation; thence S00°04'18"E a distance of 28.00 feet along the East line of the SE 1/4 SW 1/4 of said Section 18, said line also being the West line of said White Willows Annexation to the Point of Beginning.

Said parcel contains 1.99 acres (86,834.52 sq. ft.), more or less, as described.

Riverside Parkway Annexation No. 5

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

Commencing at the Southwest corner of the SW 1/4 SW 1/4 of said Section 18 and assuming the South line of the SW 1/4 SW 1/4 of said Section 18 to bear S89°39'17"E with all bearings contained herein relative thereto; thence N00°14'14"E a distance of 30.00 feet along the West line of the SE 1/4 SW 1/4 of said Section 18 to the Southeast corner of Southern Pacific Railroad Annexation No. 1, Ordinance No. 3158, City of Grand Junction, said point also being the Point of Beginning; thence N00°14'14"E a distance of 33.72 feet along the West line of the SE 1/4 SW 1/4 of said Section 18, said line also being the Easterly line of said Southern Pacific Railroad Annexation No. 1; thence S89°39'17"E a distance of 46.48 feet; thence S54°07'20"E a distance of 35.63 feet; thence S89°39'17"E a distance of 2221.84 feet along a line being 43.00 feet North of and parallel with the South line of the SW 1/4 SW 1/4 of said Section 18; thence

along the following five (5) courses: (1) N71°00'15"E a distance of 31.70 feet; (2) S89°39'17"E a distance of 63.23 feet; (3) S70°21'54"E a distance of 31.78 feet; (4) S89°39'17"E a distance of 27.38 feet; (5) S78°20'43"E a distance of 40.79 feet; thence S89°39'17"E a distance of 166.49 feet along a line being 35.00 North of and parallel with the South line of the SE 1/4 SW 1/4 of said Section 18 to a point on the East line of the SE 1/4 SW 1/4 of said Section 18; thence S00°06'45"E a distance of 5.00 feet along the East line of the SE 1/4 SW 1/4 of said Section 18, said line also being the West line of Mesa State Annexation, Ordinance No. 4801, City of Grand Junction; thence N89°39'17"W a distance of 2654.30 feet along a line being 30.00 North of and parallel with the South line of the SE 1/4 SW 1/4 of said Section 18, said line also being the North line of Darren Davidson Annexation, Ordinance No. 3205, City of Grand Junction to the Point of Beginning.

Said parcel contains 0.81 acres (35,323.20 sq. ft.), more or less, as described.

Overpass Annexation

A certain parcel of land lying in the Northwest Quarter (NW1/4) of Section 17, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

All that portion of 29 Road and I-70B right of way, as exists prior to the effective date shown hereon, lying South of Flynn Annexation, City of Grand Junction Ordinance No. 1864; and East of the following three Annexations:

- 1) Central Fruitvale Annexation, by Court Order No. 16298;
- 2) Sunrise Church Annexation No. 1, City of Grand Junction Ordinance No. 3090;
- 3) Sunrise Church Annexation No. 2, City of Grand Junction Ordinance No. 3091;

And North of the 1 foot strip of Wells Annexation, City Ordinance No. 3092, as runs parallel with and 2 feet northwesterly of Southern Pacific Railroad Annexation No. 1, City Ordinance No. 3158; and West of the East line of the Northwest Quarter Northwest Quarter (NW1/4NW1/4) said Section 17.

CONTAINING 6.9 Acres, more or less, as described.

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

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

1. That a hearing will be held on the 21st day of January 2009, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Public Works and Planning Department of the City.

ADOPTED the _____ day of _____, 2008.

Attest:

President of the Council

City Clerk

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

City Clerk

<i>DATES PUBLISHED</i>
December 17, 2008
December 24, 2008
December 31, 2008
January 7, 2009

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

RIVERSIDE PARKWAY AND OVERPASS ANNEXATION

**APPROXIMATELY 15.0 ACRES LOCATED AT FIVE SECTIONS OF RIVERSIDE
PARKWAY RIGHT-OF-WAY, 29 ROAD FROM 29 ROAD SOUTHERLY TO I-70
BUSINESS LOOP AND I-70 BUSINESS LOOP FROM 29 ROAD NORTHEASTERLY
APPROXIMATELY 2,400 FEET**

WHEREAS, on the 15th day of December 2008, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 21st day of January 2009; and

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

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

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

RIVERSIDE PARKWAY AND OVERPASS ANNEXATION

Riverside Parkway Annexation No. 1

A certain parcel of land lying in the North Half (N1/2) of Section 24 and the South Half (S1/2) of Section 13, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the Northwest corner of D Road Storage Annexation, City Ordinance No. 3683, and considering the North line of the N1/2 of said Section 24 to bear S89°59'19"E with all bearings herein relative thereto; thence S00°08'44"W, along the west line of said D Road Storage Annexation, a distance of 58.57 feet; thence N89°29'49"W a distance of 150.72 feet; thence S89°28'17"W a distance of 80.30 feet; thence N 89°59'09"W a distance of 115.99 feet to a point of tangency; thence 353.44 feet along

the arc of a 625.00 foot radius curve, concave southeast, through a central angle of 32°24'03" and which chord bears S73°30'38"W a distance of 348.75 feet to a point of non-tangent compound curvature; thence 105.94 feet along the arc of a 625.00 foot radius curve, concave southeast, through a central angle of 09°42'42" and which chord bears S51°05'48"W a distance of 105.81 feet to a point of non-tangent compound curvature; thence 407.40 feet along the arc of a 622.50 foot radius curve, concave southeast; through a central angle of 37°29'52" and which chord bears S28°49'57"W a distance of 400.17 feet to a point of tangency; thence S10°05'01"W a distance of 783.78 feet to the North line of South Fifteenth Street Annexation, City Ordinance No. 2312; thence N89°52'24"W, along said North line, a distance of 77.16 feet; thence N10°05'01"E a distance of 797.12 feet to a point of tangency; thence 428.01 feet along the arc of a 698.50 foot radius curve, concave southeast, through a central angle of 35°06'31" and which chord bears N27°38'18"E a distance of 421.35 feet to a point of non-tangency; thence N00°00'10"E a distance of 71.19 feet; thence N49°13'37"W a distance of 84.97 feet; thence N89°59'19"W a distance of 290.65 feet; thence N00°00'41"E a distance of 33.00 feet to a point on the north line of the NE1/4NW1/4 of said Section 24; thence N89°59'19"W, along the north line of the NE1/4NW1/4 of said Section 24, a distance of 358.46 feet to the southeast corner Keith's Addition as recorded in Plat Book 1, Page 13, in the office of the Mesa County Clerk; thence N00°09'05"E, along the east line of said Keith's Addition, a distance of 28.00 feet to a point on the south line of the two-foot strip for Darren Davidson Annexation, City Ordinance No. 3205, said south line running 28.00 feet north of and parallel with the North line of said Section 24; thence S89°59'19"E, along said south line, a distance of 1,549.47 feet, more or less, to the point of beginning.

CONTAINING 205,909 square feet, or 4.71 Acres, more or less, as described.

Riverside Parkway Annexation No. 2

A certain parcel of land lying in the North Half (N1/2) of Section 24 and in the South Half (S1/2) of Section 13, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

That portion of the North 30.00 feet of said Section 24 lying east of Indian Road Industrial Subdivision, City Ordinance No. 3677 and West of Pine Industrial No. 1 Annexation No. 1, City Ordinance No. 3942, together with that portion of the South 28.00 feet of said Section 13, being South of and adjacent to the South line of the 2.00 foot strip for Darren Davidson Annexation, City Ordinance No. 3205, Lying east of said Indian Road Industrial Subdivision and West of said Pine Industrial No. 1 Annexation No. 1.

CONTAINING 9,512 square feet, or 0.218 Acres, more or less, as described

Riverside Parkway Annexation No. 3

A certain parcel of land lying in the South Half (S1/2) of Section 13 and the North Half (N1/2) of Section 24, all in Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

That portion of the D Road right of way, being 58.00 feet in width, bounded on the East and West by Home Lumber Annexation, City Ordinance No. 4059, and bounded on the North by the South line of the 2.00 foot strip for Darren Davidson Annexation, City Ordinance No 3205.

CONTAINING 9,512 square feet, or 0.218 acres, more or less, as described.

