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**CITY COUNCIL AGENDA  
CITY HALL AUDITORIUM, 250 NORTH 5<sup>TH</sup> STREET  
WEDNESDAY, JANUARY 7, 2009 7:00 P.M.**

**Call to Order**

Pledge of Allegiance

**Report on Volunteer Board Openings**

**Citizen Comments**

**\*\*\* CONSENT CALENDAR \*\*\*<sup>®</sup>**

1. **Highway 50 Access Control Plan IGA**

**[Attach 1](#)**

Request to enter into an intergovernmental agreement with Colorado Department of Transportation and Mesa County for an Access Control Plan for Highway 50 from the Colorado River to Highway 141 in Whitewater.

Resolution No. 04-09—A Resolution an Intergovernmental Agreement between the City of Grand, Mesa County and the Colorado Department of Transportation (CDOT) Regarding US-50 Access Control Plan

**®Action:** *Adopt Resolution No. 04-09*

Staff presentation: Trent Prall, Engineering Manager

\*\*\* Indicates New Item

<sup>®</sup> Requires Roll Call Vote

**REVISED**

2. **Setting a Hearing for the Outline Development Plan and Rezone for St. Mary's Rose Hill Hospitality House Expansion, Located at 609 26 ½ Road**  
[File #RZ-2008-227] [Attach 2](#)

A request for approval to zone property located at 609 26 ½ Road known as St. Mary's Rose Hill Hospitality House to PD (Planned Development) with a default zone of B-1, (Neighborhood Business) by approval of the Outline Development Plan.

Proposed Ordinance Rezoning Property Located at 609 26 ½ Road known as St. Mary's Rose Hill Hospitality House to PD (Planned Development) by Amending Ordinance No. 3992 to Include this Property

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

Staff presentation: Scott D. Peterson, Senior Planner

3. **Setting a Hearing on the Kapushion Annexation No. 1, 2, and 3, Located at 860 21 Road** [File #ANX-2008-305] [Attach 3](#)

Request to annex 35.12 acres, located at 860 21 Road. The Kapushion Annexation consists of one parcel. No road right-of-way is included in this annexation area. This is a three part serial annexation.

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

Resolution No. 05-09—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, Kapushion Annexation No. 1, 2, and 3, Located at 860 21 Road

*®Action: Adopt Resolution No. 05-09*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Kapushion Annexation No. 1, Approximately 0.89 Acres, Located at 860 21 Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Kapushion Annexation No. 2, Approximately 16.67 Acres, Located at 860 21 Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Kapushion Annexation No. 3, Approximately 17.56 Acres, Located at 860 21 Road

*Action: Introduction of Proposed Ordinances and Set a Hearing for March 4, 2009*

Staff presentation: Lori V. Bowers, Senior Planner

4. **Setting a Hearing for the Northwest GJ Annexation, No. 1 and 2, Located East of 860 21 Road** [File # ANX-2008-305] [Attach 4](#)

Request to annex 65.61 acres, located east of 860 21 Road, along 21 ½ Road. The Northwest GJ Annexation consists of two parcels including 6,200.87 square feet of 21 ½ Road Right-of-Way.

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

Resolution No. 06-09—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, Northwest GJ Annexation No. 1 and 2, Located East 860 21 Road, along 21 ½ Road

*®Action: Adopt Resolution No. 06-09*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Northwest GJ Annexation No. 1, Approximately 45.52 Acres, Located East of 860 21 Road, Along 21 ½ Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Northwest GJ Annexation No. 2, Approximately 20.09 Acres, Located East of 860 21 Road, Along 21 ½ Road

*Action: Introduction of Proposed Ordinances and Set a Hearing for March 4, 2009*

Staff presentation: Lori V. Bowers, Senior Planner

5. **Setting a Hearing on the Appeal of the Planning Commission's Decision Regarding a Conditional Use Permit for a Bar/Nightclub** [File #CUP-2008-158] [Attach 5](#)

An appeal has been filed regarding the Planning Commission's decision to deny a Conditional Use Permit for a Bar/Nightclub, located at 2256 and 2258 Colex Drive. The project sits on 1 lot in an I-1 (Light Industrial) zone district. (The project will include leased parking spaces from the lot immediately to the north.) This appeal is pursuant to Section 2.18.E of the Zoning and Development Code, which specifies that the City Council is the appellate body of the Planning Commission. According to Section 2.18.E.4.h, no new evidence or testimony may be presented, except City staff may be asked to interpret materials contained in the record.

*Action:* Set a Hearing for January 21, 2009

Staff presentation: Senta L. Costello, Senior Planner

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

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

6. **Public Hearing to Create Alley Improvement District 2009, Phase A** [Attach 6](#)

Successful petitions have been submitted requesting an Alley Improvement District be created to reconstruct three alleys:

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

Resolution No. 07-09–A Resolution Creating and Establishing Alley Improvement District No. ST-09, Phase A within the Corporate Limits of the City of Grand Junction, Colorado, Authorizing the Reconstruction of Certain Alleys, Adopting Details, Plans and Specifications for the Paving Thereon and Providing for the Payment Thereof

*®Action:* Adopt Resolution No. 07-09



Staff presentation: Tim Moore, Public Works and Planning Director

7. **Non-Scheduled Citizens & Visitors**
8. **Other Business**
9. **Adjournment**

**Attach 1**

Highway 50 Access Control Plan IGA

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Intergovernmental Agreement with CDOT and Mesa County for Highway 50 Access Control Plan		
<b>File #</b>			
<b>Meeting Day, Date</b>	Wednesday, January 7, 2008		
<b>Placement on the Agenda</b>	<b>Consent</b>	<b>X</b>	<b>Individual</b>
<b>Date Prepared</b>	December 30, 2008		
<b>Author Name &amp; Title</b>	Jody Kliska, Transportation Engineer		
<b>Presenter Name &amp; Title</b>	Trent Prall, Engineering Manager		

**Summary:**

Request to enter into an intergovernmental agreement with Colorado Department of Transportation and Mesa County for an Access Control Plan for Highway 50 from the Colorado River to Highway 141 in Whitewater.

**Budget:**

N/A

**Action Requested/Recommendation:** Pass and adopt attached resolution

**Background Information:**

Highway 50 is an important resource for Western Slope communities. As growth continues, traffic volumes on the highway in the study segment are expected to grow significantly. Recognizing the need to plan for future growth along the corridor to maintain the capacity and increase safety, the three agencies pooled resources and contracted with PBS&J, an engineering consulting firm, to conduct the study. The study began in September, 2007. Three public open houses have been held at the Mesa County Fairgrounds: November 15, 2007, April 3, 2008 and August 26, 2008. Meetings with individual property owners were scheduled at the April 3 open house for those who desired more information relative to their properties.

The US Highway 50 Access Control Plan covers from mile post 32.684 to mile post 41.46 which is essentially from the south side of the Colorado River bridge, across Orchard Mesa through Whitewater. The purpose of the access control plan is to provide the agencies with a comprehensive roadway access control plan for managing existing and future access points. The goal of the plan is to provide appropriate access to the highway, while maintaining the safety and efficiency of the facility.

The adopted plan will provide landowners who develop their property adjacent to the Highway with a predictable, known location, configuration and conditions for their access, as well as the location of future traffic signals on the Highway.

**Attachments:**

1. Exhibit A & B -IGA
2. Exhibit C -Access Plan Table
3. Exhibit D – Access Plan Aerials

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF GRAND JUNCTION, MESA COUNTY AND THE COLORADO DEPARTMENT OF TRANSPORTATION (CDOT) REGARDING US-50 ACCESS CONTROL PLAN**

RECITALS:

Highway 50 is an important transportation resource for Western Slope communities. As growth continues, traffic volumes on the highway in the study segment are expected to grow significantly.

Recognizing the need to plan for future growth along the corridor to maintain the capacity and increase safety, the three agencies pooled resources and contracted an engineering consulting firm to conduct a study and develop a comprehensive roadway access control plan to manage existing and future access points.

The goal of the plan is to provide appropriate access to the highway, while maintaining the safety and efficiency of the facility.

The adopted plan will provide landowners who develop their property adjacent to the Highway with a predictable, known location, configuration and conditions for their access, as well as the location of future traffic signals on the Highway.

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

- a. The attached intergovernmental agreement will provide for the coordinated regulation of vehicular access for the section of United States Highway 50 between milepost 32.684 on Orchard Mesa east to milepost 41.146 at State Highway 141A.
- b. That agreement is authorized and approved.

PASSED AND ADOPTED this 7<sup>th</sup> day of January, 2008

CITY OF GRAND JUNCTION, COLORADO

\_\_\_\_\_  
President of the Council

ATTEST:

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City Clerk

**INTERGOVERNMENTAL AGREEMENT  
BY AND AMONG THE CITY OF GRAND JUNCTION,  
MESA COUNTY,  
AND  
THE STATE OF COLORADO  
BY AND THROUGH THE DEPARTMENT OF TRANSPORTATION**

**UNITED STATES HIGHWAY 50  
ACCESS CONTROL PLAN, MP 32.684 – MP 41.146**

**THIS AGREEMENT** is entered into effective as of the \_\_\_\_\_ day of \_\_\_\_\_ 2008, by and among the City of Grand Junction and Mesa County (hereafter referred to collectively as the “City and County”), and the State of Colorado, Department of Transportation (hereafter referred to as the “Department”), all of the parties being referred to collectively herein as the “Agencies” or solely as an “Agency”.

**WITNESSETH:**

**WHEREAS**, the Agencies are authorized by the provisions of Article XIV, Section 18(2)(a), Colorado Constitution, and Sections 29-1-201, et. seq., C.R.S., to enter into contracts with each other for the performance of functions which they are authorized by law to perform on their own; and

**WHEREAS**, each Agency is authorized by Section 43-2-147(1)(a), C.R.S., to regulate access to public highways within its jurisdiction; and

**WHEREAS**, the coordinated regulation of vehicular access to public highways is necessary to maintain the efficient and smooth flow of traffic, to reduce the potential for traffic accidents, to protect the functional level and optimize the traffic capacity, to provide an efficient spacing of traffic signals, and to protect the public health, safety and welfare; and

**WHEREAS**, the Agencies desire to provide for the coordinated regulation of vehicular access for the section of United States Highway 50 between a residential driveway (MP 32.684) east to State Highway 141A (MP 41.146) (hereafter referred to as the “Segment”), which is within the jurisdiction of the Agencies; and

**WHEREAS**, the Agencies are authorized pursuant to Section 2.12 of the 2002 State Highway Access Code, 2 C.C.R. 601-1 (the “Access Code”) to achieve such objective by written agreement among themselves adopting and implementing a

comprehensive and mutually acceptable highway access control plan for the Segment for the purposes above recited; and

**WHEREAS**, the development of this Access Control Plan adheres to the requirements of the Access Code, Section 2.12; and

**NOW THEREFORE**, for and in consideration of the mutual promises and undertakings herein contained, the Agencies agree as follows:

1. This Agreement and the conclusions made in accordance with the Agreement shall constitute an approved Access Control Plan for the Segment, within the meaning of Section 2.12 of the Access Code.

2. The Agencies shall regulate access to the Segment in compliance with the Highway Access Law, Section 43-2-147, C.R.S. (the "Access Law"), the Access Code, and this Agreement including Exhibit A ("Appendix A. United States Highway 50 Access Control Plan") – which exhibit by this reference is hereby incorporated into this document as though fully set forth herein. Vehicular access to the Segment shall be permitted only when such access is in compliance with the Access Law, the Access Code and this Agreement, including Exhibit A.

3. Accesses which were in existence and fully complied with the Access Law prior to the effective date of this Agreement may continue in existence until such time as a change in the access is required by the Access Law, the Access Code or this Agreement or in the course of highway construction. When closure, modification, or relocation of access is required, the Agency(ies) having jurisdiction shall utilize appropriate legal process to affect such action.

4. Actions taken by any Agency with regard to transportation planning and traffic operations within the areas described in Exhibit A to this Agreement shall be in conformity with this Agreement. As per Code Section 2.12 (3), design waivers may be approved if agreed upon by all of the participating Agencies. Each Agency shall conduct an independent review and all participating Agencies must concur on the design waiver in order for its approval.

5. Lots or parcels of real property created after the effective date of this Agreement that adjoin the Segment shall not be provided with direct access to the Segment unless the location, use and design thereof conform to the provisions of this Agreement.

6. This Agreement is based upon and is intended to be consistent with the Access Law and the Access Code as now or hereafter constituted. An amendment to either the Access Law or the Access Code which becomes effective after the effective date of this Agreement and which conflicts irreconcilably with an express provision of this Agreement may be grounds for revision of this Agreement. Conflicts shall be submitted to the agencies for their revision and revision of this Agreement.

7. This Agreement does not create any current financial obligation for any Agency. Any future financial obligation of any Agency shall be subject to the execution of an appropriate encumbrance document, where required. Agencies involved in or affected by any particular or site-specific undertaking provided for herein will cooperate with each other to agree upon a fair and equitable allocation of the costs associated therewith, but, notwithstanding any provision of this Agreement, no Agency shall be required to expend its public funds for such undertaking without the express prior approval of its governing body or director as applicable. All financial obligations of the Agencies hereunder shall be contingent upon sufficient funds therefore being appropriated, budgeted, and otherwise made available.

8. Should any one or more sections or provisions of this Agreement be determined by a court of competent jurisdiction to be invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Agreement, the intention being that the various provisions hereof are severable.

9. This Agreement supersedes and controls all prior written and oral agreements and representations of the Agencies concerning regulating vehicular access to the Segment. No additional or different oral representation, promises or agreement shall be binding on any Agency. This agreement may be amended or terminated only in writing executed by the Agencies with express authorization from their respective governing bodies or legally designated officials. To the extent the Access Control Plan, attached as Exhibit A to this Agreement, is modified by a change, closure, relocation, consolidation or addition of an access, the Agencies may amend the attached Exhibit A so long as the amendment to the Access Control Plan is executed in writing and amended in accord with the Access Law and Access Code. The Access Control Plan Amendment Process has been included in Exhibit B.

10. By signing this Agreement, the Agencies acknowledge and represent to one another that all procedures necessary to validly contract and execute this Agreement have been performed, and that the persons signing for each Agency have been duly authorized by such Agency to do so.

11. No portion of this Agreement shall be deemed to constitute a waiver of any immunities the parties or their officers or employees may possess, nor shall any portion of this Agreement be deemed to have created a duty of care which did not previously exist with respect to any person not a party to this Agreement.

12. It is expressly understood and agreed that the enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to the undersigned parties and nothing in this Agreement shall give or allow any claim or right of action whatsoever by any other person not included in this Agreement. It is the express intention of the undersigned parties that any entity other than the undersigned parties receiving services or benefits under this Agreement shall be an incidental beneficiary only.



13. This Agreement may be executed in counterparts, each of which shall be deemed an original and all of which together shall constitute one original Agreement. Facsimile signature shall be as effective as an original signature.

IN WITNESS WHEREOF, the Agencies have executed this Agreement effective as of the day and year first above written.

**City of Grand Junction, Colorado**

ATTEST:

\_\_\_\_\_  
City Manager, City of Grand Junction

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

**Mesa County, Colorado**

ATTEST:

\_\_\_\_\_  
Chair, Mesa County

\_\_\_\_\_  
Clerk and Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
County Attorney

**State of Colorado  
Department of Transportation**

ATTEST:

\_\_\_\_\_  
Chief Engineer

\_\_\_\_\_  
Chief Clerk

CONCUR:

\_\_\_\_\_  
Regional Transportation Director

**“EXHIBIT – A”**  
**ACCESS CONTROL PLAN**  
**United States Highway 50 between a residential driveway (MP 32.684) east to**  
**State Highway 141A (MP 41.146)**  
**\_\_\_\_\_ (date)**

**City of Grand Junction, Mesa County, and the State of Colorado Department of  
Transportation**

**I. PURPOSE**

The purpose of this Access Control Plan (ACP) is to provide the Agencies with a comprehensive roadway access control plan for the pertinent segment of United States Highway 50 between a residential driveway (MP 32.684) east to State Highway 141A (MP 41.146).

**II. AUTHORITY**

The development of this Access Control Plan was completed pursuant to the requirements of the Access Code, Section 2.12, and adopted by the foregoing Agreement.

**III. RESPONSIBILITIES**

It is the responsibility of each of the Agencies to this Agreement to ensure that vehicular access to the Segment shall only be in conformance with this Agreement. The cost of access improvements, closures and modifications shall be determined pursuant to section 43-2-147(6)(b) C.R.S., the Agreement, and this Access Control Plan. All access construction shall be consistent with the design criteria and specifications of the Access Code.

**IV. EXISTING AND FUTURE ACCESS**

- A. The attached table provides a listing of each existing and future access point in the Segment. For each access point the following information is provided: location, description of the current access status, and the proposed configuration or condition for change (Access Plan). All access points are defined by the approximate Department mile point (in thousandths of a mile) along United States Highway 50. All access points are located at the approximate centerline of the access.
  
- B. All highway design and construction will be based on the assumption that the Segment will have a sufficient cross section to accommodate all travel lanes and sufficient right-of-way to accommodate longitudinal installation of utilities.

**V. ACCESS MODIFICATION**

Any proposed access modification including but not limited to an addition in access must be in compliance with this Agreement and the current Access Code design standards unless the Agency(ies) having jurisdiction approves a design waiver under the waiver subsection of the Code. Any access described in this section, which requires changes or closure as part of this Agreement or if significant public safety concerns develop (including but not limited to, when traffic operations have deteriorated, a documented accident history pattern has occurred, or when consistent complaints are received), may be closed, relocated, or consolidated, turning movements may be restricted, or the access may be brought into conformance with this Access Control Plan, when a formal written request documenting reasons for the change is presented by the Agency having jurisdiction, with Department concurrence, or in the opinion of the Department, any of the following conditions occur:

- a. The access is determined to be detrimental to the public's health, safety and welfare;
- b. The access has developed an accident history that in the opinion of the Agency having jurisdiction or Department is correctable by restricting the access;
- c. The access restrictions are necessitated by a change in road or traffic conditions;
- d. There is an approved (by the Agency having jurisdiction) change in the use of the property that would result in a change in the type of access operation; or
- e. A highway reconstruction project provides the opportunity to make highway and access improvements in support of this Access Control Plan.
- f. The existing development does not allow for the proposed street and road network.

Access construction shall be consistent with the design and specifications of the current State Highway Access Code.

**Initials**

\_\_\_\_\_ City Manager, City of Grand Junction  
Junction

\_\_\_\_\_ City Attorney, City of Grand

\_\_\_\_\_ Chair, Mesa County

\_\_\_\_\_ County Attorney, Mesa County

\_\_\_\_\_ Chief Engineer, CDOT

**“EXHIBIT – B”**  
**ACCESS CONTROL PLAN AMENDMENT PROCESS**  
**United States Highway 50 between a residential driveway (MP 32.684) east to**  
**State Highway 141A (MP 41.146)**  
**\_\_\_\_\_ (date)**

**City of Grand Junction, Mesa County, and the State of Colorado Department of  
Transportation**

1. Any request for amendment of the Access Control Plan must be submitted to the Colorado Department of Transportation, the City of Grand Junction or Mesa County staff. The amendment request shall include:

- Description of changes requested of the Access Control Plan; and
- Justification for Amendment; and
- Traffic Impact Study or analysis, as required by the State Highway Access Code. Any party to the Access Control Plan may request this supporting documentation.

2. The Department shall review the submittal for completeness and for consistency with the access objectives, principles, and strategies described in the United States Highway 50 Access Control Plan report for this corridor and the State Highway Access Code.

3. Once all participating agencies (CDOT and the County/City) approve the request for the amendment, the amendment and all accompanying documentation shall be submitted if necessary to Transportation Commission for final review and approval.

**Initials**

\_\_\_\_\_ City Manager, City of Grand Junction  
Junction

\_\_\_\_\_ City Attorney, City of Grand

\_\_\_\_\_ Chair, Mesa County

\_\_\_\_\_ County Attorney, Mesa County

\_\_\_\_\_ Chief Engineer, CDOT

## Exhibit C

# Access Control Plan US Highway 50 West of Grand Mesa Avenue to SH 141A in Whitewater

Access	Milepost	Side	Access Description	Existing Configuration	Proposed Configuration and Conditions for Change*
1	32.684	South	Driveway	Un-signalized Right-in, right-out	<b>Close driveway</b> since this property has alternative access via an alley to High Street.
2	32.692	South	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to High Street.
3	32.700	North	Grand Mesa Avenue	Un-signalized Full Movement	<b>Add channelizing treatment to median</b> to eliminate left turn movement onto and off of US 50 creating a right-in, right-out access.
168	32.701	South	High Street	Un-signalized Full Movement	<b>Add channelizing treatment to median</b> to eliminate left turn movement onto US 50 creating a 3/4 movement intersection.
4	32.715	North	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to Canon Avenue.
5	32.717	South	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to High Street.
6	32.726	South	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to High Street.
7	32.741	South	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to High Street.
8	32.743	South	Clymer Way	Un-signalized Full Movement	<b>Add channelizing treatment to median</b> to eliminate left turn movement onto and off of US 50 and convert access to right-in only.
9	32.754	North	Curb-cut	Un-signalized Right-in, right-out	<b>Close access</b> ; access to this property will be via a cross-access agreement obtained at Canon Avenue.
10	32.785	North	Curb-cut	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to Canon Avenue.
11	32.790	North	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to Canon Avenue.
12	32.814	South	Curb-cut	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to Santa Clara Avenue.
13	32.832	Both	Santa Clara Avenue	Un-signalized Full Movement	<b>Add channelizing treatment to median</b> to eliminate left turn movement onto US 50 creating a 3/4 movement intersection.

\* The type, number, and length of lanes will be determined by a separate traffic study to be done at the time of actual design and implementation of the plan.



# Access Control Plan US Highway 50 West of Grand Mesa Avenue to SH 141A in Whitewater

Access	Milepost	Side	Access Description	Existing Configuration	Proposed Configuration and Conditions for Change*
14	32.858	South	Field Access	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to Santa Clara Avenue.
15	32.949	Both	Unawweep Avenue/26 1/4 Road	Signalized Full Movement	<b>Remains the same.</b>
16	32.972	South	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to 26 1/4 Road.
17	33.021	South	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> ; access will be provided with the addition of Access 177.
177	33.037	South	Combined Access		<b>Right-in, right-out access</b> to be added through a cross-access agreement when redevelopment of adjacent properties occurs.
18	33.041	South	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> ; access will be provided with the addition of Access 177.
19	33.048	South	Business Access	Un-signalized Full Movement	<b>Close access</b> ; access will be provided with the addition of Access 179.
179	33.049	South	Combined Access		<b>Right-in, right-out access</b> to be added through a cross-access agreement when redevelopment of adjacent properties occurs.
20	33.049	North	James Court	Un-signalized Full Movement	<b>Add channelizing treatment to median</b> to eliminate left turn movement onto and off of US 50 creating a right-in, right-out access.
21	33.064	South	Business Access	Un-signalized 3/4 Movement	<b>Close access</b> ; access will be provided with the addition of Access 179 or new access via 26 1/4 Road.
22	33.073	North	Driveway	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to James Court.
23	33.093	South	Residential Access	Un-signalized Right-in, right-out	<b>Close access</b> ; access will be provided with the addition of access 178
178	33.097	South	Combined Access		<b>Right-in, right-out access</b> to be added through a cross-access agreement when redevelopment of adjacent properties occurs.
24	33.100	South	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> ; access will be provided with the addition of access 178.

\* The type, number, and length of lanes will be determined by a separate traffic study to be done at the time of actual design and implementation of the plan.

# Access Control Plan US Highway 50 West of Grand Mesa Avenue to SH 141A in Whitewater

Access	Milepost	Side	Access Description	Existing Configuration	Proposed Configuration and Conditions for Change*
25	33.101	North	Driveway	Un-signalized Right-in, right-out	<b>Close access</b> ; since this property has alternative access to James Court.
26	33.112	South	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> ; access will be provided with the addition of access 178.
27	33.121	North	Driveway	Un-signalized Right-in, right-out	<b>Close access</b> ; access will be provided with the addition of access 181.
28	33.124	South	Driveway	Un-signalized Right-in, right-out	<b>Close access</b> ; access will be provided with the addition of Access 180.
180	33.126	South	Combined Access		<b>Right-in, right-out access</b> to be added through a cross-access agreement when redevelopment of adjacent properties occurs.
29	33.137	North	Driveway	Un-signalized Right-in, right-out	<b>Close access</b> ; access will be provided with the addition of new access just to the east of the existing one.
30	33.140	South	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> ; access will be provided with the addition of Access 180.
181	33.143	North	Combined Access		<b>Right-in, right-out access</b> to be added through a cross-access agreement when redevelopment of adjacent properties occurs.
31	33.149	North	Driveway	Un-signalized Right-in, right-out	<b>Close access</b> ; access will be provided with the addition of 181.
32	33.152	North	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> ; since this property has alternative access at access 37.
33	33.155	South	Driveway	Un-signalized Right-in, right-out	<b>Remains the same.</b>
34	33.165	South	Driveway	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access at Access 33.
35	33.167	South	Business Access	Un-signalized Full Movement	<b>Close access</b> since this property has alternative access at Access 37.
36	33.177	South	Driveway	Un-signalized Full Movement	<b>Add channelizing treatment to median</b> to eliminate left turn movement onto US 50 creating a 3/4 movement intersection.

