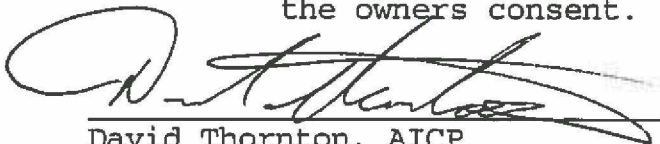


ROLD ANNEXATION

It is my professional belief; based on my review of the petition, pursuant to C.R.S. 31-12-104, that the Rold Annexation is eligible to be annexed.

It complies 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 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.



David Thornton, AICP

April 28, 2003
Date

STATE OF COLORADO

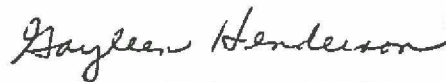
SS:

COUNTY OF MESA)

Subscribed and sworn to before me this 28th day of April 2003, by David L. Thornton. Witness my hand and official seal.

My Commission expires:

10/29/2005



Notary Public

(eligible)



My Commission Expires 10/29/2005

STATE OF COLORADO

SS

AFFIDAVIT

COUNTY OF MESA

Daniel W Whalen, of lawful age, being first duly sworn, upon oath, deposes and says:

That he is the circulator of the forgoing petition:

That each signature on the said petition is the signature of the person whose name it purports to be.

Daniel W Whalen

Subscribed and sworn to before me this 8th day of April, 2003.

Witness my hand and official seal.



Edna J. Cron
Notary Public

3657 G 1/10 Rd Palisade, CO 81526
Address

My commission expires: Jan 30, 2005

**ROLD 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 to the said City:

GENERAL LOCATION: 524 30 Road

Tax Parcel #'s 2943-093-00-031

Legal Description: N 141FT OF THE W 287.1FT OF W2SW4SW4 SEC 9 1S 1E EXC W 40FT FOR RD ROW AS DESCB-1425 P-784 THRU 785 MESA CO RECDS

This foregoing description describes the parcel; the perimeter boundary descriptions, for purposes of the Annexation Act, is shown on the attached "Perimeter Boundary Legal Description, Rold Annexation."

As grounds therefore, the petitioner respectfully state that 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.

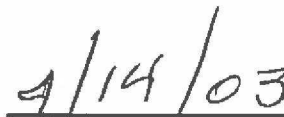
Your petitioners further state that they are the owners of more than fifty percent of the area of such territory to be annexed, exclusive of streets and alleys; that the mailing address of the signer and the date of signature are set forth hereafter opposite the name of the signer, and that the legal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

WHEREFORE, 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 that if any development application concerning the property which is the subject hereof is denied, discontinued or disapproved, in whole or in part, that the annexation of the property to the City of Grand Junction shall proceed.

Rita L. Rold

955 Bunting Ave, Grand Junction, CO 81504
ADDRESS


SIGNATURE


DATE

(Rold Annexation Petition.doc)

PERIMETER BOUNDARY LEGAL DESCRIPTION ROLD ANNEXATION

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 9, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Northwest corner of the SW 1/4 SW 1/4 of said Section 9 and assuming the West line of the SW 1/4 SW 1/4 of said Section 9 bears S 00°07'39" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°57'58" E along the North line of the SW 1/4 SW 1/4 of said Section 9 a distance of 40.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue S 89°57'58" E along the North line of the SW 1/4 SW 1/4 of said Section 9, being the South line of the Francis Subdivision, as same is recorded in Plat Book 7, Page 92, Public Records of Mesa County, Colorado, a distance of 247.10 feet; thence S 00°07'29" E a distance of 141.00 feet; thence N 89°57'58" W a distance of 247.10 feet to a point on the East right of way for 30 Road as same is described in Book 1425, Pages 784 and 785, Public Records of Mesa County, Colorado; thence N 00°07'39" W along said East right of way, being a line 40.00 feet East of and parallel to, the West line of the SW 1/4 SW 1/4 of said Section 9, a distance of 141.00 feet, more or less, to the Point of Beginning.

CONTAINING 0.7998 Acres (34,841.15 Sq. Ft.), more or less, as described.