Riverside Parkway Annexation No. 4

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

Beginning at the Northeast corner of the NE 1/4 NW 1/4 of said Section 19 and assuming the North line of the NE 1/4 NW 1/4 of said Section 19 to bear N89°39'17"W with all bearings contained herein relative thereto; thence S00°04'09"E a distance of 50.00 feet along the East line of the NE 1/4 NW 1/4 of said Section 19, said line also being the West line of White Willows Annexation, Ordinance No. 3242, City of Grand Junction; thence N89°39'17"W a distance of 430.36 feet along a line being 50.00 feet South of and parallel with the North line of the NE 1/4 NW 1/4 of said Section 19; thence N00°06'11"W a distance of 20.00 feet; thence N89°39'17"W a distance of 435.79 feet along a line being 30.00 feet South of and parallel with the North line of the NE 1/4 NW 1/4 of said Section 19 to a point on the East line of Tomkins Annexation, Ordinance No. 3602, City of Grand Junction; thence N00°34'23"W a distance of 58.00 feet along the East line of said Tomkins Annexation to a point on the South line of Darren Davidson Annexation, Ordinance No. 3205, City of Grand Junction; thence S89°39'17"E a distance of 866.67 feet along a line being 28.00 North of and parallel with the North line of the NE 1/4 NW 1/4 of said Section 19, said line also being the South line of said Darren Davidson Annexation; thence S00°04'18"E a distance of 28.00 feet along the East line of the SE 1/4 SW 1/4 of said Section 18, said line also being the West line of said White Willows Annexation to the Point of Beginning.

Said parcel contains 1.99 acres (86,834.52 sq. ft.), more or less, as described.

Riverside Parkway Annexation No. 5

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

Commencing at the Southwest corner of the SW 1/4 SW 1/4 of said Section 18 and assuming the South line of the SW 1/4 SW 1/4 of said Section 18 to bear S89°39'17"E with all bearings contained herein relative thereto; thence N00°14'14"E a distance of 30.00 feet along the West line of the SE 1/4 SW 1/4 of said Section 18 to the Southeast corner of Southern Pacific Railroad Annexation No. 1, Ordinance No. 3158, City of Grand Junction, said point also being the Point of Beginning; thence N00°14'14"E a distance of 33.72 feet along the West line of the SE 1/4 SW 1/4 of said Section 18, said line also being the Easterly line of said Southern Pacific Railroad Annexation No. 1; thence S89°39'17"E a distance of 46.48 feet; thence S54°07'20"E a distance of 35.63 feet; thence S89°39'17"E a distance of 2221.84 feet along a line being 43.00 feet North of and parallel with the South line of the SW 1/4 SW 1/4 of said Section 18; thence along the following five (5) courses: (1) N71°00'15"E a distance of 31.70 feet; (2) S89°39'17"E a distance of 63.23 feet; (3) S70°21'54"E a distance of 31.78 feet; (4) S89°39'17"E a distance of 27.38 feet; (5) S78°20'43"E a distance of 40.79 feet; thence S89°39'17"E a distance of 166.49 feet along a line being 35.00 North of and parallel with the South line of the SE 1/4 SW 1/4 of said Section 18 to a point on the East line of the SE 1/4 SW 1/4 of said Section 18; thence S00°06'45"E a distance of 5.00 feet along the East line of the SE 1/4 SW 1/4 of said Section 18, said line also being the West line of Mesa State Annexation, Ordinance No. 4801, City of Grand Junction; thence N89°39'17"W a distance of 2654.30 feet along a line being 30.00 North of and parallel with the South line of the SE 1/4 SW 1/4 of said Section 18, said line also being the North line of Darren Davidson Annexation, Ordinance No. 3205, City of Grand Junction to the Point of Beginning.

Said parcel contains 0.81 acres (35,323.20 sq. ft.), more or less, as described.

Overpass Annexation

A certain parcel of land lying in the Northwest Quarter (NW1/4) of Section 17, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

All that portion of 29 Road and I-70B right of way, as exists prior to the effective date shown hereon, lying South of Flynn Annexation, City of Grand Junction Ordinance No. 1864; and East of the following three Annexations:

- 1) Central Fruitvale Annexation, by Court Order No. 16298;
- 2) Sunrise Church Annexation No. 1, City of Grand Junction Ordinance No. 3090;
- 3) Sunrise Church Annexation No. 2, City of Grand Junction Ordinance No. 3091;

And North of the 1 foot strip of Wells Annexation, City Ordinance No. 3092, as runs parallel with and 2 feet northwesterly of Southern Pacific Railroad Annexation No. 1, City Ordinance No. 3158; and West of the East line of the Northwest Quarter Northwest Quarter (NW1/4NW1/4) said Section 17.

CONTAINING 6.9 Acres, more or less, as described.

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

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

ADOPTED on second reading the _____ day of _____, 2009.

Attest:

President of the Council

City Clerk

Attach 5

Purchase of Motorola Equipment for the Grand Junction Regional Communications Center

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Motorola Radio Consoles for the Grand Junction Regional Communications Center		
File #			
Meeting Day, Date	Monday, December 15, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	December 3, 2008		
Author Name & Title	Susan Hyatt, Senior Buyer		
Presenter Name & Title	Troy Smith, Deputy Police Chief		

Summary: Request is being made by the Grand Junction Regional Communications Center (GJRCC) to purchase only Motorola radio console hardware and software in order for the emergency system to communicate with public safety personnel statewide.

Budget: GJRCC has budgeted funds in the 2009 Radio Console Upgrade account.

Action Requested/Recommendation: Authorize the Purchasing Division to purchase the equipment from Motorola in the amount of \$223,057.

Attachments:

Background Information: The Grand Junction Regional Communications Center (GJRCC) is currently using Motorola's Centracom Gold Elite radio dispatch consoles to communicate with public safety personnel on a VHF radio infrastructure. The goal, as set by the Emergency Telephone Service Authority Board (ETSAB or E9-1-1 Board), is to migrate to an 800 MHz digital trunked radio system in order to access the Consolidated Communications Network of Colorado (CCNC) for public safety responders. While GJRCC has received a grant to upgrade the existing towers to the 800 MHz system, radio dispatch consoles are not included in the grant. Without the upgrade of the radio consoles, the dispatchers cannot use the 800 MHz system to talk with public safety personnel. This purchase will allow GJRCC to connect with the

statewide public safety radio network. The Sole Source is needed to ensure all equipment (hardware and software, alike) is compatible.

Attach 6

First Responder Training Campus Design Services

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	First Responder Training Campus Design Services		
File #			
Meeting Day, Date	Monday, December 15, 2008		
Placement on the Agenda	Consent	X	Individual
Date Prepared	December 3, 2008		
Author Name & Title	Scott Hockins, Purchasing Supervisor		
Presenter Name & Title	Jim Bright, Fire Operations Chief Jay Valentine, Assistant Financial Operations Manager		

Summary: A request is being made to award Blythe Design Group of Grand Junction, Colorado, the design services contract for First Responder Training Campus.

Budget: The design services will be funded by an Energy Impact Grant awarded by the Department of Local Affairs, in the amount of \$180,000 and required matching City budgeted funds of \$48,000. The design services are not to exceed \$228,000.

Action Requested/Recommendation: Authorize the City Purchasing Division to issue a design services contract with Blythe Design Group in the amount of \$228,000.

Attachments: None

Background Information:

A formal Request for Proposals was issued to obtain competitive responses from architectural firms interested in providing design services for the proposed First Responder Training Campus which includes design of: a pad site for a future drill tower/burn building; a pad site for an urban village; design of site utilities including water, sewer, electric, and gas; a driving course; and an irrigation pond with a dry hydrant as proposed in the *Grand Junction FMS #3 & Armory Master Plan*. This project is in partnership with Colorado Department of Military and Veteran Affairs (DMVA).

Seven proposals were received to complete the work effort described above. Evaluation criteria included project management approach, experience with projects similar in size and scope, necessary resources, and identification of costs associated with this effort. The following firms submitted proposals for this design project:

- Blythe Design Group, Grand Junction
- HB & A, Colorado Springs
- Tetra Tech, Breckenridge
- Coover-Clark & Associates, Denver
- Lamp Rynearson & Associates, Greeley
- River City Consultants, Grand Junction
- Genesis Designs, Grand Junction

After thorough review of the proposals, Blythe Design Group was chosen, meeting all the above selection criteria and proposing a very well thought out approach to the project.