\* The type, number, and length of lanes will be determined by a separate traffic study to be done at the time of actual design and implementation of the plan.

## Access Control Plan US Highway 50 West of Grand Mesa Avenue to SH 141A in Whitewater

Access	Milepost	Side	Access Description	Existing Configuration	Proposed Configuration and Conditions for Change*
37	33.185	North	Driveway	Un-signalized Full Movement	<b>Add channelizing treatment to median</b> to eliminate left turn movement onto US 50 creating a 3/4 movement intersection.
38	33.214	North	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access at Access 37.
39	33.237	South	Mobile Home Access	Un-signalized Right-in, right-out	<b>Close access</b> ; since this property has alternative access to access 36.
40	33.252	North	Motel Access	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to Aspen Street.
41	33.253	South	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to Aspen Street.
42	33.275	Both	Aspen Street	Un-signalized Full Movement	<b>Add channelizing treatment to median</b> to eliminate left turn movement onto and off of US 50 creating a right-in, right-out access.
43	33.305	North	Alley	Un-signalized Right-in, right-out	<b>Close access</b> since this alley has alternative access to Unaweep avenue.
44	33.314	South	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to Aspen Street.
45	33.345	Both	Palmer Street/ Business Access	Un-signalized Full Movement	<b>Remains the same</b> and signalize when meets warrants.
46	33.419	North	Palisade Street	Un-signalized Full Movement	<b>Add channelizing treatment to median</b> to eliminate left turn movement onto and off of US 50 creating a right-in, right-out access.
47	33.488	North	Business Access	Un-signalized Full Movement	<b>Close access</b> since this property has alternative access to Linden Avenue.
48	33.520	Both	Linden Avenue	Un-signalized Full Movement	<b>Add channelizing treatment to median</b> to eliminate left turn movement onto US 50 creating a 3/4 movement intersection.
49	33.522	North	B ¼ Road	Un-signalized Full Movement	<b>Close access</b> since this road has alternative access to US 50 from 27 Road and Linden Avenue.

\* The type, number, and length of lanes will be determined by a separate traffic study to be done at the time of actual design and implementation of the plan.

## Access Control Plan US Highway 50 West of Grand Mesa Avenue to SH 141A in Whitewater

Access	Milepost	Side	Access Description	Existing Configuration	Proposed Configuration and Conditions for Change*
50	33.564	North	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> ; access will be provided with the addition of Access 182.
182	33.572	North	Combined Access		<b>Right-in, right-out access</b> to be added through a cross-access agreement when redevelopment of adjacent properties occurs.
51	33.585	North	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to existing Access 54.
52	33.588	South	Field Access	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to Linden Avenue.
170	33.610	South	Combined Access		<b>Right-in, right-out access</b> to be added through a cross-access agreement when redevelopment of adjacent properties occurs.
53	33.634	South	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> ; access will be provided with the addition of Access 170.
54	33.670	North	Shopping Center Access	Un-signalized Right-in, right-out	<b>Remains the same.</b>
55	33.694	North	Shopping Center Access	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to existing Access 56.
56	33.735	North	Shopping Center Access	Un-signalized Right-in, right-out	<b>Remains the same.</b>
57	33.738	South	Business Access	Un-signalized Right-in, right-out	<b>Remains the same.</b>
58	33.794	Both	27 Road	Signalized Full Movement	<b>Remains the same.</b>
59	33.819	South	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to existing Access 63 or 27 Road.
60	33.824	North	Gas Station Access	Un-signalized Right-in, right-out	<b>Close access</b> ; access will be provided with the addition of access 188 or to Sherman Drive.
188	33.832	North	Combined Access		<b>Right-in, right-out access</b> to be added through a cross-access agreement when redevelopment of adjacent properties occurs.

\* The type, number, and length of lanes will be determined by a separate traffic study to be done at the time of actual design and implementation of the plan.

## Access Control Plan US Highway 50 West of Grand Mesa Avenue to SH 141A in Whitewater

Access	Milepost	Side	Access Description	Existing Configuration	Proposed Configuration and Conditions for Change*
61	33.835	South	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to existing Access 63 or 27 Road.
62	33.840	North	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> ; access will be provided with the addition of access 188 to Sherman Drive.
63	33.848	South	Business Access	Un-signalized Right-in, right-out	<b>Remains the same.</b>
64	33.850	North	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> ; access will be provided with the addition of access 189 to Sherman Drive.
189	33.860	North	Combined Access		<b>Right-in, right-out access</b> to be added through a cross-access agreement when redevelopment of adjacent properties occurs.
65	33.871	North	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> ; access will be provided with the addition of access 189 to Sherman Drive.
66	33.873	South	Driveway	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to the Frontage Road and B ½ Road.
67	33.882	South	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to the Frontage Road and B ½ Road.
68	33.883	North	Business Access	Un-signalized Right-in, right-out	<b>Remains the same.</b>
69	33.898	South	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to the Frontage Road and B ½ Road.
70	33.909	South	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to the Frontage Road and B ½ Road.
71	33.912	South	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to the Frontage Road and B ½ Road.
72	33.937	Both	Dorothy Avenue/ Frontage Road	Un-signalized Full Movement	<b>Add channelizing treatment to median</b> to eliminate left turn movement onto and off of US 50 creating a right-in, right-out access.

\* The type, number, and length of lanes will be determined by a separate traffic study to be done at the time of actual design and implementation of the plan.

## Access Control Plan US Highway 50 West of Grand Mesa Avenue to SH 141A in Whitewater

Access	Milepost	Side	Access Description	Existing Configuration	Proposed Configuration and Conditions for Change*
73	33.944	North	Gas Station Access	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to Dorothy Avenue or from the addition of Access 171.
74	33.971	North	Gas Station Access	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to Dorothy Avenue or from the addition of Access 171.
75	34.003	North	Gas Station Access	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to Dorothy Avenue or from the addition of Access 171.
171	34.010	North	Combined Access		<b>Right-in, right-out access</b> to be added through a cross-access agreement when redevelopment of adjacent properties occurs.
76	34.030	South	B ½ Road/ EB Off-ramp	Off-ramp	<b>Remains the same.</b>
190	34.045	North	Combined Access		<b>Right-in, right-out access</b> to be added through a cross-access agreement when redevelopment of adjacent properties occurs.
77	34.080	North	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> ; access will be provided with the addition of Access 190.
78	34.085	North	Easement Ditch Access	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to Sherman Drive.
79	34.130	South	B ½ Road/ EB On-ramp	On-ramp	<b>Close access</b> ; access will be provided at 27 ¾ Road.
80	34.135	North	B ½ Road/ WB On-ramp	On-ramp	<b>Close access</b> ; access will be provided with the addition of access 192.
192	34.185	North	Sherman Drive		<b>Right-out access</b> to be added when B ½ Road improvements are made.
81	34.325	North	Frontage Road	Un-signalized Full Movement	<b>Close access</b> ; access will be provided at 27 ¾ Road.
191	34.325	South	27 ¾ Road	Un-signalized Full Movement	<b>Add channelizing treatment to median</b> to eliminate left turn movement onto US 50 creating a ¾ movement intersection.
82	34.622	Both	27 ¾ Road	Un-signalized Full Movement	<b>Remains the same</b> and signalize when meets warrants.

\* The type, number, and length of lanes will be determined by a separate traffic study to be done at the time of actual design and implementation of the plan.

## Access Control Plan US Highway 50 West of Grand Mesa Avenue to SH 141A in Whitewater

Access	Milepost	Side	Access Description	Existing Configuration	Proposed Configuration and Conditions for Change*
83	34.844	South	Fairgrounds Access	Un-signalized Full Movement	<b>Add channelizing treatment to median</b> to eliminate left turn movement onto US 50 creating a ¾ movement intersection.
166		South	Combined Access		<b>Right-in, right-out access</b> to be added through a cross-access agreement when redevelopment of adjacent properties occurs.
84	35.149	South	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to B Road.
85	35.242	South	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> ; access will be provided with the addition of Access 172.
172	35.243	South	Combined Access		<b>Right-in, right-out access</b> to be added through a cross-access agreement when redevelopment of adjacent properties occurs.
86	35.425	Both	28 ½ Road	Un-signalized Full Movement	<b>Remains the same.</b>
87	35.554	North	Driveway	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to B Road.
88	35.564	North	Driveway	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to B Road.
89	35.574	South	Rainbow Drive	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to Frontage Road.
90	35.627	North	Tennessee Street	Un-signalized Right-in, right-out	<b>Close access</b> since this road has alternative access to B Road.
91	35.702	North	Indiana Street	Un-signalized Right-in, right-out	<b>Remains the same.</b>
92	35.728	North	Driveway	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to existing Indiana Street.
93	35.732	North	Driveway	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to Elm Drive.
94	35.755	South	Dee Vee Drive	Un-signalized Full Movement	<b>Add channelizing treatment to median</b> to eliminate left turn movement onto and off of US 50 creating a right-in, right-out access.

\* The type, number, and length of lanes will be determined by a separate traffic study to be done at the time of actual design and implementation of the plan.

# Access Control Plan US Highway 50 West of Grand Mesa Avenue to SH 141A in Whitewater

Access	Milepost	Side	Access Description	Existing Configuration	Proposed Configuration and Conditions for Change*
95	35.777	North	Elm Drive	Un-signalized Right-in, right-out	<b>Close access</b> since this road has alternative access to B Road.
96	35.826	North	Driveway	Un-signalized Right-in, right-out	<b>Close access</b> ; access will be provided with the addition of Access 184.
184	35.830	North	Combined Access		<b>Right-in, right-out access</b> to be added through a cross-access agreement when redevelopment of adjacent properties occurs.
97	35.832	South	Driveway	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access at Dee Vee Drive.
98	35.833	North	Driveway	Un-signalized Right-in, right-out	<b>Close access</b> ; access will be provided with the addition of Access 184.
99	35.865	North	Driveway	Un-signalized Right-in, right-out	<b>Close access</b> ; access will be provided with the addition of Access 183.
183	35.868	North	Combined Access		<b>Right-in, right-out access</b> to be added through a cross-access agreement when redevelopment of adjacent properties occurs.
100	35.871	North	Driveway	Un-signalized Right-in, right-out	<b>Close access</b> ; access will be provided with the addition of Access 183.
101	35.904	North	Reta Drive	Un-signalized Right-in, right-out	<b>Close access</b> since this road has alternative access at Access 103.
102	35.926	South	Driveway	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access at Landsdown Road.
103	35.947	North	Reta Drive	Un-signalized Right-in, right-out	<b>Remains the same.</b>
104	35.950	South	Landsdown Road	Un-signalized Right-in, right-out	<b>Remains the same.</b>
105	36.007	North	Driveway	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access at Access 106.
106	36.021	North	Driveway	Un-signalized Right-in, right-out	<b>Remains the same.</b>

\* The type, number, and length of lanes will be determined by a separate traffic study to be done at the time of actual design and implementation of the plan.



## Access Control Plan US Highway 50 West of Grand Mesa Avenue to SH 141A in Whitewater

Access	Milepost	Side	Access Description	Existing Configuration	Proposed Configuration and Conditions for Change*
107	36.032	North	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to 29 Road.
108	36.065	North	29 Road	Signalized Full Movement	<b>Remains the same.</b>
109	36.078	North	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to 29 Road.
110	36.140	North	Business Access	Un-signalized Right-in, right-out	<b>Close access</b> ; access will be provided with the conversion of Access 111 becoming a four-leg intersection.
111	36.178	South	Sundance Drive	Signalized Full Movement	<b>Intersection will be converted</b> from a full movement T-intersection to full movement in all directions
112	36.201	South	Business Access	Un-signalized Full Movement	<b>Close access</b> ; access will be provided with the conversion of Access 111 to a four-leg intersection.
113	36.220	North	Driveway	Un-signalized Right-in, right-out	<b>Remains the same.</b>
114	36.224	North	Driveway	Un-signalized Right-in, right-out	<b>Close access</b> when this property has alternative access via a cross-access agreement at Access 117.
115	36.243	North	Driveway	Un-signalized Right-in, right-out	<b>Close access</b> when this property has alternative access via a cross-access agreement at Access 117.
116	36.245	South	Driveway	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access at Red Rock Drive.
117	36.258	North	Driveway	Un-signalized Right-in, right-out	<b>Remains the same.</b>
118	36.277	North	Driveway	Un-signalized Right-in, right-out	<b>Close access</b> when this property has alternative access via a cross-access agreement at Access 117.
119	36.279	South	Red Rock Drive	Un-signalized Right-in, right-out	<b>Remains the same.</b>
120	36.284	North	Driveway	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to Lantzer Drive.

\* The type, number, and length of lanes will be determined by a separate traffic study to be done at the time of actual design and implementation of the plan.

# Access Control Plan US Highway 50 West of Grand Mesa Avenue to SH 141A in Whitewater

Access	Milepost	Side	Access Description	Existing Configuration	Proposed Configuration and Conditions for Change*
121	36.292	North	Driveway	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to Lantzer Drive.
122	36.322	North	Driveway	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to Lantzer Drive through a cross-access agreement.
123	36.324	South	Ditch Access	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access at Access 119.
124	36.348	South	29 ¼ Road	Un-signalized Full Movement	<b>Add channelizing treatment to median</b> to eliminate left turn movement onto and off of US 50 creating a right-in, right-out access.
125	36.400	North	Residential Access/ Ditch Access	Un-signalized Full Movement	<b>Close access</b> since this property has alternative access to Jon Hall Road.
126	36.467	North	Driveway	Un-signalized Full Movement	<b>Close access</b> since this property has alternative access at Access 173.
173	36.493	North	Combined Access		<b>Right-in, right-out access</b> to be added through a cross-access agreement when redevelopment of adjacent properties occurs.
127	36.495	North	Field Access	Un-signalized Full Movement	<b>Close access</b> since this property has alternative access at Access 173.
128	36.524	North	Driveway	Un-signalized Full Movement	<b>Close access</b> since this property has alternative access at Access 173.
129	36.565	North	Field Access	Un-signalized Full Movement	<b>Close access</b> since this property has alternative access to 29 ½ Road.
130	36.587	North	Driveway	Un-signalized Full Movement	<b>Close access</b> since this property has alternative access to 29 ½ Road.
131	36.603	Both	29 ½ Road	Un-signalized Full Movement	<b>Remains the same</b> ; remove south leg of the intersection and signalize when meets warrants.
132	36.732	North	Field Access	Un-signalized Full Movement	<b>Close access</b> since this property has alternative access to A ½ Road.

\* The type, number, and length of lanes will be determined by a separate traffic study to be done at the time of actual design and implementation of the plan.

## Access Control Plan US Highway 50 West of Grand Mesa Avenue to SH 141A in Whitewater

Access	Milepost	Side	Access Description	Existing Configuration	Proposed Configuration and Conditions for Change*
133	36.742	North	Field Access	Un-signalized Full Movement	<b>Close access</b> since this property has alternative access to A ½ Road.
134	36.749	North	Field Access	Un-signalized Right-in, right-out	<b>Close access</b> since this property has alternative access to A ½ Road.
135	36.893	North	29 ¾ Road	Un-signalized Full Movement	<b>Add channelizing treatment to median</b> to eliminate left turn movement onto US 50 creating a 3/4 movement intersection.
176	36.893	South	29 ¾ Road	Un-signalized Full Movement	<b>Add channelizing treatment to median</b> to eliminate left turn movement onto and off of US 50 creating a right-in, right-out intersection.
136	37.143	North	30 Road	Un-signalized Full Movement	<b>Intersection will be converted</b> from a full movement T-intersection to full movement in all directions and will be signalized when meets warrants.
137	37.439	North	Driveway	Un-signalized Full Movement	<b>Close access</b> since this property has alternative access to A ½ Road.
138	37.458	South	Frontage Road	Un-signalized Full Movement	<b>Close access</b> since this road has alternative access to 30 Road.
139	37.783	South	Business Access	Un-signalized Full Movement	<b>Close access</b> since this property has alternative access to 31 Road through a cross-access agreement.
140	37.804	North	Field Access	Un-signalized Full Movement	<b>Close access</b> since this property has alternative access to 30 ¾ Road.
141	37.872	South	Driveway	Un-signalized Full Movement	<b>Close access</b> since this property has alternative access to 31 Road.
142	37.879	North	Ditch Access	Un-signalized Full Movement	<b>Close access</b> since this property has alternative access to 30 ¾ Road.
143	37.903	Both	31 Road	Un-signalized Full Movement	<b>Remains the same</b> and signalize when meets warrants.
144	38.277	North	Field Access	Un-signalized Full Movement	<b>Add channelizing treatment to median</b> to eliminate left turn movement onto and off of US 50 creating a right-in, right-out access.

\* The type, number, and length of lanes will be determined by a separate traffic study to be done at the time of actual design and implementation of the plan.

# Access Control Plan US Highway 50 West of Grand Mesa Avenue to SH 141A in Whitewater

Access	Milepost	Side	Access Description	Existing Configuration	Proposed Configuration and Conditions for Change*
145	38.512	North	32 Road/ SH 141B	Signalized Full Movement	<b>Remains the same.</b>
146	38.844	South	Business Access	Un-signalized Full Movement	<b>Close access</b> ; access will be provided with the addition of Access 174.
174	38.975	South	Future Road		<b>Full movement access</b> to be added when property develops to south and signalized when meets warrants.
147	39.209	South	Field Access	Un-signalized Right-in, right-out	<b>Close existing field access.</b>
148	39.212	North	Field Access	Un-signalized Right-in, right-out	<b>Remains the same.</b>
149	39.729	North	Driveway	Un-signalized Full Movement	<b>Close access</b> since this property has alternative access to future roadways.
150	39.733	South	Field Access	Un-signalized Full Movement	<b>Close access</b> since this property has alternative access to Stone Tree Lane.
151	39.971	Both	Willow Bend Road	Un-signalized Full Movement	<b>Remains the same</b> and signalize when meets warrants.
152	40.387	North	Field Access	Un-signalized Full Movement	<b>Close access</b> ; access will be provided with the addition of future roadways.
153	40.414	South	Field Access	Un-signalized Full Movement	<b>Close existing field access.</b>
175	40.495	Both	Future Road		<b>Full movement access</b> to be added when construction of Whitewater Frontage Road occurs; signalize when meets warrants.
154	40.584	North	Driveway	Un-signalized Full Movement	<b>Close access</b> ; access will be provided with the addition of future roadways.
155	40.618	South	Driveway	Un-signalized Full Movement	<b>Close access</b> ; access will be provided with the addition of future roadways.

\* The type, number, and length of lanes will be determined by a separate traffic study to be done at the time of actual design and implementation of the plan.

# Access Control Plan US Highway 50 West of Grand Mesa Avenue to SH 141A in Whitewater

Access	Milepost	Side	Access Description	Existing Configuration	Proposed Configuration and Conditions for Change*
156	40.629	North	Business Access	Un-signalized Full Movement	<b>Close access</b> ; access will be provided with the addition of future roadways.
157	40.664	North	Business Access	Un-signalized Full Movement	<b>Close access</b> ; access will be provided with the addition of future roadways.
158	40.674	North	Business Access	Un-signalized Full Movement	<b>Close access</b> ; access will be provided with the addition of future roadways.
159	40.694	South	1 <sup>st</sup> Street	Un-signalized Full Movement	<b>Close access</b> ; access will be provided at Coffman Road
160	40.708	North	Business Access	Un-signalized Full Movement	<b>Close access</b> ; access will be provided with the addition of future roadways.
161	40.719	North	Business Access	Un-signalized Full Movement	<b>Close access</b> ; access will be provided with the addition of future roadways.
162	40.802	North	Business Access	Un-signalized Full Movement	<b>Close access</b> ; access will be provided with the addition of future roadways.
163	40.958	South	3 <sup>rd</sup> Street	Un-signalized Full Movement	<b>Close access</b> ; access will be provided at Coffman Road.
164	40.963	North	Reeder Mesa Road	Un-signalized Full Movement	<b>Remains the same</b> and signalize when meets warrants.
165	41.146	South	SH 141A	Un-signalized Full Movement	<b>Remains the same</b> and signalize when meets warrants.

\* The type, number, and length of lanes will be determined by a separate traffic study to be done at the time of actual design and implementation of the plan.





Implementation of the Access Control Plan will occur over time based on traffic and safety needs, available funding, or as redevelopment occurs.

All deceleration and acceleration lanes and edge of pavement lines shown on this map are for informational purposes only. The length of these lanes will be determined by a separate traffic study to be done at the time of actual design and implementation of the plan.

**Legend**

- Access Recommended for Closure
- Right-in Right-out Access
- 3/4 Movement Access
- Full Movement Access
- Ramp
- Right-in Only Access
- Right-out Only Access
- Future Cross Access Property Agreement
- Property Lines
- Edge of Pavement
- Proposed Future Roadway (Exact Location TBD)
- Median Treatment
- Existing Signalized Intersection
- Future Signalized Intersection only if when meets warrants

Scale: 0 50 100 200 300 Feet

Access #29 & #31 to be closed when shared access can be obtained from Access #181 or other roadways

Access #17 & #18 to be closed when shared access can be obtained from Access #177 or other roadways

Access #19 & #21 to be closed when shared access can be obtained from Access #179 or other roadways

**US 50 Access Control Plan**

Project No. Code: \_\_\_\_\_  
 Sheet Number: 1

No. Revisions: \_\_\_\_\_  
 Revised: \_\_\_\_\_  
 Void

**CONTRACTOR FILE INFORMATION**

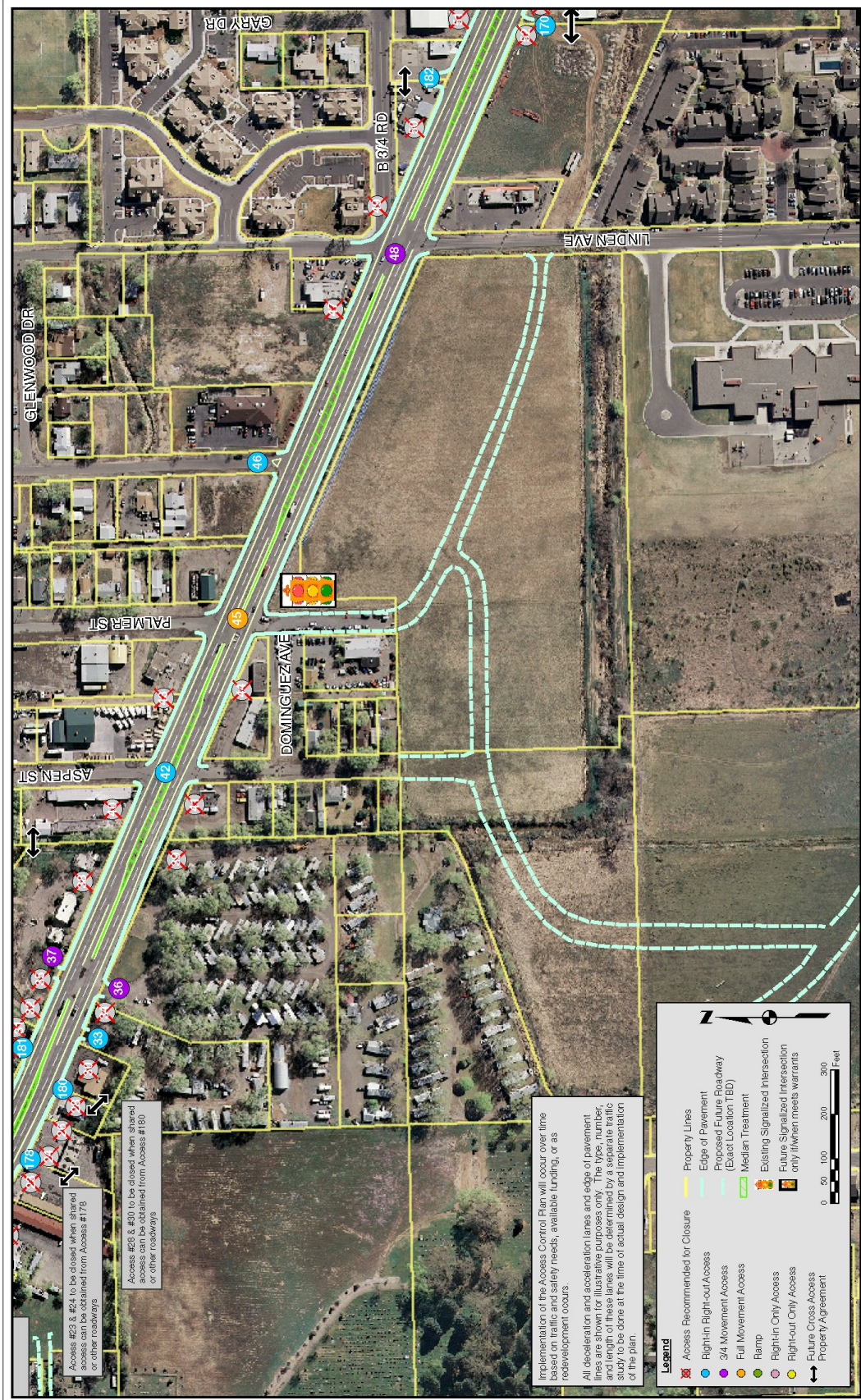
CONTRACTOR: \_\_\_\_\_  
 TITLE: \_\_\_\_\_  
 CLIENT: \_\_\_\_\_  
 PROJECT: \_\_\_\_\_

**INDEX OF EXHIBITS**


**REGION III**

MESA COUNTY  
 Grand Junction  
 PBSJ





Access #23 & #24 to be closed when shared access can be obtained from Access #179 or other roadways

Access #29 & #20 to be closed when shared access can be obtained from Access #180 or other roadways

Implementation of the Access Control Plan will occur over time based on traffic and safety needs, available funding, or as redevelopment occurs.