RESOLUTION NO. 63-03

A RESOLUTION ACCEPTING PETITIONS FOR ANNEXATION, MAKING CERTAIN FINDINGS, DETERMINING THAT PROPERTY KNOWN AS

ROLD ANNEXATION

IS ELIGIBLE FOR ANNEXATION

LOCATED AT 524 30 ROAD

WHEREAS, on the 21st day of May, 2003, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

ROLD ANNEXATION

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 9, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Northwest corner of the SW 1/4 SW 1/4 of said Section 9 and assuming the West line of the SW 1/4 SW 1/4 of said Section 9 bears S 00°07'39" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°57'58" E along the North line of the SW 1/4 SW 1/4 of said Section 9 a distance of 40.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue S 89°57'58" E along the North line of the SW 1/4 SW 1/4 of said Section 9, being the South line of the Francis Subdivision, as same is recorded in Plat Book 7, Page 92, Public Records of Mesa County, Colorado, a distance of 247.10 feet; thence S 00°07'29" E a distance of 141.00 feet; thence N 89°57'58" W a distance of 247.10 feet to a point on the East right of way for 30 Road as same is described in Book 1425, Pages 784 and 785, Public Records of Mesa County, Colorado; thence N 00°07'39" W along said East right of way, being a line 40.00 feet East of and parallel to, the West line of the SW 1/4 SW 1/4 of said Section 9, a distance of 141.00 feet, more or less, to the Point of Beginning.

CONTAINING 0.7998 Acres (34,841.15 Sq. Ft.), more or less, as described.

And,

WHEREAS, a hearing on the petition was duly held after proper notice on the 2nd day of July, 2003; and

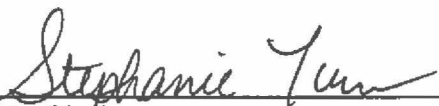
WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefor; that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between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

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

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

ADOPTED this 2nd day of July, 2003.

Attest:



City Clerk



President of the Council

*Planning
Secy
Denton*

**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 21st day of May, 2003, the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. 46-03

**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**

ROLD ANNEXATION

LOCATED AT 524 30 ROAD

WHEREAS, on the 21st day of May, 2003, 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:

ROLD ANNEXATION

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 9, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Northwest corner of the SW 1/4 SW 1/4 of said Section 9 and assuming the West line of the SW 1/4 SW 1/4 of said Section 9 bears S 00°07'39" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°57'58" E along the North line of the SW 1/4 SW 1/4 of said Section 9 a distance of 40.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue S 89°57'58" E along the North line of the SW 1/4 SW 1/4 of said Section 9, being the South line of the Francis Subdivision, as same is recorded in Plat Book 7, Page 92, Public Records of Mesa County, Colorado, a distance of 247.10 feet; thence S 00°07'29" E a distance of 141.00 feet; thence N 89°57'58" W a distance of 247.10 feet to a point on the East right of way for 30 Road as same is described in Book 1425, Pages 784 and 785, Public Records of Mesa County, Colorado; thence N 00°07'39" W along said East right of way, being a line 40.00 feet East of and parallel to, the West line of the SW 1/4 SW 1/4 of said Section 9, a distance of 141.00 feet, more or less, to the Point of Beginning.

CONTAINING 0.7998 Acres (34,841.15 Sq. Ft.), more or less, as described.

and,

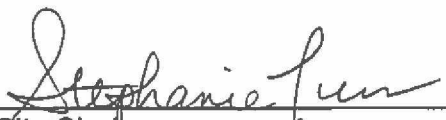
WHEREAS, the Council has found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

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

1. That a hearing will be held on the 2nd day of July, 2003, in the auditorium of the Grand Junction City Hall, located at 250 N. Fifth Street, Grand Junction, Colorado, at 7:30 p.m. 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 Community Development Department of the City.

ADOPTED this 21st day of May, 2003.

Attest:




City Clerk



President of the Council

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>PUBLISHED</i>
May 23, 2003
May 30, 2003
June 6, 2003
June 13, 2003

<u>#</u>	<u>Annexation Name</u>	<u>Address</u>	<u>Planner</u>	<u>Schedule</u>	<u>Status</u>	<u>Land Use</u>
15.	O'Connor	531 31 Road	Ronnie	Ref/1 st Read/LU – May 21 st		RSF-4
16.	Rold	524 30 Road	Senta	PC Zone - May 27 th or June 10 th		C-1
				CC Zone 1 st - June 16 th		
				CC Acpt/2 nd Read – July 2 nd		
				Effective August 3, 2003		
<hr/>						
17.	Sonrise Acres	3068 F Road	Lori	Ref/1 st Read/LU – June 4 th		ANX-2003-090
18.	UnawEEP Heights	2857 UnawEEP Avenue	Lori	PC Zone - June 10 th or June 24 th		ANX-2003-022
				CC Zone 1 st - July 2 nd		
				CC Acpt/2 nd Read – July 16 th		
				Effective August 17, 2003		
<hr/>						
Impact Report due ?????? for UnawEEP Heights & ?????????????? Annexation						
<hr/>						
19.	Marchun	2925 F ½ Road	Lisa	Ref/1 st Read/LU – June 16 th		RMF-5
				PC Zone - June 24 th or July 8 th		
				CC Zone 1 st - July 16 th		
				CC Acpt/2 nd Read – August 6 th		
				Effective September 7, 2003		
<hr/>						
Impact Report due ?????? for Marchun Anenxation						
<hr/>						