Attach 7

Contract for Change Order #3 for Riverside Parkway Phases 2 and 3

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Change Order No. 3 Riverside Parkway Phases 2 and 3 (Final Adjusted Quantities)		
File #			
Meeting Day, Date	Monday, December 15, 2008		
Placement on the Agenda	Consent	<input checked="" type="checkbox"/>	Individual
Date Prepared	December 8, 2008		
Author Name & Title	Jim Shanks, Program Manager		
Presenter Name & Title	Tim Moore, Public Works & Planning Director		

Summary: Although the total cost of the Riverside Parkway was less than the budgeted amount, change order No. 3 is needed to adjust the contract amount for Phases 2 and 3 which amends the contract from \$54,550,804.99 to \$54,764,027.66 for an increase of \$213,222.67 (+0.39%).

Budget: The funds for the City payment will come from the Riverside Parkway project account.

There were two contracts for the completion of Phases 2 and 3 of Riverside Parkway, one to SEMA for the construction and one to Carter and Burgess for the construction management. The following is a tabulation of the contract amounts and actual amounts for the complete project:

<u>Amount</u>		<u>Contract Amount</u>	<u>Actual</u>
SEMA (Construction Phase1)	\$13,777,777.11		\$13,743,355.82
SEMA (Construction Phases 2 & 3)	\$54,550,804.99		\$54,764,027.66
C&B (Construction Engineering)	<u>\$3,848,130.00</u>		<u>\$3,138,150.00</u>
Total Project	\$72,176,712.10		
\$71,645,533.48			

Action Requested/Recommendation: Approve Change Order No. 3 of the Riverside Parkway Phase 2 and 3 Contract amending the contract by \$213,222.67 for a total of \$54,764,027.66.

Attachments:

1. Contract Summary
2. Explanation of major change items

Background Information: The City awarded Phase 1 of Riverside Parkway to SEMA Construction in October, 2005 for \$13,777,777.11. That project was completed in November, 2006 for a total amount of 13,743,355.82. Phase 2 of Riverside Parkway was awarded in May, 2006 for a total amount of \$31,555,555.55. Phase 3 was a negotiated contract extension to Phase 2 in the amount of \$22,514,724 for a total contract amount of \$54,070,279.55. Change Order No. 1 for added sewer line work on River Road and for the installation of a crash wall at the Union Pacific Railroad at 25 Road was approved on July 18, 2007 in the amount of \$312,883.74. \$122,296.79 of this work was paid for by the sewer fund. Change Order No. 2 for added paving work on SH-50 and C-340 was approved on 5/21/2008 in the amount of \$167,641.70. \$128,282 of this work was paid for by CDOT. Change order No. 3 is the final tabulation of all of the pay quantities (406 pay items) for phases 2 and 3. The major increases are described in the attachment.

RIVERSIDE PARKWAY: PHASE TWO & THREE
12/6/2008

Final Contract Amount Summary

	Phase Two	Phase Three	Combined Phase 2 & 3
Original Contract Amount	\$31,555,555.55	\$22,514,724.00	\$54,070,279.55
Change Order #1	\$312,883.74	\$0.00	\$312,883.74
Change Order #2	\$167,641.70	\$0.00	\$167,641.70
Current Contract Amount	\$32,036,080.99	\$22,514,724.00	\$54,550,804.99
Completed to Date (after Pay Req. #27 and #22: 8/25/08)	\$31,883,564.48	\$22,005,999.97	\$53,889,564.45
Work yet to be paid (Pending PR #28 and #23)	\$505,109.12	\$369,354.09	\$874,463.21
Final Contract Amount	\$32,388,673.60	\$22,375,354.06	\$54,764,027.66
Over/Under Current Contract Amount	\$352,592.61	-\$139,369.94	\$213,222.67
			0.39% Over

Examples of Pay Items that had Actual Constructed Quantities in excess of the Bid Quantities:

Item	Description	Bid Amounts			Actual Constructed Amounts			
		Unit	Unit Cost (\$)	Bid Quantity	Bid Amount (\$)	Actual Quantity	Actual Amount (\$)	Amount of Overrun
MCR	MCR - CO 0018- Pedestrian Bridge Roof Fencing	LS	\$52,035.60	0	\$0.00	1	\$52,035.60	(\$52,035.60)
This item was added to the project to meet the requirements of the UPRR crossing agreement. At the time of the bid quantity tabulations, the agreement had not been finalized, therefore this fencing was not included in the plans.								
143	143-601-Structural Concrete Coating	SF	\$0.65	52227	\$33,947.55	88853	\$57,754.45	(\$23,806.90)
Due to graffiti problems during construction, painting of the concrete portion of the Main Street Ped bridge was added to the project. In the bid, the Main Street ped bridge's concrete structure was not going to be painted.								
MCR	MCR CO 00258.1 Hot Bituminous Paving (Highway 50 Detour Road)	TON	\$87.00	0	\$0.00	734.94	\$63,939.78	(\$63,939.78)
The phasing plan for constructing Highway 50 through the interchange area required the construction of a detour road (traffic was shifted during the Summer of 2007). A pay item and bid quantities for the paving of the detour road were not included in the plan bid set.								
126	126 - 514-Pedestrian Fencing Steel Picket	LF	\$180.00	1623	\$292,140.00	1779.5	\$320,310.00	(\$28,170.00)
Pedestrian fencing was added in two places to provide better protection where sidewalks are near retaining walls. One location was at the northeast corner of 25 Road and Highway 6&50 at the entrance to the new development. The second location was along the sidewalk near Glacier Ice Arena.								
MCR	MCR - CO 0044- Piping of drainage ditch south side of River Road	LS	\$422,620.83	0	\$0.00	1	\$422,620.83	(\$42,620.83)
This work was added so that a drainage ditch could be eliminated. The ditch formerly ran along the south side of River Road from 24 3/4 Road to the Coors/Tek rail spur crossing. Piping the ditch eliminated ongoing maintenance and weed issues and made it possible for adjacent property owners to extend their landscaping up to the new sidewalk.								

MCR	MCR CO 0015-Geotextile Stabilization	SY	\$2.00	0	\$0.00	17840.5	\$35,681.00	(\$35,681.00)
	Poor subgrade conditions under portions of River Road and 25 Road North required a geotextile stabilization method that was not included in the bid. A stabilization method with a shallower cross-section was needed to avoid conflicts with buried utility lines.							
62	062 - 304- Subgrade Stabilization-Class 3 ABC	TON	\$10.00	4000	\$40,000.00	8101.33	\$81,013.30	(\$41,013.30)
	The amount of poor subgrade requiring stabilization exceeded the assumptions made during the bid quantity calculations. The majority of the subgrade stabilization was performed on the Parkway mainline between 7th and 9th.							
220	220 - 607-Fence Chain Link 72"	LF	\$36.00	80	\$2,880.00	1252	\$45,072.00	(\$42,192.00)
	Additional quantity of fence was added to the project to fulfill the City's right-of-way agreements. At the time of the bid quantity tabulations, all of the right-of-way agreements had not been finalized, therefore all of the fence was not included in the plans.							

Total of these items = (\$329,459.41)

Attach 8
2009 Utility and Parking Rates

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	2009 Utility and Parking Rates		
File #			
Meeting Day, Date	Monday, December 15 th , 2008		
Placement on the Agenda	Consent	x	Individual
Date Prepared	December 9 th , 2008		
Author Name & Title	Jay Valentine, Assistant Financial Operations Manager		
Presenter Name & Title	Jodi Romero, Financial Operations Manager		

Summary: Proposed 2009 Utility and Parking Rates as presented and discussed during budget workshops.

Budget: The proposed rates are included in the 2009 budget.

Action Requested/Recommendation: The request is that City Council adopt the resolution establishing the 2009 utility rates and the 2009 parking rates.

Attachments: resolution

Background Information:

Utility Rates-The City of Grand Junction establishes rates for utility services to implement decisions made in the long-term financial plans for the water, irrigation, wastewater, and solid waste enterprise funds. The proposed utility rate increases are due largely to the increase in operating costs including the cost of materials for repair and maintenance of the systems, the cost of petroleum based products, as well as other operating supplies needed to continue to provide quality services to customers. The water and irrigation rates average a 5.1% increase and the solid waste rates will increase by 4%. The Persigo wastewater rates are increasing 2.5% with the sewer plant investment fee increasing to \$2,800 per EQU or single family unit.

Parking Rates-The City of Grand Junction establishes parking rates that support the long term financial plan of the parking system in managing parking facilities in a way that provides adequate, affordable, safe, and convenient parking in the downtown area.