All deceleration and acceleration lanes and edge of pavement lines are shown for illustrative purposes only. The type, number, and length of these lanes will be determined by a separate traffic study to be done at the time of actual design and implementation of the plan.

**Legend**

- Access Recommended for Closure
- Right-in Right-out Access
- 3/4 Movement Access
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- Proposed Future Roadway (Exact Location TBD)
- Median Treatment
- Existing Signalized Intersection
- Future Signalized Intersection only if/when meets warrants

Scale: 0 50 100 200 300 Feet

North Arrow

<b>Computer File Information</b> Filename: 03/20/2018_10372018 Full Path: G:\PROJECTS\10372018\10372018_NCD Drawn File Name:		<b>Index of Revisions</b> <table border="1"> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table>								
<b>Client Information</b> MESA COUNTY GRAND JUNCTION PBSJ		Project No./Code: _____ Sheet Number: _____								
Ms. Reviewers: Elizabeth Wood		Project No./Code: _____ Sheet Number: _____								

# US 50 Access Control Plan









Implementation of the Access Control Plan will occur over time based on traffic and safety needs, available funding, or as redevelopment occurs.

All deceleration and acceleration lanes and edge of pavement lines are shown for illustrative purposes only. The type, number, and length of these lanes will be determined by a separate traffic study to be done at the time of actual design and implementation of the plan.

**Legend**

- X Access Recommended for Closure
- R Right-In Right-out Access
- 3/4 Movement Access
- Full Movement Access
- Ramp
- Right-In Only Access
- Right-Out Only Access
- Future Cross Access
- ↔ Property Agreement
- Property Lines
- Edge of Pavement
- Proposed Future Roadway (Exact Location TBD)
- Median Treatment
- Existing Signalized Intersection
- Future Signalized Intersection only if/when meets warrants

Scale: 0 50 100 200 300 Feet

South Frontage Road intersection with 27 3/4 Road to be closed prior to installation of signal at Access #82

<b>Computer File Information</b>	<b>Index of Revisions</b>	<b>Project No./Code</b>	
Filename: 10/20/2016 Title: 10/27/2016 Full Path: G:\PROJECTS\10000\0205\ACD Drawing File Name:	1 2 3 4	M.S. Revision: Date/By:	Sheet Number: 4
		<b>US 50 Access Control Plan</b>	





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**Legend**

- Access Recommended for Closure
- Right-In Right-out Access
- 3/4 Movement Access
- Full Movement Access
- Ramp
- Right-In Only Access
- Right-Out Only Access
- Future Cross Access
- Property Agreement
- Property Lines
- Edge of Pavement
- Proposed Future Roadway (Exact Location TBD)
- Median Treatment
- Existing Signalized Intersection
- Future Signalized Intersection only if/when meets warrants

0 50 100 200 300 Feet

Computer File Information Initial: [ ] Title: [ ] Full Path: G:\P\GIS\PROJECTS\100000205\ACD Drawn File Name: [ ]		Index of Editions [ ] [ ] [ ]		Project No./Code [ ]
MESA COUNTY REGION III		grand junction		US 50 Access Control Plan
PBSJ		Mr. Reviewer: [ ] [ ]		Sheet Number 5





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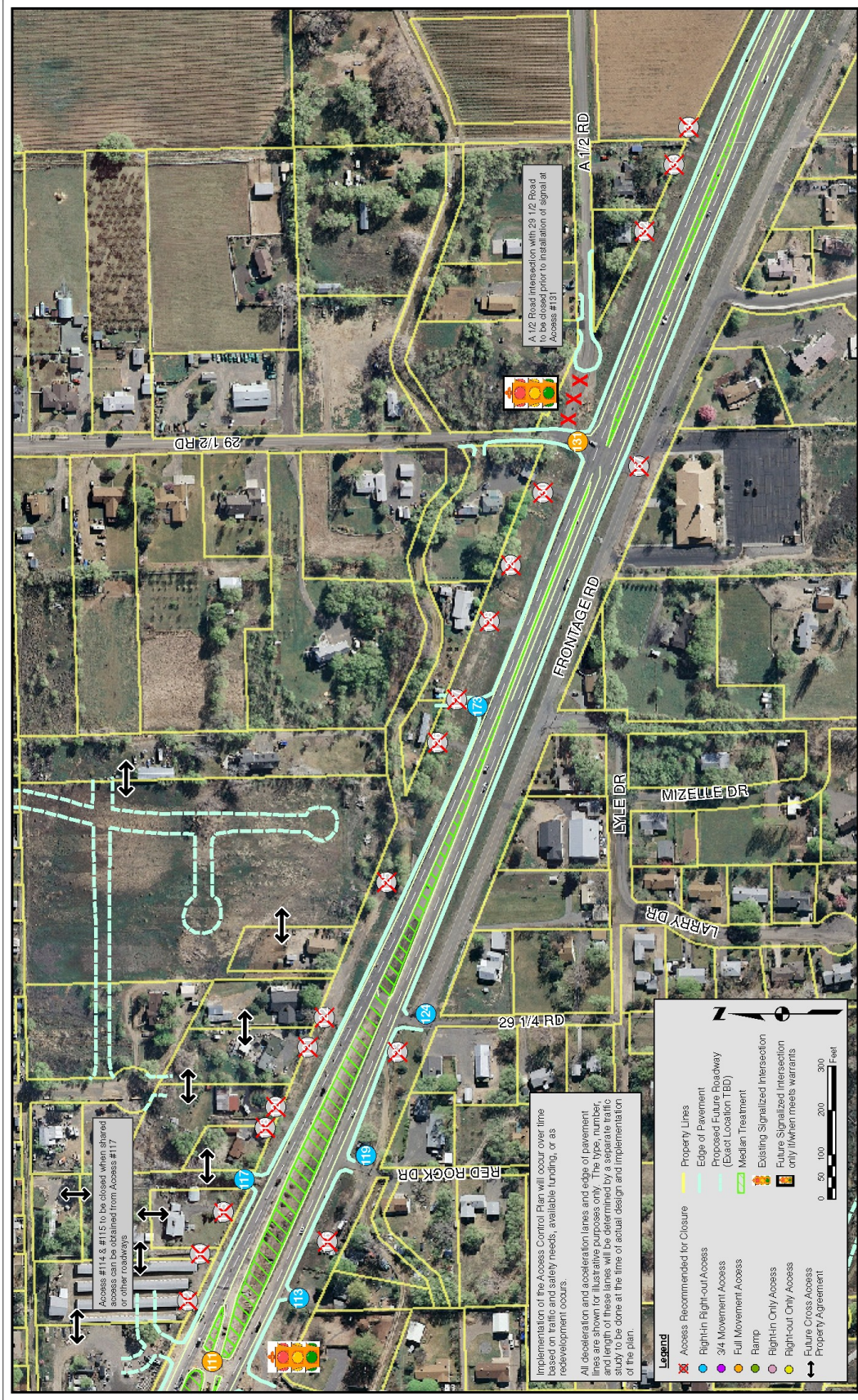
**Legend**

- Access Recommended for Closure
- Right-in Right-out Access
- 3/4 Movement Access
- Full Movement Access
- Ramp
- Right-Only Access
- Right-out Only Access
- Future Cross Access
- Property Agreement
- Property Lines
- Edge of Pavement
- Proposed Future Roadway (Exact Location TBD)
- Median Treatment
- Existing Signalized Intersection
- Future Signalized Intersection only if/when meets warrants

Scale: 0, 50, 100, 200, 300 Feet

Project No./Code _____	
Sheet Number _____	
<b>US 50 Access Control Plan</b>	
M.S. Revision: Revised Void	
Computer File Information Initial: _____ Title: _____ Full Path: C:\P\GIS\PROJECTS\10000\020\NACD Drawn File Name: _____	Index of Editions _____ _____ _____





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**Legend**

- Access Recommended for Closure
- Right-In Right-out Access
- 34 Movement Access
- Full Movement Access
- Ramp
- Right-Only Access
- Right-out Only Access
- Future Cross Access
- Property Agreement
- Property Lines
- Edge of Pavement
- Proposed Future Roadway (Exact Location TBD)
- Median Treatment
- Existing Signalized Intersection
- Future Signalized Intersection only if/when meets warrants

Scale: 0 50 100 200 300 Feet

<b>Computer File Information</b> Filename: 03/20/2018 Initials: 10/27/18 Full Path: G:\P\GIS\Projects\100000000000000000\03/20/2018 Drawn File Name:		<b>Index of Editions</b> 1 2 3 4 5 6 7
<b>Client Information</b> MESA COUNTY REGION III		<b>Project No./Code</b> US 50 Access Control Plan Sheet Number: 7

Mr. Reviewers:  
 Date/Time:  
 Word





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**Legend**

- Access Recommended for Closure
- Right-In Right-out Access
- 3/4 Movement Access
- Full Movement Access
- Ramp
- Right-In Only Access
- Right-Out Only Access
- Future Cross Access
- Property Agreement

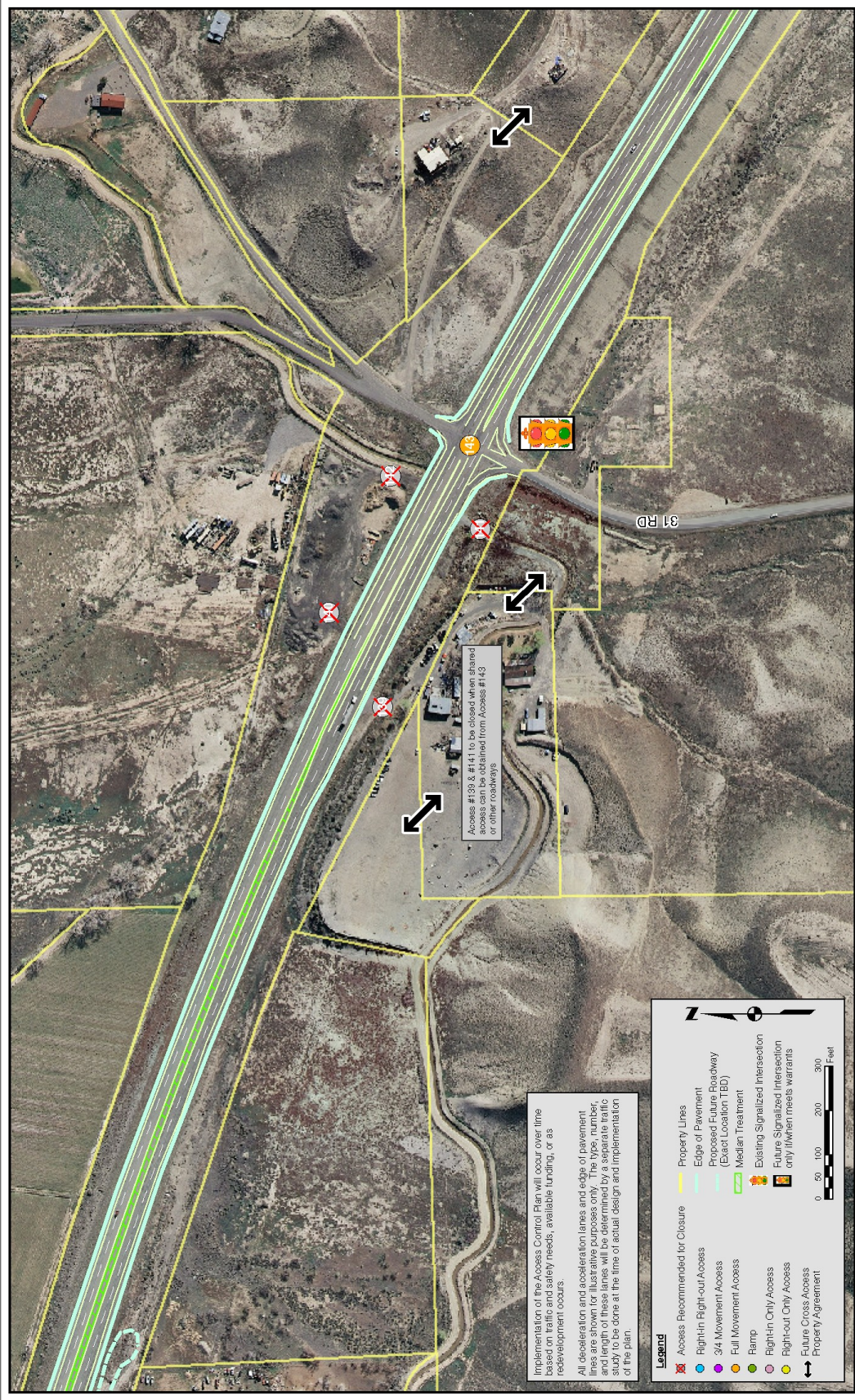
- Property Lines
- Edge of Pavement
- Proposed Future Roadway (Exact Location TBD)
- Median Treatment
- Existing Signalized Intersection
- Future Signalized Intersection only if/when meets warrants

0 50 100 200 300 Feet

Access # 138 to remain open unless fourth leg of Access # 138 is constructed

<p>Computer File Information</p> <p>Filename: 10320108</p> <p>Title: 11111111</p> <p>Full Path: G:\PROJECTS\10320108\10320108.MXD</p> <p>Created File Name:</p>		<p>Index of Revisions</p> <table border="1"> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table>										
<p>Mesa Reviewers:</p> <p>Reviewed: _____</p> <p>Not: _____</p>		<p>Project No./Code</p> <p>US 50 Access Control Plan</p>										
<p>10/7 REGION III</p> <p>MESA COUNTY</p> <p>Grand Junction</p> <p>PBSJ</p>		<p>Sheet Number</p> <p>8</p>										





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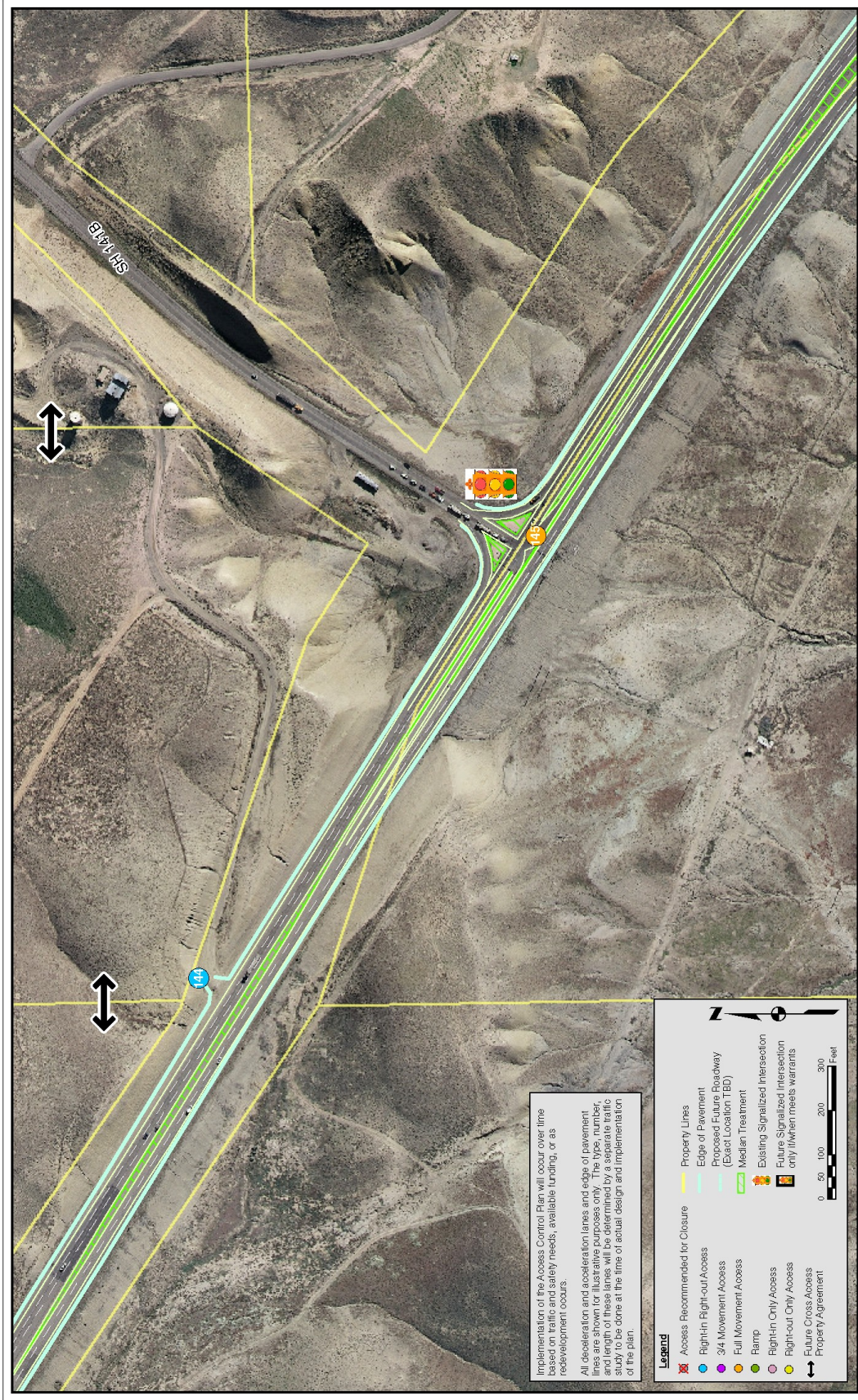
**Legend**

- Access Recommended for Closure
- Right-In Right-out Access
- 3/4 Movement Access
- Full Movement Access
- Ramp
- Right-In Only Access
- Right-Out Only Access
- Future Cross Access
- Property Agreement
- Property Lines
- Edge of Pavement
- Proposed Future Roadway (Exact Location TBD)
- Median Treatment
- Existing Signalized Intersection only if/when meets warrants
- Future Signalized Intersection only if/when meets warrants

0 50 100 200 300 Feet

<b>Computer File Information</b> Filename: 020208 Initial: 02/27/08 Full Path: G:\P\GIS\DATA\100000208\MXD Drawing File Name:		<b>Index of Revisions</b> <table border="1"> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table>										
<b>Client Information</b> Client: MESA COUNTY Project No./Code:		Project No./Code:										
<b>Design Information</b> Designer: PBS&J Checker: Grand Junction Date:		Sheet Number: 9										





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**Legend**

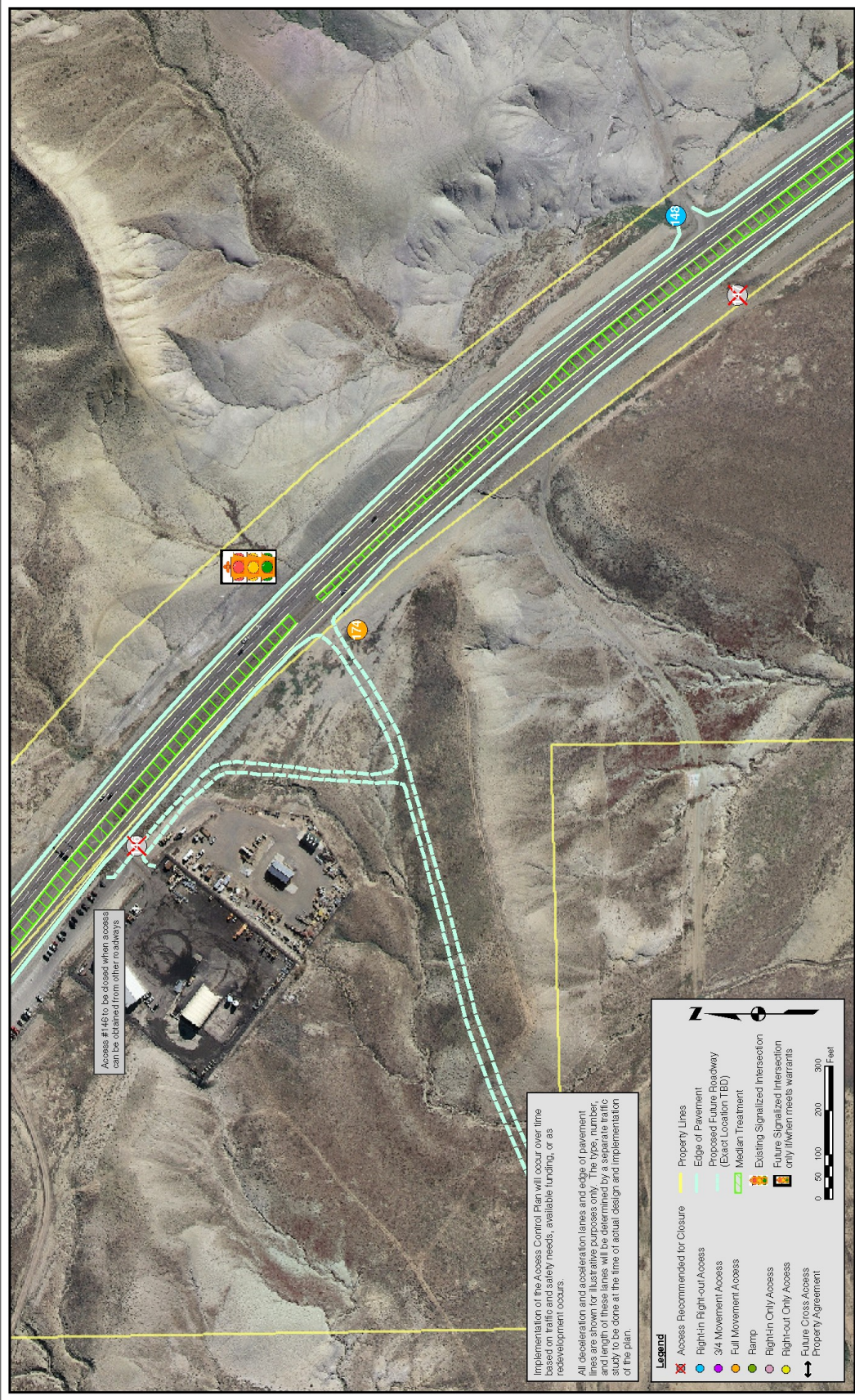
- Access Recommended for Closure
- Right-in Right-out Access
- 3/4 Movement Access
- Full Movement Access
- Ramp
- Right-in Only Access
- Right-out Only Access
- Future Cross Access
- Property Agreement

- Property Lines
- Edge of Pavement
- Proposed Future Roadway (Exact Location TBD)
- Median Treatment
- Existing Signalized Intersection
- Future Signalized Intersection only if/when meets warrants

Scale: 0 50 100 200 300 Feet

<b>Computer File Information</b> Path: \\P:\GIS\PROJECTS\10000000\0050\ACCP Date: 10/11/2011 10:00:00 AM User: G:\PC\GIS\10000000\0050\ACCP Filename:		<b>Index of Revisions</b> No.   Description _____   _____ _____   _____	
MESA COUNTY 		GRAND JUNCTION 	
REGION III 		PBSJ 	
Ms. Reviewers: Elizabeth Wood		Project No./Code US 50 Access Control Plan Sheet Number 10	





Access #146 to be closed when access can be obtained from other roadways

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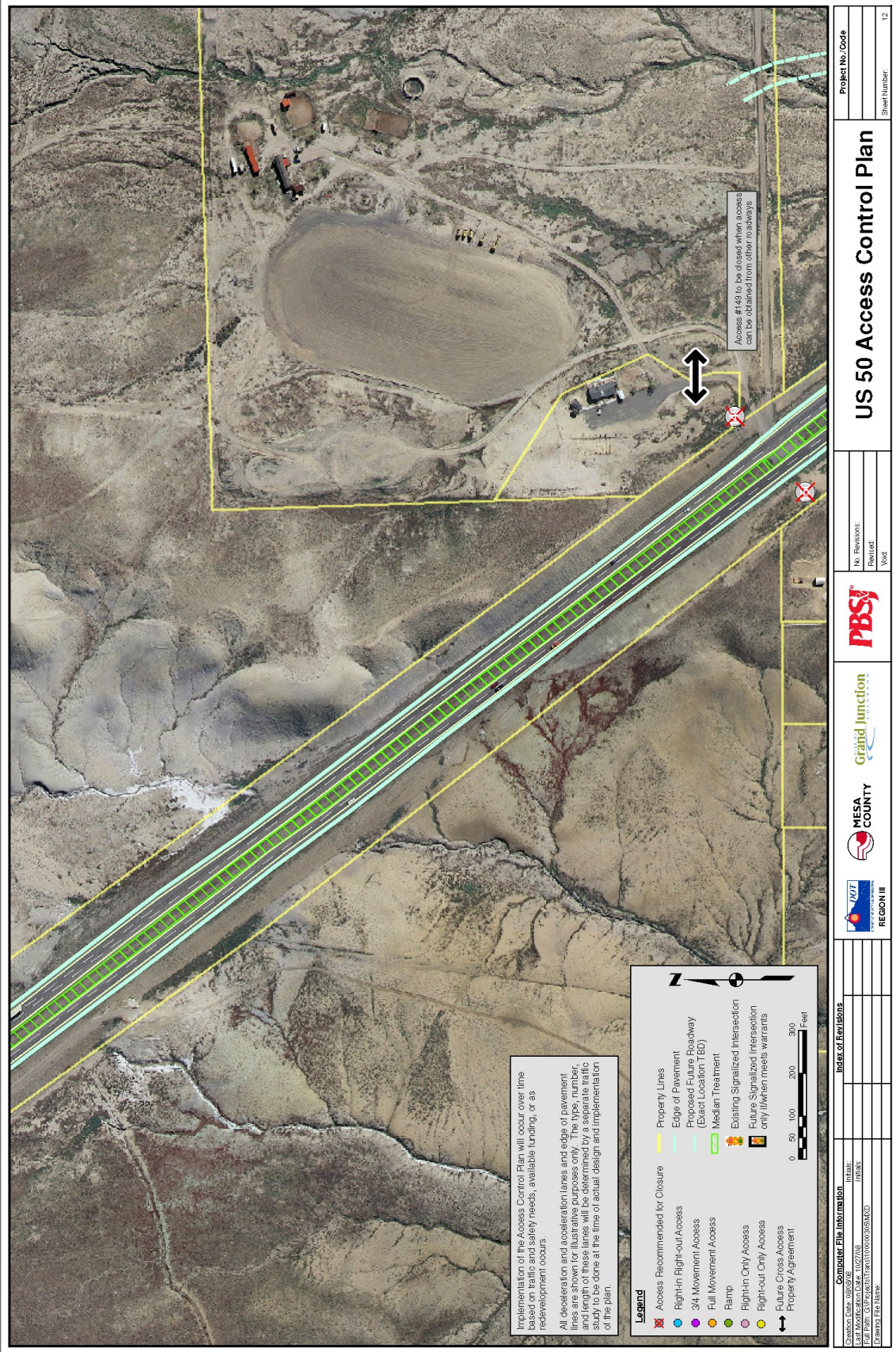
**Legend**

- Access Recommended for Closure
- Right-in Right-out Access
- 3/4 Movement Access
- Full Movement Access
- Ramp
- Right-in Only Access
- Right-out Only Access
- Future Cross Access
- Property Agreement
- Property Lines
- Edge of Pavement
- Proposed Future Roadway (Exact Location TBD)
- Median Treatment
- Existing Signalized Intersection
- Future Signalized Intersection only if/when meets warrants

Scale: 0 50 100 200 300 Feet

<b>Computer File Information</b> Filename: 03202018 Path: G:\Projects\18110000\03202018 Drawn File Name:		<b>Index of Revisions</b> <table border="1"> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table>															Ms. Reviewers: Date:	<b>Project No./Code</b>
<b>US 50 Access Control Plan</b>							Sheet Number: 11											





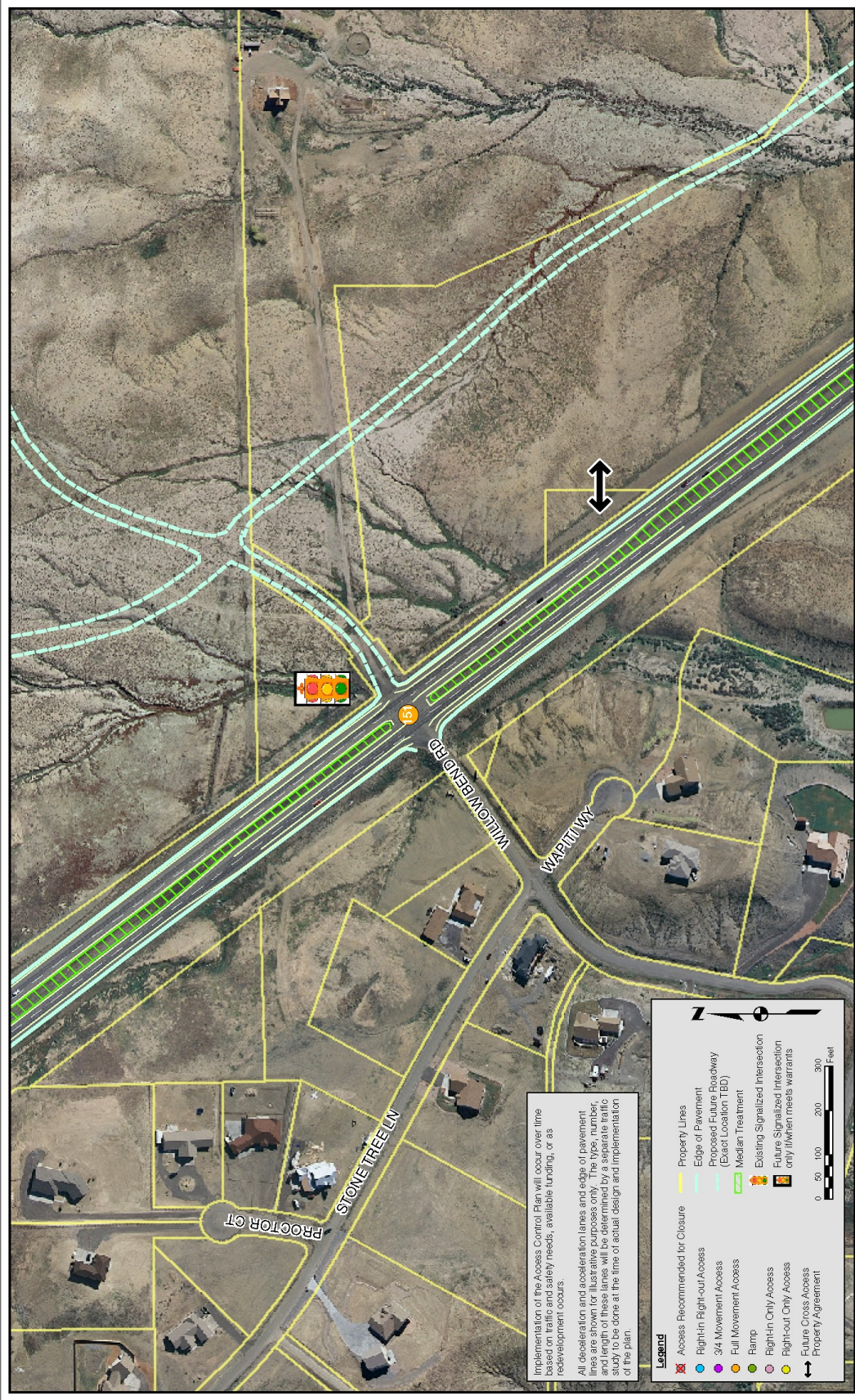
Implementation of the Access Control Plan will occur over time based on traffic and safety needs, available funding, or as redevelopment occurs.

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- Legend**
- Access Recommended for Closure
  - Right-in Right-out Access
  - 3/4 Movement Access
  - Full Movement Access
  - Ramp
  - Right-in Only Access
  - Right-out Only Access
  - Future Cross Access
  - Property Agreement
  - Property Lines
  - Edge of Pavement
  - Proposed Future Roadway (Exact Location TBD)
  - Median Treatment
  - Existing Signalized Intersection only (if/when meets warrants)
  - Future Signalized Intersection only (if/when meets warrants)
- 0 50 100 200 300 Feet

<b>Computer File Information</b> Drawn: Date: 02/20/2018 Initials: [redacted] Full Path: G:\P\MS\1000000000\000505\ACCP Drawing File Name:		<b>Index of Revisions</b>    		<b>US 50 Access Control Plan</b>  Ms. Revisors: [redacted] [redacted]	Project No./Code:  Sheet Number: 12
MESA COUNTY REGION III					





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- Right-In Right-out Access
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- Right-Out Only Access
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- Property Lines
- Edge of Pavement
- Proposed Future Roadway (Exact Location TBD)
- Median Treatment
- Existing Signalized Intersection
- Future Signalized Intersection only if/when meets warrants

0 50 100 200 300 Feet

Computer File Information Filename: 10/10/2016 10:07:08 Full Path: G:\P\GIS\Projects\10000000000000000000\ACCP Drawing File Name:		Index of Revisions <table border="1"> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </table>																	
MESA COUNTY 		Grand Junction 																	
PBSJ 		Ms. Reviewers: Elizabeth Wood																	
<b>US 50 Access Control Plan</b>		Project No./Code																	
REGION III 		Sheet Number 13																	





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- Ramp
- Right-in Only Access
- Right-out Only Access
- Future Cross Access
- Property Agreement

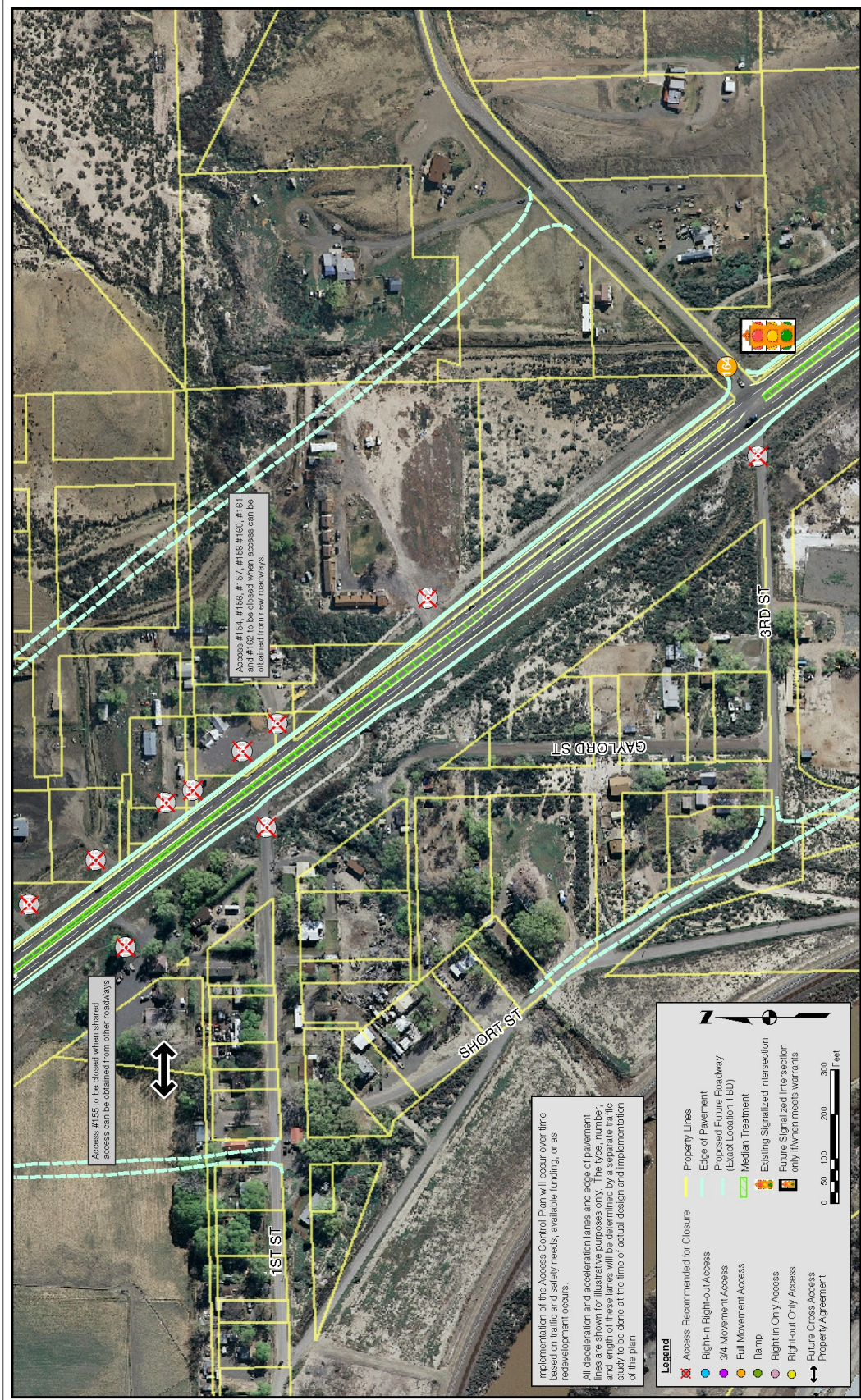
- Property Lines
- Edge of Pavement
- Proposed Future Roadway (Exact Location TBD)
- Median Treatment
- Existing Signalized Intersection
- Future Signalized Intersection only if/when meets warrants
- Future Cross Access
- Property Agreement

Scale: 0 50 100 200 300 Feet

North Arrow

<p><b>Computer File Information</b></p> <p>Initial: [ ]</p> <p>Full Path: G:\P\GIS\Projects\100000205\ACD</p> <p>Drawn File Name: [ ]</p>		<p><b>Index of Revisions</b></p> <table border="1"> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </table>													<p><b>Project No./Code</b></p> <p> </p>
<p><b>Mrs. Reviewers:</b></p> <p>Reviewed: [ ]</p> <p>Word: [ ]</p>		<p><b>US 50 Access Control Plan</b></p>	<p>Sheet Number: 14</p>												
<p><b>10/7 REGION III</b></p>		<p><b>MESA COUNTY</b></p>	<p><b>grand junction</b></p>												
<p><b>PBSJ</b></p>		<p> </p>													





Access # 150 to be closed when shared access can be obtained from other roadways

Access #154, #156, #157, #158, #159, #161, #162, #163, #164, #165, #166, #167, #168, #169, #170, #171, #172, #173, #174, #175, #176, #177, #178, #179, #180, #181, #182, #183, #184, #185, #186, #187, #188, #189, #190, #191, #192, #193, #194, #195, #196, #197, #198, #199, #200, #201, #202, #203, #204, #205, #206, #207, #208, #209, #210, #211, #212, #213, #214, #215, #216, #217, #218, #219, #220, #221, #222, #223, #224, #225, #226, #227, #228, #229, #230, #231, #232, #233, #234, #235, #236, #237, #238, #239, #240, #241, #242, #243, #244, #245, #246, #247, #248, #249, #250, #251, #252, #253, #254, #255, #256, #257, #258, #259, #260, #261, #262, #263, #264, #265, #266, #267, #268, #269, #270, #271, #272, #273, #274, #275, #276, #277, #278, #279, #280, #281, #282, #283, #284, #285, #286, #287, #288, #289, #290, #291, #292, #293, #294, #295, #296, #297, #298, #299, #300, #301, #302, #303, #304, #305, #306, #307, #308, #309, #310, #311, #312, #313, #314, #315, #316, #317, #318, #319, #320, 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#985, #986, #987, #988, #989, #990, #991, #992, #993, #994, #995, #996, #997, #998, #999, #1000

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**Legend**

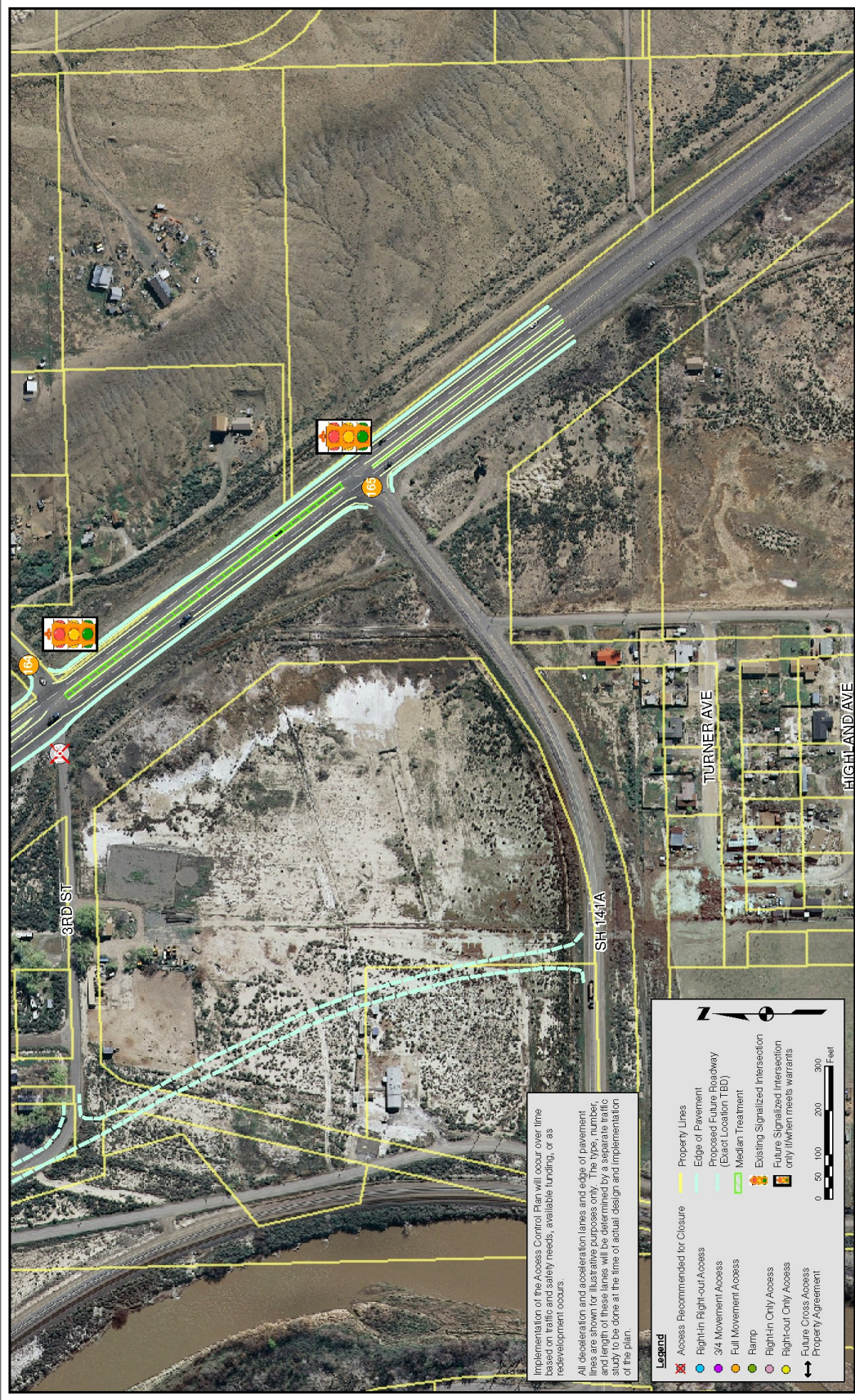
- Access Recommended for Closure
- Right-In Right-out Access
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- Property Agreement
- Property Lines
- Edge of Pavement
- Proposed Future Roadway (Exact Location TBD)
- Median Treatment
- Existing Signalized Intersection
- Future Signalized Intersection only if/when meets warrants

Computer File Information  
 Initial: [ ]  
 Title: [ ]  
 Full Path: C:\P\GIS\PROJECTS\10000000000000000000\ACCP  
 Drawing File Name: [ ]

Index of Revisions

Scale: 0 50 100 200 300 Feet





Implementation of the Access Control Plan will occur over time based on traffic and safety needs, available funding, or as redevelopment occurs.

All deceleration and acceleration lanes and edge of pavement lines are shown for illustrative purposes only. The type, number, and length of these lanes will be determined by a separate traffic study to be done at the time of actual design and implementation of the plan.

**Legend**

- Access Recommended for Closure
- Right-in Right-out Access
- 3/4 Movement Access
- Full Movement Access
- Ramp
- Right-in Only Access
- Right-out Only Access
- Future Cross Access
- Property Agreement
- Property Lines
- Edge of Pavement
- Proposed Future Roadway (Exact Location TBD)
- Median Treatment
- Existing Signalized Intersection
- Future Signalized Intersection only if/when meets warrants

0 50 100 200 300 Feet

<b>Computer File Information</b> Filename: 020308 Initials: JCT/08 Title: US 50 Access Control Plan Full Path: G:\P\02\08\10000\020308.MXD Drawing File Name:		<b>Index of Revisions</b> <table border="1"> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table>										
<b>Mesa County</b> 		<b>Grand Junction</b> 										
<b>PBSJ</b> 		<b>Project No./Code</b> _____ <b>Sheet Number</b> _____										
<b>Ms. Reviewers:</b> _____ _____ _____		18										

**Attach 2**

Setting a Hearing for the Outline Development Plan and Rezone for St. Mary's Rose Hill Hospitality House Expansion, Located at 609 26 ½ Road

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Outline Development Plan and Rezone for St. Mary's Rose Hill Hospitality House Expansion, Located at 609 26 ½ Road		
<b>File #</b>	RZ-2008-227		
<b>Meeting Day, Date</b>	Wednesday, January 7, 2009		
<b>Placement on the Agenda</b>	<b>Consent</b>	X	<b>Individual</b>
<b>Date Prepared</b>	December 22, 2008		
<b>Author Name &amp; Title</b>	Scott D. Peterson, Senior Planner		
<b>Presenter Name &amp; Title</b>	Scott D. Peterson, Senior Planner		

**Summary:** A request for approval to zone property located at 609 26 ½ Road known as St. Mary's Rose Hills Hospitality House to PD (Planned Development) with a default zone of B-1, (Neighborhood Business) by approval of the Outline Development Plan.