The parking rates proposed have been reviewed and recommended by the Parking Management Advisory Group comprised of a City Council representative, the DDA Executive Director, DDA board members, and City engineering and parking staff. Long term meter rates are proposed to increase from \$.10/hour to \$.20/hour. The parking

garage Short Term Uncovered lease rate will decrease from \$50/month to \$30/month in order to increase occupancy rates. The last time parking meter rates were increased was in 2002. The monthly parking permit in the garage is designed to increase availability in occupancy in the public parking area of the garage. Parking rate increases are proposed to take effect April 1, 2009.

RESOLUTION NO. ____-08

A RESOLUTION ADOPTING RATES FOR WATER, IRRIGATION, WASTEWATER, SOLID WASTE AND PARKING

Recitals:

The City of Grand Junction establishes rates for utility services and parking on a periodic basis, and by this resolution, the City Council establishes these rates to implement decisions made in the long-term financial plans for the water, irrigation, wastewater, solid waste and parking enterprise funds.

City Water System. There will be a \$0.50 increase in the minimum water rate to \$9.00 per 3,000 gallons. The commodity rates for 3,000 – 10,000 gallons will increase \$0.05 to \$1.85. The rates from 11,000 –20,000 gallons will increase \$0.10 to 2.25 and usage over 20,000 gallons will increase \$0.15 to \$2.65 per thousand gallons. This revenue increase of 5.1% reflects a water conservation rate, and an increase in the Water Funds major capital program.

Kannah Creek Water System. There will be a change in the minimum water rate of \$32.50 per 3,000 gallons in the Kannah Creek Water System to \$33.50 per 3,000 gallons. The commodity rates for 3,000 – 10,000 gallons will increase \$0.10 to \$3.70. The rates rates from 11,000 – 20,000 gallons will increase \$0.20 to \$4.50, and usage over 20,000 gallons will each increase \$0.30 to \$5.30 per thousand gallons. This revenue increase of 3.8% reflects a water conservation rate, and an increase to reflect the cost of on-going operating expenses.

Ridges Irrigation. The single family rate is increasing \$0.66 to \$13.92 and the multi family rate is increasing \$0.47 to \$9.85 to reflect the cost of on-going operating expenses. The proposed Irrigation rate increase is only the 3rd rate increase since rates where reduced 29% in 2001.

Wastewater. Rates are being increased to reflect the cost of on-going operating expenses, particularly energy, debt service for the combined storm and sanitary sewer elimination project, and an increase in the Waste Water major capital program. The increase in the plant investment fee (PIF) per EQU reflects a recommendation from staff related to findings of the 2006 Persigo Sewer System Rate Study. The PIF is established on the “buy in method” in which new development pays for existing capacity in the waste water plant and collection system based on a current value of that infrastructure.

Solid Waste. The 2009 rate adjustment will reflect increases in operating costs such as fuel, equipment, and Mesa County landfill tipping fees.

Parking. Based upon the recommendation from the Parking Advisory Management Group, long term parking meter rates will increase from \$0.10/hour to \$0.20/hour. The short term uncovered lease rate in the parking structure will decrease from \$50/month to \$30/month.

The City Council has the authority to establish rates by resolution.

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

Effective January 1, 2009 rates for utility services and April 1, 2009 rates for parking will change according to the following schedule.

Water Rates

	2008 Current	2009 Proposed	% Change
0 - 3,000 Gallons	\$8.50	\$9.00	5.9%
3,000 - 10,000 Gallons (per 1,000)	\$1.80	\$1.85	2.8%
10,000 - 20,000 Gallons (per 1,000)	\$2.15	\$2.25	4.6%
>20,000 Gallons (per 1,000)	\$2.50	\$2.65	6.0%

Kannah Creek Water System Water Rates

	2008 Current	2009 Proposed	% Change
0 - 3,000 Gallons	\$32.50	\$33.50	3.0%
3,000 - 10,000 Gallons (per 1,000)	\$3.60	\$3.70	2.8%
10,000 - 20,000 Gallons (per 1,000)	\$4.30	\$4.50	4.6%
>20,000 Gallons (per 1,000)	\$5.00	\$5.30	6.0%

Ridges Irrigation

	2008 Current	2009 Proposed	% Change
Single Family	\$13.26	\$13.92	5.0%
Multi Family	\$9.38	\$9.85	5.0%

Wastewater Rates

	2008 Current	2009 Proposed	% Change
Per Residential Equivalent Unit (EQU)	\$14.61	\$14.98	2.5%
Plant Investment Fee Per EQU	\$2,500.00	\$2,800.00	12.0%

Solid Waste Rates

Automated Monthly Container Prices	2008 Current	2009 Proposed	% Change
1-64 Gallon Container	\$9.43	\$9.81	4.00%
1-96 Gallon Container	\$11.95	\$12.43	4.00%
2-64 Gallon Container	\$14.49	\$15.07	4.00%
1-64, 1-96 Gallon Container	\$17.01	\$17.69	4.00%
2-96 Gallon Container	\$19.53	\$20.31	4.00%
Commercial Monthly Dumpster Prices			
1-2 Cubic Yard - Pick-Up 1 Time Per Week	\$50.45	\$52.47	4.00%
1-4 Cubic Yard - Pick-Up 1 Time Per Week	\$81.74	\$85.01	4.00%
1-6 Cubic Yard - Pick-Up 1 Time Per Week	\$110.59	\$115.01	4.00%
1-8 Cubic Yard - Pick-Up 1 Time Per Week	\$139.07	\$144.63	4.00%

Parking Rates

	2008 Current	2009 Proposed
Long Term Meter Rates	\$.10/hr, \$.80/day \$16/mo, \$192/yr	\$.20/hr, \$1.80/day, \$32/mo, \$384/yr
Garage Rates		
Short Term (mo to mo) Lease-Uncovered	\$2.50/day, \$50/mo, \$600/yr 50 Spaces Available	\$30/month, \$360/year
Monthly Parking Permit	N/A	\$50/mo, \$600/year

PASSED and ADOPTED this ____ day of _____, 2008.

Mayor

Attest:

City Clerk

Attach 9

Public Hearing – Freedom Meadows Annexation and Zoning, Located at 3118 E Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Freedom Meadows Annexation and Zoning - Located at 3118 E Road		
File #	ANX-2008-290		
Meeting Day, Date	Monday, December 15, 2008		
Placement on the Agenda	Consent		Individual X
Date Prepared	December 3, 2008		
Author Name & Title	Michelle Hoshide, Associate Planner		
Presenter Name & Title	Michelle Hoshide, Associate Planner		

Summary: Request to annex and zone 7.02 acres, located at 3118 E Road to R-8 (Residential 8 du/ac). The Freedom Meadows Annexation consists of 2 parcels.

Budget: N/A

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

Attachments:

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

Background Information: See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION				
Location:		3118 E Road		
Applicants:		Owners: Ed Wilson Developer: Freedom Meadows Representative: Ciavonne, Roberts and Associates		
Existing Land Use:		Single Family Residential		
Proposed Land Use:		R-8 (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:		RSF-R		
Proposed Zoning:		R-8 (Residential 8 du/ac)		
Surrounding Zoning:	North	County RSF-R (1du/5ac)		
	South	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:

ANNEXATION:

This annexation area consists of 7.02 acres of land and is comprised of 2 parcels. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

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

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

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

<u>ANNEXATION SCHEDULE</u>	
November 3, 2008	Referral of Petition (30 Day Notice), Introduction of a proposed Ordinance, Exercising Land Use
November 25, 2008	Planning Commission considers Zone of Annexation
December 1, 2008	Introduction of a proposed Ordinance on Zoning by City Council
December 15, 2008	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
January 19, 2009	Effective date of Annexation and Zoning

PINSON-HERIGSTAD ANNEXATION SUMMARY

File Number:		ANX-2008-290
Location:		3118 E Road
Tax ID Number:		2943-103-00-051 and 2493-103-00-096
Parcels:		2
Estimated Population:		0
# of Parcels (owner occupied):		0
# of Dwelling Units:		1
Acres land annexed:		7.02 acres
Developable Acres Remaining:		7.02 acres
Right-of-way in Annexation:		0.0 square feet
Previous County Zoning:		RSF-R
Proposed City Zoning:		R-8 (Residential 8 du/ac)
Current Land Use:		Single Family Home / Agriculture
Future Land Use:		Single Family Residential Development
Values:	Assessed:	= \$6,970
	Actual:	= \$79,100
Address Ranges:		3118 E Road Only
Special Districts:	Water:	Clifton Water
	Sewer:	Central Grand Valley Sanitation
	Fire:	Clifton Fire District
	Irrigation/ Drainage:	Grand Valley Irrigation/ Grand Valley Drainage
	School:	District 51
	Pest:	Grand Valley Pest Control District and Grand Valley Mosquito District

Staff Analysis:

Zone of Annexation:

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

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

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

Response: The proposed 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, R-5, 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.