**Budget:** N/A

**Action Requested/Recommendation:** Introduce a proposed ordinance and set a public hearing for January 21, 2009.

**Attachments:**

Staff Report  
 Site Location Map / Aerial Photo Map  
 Future Land Use Map / Existing City Zoning Ordinance

**Background Information:** See attached report.

BACKGROUND INFORMATION					
<b>Location:</b>		609 26 ½ Road			
<b>Applicants:</b>		SISTERS OF CHARITY OF LEAVENWORTH HEALTH SERVICES CORP. (“St. Mary’s Hospital”), Owner			
<b>Existing Land Use:</b>		Vacant land			
<b>Proposed Land Use:</b>		Parking lot for St. Mary’s Rose Hill Hospitality House expansion			
<b>Surrounding Land Use:</b>	<b>North</b>	Single-family residential			
	<b>South</b>	St. Mary’s Rose Hill Hospitality House			
	<b>East</b>	Single-family residential			
	<b>West</b>	Commercial retail/office development and Single-family residential			
<b>Existing Zoning:</b>		B-1, (Neighborhood Business)			
<b>Proposed Zoning:</b>		PD, (Planned Development)			
<b>Surrounding Zoning:</b>	<b>North</b>	R-5, (Residential – 5 du/ac)			
	<b>South</b>	PD, (Planned Development)			
	<b>East</b>	R-4, (Residential – 4 du/ac)			
	<b>West</b>	B-1, (Neighborhood Business) and R-5, (Residential 5 du/ac)			
<b>Growth Plan Designation:</b>		Residential Medium (4 – 8 DU/Ac.)			
<b>Zoning within density range?</b>		X	Yes		No

**ANALYSIS:**

**1. Background:**

The applicant, St. Mary’s Hospital, is requesting a Growth Plan Amendment to Commercial and also a Rezone to PD, (Planned Development) for property that they own located at 609 26 ½ Road (0.80 +/- acres) in order to achieve a uniform Planned Development zone for its hospital properties located throughout the area. The B-1, (Neighborhood Business) would still be designated as the underlining/default zoning district under the PD, (Planned Development) zoning district. The parcel is currently vacant but will be utilized as a parking lot for the St. Mary’s Rose Hill Hospitality House expansion located on the adjacent property to the south which is presently under Site Plan Review by the City (see attached Aerial Photo Map). The applicant also wishes to



combine the existing two properties into one through the Simple Subdivision process which is also presently under review by City Staff.

This existing property was zoned PB, (Planned Business) prior to the year 2000. However, when the current Zoning and Development Code and Zoning Map were adopted in the year 2000, this property was zoned B-1, primarily because the property did not yet have a “plan” tied to it. Also, the City and County adopted the current Future Land Use Map in the year 1996 and should have addressed the discrepancy at that time between the PB, zone and the Residential Medium (4 – 8 DU/Ac.) future land use category, but did not. This creates a discrepancy in the zoning and Future Land Use designation that makes little practical sense. This proposed Growth Plan Amendment and Rezone requests would tie the Future Land Use Map and Zoning into a corresponding Commercial designation and remove this existing map discrepancy.

The existing St. Mary’s property to the south (605 26 ½ Road) that contains the Rose Hill Hospitality House is presently designated as Commercial on the Future Land Use Map and zoned PD.

The Zoning and Development Code allows a Growth Plan Amendment and a Rezone to PD, to be reviewed concurrently in accordance with Section 2.5 B. 2.

**2. Section 2.12 B. of the Zoning & Development Code:**

As the request is to add this parcel to the St. Mary’s Hospital Planned Development, the applicant needs to address the review criteria for an Outline Development Plan (ODP) for the expansion of the proposed Rose Hill Hospitality House. Since the applicant has an approved Master Plan 2005 (“MP 2005”) that was adopted by the City Council in 2006 that included the property owned by St. Mary’s Hospital for the Rose Hill Hospitality House, the same review criterion for the Outline Development Plan applies. The proposed Ordinance for the rezoning of the property located at 609 26 ½ Road to PD, Planned Development will amend the original Master Plan 2005 Ordinance 3992 to include this property. The Master Plan is the Outline Development Plan. The following ODP review criteria was utilized for MP 2005 and therefore, the proposed Rose Hill Hospitality House expansion is in compliance with all applicable review criteria and thus the applicant is requesting that the property located at 609 26 ½ Road be zoned, PD, Planned Development.

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

Master Plan 2005 for St. Mary’s Hospital complies with the goals and policies of the Growth Plan, Grand Valley Circulation Plan, the Zoning and



Development Code and the TEDS Manual and with the addition of this parcel MP 2005 still complies.

- b. The rezoning criteria provided in Section 2.6;

Present zoning for the St. Mary's Hospital complex is PD, Planned Development. The addition of this parcel requires it to be rezoned. Please refer to the criteria below in Section 3.

- c. The planned development requirements of Chapter Five;

All building setbacks, parking and landscaping requirements, etc., were met with the MP 2005 and will continue to be met. The deviations approved with the MP 2005 were that the maximum height would exceed the B-1 requirement of 40' in height. A Conditional Use Permit will not be required for a "hospital" or buildings exceeding 30,000 sq. ft. City staff finds these deviations from the default zoning district of B-1 to be acceptable since the Hospital is presently zoned PD, Planned Development and the current hospital building already exceeds the maximum height of 40'. The community has benefitted and will continue to benefit from the deviations as St. Mary's Hospital provides the health care needs for the entire area.

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

There are no applicable corridor guidelines or overlay districts for this parcel.

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

Adequate public facilities or services have been provided to the site or are being upgraded to accommodate the needs of the hospital and site development.

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

MP 2005 complied with the Grand Valley Circulation Plan and Transportation Engineering Design Standards (TEDS) manual and will continue to do so with this addition to the ODP.

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

Appropriate screening and buffering of adjacent properties will be provided.

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

MP 2005 incorporated an appropriate range of building density for the St. Mary's Hospital campus and will continue to do so with this addition to the ODP.

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

See item C.

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

The phasing schedule approved with MP 2005 shall not change. Development with MP 2005 is scheduled to be completed by 2011.

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

The land within the PD zone for St. Mary's Hospital exceeds 20 acres.

### **3. Consistency with Section 2.6 A. of the Zoning and Development Code:**

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

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

Since the PD, zone request uses the existing zone district of B-1, as the underlying default zone, this criteria is not applicable. The applicant would just like to utilize the property as a parking lot for the Rose Hill Hospitality House expansion.

- b. 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 property is located in an area of existing commercial and hospital development near the intersection of Patterson Road and 26 ½ Road (N. 7<sup>th</sup> Street). The applicant, St. Mary's Hospital is requesting the rezone to PD, Planned Development in order to include all its properties within the PD and subject to the same development requirements. The area continues to change as St. Mary's Hospital expands. St. Mary's Hospital is now a campus and has available services to meet most health care needs as well as ancillary services to the health care needs. The expansion of the St. Mary's Rose Hill Hospitality House is one of those ancillary services.

- c. 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;

St. Mary's Hospital has been a part of the neighborhood for many years. Its developments have been designed to work within the neighborhood with as minimal impact to the neighbors as is feasible with meeting the health care needs. The proposed parking lot for this parcel will comply with all requirements of the Code regarding landscaping and lighting. As stated previously the ODP for the PD zone conforms with the City's plans and City requirements and regulations. The ODP will continue to comply with the addition of this parcel.

- d. 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 (water, sewer and right-of-way access, etc.) are currently available and can address the impacts of development consistent with the PD, zoning district and the default zoning district of B-1.

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

The property is currently zoned B-1. The applicant wishes to rezone to PD, so that all of its property for the hospital is included within the same zone and follows the same requirements for development. With the approval of the PD Zoning District, the default zoning district would then be B-1.

- f. The community will benefit from the proposed zone.

With current population growth trends within western Colorado and the need for St. Mary's Hospital to accommodate this growth, additional PD designated properties near the hospital campus is needed in support of hospital services.

**FINDINGS OF FACT/CONCLUSIONS:**

After reviewing the St. Mary's Rose Hill Hospitality House application, RZ-2008-227 for a Rezone, the following findings of fact and conclusions have been determined:

1. The requested Rezone is consistent with the purpose and intent of the Growth Plan.
2. The review criteria in Sections 2.6 A. and 2.12 B. of the Zoning and Development Code have all been met.

**PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission recommended approval of the requested Rezone to the City Council finding the requested rezone from B-1, (Neighborhood Business) to PD, (Planned Development) and the approval of the Outline Development Plan for the St. Mary's Rose Hill Hospitality House, file number RZ-2008-227, with the findings and conclusions listed above.





**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE REZONING PROPERTY LOCATED AT 609 26 ½ ROAD KNOWN  
AS ST. MARY'S ROSE HILL HOSPITALITY HOUSE  
TO PD, PLANNED DEVELOPMENT BY AMENDING ORDINANCE NO. 3992 TO  
INCLUDE THIS PROPERTY**

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of rezoning property located at 609 26 ½ Road to the PD, (Planned Development) zone district, and approving the outline development plan by amending Ordinance No. 3992 to include the parcel finding that the PD zone district and the ODP conform 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 and the ODP meet the criteria found in Sections 2.6 and 2.12 and Chapter Five of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that Ordinance 3992 should be amended and that the PD, (Planned Development) zone district and ODP are in conformance with the stated criteria of Section 2.6, Section 2.12 and Chapter Five of the Grand Junction Zoning and Development Code.

This PD Ordinance will establish the default zoning district, B-1, (Neighborhood Business).

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

Ordinance 3992 is amended to include the following parcel with the addition to the ODP for the parcel.

The following property be zoned PD, Planned Development

Commencing at a Mesa County Survey Marker for the N.E. Corner of the SE 1/4 SW ¼ of Section 2, Township One South, Range One West of the Ute Meridian, Mesa County, Colorado, from whence a Mesa County Survey Marker for the South 1/4 Corner of said Section 2 bears S00°01'25"W for a distance of 1314.69 feet; thence

S00°01'25"W on the easterly line of the SE 1/4 SW 1/4 of said Section 2, 716.69 feet; thence S78°59'25"W 35.66 feet to the point of beginning; thence S00°01'25"W, on the easterly right- of- way of 7th Street 160.82 feet; thence leaving said easterly right- of- way line, N89°23'35"W 70.00 feet on the northerly line of P.D.C. Subdivision, Filing No. 2, to an angle point; thence, continuing on said northerly line, S66°32'56"W 196.23 feet to the east line of an alley; thence N00°01'25"E, on said alley, 31.04 feet to the northerly line of Fairmount Heights Subdivision; thence S68°46'25"W on said northerly line, 21.46 feet; thence N00°01'25"E 56.20 feet; thence N51°21'25"E 224.67 feet; thence N78°59'25"E 96.34 feet to the beginning.

Said parcel contains 0.80 +/- acres (34,848 +/- square feet), more or less, as described.

The default zone shall be B-1, (Neighborhood Business), with the property being utilized as a parking lot for the Rose Hill Hospitality House.

Ordinance 3992 with this amendment shall remain in full force and effect.

**INTRODUCED** on first reading the \_\_\_\_\_ day of \_\_\_\_\_, 2009 and ordered published.

**ADOPTED** on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

ATTEST:

\_\_\_\_\_  
President of the Council

\_\_\_\_\_  
City Clerk



**Attach 3**

Setting a Hearing on the Kapushion Annexation No. 1, 2, and 3, Located at 860 21 Road

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Kapushion Annexation, 1, 2 and 3 - Located at 860 21 Road		
<b>File #</b>	ANX-2008-305		
<b>Meeting Day, Date</b>	Wednesday, January 7, 2009		
<b>Placement on the Agenda</b>	<b>Consent</b>	<b>X</b>	<b>Individual</b>
<b>Date Prepared</b>	December 23, 2008		
<b>Author Name &amp; Title</b>	Lori V. Bowers, Senior Planner		
<b>Presenter Name &amp; Title</b>	Lori V. Bowers, Senior Planner		

**Summary:** Request to annex 35.12 acres, located at 860 21 Road. The Kapushion Annexation consists of one parcel. No road right-of-way is included in this annexation area. This is a three part serial annexation.

**Budget:** N/A

**Action Requested/Recommendation:** Adopt a Resolution referring the petition for the Kapushion Annexation, 1, 2 and 3, and introduce the proposed Ordinances and set a hearing for March 4, 2009.

**Attachments:**

1. Staff report/Background information
2. Annexation / Site Map; Aerial Photo Map
3. Future Land Use Map; Existing City and County Zoning Map
4. Letter from neighbor
5. Annexation Petition
6. Resolution Referring Petition
7. Annexation Ordinances

**Background Information:** See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION					
<b>Location:</b>		860 21 Road			
<b>Applicants:</b>		Irma J. Kapushion Revocable Trust, owner; Austin Civil Group, c/o Mark Austin; Dan Wilson, representatives.			
<b>Existing Land Use:</b>		Single family residence with agricultural land			
<b>Proposed Land Use:</b>		Industrial and residential subdivisions			
<b>Surrounding Land Use:</b>	<b>North</b>	Agricultural			
	<b>South</b>	Industrial and Agricultural			
	<b>East</b>	Single Family and Agricultural			
	<b>West</b>	Single Family and Agricultural			
<b>Existing Zoning:</b>		RSF-R (Residential Single Family – Rural) County			
<b>Proposed Zoning:</b>		I-1 (Light Industrial) and R-4 (Residential – 4 units)			
<b>Surrounding Zoning:</b>	<b>North</b>	RSF-R (Residential Single Family – Rural) County			
	<b>South</b>	I-1(Light Industrial) and County RSF-R			
	<b>East</b>	RSF-R (Residential Single Family – Rural) County			
	<b>West</b>	CPA (Cooperative Planning Area) County			
<b>Growth Plan Designation:</b>		Rural (5 to 35 acres per dwelling unit)			
<b>Zoning within density range?</b>			<b>Yes</b>	<b>X</b>	<b>No</b>

**Staff Analysis:**

The Kapushion Annexation and Northwest GJ Annexation Petitions were prepared by the applicant’s attorney and are not the standard annexation petitions that the City is accustomed to receiving. The petitions are conditioned upon approval of their requested zoning. A Growth Plan Amendment will be required to zone the property to meet their request. The requested zoning designations must be applied to the property or (to paraphrase the language) upon written demand of any owner of the property after March 1, 2009, the City agrees that all signatures on the Petition shall be deemed withdrawn and the City Council, by acceptance of this Petition irrevocably agrees that it shall forthwith disconnect and de-annex the Property from the City. The Growth Plan Amendment and Zoning Ordinance requests shall be forthcoming.

The subject properties were recently included in the Persigo 201 boundary expansion in the North area. This area is also being scrutinized for possible changes in the new Comprehensive Plan, which is not yet adopted. Many residents in this area are

concerned with the possible changes in this area. I have attached one of their letters for your review.

**ANNEXATION:**

The Kapushion annexation area consists of 35.12 acres of land and is comprised of two parcels. The property owners have requested annexation into the City to allow for residential and light industrial subdivision 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 Kapushion Annexation 1, 2 and 3, 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.

*ANNEXATION SCHEDULE*

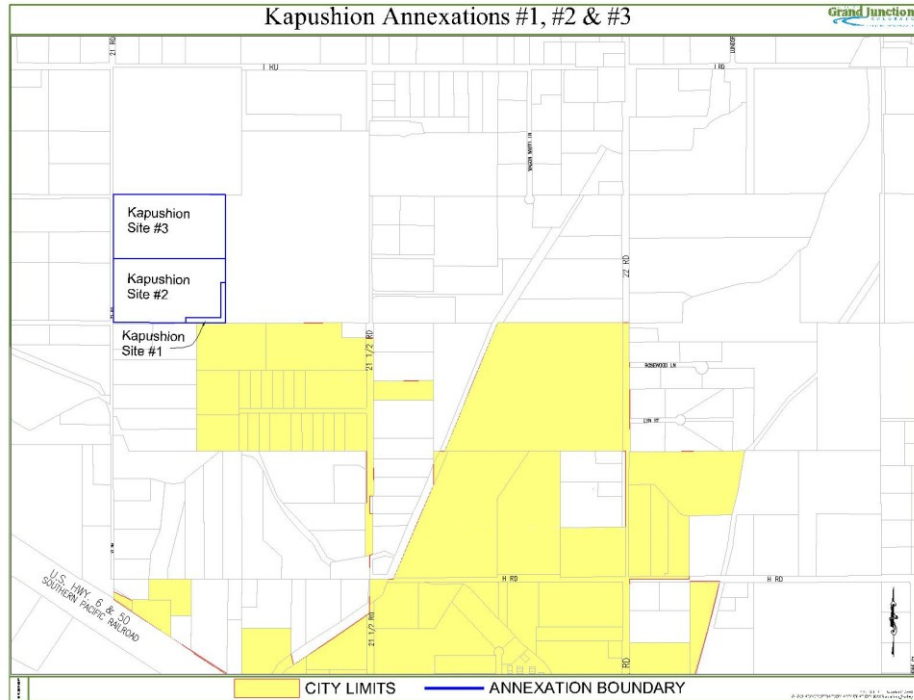
<b>Jan. 7, 2009</b>	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
<b>Jan. 13, 2009</b>	Planning Commission considers Zone of Annexation
<b>Feb. 18, 2009</b>	Introduction Of A Proposed Ordinance on Zoning by City Council
<b>Mar. 4, 2009</b>	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
<b>April 5, 2009</b>	Effective date of Annexation and Zoning

**KAPUSHION ANNEXATION 1, 2 and 3 SUMMARY**

<b>File Number:</b>		ANX-2008-305
<b>Location:</b>		860 21 Road
<b>Tax ID Number:</b>		2697-252-00-003 (Assessor has not yet provided an additional tax ID number)
<b># of Parcels:</b>		2
<b>Estimated Population:</b>		0
<b># of Parcels (owner occupied):</b>		1
<b># of Dwelling Units:</b>		1
<b>Acres land annexed:</b>		35.12
<b>Developable Acres Remaining:</b>		35.12
<b>Right-of-way in Annexation:</b>		none
<b>Previous County Zoning:</b>		RSF-R (County, Residential Single Family - Rural)
<b>Proposed City Zoning:</b>		I-1 (Light Industrial) and R-4 (Residential – 4 units per acre)
<b>Current Land Use:</b>		Single family residence and agricultural
<b>Future Land Use:</b>		RUR (Rural – 5 to 35 ac/du)
<b>Values:</b>	<b>Assessed:</b>	\$21,160
	<b>Actual:</b>	\$162,270
<b>Address Ranges:</b>		21 Road and 21 1/2 Road
<b>Special Districts:</b>	<b>Water:</b>	Ute Water
	<b>Sewer:</b>	201
	<b>Fire:</b>	Lower Valley Fire
	<b>Irrigation/ Drainage:</b>	Grand Valley Irrigation / Grand Valley Drainage
	<b>School:</b>	Appleton Elementary; Fruita Middle School; Fruita Monument High School
	<b>Pest:</b>	none

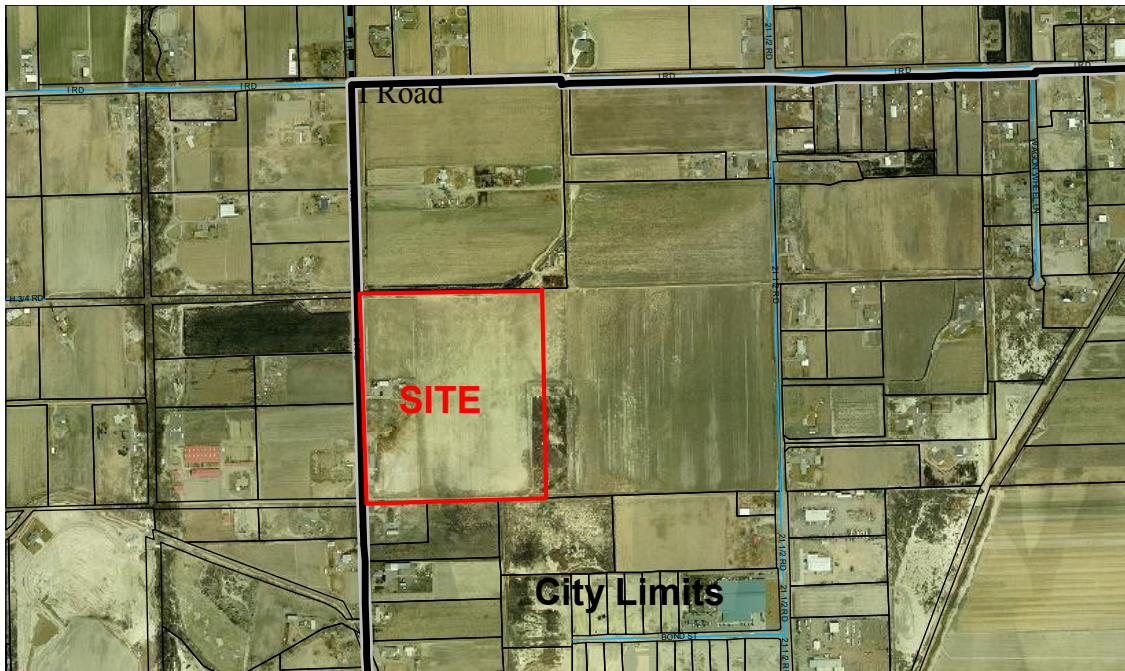
# Site Map

860 21 Road



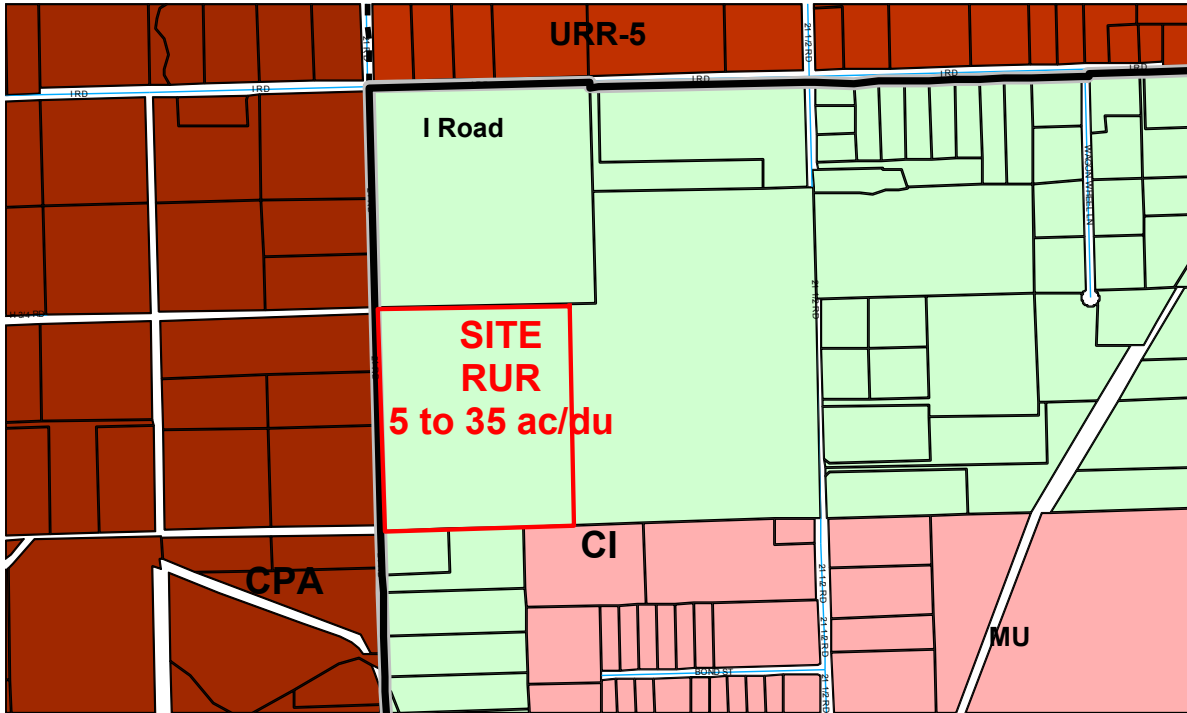
# Aerial Photo Map

860 21 Road



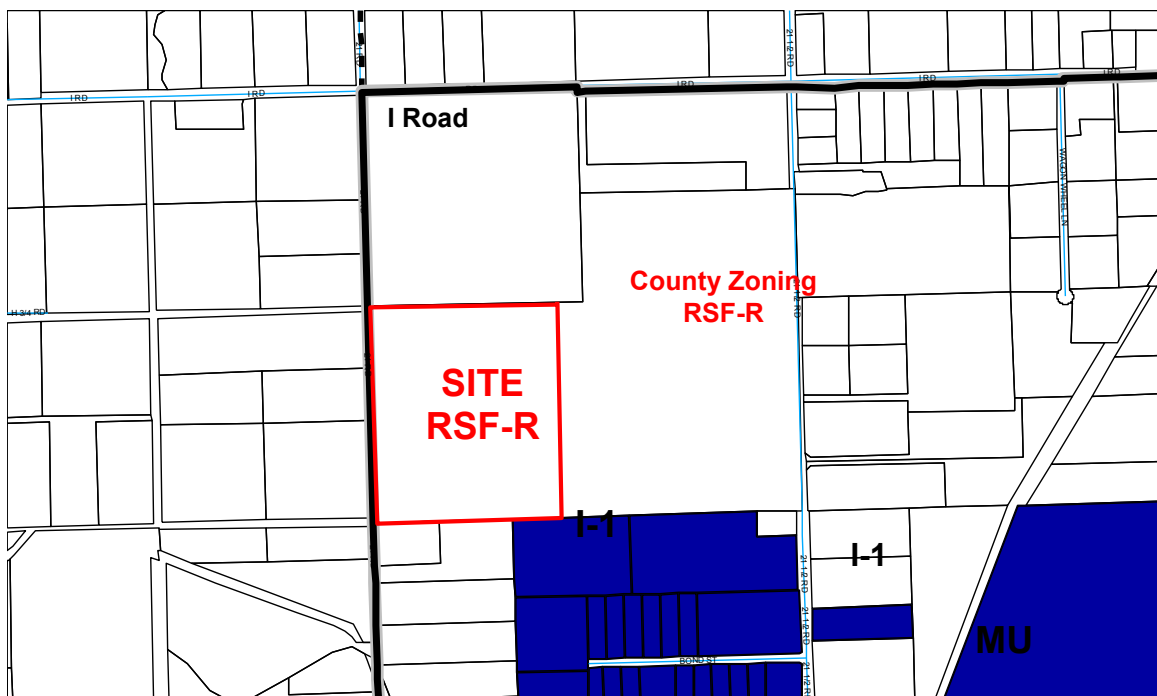
# Future Land Use Map

860 21 Road



# Existing City and County Zoning

860 21 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."

September 8, 2008

Grand Junction City Council  
Grand Junction City Planning  
Mesa County Commissioners  
Mesa County Planning Commission

Re: NW Area Development

Dear City Council, County Commissioner and Planning Members:

On August 2, 2007 many of you were stewards for our neighborhood; demonstrating for us that you indeed can uphold the values and goals in the Comprehensive Plan and that you do not support inappropriate and untimely decision making. We again ask for your consideration and mindful analysis of any proposed development in our area and that you assure our rights as residents and land owners are protected, as well as our quality of life.

Prior to and since this meeting, there has been discussion in City/Council meetings, and an understanding with those of us that live here that the proposed H ½ Road is the line in the sand; that industrial development will remain south of H ½ Road. Additionally, there was also discussion on the need for buffering and more protection standards to soften the impact of the already existing industrial areas and that waiting until the Comprehensive Plan revision is complete, before making any further sweeping changes in the NW Area, was the prudent thing to do.

I want you all to hear that my husband and I are not against growth and development; I believe this to be true for my neighbors on 21 ½ and other folks in the NW area that I have spoken with. We all realize this is a reality for our Valley. We did not oppose the expansion of the 201 Boundary this year; we feel this appropriate at this time, and should allow for good development opportunities for the future. We do not believe that including areas in the sewer boundary equals violating existing land use plans.

For those of you whom have not seen it, you will soon have before you a development plan by Northwest GJ, LLC, presented by Austin Civil Group, Inc, for the approximately 100 acres of rural/agriculturally zoned land north of the proposed H ½ road, between 21 ½ and 21 Roads. This will be a request to annex and rezone irrigated, agricultural land primarily to industrial. Many of us now have their initial and revised plan in hand; the proposed project has 32, 1.4 to 2.84 acre industrial lots and 20 acres of R-4.

Mr. Mark Austin of ACG and Mr. Lawrence, one of the property owners, conducted a "neighborhood meeting" on 8-20, they did not notify everyone in the area that will be impacted by this massive development plan. In their "Growth Plan Amendment/Annexation Application for 860 21 Road" document, ACG was remiss in stating that there are no existing residential homes along the 21 Road Frontage, and failed address the fact that there are nice homes and acreage on and set back of 21 ½ Road. Their opinion of a buffer is 80 homes on 20 acres, mind you, as it "...provides a better buffer to the existing homes south of I Road".

ACG, as well as well as Planning Commission's Dave Thornton, have stated that this plan is consistent with the Growth Plan and the direction the City of Grand Junction has received during the various neighborhood meetings. We put forth that the City/County Subarea Concept Plan Map *is not in line with Northwest/Appleton resident's key desires, and we argue neither with the information documented in the Comprehensive Plan Sub Area reports and Executive Summary*. As is noted in the Executive Summary, the plans "...have not been through a public approval process nor have they been adopted by either the City or County" and additionally, the plans are "...intended to provide one possible response (among many) to the question "If we move the Persigo/201 Sewer Boundary, what kinds of land uses might make sense and how would the area develop?".



Section 2.14 of the Zoning and Development Codes states that the zoning of an annexation area shall be consistent with the Growth Plan or the existing County zoning. The requested changes by Northwest GJ, LLC do not conform with the zoning and development code and do not conform to the goals and policies the Growth Plan and Future Land Use designation. We adamantly oppose their growth plan amendment request to rezone any rural/agriculturally zoned acreage to industrial designation. Their proposed residential density is also compatible with surrounding properties. Again, this plan does not conform to the following goals and policies as stated in the Comprehensive Plan:

1. Goal 1: Land Use-policies 1.1, 1.2, 1.3, 1.7, 1.9, all related to conforming to the current Future Land Use categories, ensuring compatibility with adjacent properties and buffering from heaving industrial and commercial uses.
2. Goal 11: To promote stable neighborhoods and land use compatibility, policy 11.1, policy 11.2-the City and County will limit commercial encroachment into stable residential neighborhoods...

As you all know, with the approval of the H Road and Northwest Area Study Plan in 2006 and April 18, 2007 by Grand Junction City Council, approximately 250 acres were annexed and rezoned to industrial/commercial. Many of these properties are still unsold, as is much of the Job Site's lots, the Kelley and Reigan properties, etc...We move there is no need for further industrial development encroaching above H ½ Road, when the NW Area, and the Valley as a whole has industrial locations for sale and appropriate land for industrial use can be available with proactive, coordinated planning. Please continue to ask for the data that warrants any person saying there isn't enough industrial land available, and continue to make sure you are looking at the Valley as a whole, not just what Grand Junction City can unfold.

I respectfully ask for current, accurate traffic and noise studies be conducted by the City and County now. This area cannot afford to wait until development is already here so it can be paid for, regardless of the type. Developers technically have no obligation to our neighborhood, you all do. At this point, we do not believe the use of "theoretical models" is sound planning or a true picture of reality in light of the huge traffic and noise problems that have been previously documented and continue escalate on 21 ½ and the area as a whole.

I also ask you to consider this; if we can be awakened by the industrial equipment beeping at 3 a.m. in the morning, *from H and 22 Road*, how can one say Codes are being enforced and that further industrial development right across the street is appropriate and in line with the goals and policies of the Growth Plan?

We sincerely thank you for your attention in these matters,

Kelly M. Bowen  
876 21 ½ Road  
Grand Junction, Co 81505  
Email: [stumpkel@aim.com](mailto:stumpkel@aim.com)  
Phone: 858-8315

**KAPUSHION ANNEXATION  
PETITION FOR ANNEXATION**

WE THE UNDERSIGNED do hereby petition the City Council of the City of Grand Junction, State of Colorado, to annex the following described parcels (the "Property") to the said City:

GENERAL LOCATION: 860 21 Road

**Legal Description, in Mesa County, Colorado:** See attached Exhibit "A," a copy of which is attached hereto and was recorded in Book 4706 at Page 589 in the public records of Mesa County, Colorado (Reception No. 2451114).

The foregoing legal description describes the parcel and is the perimeter boundary descriptions for purposes of the Annexation Act, is shown on the attached Exhibit "A," "Kapushion Perimeter Boundary Legal Description."

As grounds therefore, the petitioner respectfully state that, if the below described condition is fulfilled, annexation to the City of Grand Junction, Colorado is both necessary and desirable and that the said territory is eligible for annexation in that the provisions of the Municipal Annexation Act of 1965, Sections 31-12-104 and 31-12-105, C.R.S. have been met.

This petition is accompanied by four copies of a map or plat of the said territory showing its boundary and its relation to established City limit lines, and said map is prepared upon a material suitable for filing.

Petitioners further state that they are the owners of more than fifty percent of the area of such territory to be annexed, exclusive of streets and alleys; that the mailing address of the signer and the date of signature are set forth below, and that the legal description of the property owned by the signer of said petition is attached hereto as Exhibit "A."

WHEREFORE, subject to the condition that on or before March 1, 2009 the City zoning for the Property is "I-1: Light Industrial", in accordance with section 3.4 G of the City's Zoning and Development Code as it exists as of the date hereof, these petitioners pray that this petition be accepted and that the said annexation be approved and accepted by ordinance. These petitioners by his/her/their signature(s) acknowledge, understand and agree if any development application (other than any related to the zoning as described above) concerning the Property is denied, discontinued or disapproved, in whole or in part, that the annexation of the property to the City of Grand Junction shall remain effective; if the "I-1" zoning is not finally adopted for the Property as stated above, upon the written demand of any owner of the Property after March 1, 2009, the City agrees that all signatures on this Petition shall be deemed withdrawn and the City Council, by acceptance of this Petition irrevocably agrees that it shall forthwith disconnect and de-annex the Property from the City.

Property Owner: Irma L. Kapushion Revocable Trust  
Owner's Address: 860 21 Road, Grand Junction, CO 81505

Owner's Signature: Irma L. Kapushion DATE: 12-9-08



STATE OF COLORADO )  
                                  ) ss.  
COUNTY OF MESA     )

AFFIDAVIT

IRMA KAPUSHION, of lawful age, being first duly sworn, upon oath, deposes and says that he/she is the circulator of the foregoing petition and that each signature on the said petition is the signature of the person whose name it purports to be.

IRMA S. KAPUSHION

Subscribed and sworn to before me this 9th day of Dec, 2008.

Witness my hand and official seal.  
My commission expires: 1/24/10

Paul A. Norman  
Notary Public  
585 25 1/2 rd G.S. Co  
Address

**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 7th of January, 2009, 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**

**KAPUSHION ANNEXATION NO. 1, NO. 2, AND NO. 3**

**LOCATED AT 860 21 ROAD.**

WHEREAS, on the 7th day of January, 2009, 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:

Kapushion Annexation No.1

A certain parcel of land located in the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of Section 25, Township One North, Range Two West 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 NW 1/4 of said Section 25 and assuming the South line of the SW 1/4 NW 1/4 of said Section 25 to bear N89°52'43"W with all bearings contained herein relative thereto; thence N89°52'43"W a distance of 167.07 feet along the South line of the SW 1/4 NW 1/4 of said Section 25, said line also being the North line of HDP Investment Group Annexation, Ordinance No. 4113, City of Grand Junction to the Point of Beginning; thence N89°52'43"W a distance of 411.90 feet along the South line of the SW 1/4 NW 1/4 of said Section 25, said line also being the North line of said HDP Investment Group Annexation; thence N00°00'36"E a distance of 50.00 feet; thence S89°52'43"E a distance of 361.90 feet along a line being 50.00 feet North of and parallel with the South line of the SW 1/4 NW 1/4 of said Section 25; thence N00°00'36"E a distance of 361.90 feet along a line being 50.00 feet West of and parallel with the East line of the Westerly 35.1 acres, as same is recorded in Book 4706, Page 591, public records of Mesa County, Colorado; thence S89°52'43"E a distance of 50.00 feet to a point on the East line of said Westerly

35.1 acres; thence S00°00'36"W a distance of 411.90 feet along the East line of said Westerly 35.1 acres to the Point of Beginning.

Said parcel contains 0.89 acres (38,690.28 sq. ft.), more or less, as described.

### Kapushion Annexation No. 2

A certain parcel of land located in the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of Section 25, Township One North, Range Two West 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 NW 1/4 of said Section 25 and assuming the South line of the SW 1/4 NW 1/4 of said Section 25 to bear N89°52'43"W with all bearings contained herein relative thereto; thence N89°52'43"W a distance of 578.97 feet along the South line of the SW 1/4 NW 1/4 of said Section 25, said line also being the North line of HDP Investment Group Annexation, Ordinance No. 4113, City of Grand Junction to the Southwesterly corner of Kapushion Annexation No. 1, City of Grand Junction, said point also being the Point of Beginning; thence N89°52'43"W a distance of 745.70 feet along the South line of the SW 1/4 NW 1/4 of said Section 25 to the Southwest corner of the SW 1/4 NW 1/4 of said Section 25; thence N00°00'37"E a distance of 660.67 feet along the West line of the SW 1/4 NW 1/4 of said Section 25; thence S89°52'33"E a distance of 1157.60 feet to a point on the East line of the Westerly 35.1 acres, as same is recorded in Book 4706, Page 591, public records of Mesa County, Colorado; thence S00°00'36"W a distance of 248.70 feet along the East line of said Westerly 35.1 acres to the Northeasterly corner of said Kapushion Annexation No. 1; thence along the Northwesterly line of said Kapushion Annexation No. 1 the following four (4) courses: (1) N89°52'43"W a distance of 50.00 feet; (2) S00°00'36"W a distance of 361.90 feet; (3) N89°52'43"W a distance of 361.90 feet; (4) S00°00'36"W a distance of 50.00 feet to the Point of Beginning.

Said parcel contains 16.67 acres (726,059.29 sq. ft.), more or less, as described.

### Kapushion Annexation No. 3

A certain parcel of land located in the North Half of the Southwest Quarter of the Northwest Quarter (N 1/2 SW 1/4 NW 1/4) of Section 25, Township One North, Range Two West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Commencing at the Northeast corner of the SW 1/4 NW 1/4 of said Section 25 and assuming the East line of the SW 1/4 NW 1/4 of said Section 25 to bear S00°00'05"W with all bearings contained herein relative thereto; thence N89°52'22"W a distance of 166.87 feet along the North line of the SW 1/4 NW 1/4 of said Section 25 to the Point

of Beginning; thence S00°00'36"W a distance of 660.61 feet along the East line of the Westerly 35.1 acres, as same is recorded in Book 4706, Page 591, public records of Mesa County, Colorado to the Northeast corner of Kapushion Annexation No. 2, City of Grand Junction; thence N89°52'33"W a distance of 1157.60 feet along the South line of the N 1/2 SW 1/4 NW 1/4 of said Section 25, said line also being the North line of said Kapushion Annexation No. 2 to a point on the West line of the SW 1/4 NW 1/4 of said Section 25; thence N00°00'35"E a distance of 660.67 feet along the West line of the SW 1/4 NW 1/4 of said Section 25 to the Northwest corner of the SW 1/4 NW 1/4 of said Section 25; thence S89°52'22"E a distance of 1157.60 feet along the North line of the SW 1/4 NW 1/4 of said Section 25 to the Point of Beginning.

Said parcel contains 17.56 acres (764,753.85 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 4<sup>th</sup> day of March, 2009, in the City Hall auditorium, located at 250 North 5<sup>th</sup> 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 \_\_\_\_\_, 2009.



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>
<b>January 9, 2009</b>
<b>January 16, 2009</b>
<b>January 23, 2009</b>
<b>January 30, 2009</b>

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**KAPUSHION ANNEXATION NO. 1**

**APPROXIMATELY 0.89 ACRES**

**LOCATED AT 860 21 ROAD**

**WHEREAS**, on the 7th day of January, 2009, 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 4<sup>th</sup> day of March, 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 situated in Mesa County, Colorado, and described to wit:

Kapushion Annexation No.1

A certain parcel of land located in the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of Section 25, Township One North, Range Two West 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 NW 1/4 of said Section 25 and assuming the South line of the SW 1/4 NW 1/4 of said Section 25 to bear N89°52'43"W with all bearings contained herein relative thereto; thence N89°52'43"W a distance of 167.07 feet along the South line of the SW 1/4 NW 1/4 of said Section 25, said line also being the North line of HDP Investment Group Annexation, Ordinance

No. 4113, City of Grand Junction to the Point of Beginning; thence N89°52'43"W a distance of 411.90 feet along the South line of the SW 1/4 NW 1/4 of said Section 25, said line also being the North line of said HDP Investment Group Annexation; thence N00°00'36"E a distance of 50.00 feet; thence S89°52'43"E a distance of 361.90 feet along a line being 50.00 feet North of and parallel with the South line of the SW 1/4 NW 1/4 of said Section 25; thence N00°00'36"E a distance of 361.90 feet along a line being 50.00 feet West of and parallel with the East line of the Westerly 35.1 acres, as same is recorded in Book 4706, Page 591, public records of Mesa County, Colorado; thence S89°52'43"E a distance of 50.00 feet to a point on the East line of said Westerly 35.1 acres; thence S00°00'36"W a distance of 411.90 feet along the East line of said Westerly 35.1 acres to the Point of Beginning.

Said parcel contains 0.89 acres (38,690.28 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 \_\_\_\_\_, 2009 and ordered published.

**ADOPTED** on second reading the \_\_\_\_ day of \_\_\_\_\_, 2009.

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**

**KAPUSHION ANNEXATION NO. 2**

**APPROXIMATELY 16.67 ACRES**

**LOCATED AT 860 21 ROAD**

**WHEREAS**, on the 7th day of January, 2009, 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 4<sup>th</sup> day of March, 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 situated in Mesa County, Colorado, and described to wit:

Kapushion Annexation No. 2

A certain parcel of land located in the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of Section 25, Township One North, Range Two West 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 NW 1/4 of said Section 25 and assuming the South line of the SW 1/4 NW 1/4 of said Section 25 to bear N89°52'43"W with all bearings contained herein relative thereto; thence N89°52'43"W a distance of 578.97 feet along the South line of the SW 1/4 NW 1/4 of said Section 25, said line also being the North line of HDP Investment Group Annexation, Ordinance

No. 4113, City of Grand Junction to the Southwesterly corner of Kapushion Annexation No. 1, City of Grand Junction, said point also being the Point of Beginning; thence N89°52'43"W a distance of 745.70 feet along the South line of the SW 1/4 NW 1/4 of said Section 25 to the Southwest corner of the SW 1/4 NW 1/4 of said Section 25; thence N00°00'37"E a distance of 660.67 feet along the West line of the SW 1/4 NW 1/4 of said Section 25; thence S89°52'33"E a distance of 1157.60 feet to a point on the East line of the Westerly 35.1 acres, as same is recorded in Book 4706, Page 591, public records of Mesa County, Colorado; thence S00°00'36"W a distance of 248.70 feet along the East line of said Westerly 35.1 acres to the Northeasterly corner of said Kapushion Annexation No. 1; thence along the Northwesterly line of said Kapushion Annexation No. 1 the following four (4) courses: (1) N89°52'43"W a distance of 50.00 feet; (2) S00°00'36"W a distance of 361.90 feet; (3) N89°52'43"W a distance of 361.90 feet; (4) S00°00'36"W a distance of 50.00 feet to the Point of Beginning.

Said parcel contains 16.67 acres (726,059.29 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 \_\_\_\_\_, 2009 and ordered published.

**ADOPTED** on second reading the \_\_\_\_ day of \_\_\_\_\_, 2009.

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**

**KAPUSHION ANNEXATION NO. 3**

**APPROXIMATELY 17.56 ACRES**

**LOCATED AT 860 21 ROAD**

**WHEREAS**, on the 7th day of January, 2009, 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 4<sup>th</sup> day of March, 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 situated in Mesa County, Colorado, and described to wit:

Kapushion Annexation No. 3

A certain parcel of land located in the North Half of the Southwest Quarter of the Northwest Quarter (N 1/2 SW 1/4 NW 1/4) of Section 25, Township One North, Range Two West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Commencing at the Northeast corner of the SW 1/4 NW 1/4 of said Section 25 and assuming the East line of the SW 1/4 NW 1/4 of said Section 25 to bear S00°00'05"W with all bearings contained herein relative thereto; thence N89°52'22"W a distance of 166.87 feet along the North line of the SW 1/4 NW 1/4 of said Section 25 to the Point of Beginning; thence S00°00'36"W a distance of 660.61 feet along the East line of the Westerly 35.1 acres, as same is recorded in Book 4706, Page 591, public records of Mesa County, Colorado to the Northeast corner of Kapushion Annexation No. 2, City of Grand Junction; thence N89°52'33"W a distance of 1157.60 feet along the South line

of the N 1/2 SW 1/4 NW 1/4 of said Section 25, said line also being the North line of said Kapushion Annexation No. 2 to a point on the West line of the SW 1/4 NW 1/4 of said Section 25; thence N00°00'35"E a distance of 660.67 feet along the West line of the SW 1/4 NW 1/4 of said Section 25 to the Northwest corner of the SW 1/4 NW 1/4 of said Section 25; thence S89°52'22"E a distance of 1157.60 feet along the North line of the SW 1/4 NW 1/4 of said Section 25 to the Point of Beginning.

Said parcel contains 17.56 acres (764,753.85 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 \_\_\_\_\_, 2009 and ordered published.

**ADOPTED** on second reading the \_\_\_\_ day of \_\_\_\_\_, 2009.

Attest:

\_\_\_\_\_  
President of the Council

\_\_\_\_\_  
City Clerk



**Attach 4**

Setting a Hearing for the NW GJ Annexation, No. 1 and 2, Located East of 860 21 Road

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Northwest GJ Annexation, 1 & 2 - Located east of 860 21 Road		
<b>File #</b>	ANX-2008-305		
<b>Meeting Day, Date</b>	Wednesday, January 7, 2009		
<b>Placement on the Agenda</b>	<b>Consent</b>	<b>X</b>	<b>Individual</b>
<b>Date Prepared</b>	December 23, 2008		
<b>Author Name &amp; Title</b>	Lori V. Bowers, Senior Planner		
<b>Presenter Name &amp; Title</b>	Lori V. Bowers, Senior Planner		

**Summary:** Request to annex 65.61 acres, located east of 860 21 Road, along 21 1/2 Road. The Northwest GJ Annexation consists of two parcels including 6,200.87 square feet of 21 1/2 Road Right-of-Way.

**Budget:** N/A

**Action Requested/Recommendation:** Adopt a Resolution referring the petition for the Northwest GJ Annexation, 1 & 2 and introduce the proposed Ordinance and set a hearing for March 4, 2009.

**Attachments:**

1. Staff report/Background information
2. Annexation / Site Map; Aerial Photo Map
3. Future Land Use Map; Existing City and County Zoning Map
4. Letter from neighbor
5. Annexation Petition
6. Resolution Referring Petition
7. Annexation Ordinances

**Background Information:** See attached Staff Report/Background Information

STAFF REPORT / BACKGROUND INFORMATION

<b>Location:</b>		East of 860 21 Road, along 21 1/2 Road		
<b>Applicants:</b>		Northwest GJ, LLC owner; Austin Civil Group, c/o Mark Austin; Dan Wilson, representatives.		
<b>Existing Land Use:</b>		Vacant agricultural land		
<b>Proposed Land Use:</b>		Industrial and residential subdivisions		
<b>Surrounding Land Use:</b>	<b>North</b>	Agricultural		
	<b>South</b>	Industrial and Agricultural		
	<b>East</b>	Single Family and Agricultural		
	<b>West</b>	Single Family and Agricultural		
<b>Existing Zoning:</b>		RSF-R (Residential Single Family – Rural) County		
<b>Proposed Zoning:</b>		I-1 (Light Industrial) and R-4 (Residential – 4 units)		
<b>Surrounding Zoning:</b>	<b>North</b>	RSF-R (Residential Single Family – Rural) County		
	<b>South</b>	I-1(Light Industrial) and County RSF-R		
	<b>East</b>	RSF-R (Residential Single Family – Rural) County		
	<b>West</b>	CPA (Cooperative Planning Area) County		
<b>Growth Plan Designation:</b>		Rural (5 to 35 acres per dwelling unit)		
<b>Zoning within density range?</b>		<b>Yes</b>	<b>X</b>	<b>No</b>

**Staff Analysis:**

The Northwest GJ Petition and the Kapushion Annexations were prepared by the applicant’s attorney and are not the standard annexation petitions that the City is accustomed to receiving. The petitions are conditioned upon approval of their requested zoning. A Growth Plan Amendment will be required to zone the property to meet their request. The requested zoning designations must be applied to the property or (to paraphrase the language) upon written demand of any owner of the property after March 1, 2009, the City agrees that all signatures on the Petition shall be deemed withdrawn and the City Council, by acceptance of this Petition irrevocably agrees that it shall forthwith disconnect and de-annex the Property from the City. The Growth Plan Amendment and Zoning Ordinance requests shall be forthcoming.

The subject properties were recently included in the Persigo 201 boundary expansion in the North area. This area is also being scrutinized for possible changes in the new Comprehensive Plan, which is not yet adopted. Many residents in this area are concerned with the possible changes in this area. I have attached one of their letters for your review.

**ANNEXATION:**

The Northwest GJ annexation area consists of 65.61 acres of land and is comprised of two parcels. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

It is staff's opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Northwest GJ Annexation 1 and 2, 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.