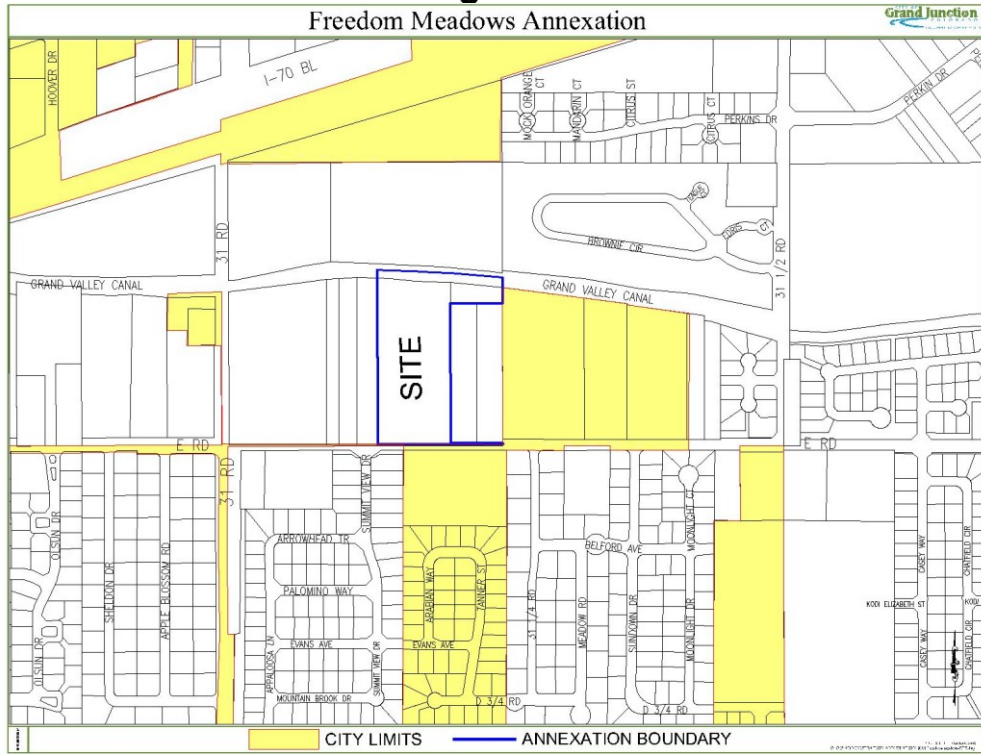
- a. R-4 (Residential 4du/ac)
- b. R-5 (Residential 5du/ac)

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 11, 2008, finding the zoning to 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.

Annexation/Site Location Map

Figure 1



Aerial Photo Map

Figure 2



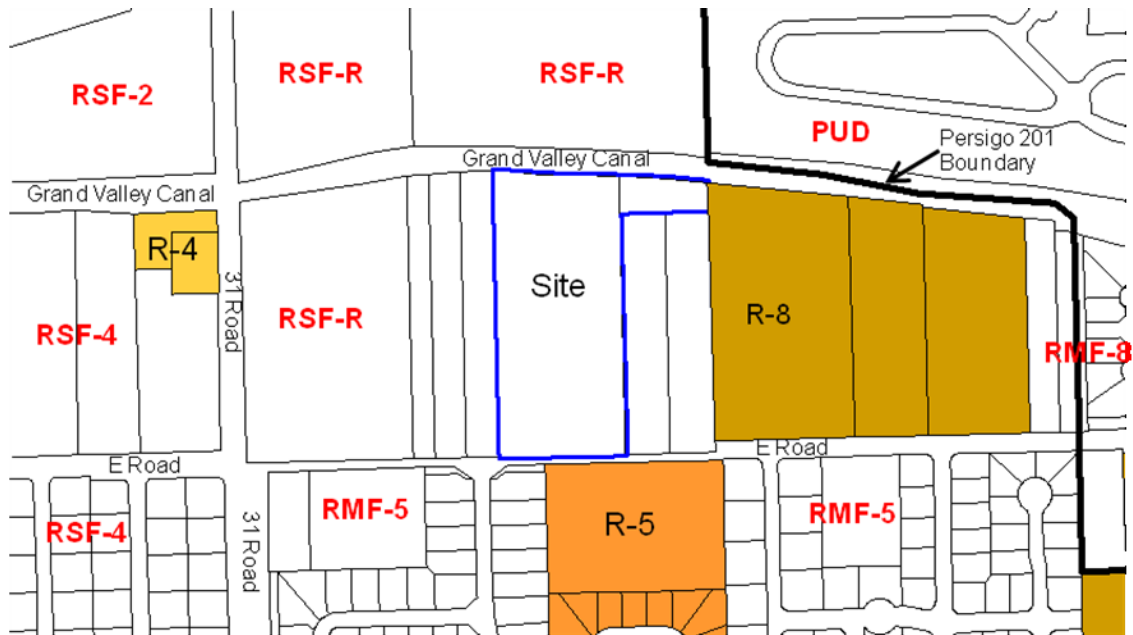
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

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

FREEDOM MEADOWS ANNEXATION

LOCATED AT 3118 E ROAD

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 3rd day of November, 2008, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

FREEDOM MEADOWS ANNEXATION

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.

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

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

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

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

ADOPTED this ____ day of _____, 2008.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

FREEDOM MEADOWS

APPROXIMATELY 7.02 ACRES

LOCATED AT 3118 E ROAD

WHEREAS, on the 3rd day of November, 2008, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

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

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

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

WHEREAS, on the 15th day of December, 2008, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

FREEDOM MEADOWS ANNEXATION

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.

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

INTRODUCED on first reading on the 1st day of December, 2008 and ordered published.

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

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE FREEDOM MEADOWS ANNEXATION TO
R-8 (RESIDENTIAL 8 DU/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 8 du/ac) zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

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

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

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

FREEDOM MEADOWS ANNEXATION

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 1st day of December, 2008 and ordered published.

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

ATTEST:

President of the Council

City Clerk

Attach 10

Public Hearing – 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 1/2 Road		
File #	ODP-2008-154		
Meeting Day, Date	Monday, December 15, 2008		
Placement on the Agenda	Consent		Individual X
Date Prepared	December 2, 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: Hold a public hearing and consider final passage of an Ordinance zoning the Mesa State Development to PD (Planned Development).

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:

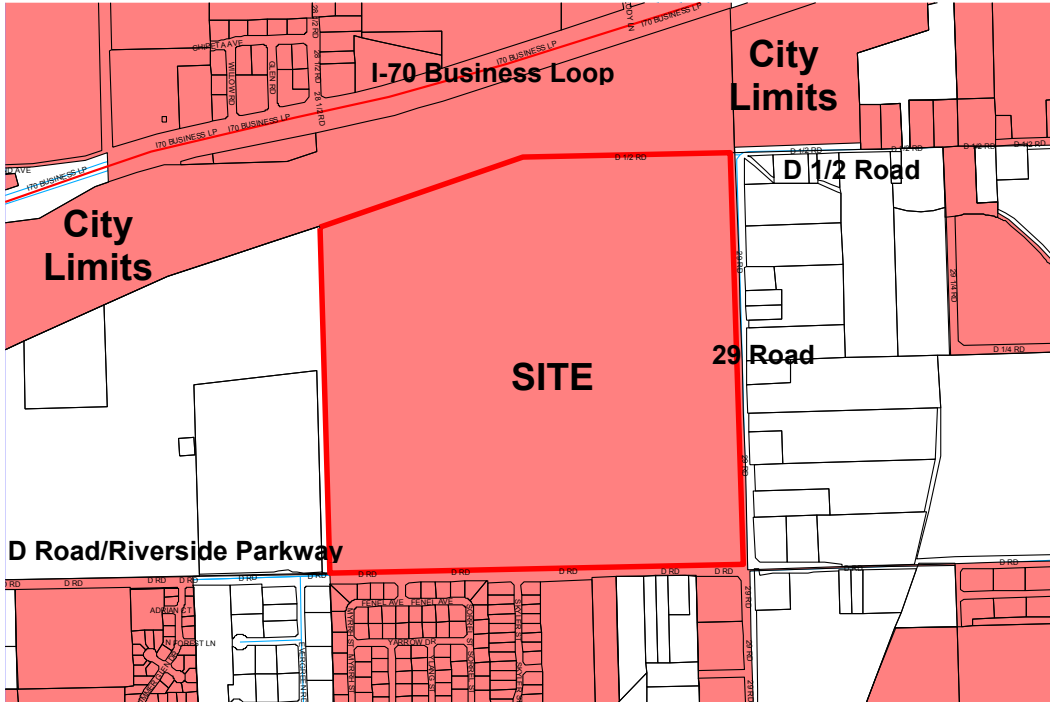
1. The requested rezone is consistent with the Growth Plan.
2. The review criteria of Section 2.6.A. of the Zoning and Development Code have been met.
3. The review criteria of Section 2.12.B.2. of the Zoning and Development Code have been met.
4. The proposed development provides long-term community 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