<b><u>ANNEXATION SCHEDULE</u></b>	
<b>Jan. 7, 2009</b>	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use

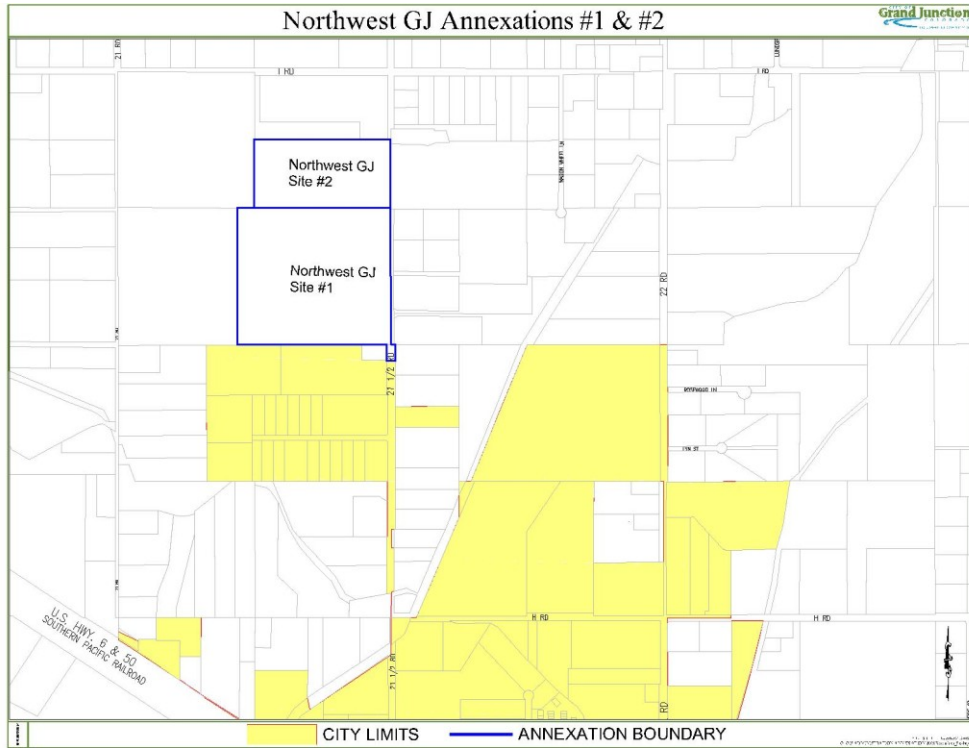
<b>Jan. 13, 2009</b>	Planning Commission considers Zone of Annexation
<b>Feb.18, 2009</b>	Introduction Of A Proposed Ordinance on Zoning by City Council
<b>Mar. 4, 2009</b>	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
<b>April 5, 2009</b>	Effective date of Annexation and Zoning

**NORTHWEST GJ ANNEXATION 1 & 2 SUMMARY**

<b>File Number:</b>		ANX-2008-305
<b>Location:</b>		East of 860 21 Road, along 21 1/2 Road
<b>Tax ID Number:</b>		2697-252-00-003 (Assessor has not yet provided an additional tax ID number)
<b># of Parcels:</b>		2
<b>Estimated Population:</b>		0
<b># of Parcels (owner occupied):</b>		0
<b># of Dwelling Units:</b>		0
<b>Acres land annexed:</b>		60.55
<b>Developable Acres Remaining:</b>		60.55
<b>Right-of-way in Annexation:</b>		6200.87 square feet
<b>Previous County Zoning:</b>		RSF-R (County, Residential Single Family - Rural)
<b>Proposed City Zoning:</b>		I-1 (Light Industrial) and R-4 (Residential – 4 units per acre)
<b>Current Land Use:</b>		Single family residence and agricultural
<b>Future Land Use:</b>		RUR (Rural – 5 to 35 ac/du)
<b>Values:</b>	<b>Assessed:</b>	\$21,160
	<b>Actual:</b>	\$162,270
<b>Address Ranges:</b>		21 Road and 21 1/2 Road
<b>Special Districts:</b>	<b>Water:</b>	Ute Water
	<b>Sewer:</b>	201
	<b>Fire:</b>	Lower Valley Fire
	<b>Irrigation/ Drainage:</b>	Grand Valley Irrigation / Grand Valley Drainage
	<b>School:</b>	Appleton Elementary; Fruita Middle School; Fruita Monument High School
	<b>Pest:</b>	none

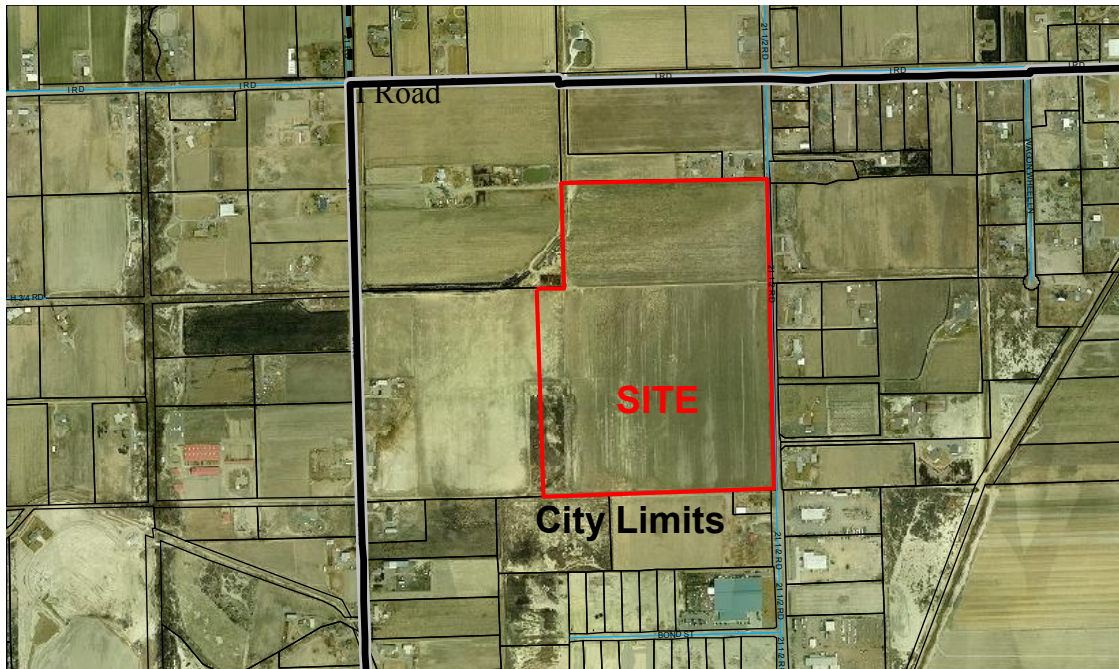
# Site Map

Adjacent to the east of 860 21 Road



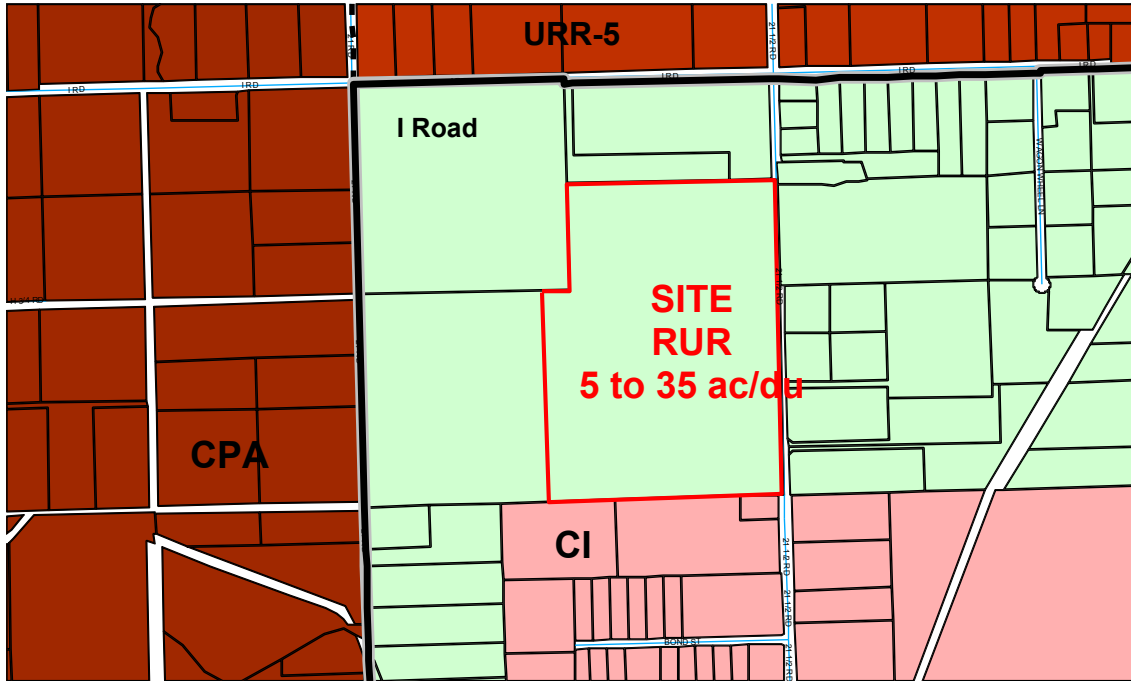
# Aerial Photo Map

860 21 Road



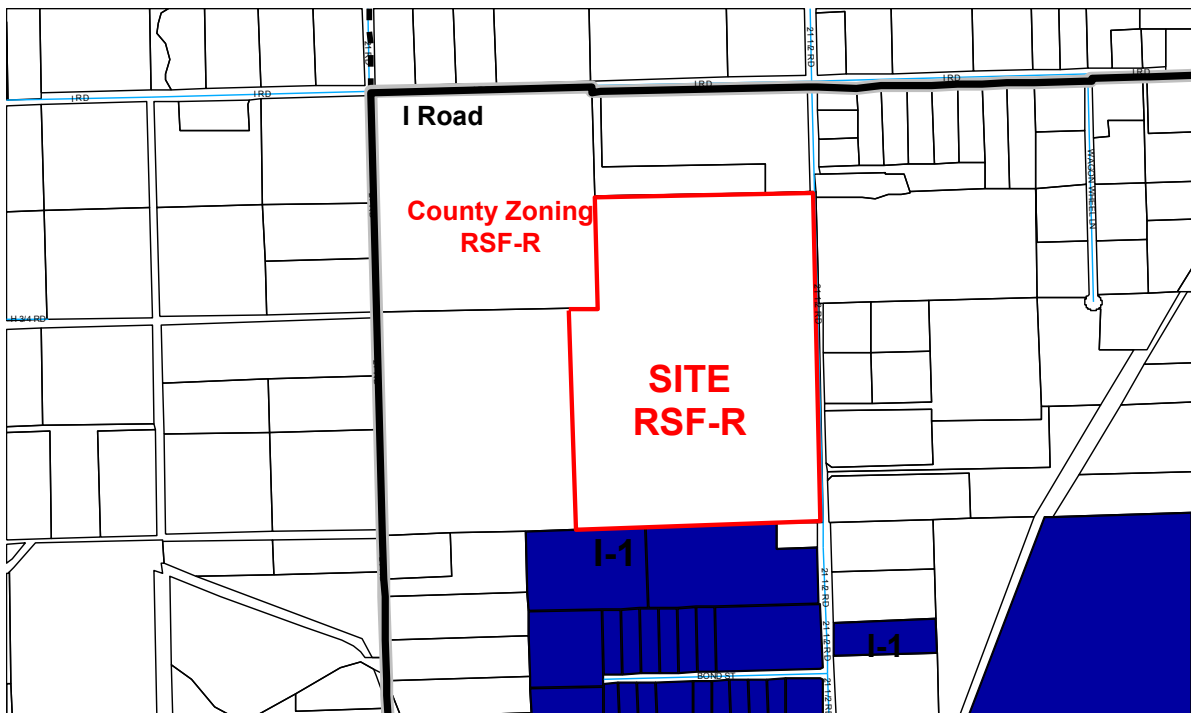
# Future Land Use Map

860 21 Road



# Existing City and County Zoning

860 21 Road



September 8, 2008

Grand Junction City Council  
Grand Junction City Planning  
Mesa County Commissioners  
Mesa County Planning Commission

Re: NW Area Development

Dear City Council, County Commissioner and Planning Members:

On August 2, 2007 many of you were stewards for our neighborhood; demonstrating for us that you indeed can uphold the values and goals in the Comprehensive Plan and that you do not support inappropriate and untimely decision making. We again ask for your consideration and mindful analysis of any proposed development in our area and that you assure our rights as residents and land owners are protected, as well as our quality of life.

Prior to and since this meeting, there has been discussion in City/Council meetings, and an understanding with those of us that live here that the proposed H ½ Road is the line in the sand; that industrial development will remain south of H ½ Road. Additionally, there was also discussion on the need for buffering and more protection standards to soften the impact of the already existing industrial areas and that waiting until the Comprehensive Plan revision is complete, before making any further sweeping changes in the NW Area, was the prudent thing to do.

I want you all to hear that my husband and I are not against growth and development; I believe this to be true for my neighbors on 21 ½ and other folks in the NW area that I have spoken with. We all realize this is a reality for our Valley. We did not oppose the expansion of the 201 Boundary this year; we feel this appropriate at this time, and should allow for good development opportunities for the future. We do not believe that including areas in the sewer boundary equals violating existing land use plans.

For those of you whom have not seen it, you will soon have before you a development plan by Northwest GJ, LLC, presented by Austin Civil Group, Inc, for the approximately 100 acres of rural/agriculturally zoned land north of the proposed H ½ road, between 21 ½ and 21 Roads. This will be a request to annex and rezone irrigated, agricultural land primarily to industrial. Many of us now have their initial and revised plan in hand; the proposed project has 32, 1.4 to 2.84 acre industrial lots and 20 acres of R-4.

Mr. Mark Austin of ACG and Mr. Lawrence, one of the property owners, conducted a "neighborhood meeting" on 8-20, they did not notify everyone in the area that will be impacted by this massive development plan. In their "Growth Plan Amendment/Annexation Application for 860 21 Road" document, ACG was remiss in stating that there are no existing residential homes along the 21 Road Frontage, and failed address the fact that there are nice homes and acreage on and set back of 21 ½ Road. Their opinion of a buffer is 80 homes on 20 acres, mind you, as it "...provides a better buffer to the existing homes south of I Road".

ACG, as well as well as Planning Commission's Dave Thornton, have stated that this plan is consistent with the Growth Plan and the direction the City of Grand Junction has received during the various neighborhood meetings. We put forth that the City/County Subarea Concept Plan Map *is not in line with Northwest/Appleton resident's key desires, and we argue neither with the information documented in the Comprehensive Plan Sub Area reports and Executive Summary*. As is noted in the Executive Summary, the plans "...have not been through a public approval process nor have they been adopted by either the City or County" and additionally, the plans are "...intended to provide one possible response (among many) to the question "If we move the Persigo/201 Sewer Boundary, what kinds of land uses might make sense and how would the area develop?".



Section 2.14 of the Zoning and Development Codes states that the zoning of an annexation area shall be consistent with the Growth Plan or the existing County zoning. The requested changes by Northwest GJ, LLC do not conform with the zoning and development code and do not conform to the goals and policies the Growth Plan and Future Land Use designation. We adamantly oppose their growth plan amendment request to rezone any rural/agriculturally zoned acreage to industrial designation. Their proposed residential density is also compatible with surrounding properties. Again, this plan does not conform to the following goals and policies as stated in the Comprehensive Plan:

1. Goal 1: Land Use-policies 1.1, 1.2, 1.3, 1.7, 1.9, all related to conforming to the current Future Land Use categories, ensuring compatibility with adjacent properties and buffering from heaving industrial and commercial uses.
2. Goal 11: To promote stable neighborhoods and land use compatibility, policy 11.1, policy 11.2-the City and County will limit commercial encroachment into stable residential neighborhoods...

As you all know, with the approval of the H Road and Northwest Area Study Plan in 2006 and April 18, 2007 by Grand Junction City Council, approximately 250 acres were annexed and rezoned to industrial/commercial. Many of these properties are still unsold, as is much of the Job Site's lots, the Kelley and Reigan properties, etc...We move there is no need for further industrial development encroaching above H ½ Road, when the NW Area, and the Valley as a whole has industrial locations for sale and appropriate land for industrial use can be available with proactive, coordinated planning. Please continue to ask for the data that warrants any person saying there isn't enough industrial land available, and continue to make sure you are looking at the Valley as a whole, not just what Grand Junction City can unfold.

I respectfully ask for current, accurate traffic and noise studies be conducted by the City and County now. This area cannot afford to wait until development is already here so it can be paid for, regardless of the type. Developers technically have no obligation to our neighborhood, you all do. At this point, we do not believe the use of "theoretical models" is sound planning or a true picture of reality in light of the huge traffic and noise problems that have been previously documented and continue escalate on 21 ½ and the area as a whole.

I also ask you to consider this; if we can be awakened by the industrial equipment beeping at 3 a.m. in the morning, *from H and 22 Road*, how can one say Codes are being enforced and that further industrial development right across the street is appropriate and in line with the goals and policies of the Growth Plan?

We sincerely thank you for your attention in these matters,

Kelly M. Bowen  
876 21 ½ Road  
Grand Junction, Co 81505  
Email: [stumpkel@aim.com](mailto:stumpkel@aim.com)  
Phone: 858-8315

**NORTHWEST GJ, LLC ANNEXATION  
PETITION FOR ANNEXATION**

WE THE UNDERSIGNED do hereby petition the City Council of the City of Grand Junction, State of Colorado, to annex the following described parcels (the "Property") to the said City:

GENERAL LOCATION: East of 860 21 Road

**A. DESCRIPTION FOR PORTION OF PROPERTY TO BE PROPOSED RESIDENTIAL ZONING:**

The south 1/2 of the northeast 1/4 of the northwest 1/4 of Section 25, Township 1 North, Range 2 West of the Ute Meridian, Mesa County, Colorado.

**B. DESCRIPTION FOR PORTION OF PROPERTY TO BE PROPOSED LIGHT INDUSTRIAL ZONING:**

The south 1/2 of the northwest 1/4 of Section 25, Township 1 North, Range 2 West of the Ute Meridian, Mesa County, Colorado, EXCEPT the west 35 acres as described in Book 4706 at Page 589 in records of the Mesa County Clerk and Recorder, Reception # 2451114.

This foregoing description describes the parcels; the perimeter boundary descriptions, for purposes of the Annexation Act, is shown on the attached Exhibit "A," "Northwest GJ, LLC Perimeter Boundary Legal Description."

As grounds therefore, the petitioner respectfully state that, if the below described condition is fulfilled, annexation to the City of Grand Junction, Colorado is both necessary and desirable and that the said territory is eligible for annexation in that the provisions of the Municipal Annexation Act of 1965, Sections 31-12-104 and 31-12-105 CRS 1973 have been met.

This petition is accompanied by four copies of a map or plat of the said territory showing its boundary and its relation to established city limit lines, and said map is prepared upon a material suitable for filing.

Petitioners further state that they are the owners of more than fifty percent of the area of such territory to be annexed, exclusive of streets and alleys; that the mailing address of the signer and the date of signature are set forth hereafter opposite the name of the signer, and that the legal description of the property owned by the signer of said petition is set forth in "A" and "B" above.

WHEREFORE, subject to the condition that on or before March 1, 2009 the City zoning for the Property shall be as follows: (a) For the portion of the Property described above in "A": "R-4: Residential - 4", in accordance with section 3.4 E of the City's Zoning and Development Code as it exists as of the date hereof, these petitioners pray that this petition be accepted and that the said annexation be approved and accepted by ordinance; (b) for the balance of the Property, being that portion described above in "B" : "I-1: Light Industrial", in accordance with section 3.4 G of the City's Zoning and Development Code as it exists as of the date hereof. These petitioners by its signature acknowledge, understand and agree if any development application (other than any related to the zoning as described above) concerning the Property is denied, discontinued or disapproved, in whole or in part, that the annexation of the property to the City of Grand Junction shall remain effective; if both the "I-1" and "R-4" zoning is not finally adopted for the respective portions of the Property as stated above, upon the written demand of any owner of the Property after March 1, 2009, the City agrees that all signatures on this Petition, and this Petition, shall be deemed withdrawn and the City Council, by acceptance of this Petition irrevocably agrees that it shall forthwith disconnect and de-annex the Property from the City.

*zw*



Owner's Name: Northwest GJ, LLC, a Colorado Limited Liability Company  
Owner's Address: 8061 Castle Pines Ave., Las Vegas, NV 89113

Owner's Signature: Nan Woods  
By: 100 Acres, LLC  
Nan Woods, Manager

STATE OF NEVADA )  
                          ) ss.  
COUNTY OF CLARK )

AFFIDAVIT

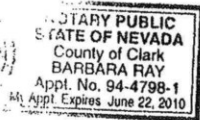
Nan Woods of lawful age, being first duly sworn, upon oath, deposes and says that he/she is the circulator of the foregoing petition and that each signature on the said petition is the signature of the person whose name it purports to be.

Barbara Ray

Subscribed and sworn to before me this 1<sup>st</sup> day of December, 2008.

Witness my hand and official seal.  
My commission expires: 6-22-2010

Barbara Ray  
Notary Public  
5050 Spanish Trail Lane  
Address Las Vegas NV 89113



**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 7th of January, 2009, 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**

**NORTHWEST GJ ANNEXATION NO. 1 AND NO. 2**

**LOCATED EAST OF 860 21 ROAD ALONG 21 1/2 ROAD.**

WHEREAS, on the 7th day of January, 2009, 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:

**Northwest GJ Annexation No.1**

A certain parcel of land located in the Northwest Quarter (NW 1/4), Southwest Quarter (SW 1/4), and the Southeast Quarter (SE 1/4) of Section 25, Township One North, Range Two West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Beginning at the Southeast corner of the SE 1/4 NW 1/4 of said Section 25 and assuming the South line of the SE 1/4 NW 1/4 of said Section 25 to bear N89°52'45"W with all bearings contained herein relative thereto; thence S89°54'23"E a distance of 40.00 feet along the South line of the SW 1/4 NE 1/4 of said Section 25; thence S00°00'45"W a distance of 155.02 feet along a line being 40.00 feet East of and parallel with the East line of the NE 1/4 SW 1/4 of said Section 25 to the Northeast corner of Kelly Annexation No. 3, Ordinance No. 3991, City of Grand Junction; thence N89°52'43"W a distance of 80.00 feet along the Northerly line of said Kelly Annexation No. 3; thence N00°00'45"E a distance of 155.00 feet along a line being 40.00 feet West of and parallel with the East line of the NE 1/4 SW 1/4 of said Section 25 to a point on



the South line of the SE 1/4 NW 1/4 of said Section 25; thence N89°52'45"W a distance of 1284.66 feet along the South line of the SE 1/4 NW 1/4 of said Section 25 said line also being the North line of said Kelley Annexation No. 3 to the Southwest corner of the SE 1/4 NW 1/4 of said Section 25; thence N89°52'42"W a distance of 167.07 feet along the South line of the SW 1/4 NW 1/4 of said Section 25, said line also being the North line of HDP Investment Group Annexation, Ordinance No. 4113, City of Grand Junction; thence N00°00'36"E a distance of 1321.21 feet to a point on the North line of the SW 1/4 NW 1/4 of said Section 25; thence S89°52'22"E a distance of 166.87 feet along the North line of the SW 1/4 NW 1/4 of said Section 25 to the Northwest corner of the SE 1/4 NW 1/4 of said Section 25; thence S89°52'22"E a distance of 1324.47 feet along the North line of the SE 1/4 NW 1/4 of said Section 25 to the Northeast corner of the SE 1/4 NW 1/4 of said Section 25; thence S00°00'27"E a distance of 1321.06 feet along the East line of the SE 1/4 NW 1/4 of said Section 25 to the Southeast corner of the SE 1/4 NW 1/4 of said Section 25, said point also being the Point of Beginning.

Said parcel contains 45.52 acres (1,982,924.35 sq. ft.), more or less, as described.

#### Northwest Annexation No. 2

A certain parcel of land located in the Northwest Quarter (NW 1/4) of Section 25, Township One North, Range Two West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Beginning at the Northeast corner of the SE 1/4 NW 1/4 of said Section 25 and assuming the North line of the SE 1/4 NW 1/4 of said Section 25 to bear N89°52'22"W with all bearings contained herein relative thereto; thence N89°52'22"W a distance of 1324.47 feet along the North line of the SE 1/4 NW 1/4 of said Section 25, said line also being the North line of Kapushion Annexation No. 1, City of Grand Junction to the Northwest corner of the SE 1/4 NW 1/4 of said Section 25; thence N00°00'08"E a distance of 660.61 feet along the West line of the NE 1/4 NW 1/4 of said Section 25; thence S89°52'25"E a distance of 1324.50 feet to a point on the East line of the NE 1/4 NW 1/4 of said Section 25; thence S00°00'18"W a distance of 660.64 feet along the East line of the NE 1/4 NW 1/4 of said Section 25 to the Northeast corner of the SE 1/4 NW 1/4 of said Section 25, said point also being the Point of Beginning.

Said parcel contains 20.09 acres (874,986.29 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 4<sup>th</sup> day of March, 2009, in the City Hall auditorium, located at 250 North 5<sup>th</sup> 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 \_\_\_\_\_, 2009.

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>
<b>January 9, 2009</b>
<b>January 16, 2009</b>
<b>January 23, 2009</b>
<b>January 30, 2009</b>

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**NORTHWEST GJ ANNEXATION NO. 1**

**APPROXIMATELY 45.52 ACRES**

**LOCATED EAST OF 860 21 ROAD, ALONG 21 1/2 ROAD**

**WHEREAS**, on the 7th day of January, 2009, 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 4<sup>th</sup> day of March, 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 situated in Mesa County, Colorado, and described to wit:

Northwest GJ Annexation No. 1

A certain parcel of land located in the Northwest Quarter (NW 1/4), Southwest Quarter (SW 1/4), and the Southeast Quarter (SE 1/4) of Section 25, Township One North, Range Two West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Beginning at the Southeast corner of the SE 1/4 NW 1/4 of said Section 25 and assuming the South line of the SE 1/4 NW 1/4 of said Section 25 to bear N89°52'45"W with all bearings contained herein relative thereto; thence S89°54'23"E a distance of 40.00 feet along the South line of the SW 1/4 NE 1/4 of said Section 25; thence S00°00'45"W a distance of 155.02 feet along a line being 40.00 feet East of and

parallel with the East line of the NE 1/4 SW 1/4 of said Section 25 to the Northeast corner of Kelly Annexation No. 3, Ordinance No. 3991, City of Grand Junction; thence N89°52'43"W a distance of 80.00 feet along the Northerly line of said Kelly Annexation No. 3; thence N00°00'45"E a distance of 155.00 feet along a line being 40.00 feet West of and parallel with the East line of the NE 1/4 SW 1/4 of said Section 25 to a point on the South line of the SE 1/4 NW 1/4 of said Section 25; thence N89°52'45"W a distance of 1284.66 feet along the South line of the SE 1/4 NW 1/4 of said Section 25 said line also being the North line of said Kelley Annexation No. 3 to the Southwest corner of the SE 1/4 NW 1/4 of said Section 25; thence N89°52'42"W a distance of 167.07 feet along the South line of the SW 1/4 NW 1/4 of said Section 25, said line also being the North line of HDP Investment Group Annexation, Ordinance No. 4113, City of Grand Junction; thence N00°00'36"E a distance of 1321.21 feet to a point on the North line of the SW 1/4 NW 1/4 of said Section 25; thence S89°52'22"E a distance of 166.87 feet along the North line of the SW 1/4 NW 1/4 of said Section 25 to the Northwest corner of the SE 1/4 NW 1/4 of said Section 25; thence S89°52'22"E a distance of 1324.47 feet along the North line of the SE 1/4 NW 1/4 of said Section 25 to the Northeast corner of the SE 1/4 NW 1/4 of said Section 25; thence S00°00'27"E a distance of 1321.06 feet along the East line of the SE 1/4 NW 1/4 of said Section 25 to the Southeast corner of the SE 1/4 NW 1/4 of said Section 25, said point also being the Point of Beginning.

Said parcel contains 45.52 acres (1,982,924.35 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 \_\_\_\_\_, 2009 and ordered published.

**ADOPTED** on second reading the \_\_\_\_ day of \_\_\_\_\_, 2009.

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**

**NORTHWEST GJ ANNEXATION NO. 2**

**APPROXIMATELY 20.09 ACRES**

**LOCATED EAST OF 860 21 ROAD, ALONG 21 1/2 ROAD**

**WHEREAS**, on the 7th day of January, 2009, 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 4th day of March, 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 situated in Mesa County, Colorado, and described to wit:

Northwest GJ Annexation No. 2

A certain parcel of land located in the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section 25, Township One North, Range Two West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particular described as follows:

The S 1/2 NE 1/4 NW 1/4 of said Section 25.



Said parcel contains 20.09 acres (874,986.29 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 \_\_\_\_\_, 2009 and ordered published.

**ADOPTED** on second reading the \_\_\_\_ day of \_\_\_\_\_, 2009.

Attest:

\_\_\_\_\_  
President of the Council

\_\_\_\_\_  
City Clerk

**Attach 5**

Setting a Hearing on the Appeal of the Planning commission's Decision Regarding a CUP for a Bar/Nightclub

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Appeal of the Planning Commission's Decision Regarding a Conditional Use Permit for a Bar/Nightclub		
<b>File #</b>	CUP-2008-158		
<b>Meeting Day, Date</b>	Wednesday, January 7, 2009		
<b>Placement on the Agenda</b>	<b>Consent</b>	<b>X</b>	<b>Individual</b>
<b>Date Prepared</b>	December 18, 2008		
<b>Author Name &amp; Title</b>	Senta L. Costello, Senior Planner		
<b>Presenter Name &amp; Title</b>	Senta L. Costello, Senior Planner		

**Summary:**

An appeal has been filed regarding the Planning Commission's decision to deny a Conditional Use Permit for a Bar/Nightclub, located at 2256 and 2258 Colex Drive. The project sits on 1 lot in an I-1 (Light Industrial) zone district. (The project will include leased parking spaces from the lot immediately to the north.) This appeal is pursuant to Section 2.18.E of the Zoning and Development Code, which specifies that the City Council is the appellate body of the Planning Commission. According to Section 2.18.E.4.h, no new evidence or testimony may be presented, except City staff may be asked to interpret materials contained in the record.

**Budget:** N/A

**Action Requested/Recommendation:**

Set a hearing date for January 21, 2009

**Attach 6**

Public Hearing to Create Alley Improvement District 2009, Phase A

**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA			
<b>Subject</b>	Alley Improvement District Phase A		
<b>File #</b>			
<b>Meeting Day, Date</b>	Wednesday, January 7, 2009		
<b>Placement on the Agenda</b>	<b>Consent</b>		<b>Individual</b> <b>x</b>
<b>Date Prepared</b>	December 19, 2008		
<b>Author Name &amp; Title</b>	Michael Grizenko, Real Estate Technician		
<b>Presenter Name &amp; Title</b>	Tim Moore, Public Works and Planning Director		

**Summary:** Successful petitions have been submitted requesting an Alley Improvement District be created to reconstruct the following 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

**Budget:**

Alley	Footage	Cost	Assessments	Net to City	% paid by property owner
E/W 3rd-4th, Glenwood to Kennedy	860	\$ 72,600	\$ 25,577	\$ 55,963	35%
E/W 9th-10th, Main to Rood	800	\$ 72,600	\$ 21,457	\$ 51,143	30%
T Alley 17th-18th, North to Glenwood	1263.78	\$ 136,125	\$ 39,851	\$ 96,274	29%
<b>Totals</b>	<b>2923.78</b>	<b>\$ 281,325</b>	<b>\$ 86,885</b>	<b>\$ 203,379</b>	<b>31%</b>
2009 Alley Budget		\$ 400,000			
Estimated cost to construct 2009 Phase A		\$ 281,325			
Estimated Balance		\$ 118,675			

**Action Requested/Recommendation:** Conduct public hearing and adopt proposed Resolution.

**Attachments:**

1. Summary Sheets
2. Maps
3. Resolution

**Background Information:** People's Ordinance No. 33 authorizes the City Council to create improvement districts and levy assessments when requested by a majority of the property owners to be assessed. Council may also establish assessment rates by resolution. Assessment rates for alleys are based on percentages of total assessable costs the City will contribute for three property uses: 85% per abutting foot for residential single-family uses, 75% per abutting foot for residential multi-family uses, and 50% per abutting foot for non-residential uses. A summary of the process that follows submittal of the petition is provided below.

Items preceded by a √ indicate steps already taken with this Improvement District and the item preceded by a ► indicates the step being taken with the current Council action.

1. √ City Council passes a Resolution declaring its intent to create an improvement district. The Resolution acknowledges receipt of the petition and gives notice of a public hearing.
2. ► Council conducts a public hearing and passes a Resolution creating the Improvement District. The public hearing is for questions regarding validity of the submitted petitions.
3. Council awards the construction contract.
4. Construction.
5. After construction is complete, the project engineer prepares a Statement of Completion identifying all costs associated with the Improvement District.
6. Council passes a Resolution approving and accepting the improvements, gives notice of a public hearing concerning a proposed Assessing Ordinance, and conducts a first reading of a proposed Assessing Ordinance.
7. Council conducts a public hearing and second reading of the proposed Assessing Ordinance. The public hearing is for questions about the assessments.
8. The adopted Ordinance is published for three consecutive days.

9. The property owners have 30 days from final publication to pay their assessment in full. Assessments not paid in full will be amortized over a ten-year period. Amortized assessments may be paid in full at anytime during the ten-year period.

**SUMMARY SHEET**  
**PROPOSED ALLEY IMPROVEMENT DISTRICT**  
**3RD STREET TO 4TH STREET**  
**GLENWOOD AVENUE TO KENNEDY AVENUE**

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
***Sherwood Park Apartments Inc	205	20.63	4,229.15
Ronald D. & Terry Louise Vincent	70	41.25	2,887.50
***MMH Property Joint Venture	275	20.63	5,673.25
John A. Hart & Doris L. Hart Revocable Trusts	85	41.25	3,506.25
***4th & Kennedy Avenue LLC	100	41.25	4,125.00
***4th & Kennedy Avenue LLC	125	41.25	5,156.25
ASSESSABLE FOOTAGE TOTAL	860		25,577.40

Estimated Cost to Construct	\$ 72,600.00
Absolute Cost to Owners	<u>\$ 25,577.40</u>
Estimated Cost to City	\$ 47,022.60

Assessments may be paid in full upon completion of project or may be paid over a ten-year period, in which event, a one-time charge of 6% will be added to the principal balance to which simple interest will accrue at the rate of 8% per annum on the declining balance.

\*\*\* Indicates property owners voting in favor are 4/6 or 67% and 82% of the assessable footage.

# SUMMARY SHEET

## PROPOSED ALLEY IMPROVEMENT DISTRICT 9th STREET TO 10TH STREET MAIN STREET TO ROOD AVENUE

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
***Steven W. Stewart	50	20.63	1,031.50
Brent D. & Christina A. Dullack	50	12.38	619.00
Laurel A. Ripple & Benjamin C. Yager	50	12.38	619.00
Nick A. Pirelli	25	12.38	309.50
***Sistie Miranda	50	12.38	619.00
***Phyllis A. Wickham	50	12.38	619.00
***Grand Junction Federal Credit Union	75	41.25	3,093.75
***Pregnancy Center of Grand Junction	75	41.25	3,093.75
Bradley C. Hibberd	50	12.38	619.00
***Thomas B. & Christine E. Orehek	75	20.63	1,547.25
***Grand Junction Federal Credit Union	25	41.25	1,031.25
***Eugene Grasmick	50	41.25	2,062.50
***Grand Junction Federal Credit Union	75	41.25	3,093.75
***Pregnancy Center of Grand Junction	50	41.25	2,062.75
Bethphage, Inc.	50	20.63	1,035.50
ASSESSABLE FOOTAGE	TOTAL	800	21,456.50

Estimated Cost to Construct	\$ 72,600.00
Absolute Cost to Owners	\$ <u>21,456.50</u>
Estimated Cost to City	\$ 51,143.50

Assessments may be paid in full upon completion of project or may be paid over a ten-year period, in which event, a one-time charge of 6% will be added to the principal balance to which simple interest will accrue at the rate of 8% per annum on the declining balance.



\*\*\* Indicates property owners signing in favor of improvements are 10/15 or 67% and 72% of assessable footage.

# SUMMARY SHEET

## PROPOSED ALLEY IMPROVEMENT DISTRICT 17TH STREET TO 18TH STREET NORTH AVENUE TO GLENWOOD AVENUE

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
Paula B. & Mark E. Kochevar	66.4	20.63	1,369.83
Winell Boise	66.4	12.38	822.03
***Donald L. & Vickie Schafer	57.39	12.38	710.49
***Edward B. & Althea L. Williams	57.39	12.38	710.49
***James G. Brown	57.39	12.38	710.49
Michael K. Wirada	114.76	20.63	2,367.50
***Peterson, Russell & Bird LLC	126.07	41.25	5,200.39
***Grand Valley Veterinary Investment Group	138	41.25	5,692.50
Lukas Family Limited Partnership	139.11	41.25	5,738.29
Stephen P. & Amy B. Smee	57.39	12.38	710.49
***Poppy J. Woody	129.71	41.25	5,350.54
***Gearhart Family Investments LLC	132.8	41.25	5,478.00
***Larry J. & Kathy L. Herwick	120.97	41.25	4,990.01
ASSESSABLE FOOTAGE	TOTAL	1,263.78	39,851.05

Estimated Cost to Construct	\$ 136,125.00
Absolute Cost to Owners	<u>\$ 39,851.05</u>
Estimated Cost to City	\$ 96,273.95

Assessments may be paid in full upon completion of project or may be paid over a ten-year period, in which event, a one-time charge of 6% will be added to the principal balance to which simple interest will accrue at the rate of 8% per annum on the declining balance.

\*\*\* Indicates property owners voting in favor are 8/13 or 62 percent and 65 percent of the assessable footage.

**PROPOSED ALLEY IMPROVEMENT DISTRICT  
3RD STREET TO 4TH STREET  
GLENWOOD AVENUE TO KENNEDY AVENUE**



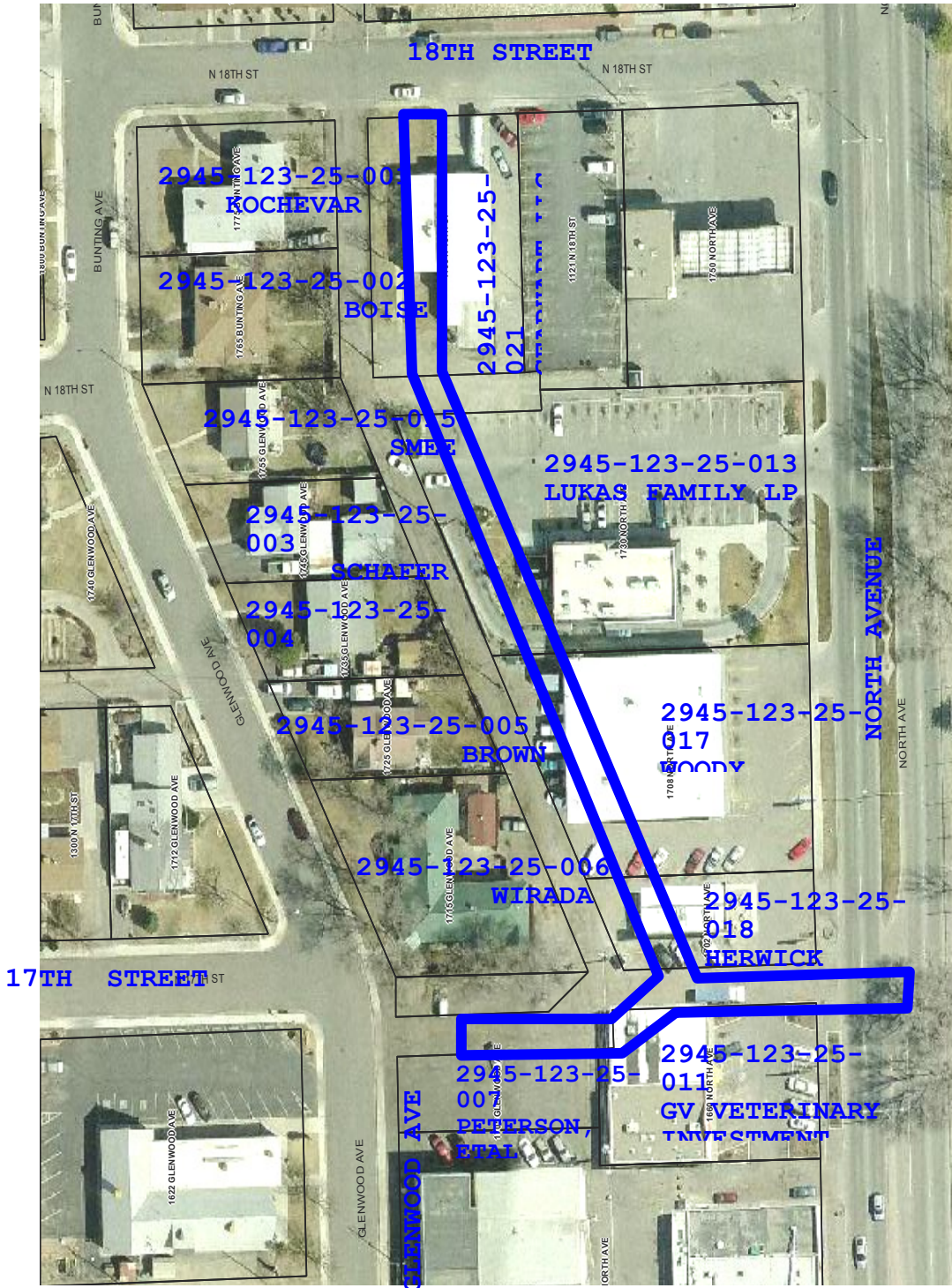


# PROPOSED ALLEY IMPROVEMENT DISTRICT 9TH STREET TO 10TH STREET MAIN STREET TO ROOD AVENUE



**PROPOSED ALLEY IMPROVEMENT DISTRICT  
17TH STREET TO 18TH STREET  
NORTH AVENUE TO ROOD AVENUE**





**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION CREATING AND ESTABLISHING  
ALLEY IMPROVEMENT DISTRICT NO. ST-09, PHASE A  
WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION,  
COLORADO, AUTHORIZING THE RECONSTRUCTION OF CERTAIN ALLEYS,  
ADOPTING DETAILS, PLANS AND SPECIFICATIONS FOR THE PAVING  
THEREON AND PROVIDING FOR THE PAYMENT THEREOF**

**WHEREAS**, a majority of the owners of the property to be assessed have petitioned the City Council, under the provisions of Chapter 28 of the City of Grand Junction Code of Ordinances, as amended, and People's Ordinance No. 33, that an Alley Improvement District be created, for the special benefit of the real property hereinafter described, to construct and install improvements to the following described 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

**WHEREAS**, the City Council has found and determined, and does hereby find and determine, that the construction of alley improvements as petitioned for is necessary for the health, safety and welfare of the residents of the territory to be served and would be of special benefit to the property included within said District; and

**WHEREAS**, on the 3rd day of December, 2008, the City Council of the City of Grand Junction, Colorado, passed a Resolution Stating its Intent to Create Alley Improvement District No. ST-09, Phase A, authorizing the City Engineer to prepare full details, plans and specifications for the paving thereon together with a map of the District to be assessed, and authorizing Notice of Intention to Create said District; and

**WHEREAS**, the City Engineer has fully and strictly complied with the directions so given, and has filed such specifications and map, all in accordance with said Resolution and the requirements of Ordinance No. 178, as amended, of said City; and

**WHEREAS**, Notice of Intention to create said District was duly published.

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

1. That the real property (also known as the “District Lands”) to be assessed with a portion of the costs of the proposed services, labor, materials and improvements which the City may deem appropriate, is described as follows:

Lots 1 through 4, inclusive, Block 12, Sherwood Addition Subdivision Plat of Blocks 8,9,11,12 & 13, City of Grand Junction; and also, The South 40 feet of Lots 1 through 3, inclusive, and Lots 4 through 32, inclusive, Block 108, City of Grand Junction; and also, Lots 1 through 8, inclusive, and Lots 13 through 15, inclusive, Block 7, Elmwood Plaza Refiling, except the West 5 feet of said Lot 15; and also, Lot 1, Mitchell Replat; and also Lots 5 & 6, Block 4, Parkplace Heights, including that portion of the vacated alley, described in Book 1111, Page 739 in the Mesa County records, between said Lots 5 and 6, except the alley right of way through said Lot 5 as described in Book 1133, Page 903 in said records. All in the City of Grand Junction, and Mesa County, Colorado.

2. That the proposed services, labor, materials and improvements necessary to accommodate the request of the owners of the District Lands shall include, but may not be limited to, the design, construction, installation, placement and inspection of base course material and concrete paving, together with any other services or facilities required to accomplish this request as deemed necessary by the City Engineer (“District Improvements”), all of which shall be installed in accordance with the General Conditions, Specifications and Details for Public Works and Utility Projects of the City of Grand Junction.

3. That the assessments to be levied against and upon each respective property which is part of the District Lands shall be determined by multiplying the linear footage that each respective property abuts the alley right-of-way by the appropriate Residential Single-Family, Residential Multi-Family or Non-Residential assessment rate as defined by City Resolution No. 16-97, passed and adopted on the 17<sup>th</sup> day of February, 1997, and as established by City Resolution No. 57-99, passed and adopted on the 21<sup>st</sup> day of April, 1999, and as established by City Ordinance No. 4280, passed and adopted on the 20<sup>th</sup> day of August, 2008, as follows:

(a) The Residential Single-Family assessment rate shall be fifteen (15) percent of the total contracted construction costs for their abutting footage. The Residential Single-Family assessment rate shall apply to all properties having only one residential housing unit which is arranged, designed and intended to be occupied as a single housekeeping unit, and all vacant properties located within a residential single-family residential zone;

(b) The Residential Multi-Family assessment rate shall be twenty-five (25) percent of the total contracted construction costs for their abutting footage. The Residential Multi-Family assessment rate shall apply to all properties having a structure or structures which are arranged, designed and intended to be the residence of more than one housekeeping unit independent of other housekeeping units, and properties which are necessary for and appurtenant to the use and occupancy of multi-family residential uses, such as parking lots, clubhouses and recreation facilities, and all vacant properties located within a multi-family residential zone;

(c) The Non-Residential assessment rate shall be fifty (50) percent of the total contracted construction costs for their abutting footage. Except as provided in Section 3(d) below, the Non-Residential assessment rate shall apply to all properties which are used and occupied for any purpose other than single-family or multi-family residential purposes, and all vacant properties located within any zone other than residential;

(d) Properties from which a business or commercial use is conducted ("home occupation") which also serve as a single-family or multi-family residence may be assessed the applicable single-family or multi-family assessment rate if such home occupation conforms with or has been authorized by the Zoning and Development Code of the City;

(e) Pursuant to City Resolution No. 61-90, passed and adopted on 19<sup>th</sup> day of September, 1990, properties having alley frontage on more than one side shall be assessed the applicable assessment rate for the frontage on the longest side only.

(f) The assessment rates described above shall be applicable as of the date of the final reading of the assessing ordinance.

4. That the assessments to be levied against the District Lands to pay a portion of the costs of the District Improvements shall be due and payable, without demand, within thirty (30) days after the ordinance assessing such costs against and upon the District Lands becomes final. The failure by any owner(s) to pay the whole assessment within said thirty (30) day period shall be conclusively considered as an election on the part of said owner(s) to pay such owner's assessment in ten (10) annual installments, in which event an additional six percent (6%) one-time charge for costs of collection and other incidentals shall be added to the principal amount of such owner's assessment.

Assessments to be paid in installments shall accrue simple interest at the rate of eight percent (8%) per annum on the unpaid balance and shall be payable at the time the next installment of general taxes, by the laws of the State of Colorado, is payable, and each annual installment shall be paid on or before the same date each year thereafter until paid in full.

5. That the City Engineer is hereby authorized and directed to prepare full details, plans and specifications for the District Improvements, together with a map of the District depicting the District Lands to be assessed from which the amount of the assessments to be levied against each individual property may be readily ascertained, all as required by Ordinance No. 178, as amended, City of Grand Junction, Colorado.

**PASSED** and **ADOPTED** this \_\_\_\_ day of January, 2009.

\_\_\_\_\_  
President of the Council

**Attest:**

\_\_\_\_\_  
City Clerk