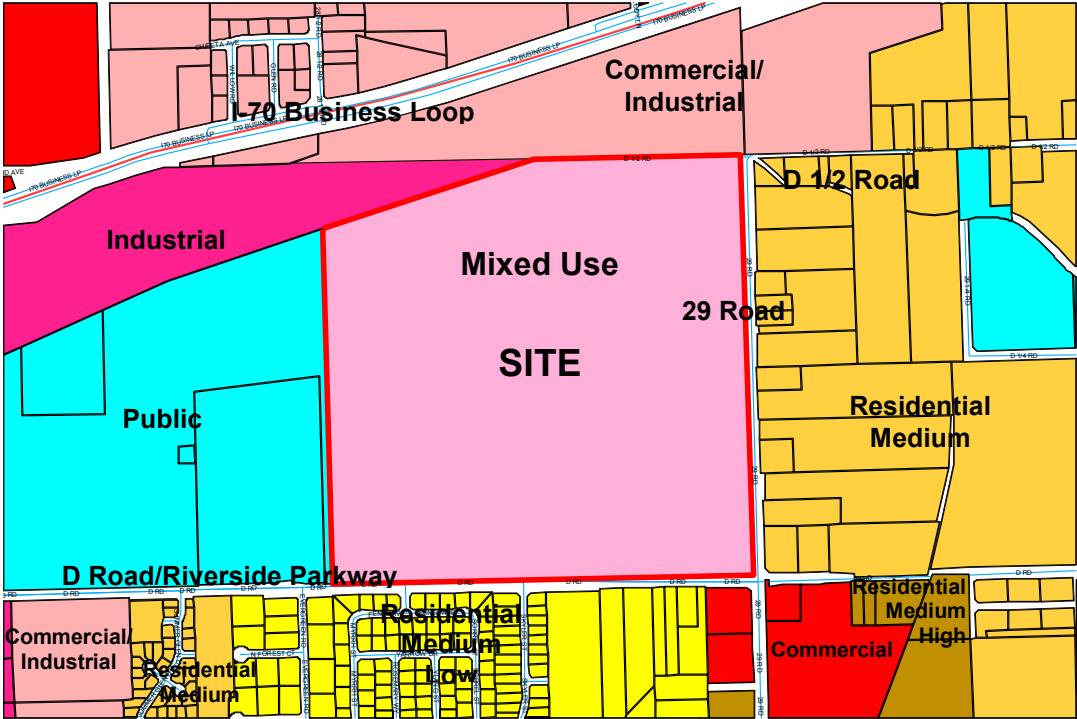
Aerial Photo Map

Figure 2



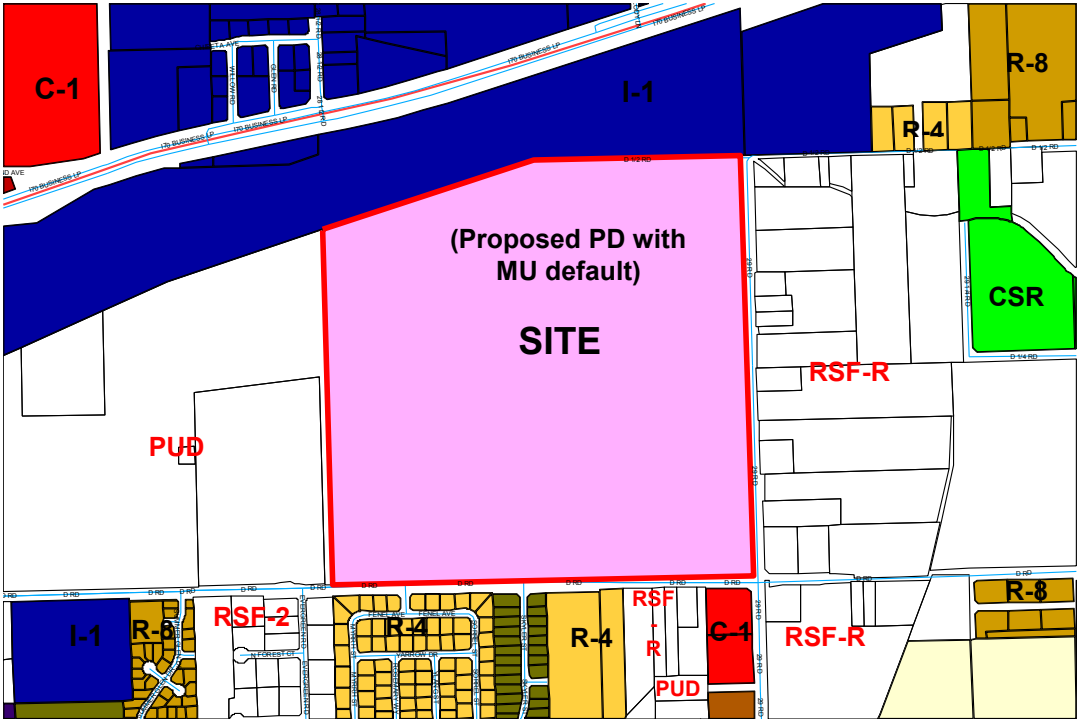
Future Land Use Map

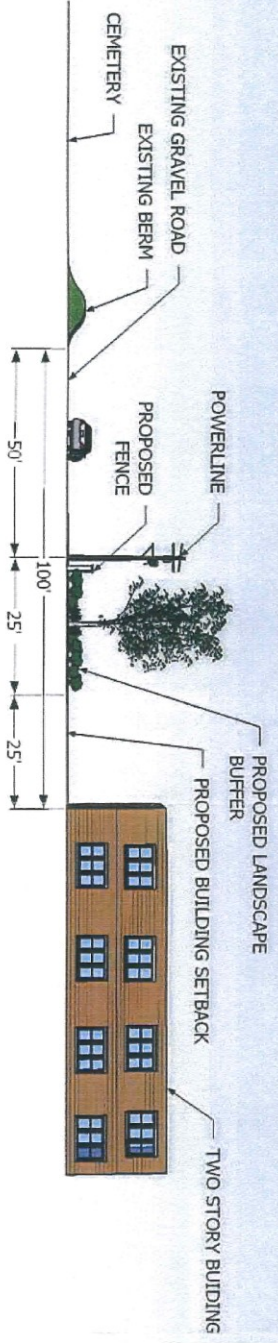
Figure 3



Existing City and County Zoning Map

Figure 4





PREFERRED OPTION

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

MSC FOUNDATION
GRAND JUNCTION, COLORADO



MSC FOUNDATION
GRAND JUNCTION,
COLORADO
PRELIMINARY
SUBMITTAL

SHEET NO.

L01

**GRAND JUNCTION PLANNING COMMISSION
NOVEMBER 10, 2008 MINUTES
6:00 p.m. to 6:36 p.m.**

In the absence of Chairman Cole and Vice Chairman Lowrey, Commissioner Putnam was nominated to serve as temporary Chairman. The regularly scheduled Planning Commission hearing was called to order at 6:00 p.m. by temporary Chairman William Putnam. The public hearing was held in the City Hall Auditorium.

In attendance, representing the City Planning Commission, were William Putnam (Acting Chairman), Reggie Wall, Lynn Pavelka-Zarkesh, Pat Carlow, Mark Abbott, and Ebe Eslami. Roland Cole (Chairman) was absent.

In attendance, representing the City's Public Works and Planning Department – Planning Division, were Lisa Cox (Planning Manager), Greg Moberg (Planning Services Supervisor), Judith Rice (Associate Planner) and Eric Hahn (Development Engineer).

Also present was Jamie Beard (Assistant City Attorney).

Lynn Singer was present to record the minutes.

There were 6 interested citizens present during the course of the hearing.

Announcements, Presentations, and/or Prescheduled Visitors

Consent Agenda

1. Minutes of Previous Meetings

Approve the minutes of the October 14, 2008 Regular Meeting.

Public Hearing Items

3. Mesa State – Outline Development Plan

A recommendation of approval to City Council to zone 154.05 acres to PD (Planned Development) with a default zone of M-U (Mixed Use) and recommendation of approval to City Council of an Outline Development Plan (ODP).

FILE #: ODP-2008-154

PETITIONER: Arnie Butler – Mesa State Real Estate Foundation

LOCATION: 2899 D 1/2 Road

STAFF: Greg Moberg, Planning Services Supervisor

STAFF'S PRESENTATION

Greg Moberg, Public Works and Planning Department, made a PowerPoint presentation regarding the request for a recommendation of approval to City Council to zone the subject property to PD with a default zone of Mixed Use as well as a recommendation of approval to City Council of an Outline Development Plan for the above-referenced project. He pointed out that the owner of the property, Mesa State College Real Estate Foundation, was also the applicant. Mr. Moberg stated that this property was annexed into the City on June 6, 2007. He further stated that surrounding uses were as follows: Commercial to the north along the I-70 Business Loop; the cemetery and state property to the west; Residential to the south with some vacant Agriculture; and Residential and Agricultural to the east. The Future Land Use Plan showed this as Mixed Use as approved on March 5, 2008 by City Council; Commercial Industrial and Industrial to the north; Public to the west; Residential Medium Low and Commercial to the south; and Residential Medium to the east. Mr. Moberg pointed out that the property was currently being used as the electrical lineman training facility, the Colorado State University Animal Diagnostic Laboratory and agriculturally cultivated lands. The applicant has proposed Mixed Use as the default zone. The Mixed Use Zone purpose is to provide for a mix of light manufacturing, office park, employment centers, retail, service and multiple family residential uses. The site plan showed that the applicant had requested 4 pods – Pod A would be developed as Industrial and located on the north and west boundary of the property perimeter; Pod B would be developed as Commercial with a residential component to it; Pod C would be principally Commercial with a residential component; and Pod D was proposed as principally Residential with a Commercial component to it. Additionally, the applicant has requested that the maximum building size be increased to 250,000 square feet. The applicant proposed the maximum number of dwelling units of 371 on Pod B and 754 for Pod D for a total of 1124 dwelling units. He stated that there would be two access points on 29 Road and two along the Riverside Parkway. Free standing signage would be limited along 29 Road and Riverside Parkway; however, the internal signage would be subject to the Preliminary Development Plan. Also, the applicant has proposed a 25 foot landscape buffer along the west property line with a minimum 50 foot setback for all buildings along the west property line together with a 6 foot fence located within that landscape buffer. He pointed out that there were some deviations to the multiple use category bulk standards as outlined in the staff report. Mr. Moberg indicated that the requested Planned Development and Outline Development Plan were consistent with the Growth Plan, the applicable review criteria of the Zoning and Development Code had been met and staff recommended approval of this request.

APPLICANT'S PRESENTATION

Joe Carter, Ciavonne, Roberts and Associates, addressed the Commission on behalf of applicant. He addressed the community benefits aspect required by any Planned Development. He stated that for this particular project, these included more effective infrastructure layout, multi-family housing, 25 foot landscape buffer, a 50 foot setback

along the cemetery, detached trails along arterial streets, larger setbacks, decibel level restriction for the cemetery, property line and fencing adjacent to the cemetery. The property would also have a decibel level restriction which would be a measurable standard not a subjective standard, 65 decibels.

QUESTIONS

Commissioner Wall asked if the decibel level would take effect after the building was completed. Mr. Carter stated that it would technically be in place upon approval by City Council.

Commissioner Eslami raised a question regarding the side yard setbacks of zero. Mr. Carter said that in the zero side yard setback, if there was a fee simple lot that was a lot adjacent to a lot with a common wall, there could still be a property line between them but the setback would be zero.

Commissioner Eslami asked if a park or some type of open space would be proposed. Mr. Carter said that there was open space proposed. He confirmed that for every multi-family unit, 600 square feet of open space or outdoor living area would need to be provided.

Commissioner Putnam asked if there was an open drain ditch along the north side of Riverside Parkway. Mr. Carter said that he did not know but assumed that once they got into detailed engineering plans, that ditch would be dealt with. He said that there were some open irrigation channels through the property that would have to be redirected.

Commissioner Eslami asked if there was irrigation water. Mr. Carter said that there was irrigation water.

PETITIONER'S PRESENTATION

Mr. Carter also addressed the existing uses on the property. Once the zoning was approved those uses would be grandfathered in although they might not typically be allowed in the zone; however, as they exist on the property they would be grandfathered in.

QUESTIONS

Commissioner Putnam asked if Mesa State College and CSU planned on continuing the uses indefinitely. Mr. Carter said that they thought they would work together to relocate.

Commissioner Eslami asked why the applicant wanted the building size to be increased to 250,000 square feet. Mr. Carter said that under the straight Mixed Use zone, the maximum building size is 150,000 square feet and a typical super center if one were to come to the site would be larger than that. The deviation would allow a larger variety of retailers.

PUBLIC COMMENT

Dr. John Andrews, director of the veterinary diagnostic lab, said that it was his understanding that the Colorado State University and Mesa State have discussed the issue of moving this facility. He said that they still held a lease on the property and they were hopeful that that would correspond with the timing that it would take to move this project along.

Richard Gigliotti, Director of the cemetery on Riverside Parkway, mentioned that they had been working with staff and the applicant. He said that their concerns were addressed to their satisfaction. Furthermore, with regard to the landscape buffer zones, their consent was based on the assumption that the landscape buffer would be of sufficient construction to offer a visual as well as an audible buffer. They were concerned with maintaining the sanctity of the cemetery and were committed to making it a shrine for veterans. Their concerns were predicated on the assumption that the density of material of the landscaped area would be sufficient to provide a visual and an audible barrier.

QUESTIONS

Commissioner Wall raised a question regarding the building size. Greg Moberg said that staff was comfortable with that deviation. Commissioner Wall asked if it would be a total of 250,000 square feet or would it be less. Mr. Moberg clarified that it would allow up to 250,000 square feet of retail.

DISCUSSION

Commissioner Putnam added that not only did this proposal conform with the Growth Plan, but also would enhance the Comprehensive Plan when it came into effect.

MOTION: (Commissioner Wall) “Mr. Chairman, on item number ODP-2007-154, I move that the Planning Commission forward a recommendation of approval for the Mesa State Planned Development, Outline Development Plan, with the facts and findings listed in the project report.”

Commissioner Carlow seconded the motion. Commissioner Putnam commented that the amended staff report identified it as ODP-2008-154 and the motion as stated was 2007. He asked that it be corrected to 2008. A vote was called and the motion passed unanimously by a vote of 6 - 0.

Adjournment

With no objection and no further business, the Planning Commission meeting was adjourned at 6:36 p.m.

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 November 10, 2008 and November 17, 2008 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	
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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 1st day of December, 2008 and ordered published.

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

ATTEST:

Gregg Palmer
President of the Council

Stephanie Tuin
City Clerk

Attach 11

Public Hearing – zoning the Merkel Annexation and the Thraikill Property, Located at 769 24 ½ Road and 766 24 Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA			
Subject	Merkel Annexation and Thraikill Property – Located at 769 24 ½ Road and 766 24 Road		
File #	ANX-2006-126		
Meeting Day, Date	Monday, December 15, 2008		
Placement on the Agenda	Consent	<input type="checkbox"/>	Individual <input checked="" type="checkbox"/>
Date Prepared	December 2, 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 a R-R (Residential Rural) to C-1 (Light Commercial) zone district.

Budget: N/A

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

Attachments:

1. Staff report/Background information
2. Location Map / Aerial Photo
3. Growth Plan Map / Zoning Map
4. 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

Thraillkill 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 Thrailkill 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.

- c. C-2 (Heavy Commercial)

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

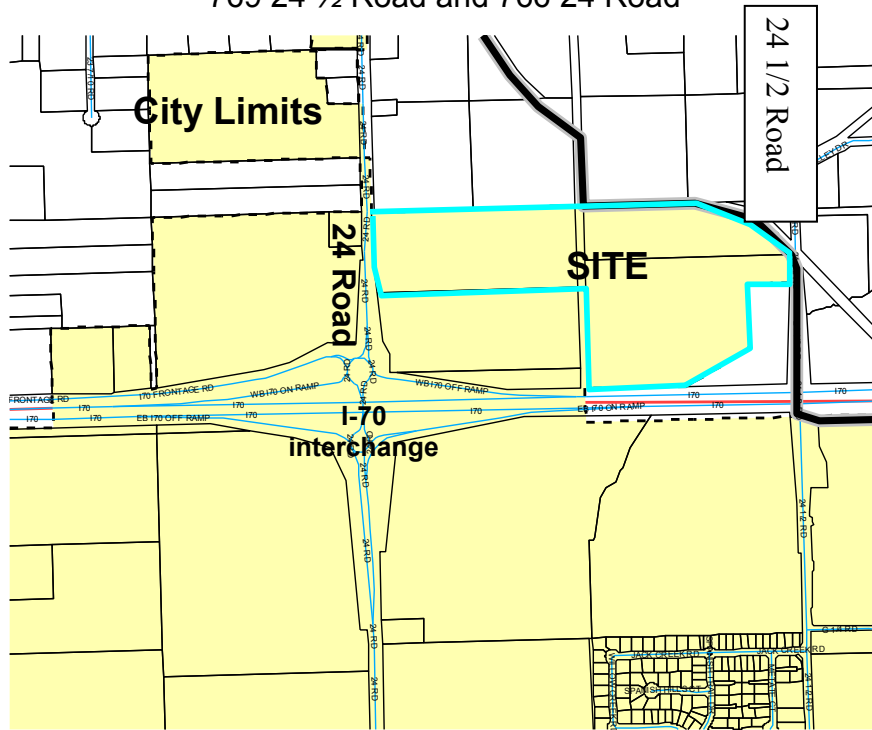
PLANNING COMMISSION RECOMMENDATIONS:

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 Thraikill 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.

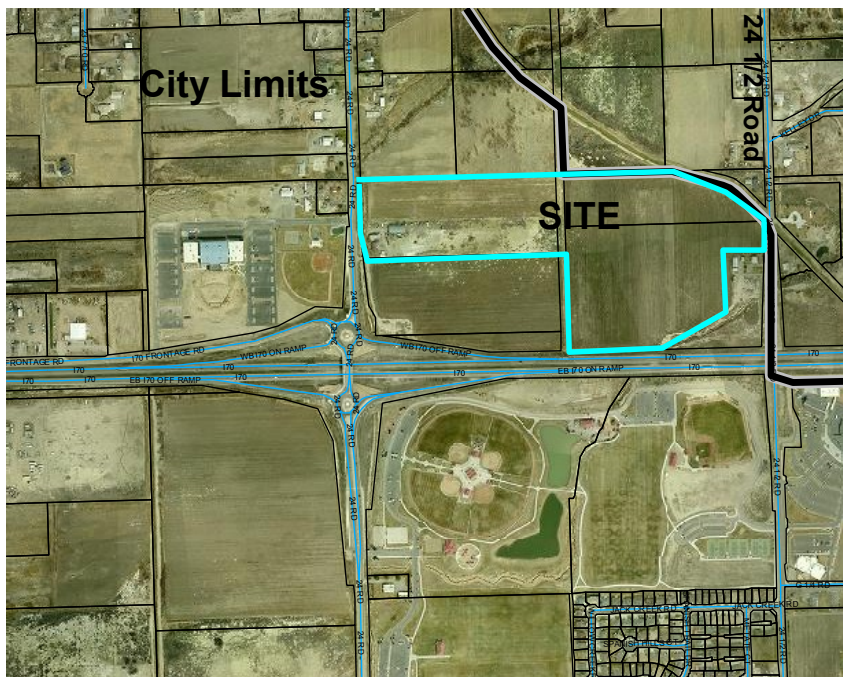
Site Location Map

769 24 1/2 Road and 766 24 Road



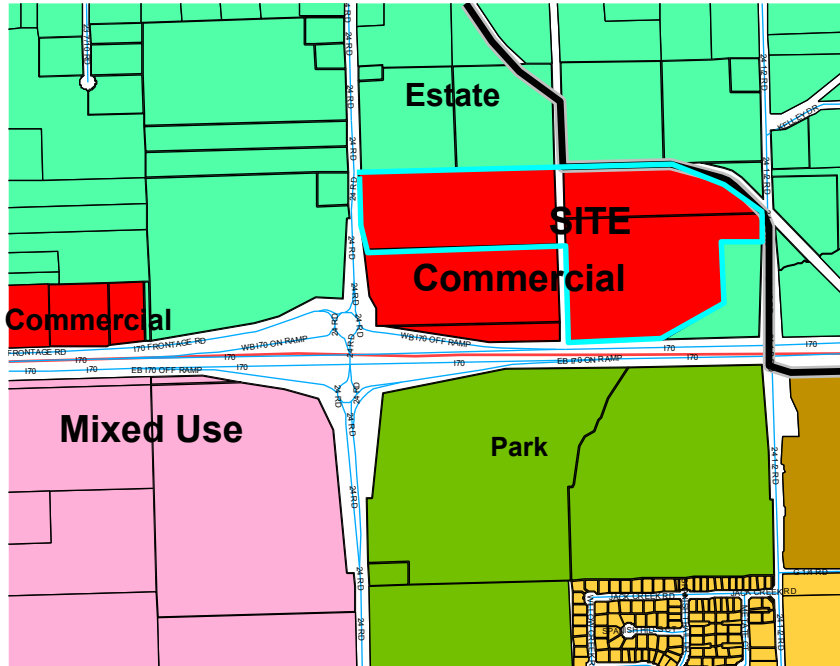
Aerial Photo Map

769 24 1/2 Road and 766 24 Road



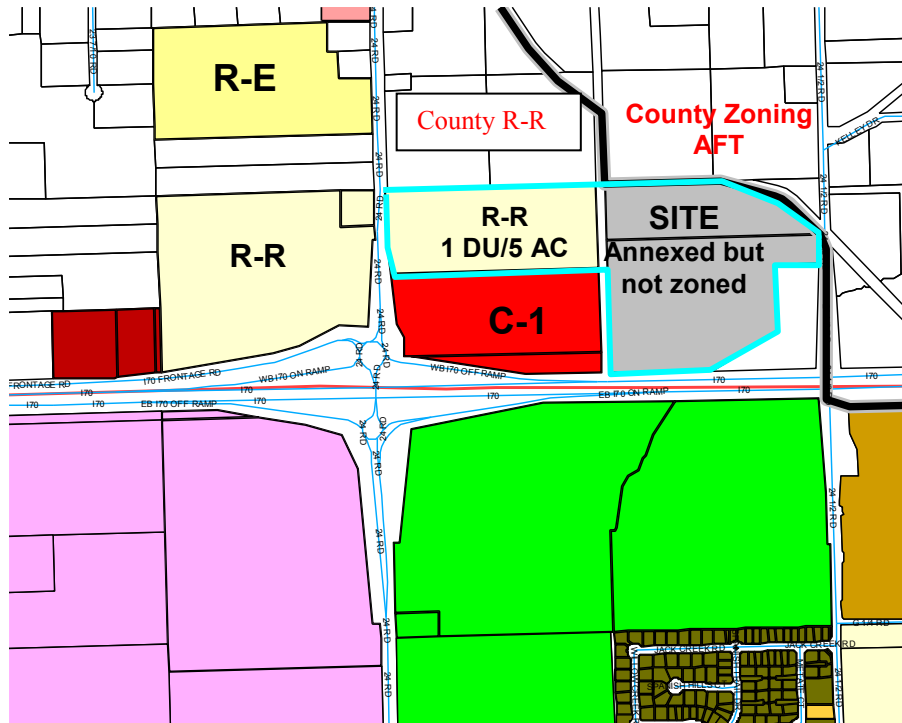
Future Land Use Map

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 1st day of December, 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 1st day of December, 2008 and ordered published.

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

ATTEST:

President of the Council

City Clerk