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Rita Rold
955 Bunting Ave
Grand Junction, CO
81504

2. Article Number *7000-1670-0010-0684-7896*
 (Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes
 if YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

PLACE STICKER AT TOP OF ENVELOPE
 TO THE RIGHT OF RETURN ADDRESS



CITY OF GRAND JUNCTION
 COMMUNITY DEVELOPMENT DEPARTMENT
 250 NORTH 5TH STREET
 GRAND JUNCTION CO 81501-2668

NC

CERTIFIED MAIL



7000 1670 0010 0684 7896



UNCLAIMED

~~RITA ROLD
 955 BUNTING AVENUE
 GRAND JUNCTION CO 81504~~

ROLD955 815012008 1902 03 05/29/03
 NOTIFY SENDER OF NEW ADDRESS
 ROLD RITA LORRAINE
 435 1/2 MORNING DOVE
 GRAND JUNCTION CO 81504
 Notice 5-30
 Notice 6-5
 m 6-15
 llhllllll



CITY OF GRAND JUNCTION

Community Development Dept. • 250 N. 5th Street • Grand Junction, CO 81501

Date: May 27, 2003

Applicant: Rita Rold

The following item (Rold Subdivision – ANX-2003-080) has been scheduled for Planning Commission on June 10, 2003.

A sign(s) advertising the Public Hearing will be required to be posted no later than this Friday, 5/30/03. The signs are available at the Community Development Department. A \$50.00 deposit is required for a Public Hearing sign. The deposit will be refunded, in full, if the sign(s) is/are returned within 5 working days after the final meeting. A sign is required to be placed facing each road(s) that abuts the project site.

The Staff Report for the project will be available for pick-up after 4 P.M. on Thursday, May 29, 2003.

Please contact the project planner, Senta Costello, at (244-1442, sentac@ci.grandjct.co.us) if you have any questions relating to this notice.

cc: ANX-2003-080

NOTICE OF DEVELOPMENT APPLICATION

An application for the development proposal described below, located near property you own, has been received by the Grand Junction Community Development Department. The Department encourages public review of proposed development prior to public hearings. The application, including plans, reports and supporting documentation, is available for review during normal business hours (7:30 A.M. - 5:30 P.M. Monday-Thursday and 7:30 A.M. - 5:00 P.M. on Friday) at City Hall, 250 North 5th Street. City Planning staff is also available to answer questions and explain the development review process.

ANX-2003-080 – ROLD ANNEXATION – 524 30 Road
Request approval to annex .7998 acres which are zoned
County B-1 with a zoning of Light Commercial (C-1).
Planner Senta Costello

Courtesy notification cards will be mailed to adjoining property owners prior to a public hearing on this item. However, we encourage you to also verify scheduling in one of the following ways:

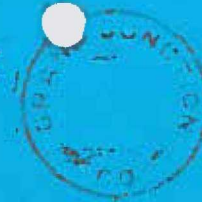
- ◆ call the Community Development Department at (970) 244-1430
- ◆ look for a display ad in the Daily Sentinel one day prior to the public hearing (held on the second and sometimes the third Tuesday of each month)
- ◆ You may receive a FAX copy of the Planning Commission agendas by calling CITY DIAL at (970) 244-1500 ext. 211.
- ◆ Agendas for Planning Commission, City Council, and Board of Appeals items are available prior to the hearing at City Hall, 250 North 5th Street.

Please do not hesitate to contact the Community Development Department at (970) 244-1430 if you have any questions.



CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT DEPARTMENT
250 N 5TH STREET
GRAND JUNCTION, CO 81501

POSTAGE



CITY OF GRAND JUNCTION
COMMUNITY DEVELOP
520 NORTH 5TH STREET
GRAND JUNCTION, CO 81501

NOTICE OF DEVELOPMENT APPLICATION

**PLANNING COMMISSION
NOTICE OF PUBLIC HEARING**

DATE: **JUN 10 2003**

TIME: 7:00 p.m.

PLACE: City Hall Auditorium, 250 North 5th Street

A petition for the following request has been received and tentatively scheduled for a public hearing on the date indicated above.

If you have any questions regarding this request or to confirm the hearing date, please contact the Grand Junction Community Development Department at (970) 244-1430 or stop in our office at 250 North 5th Street.

ANX-2003-080 – ROLD ANNEXATION – 524 30 Road
Request approval to Zone the Rold Subdivision, consisting
of 7.998 acres, C-1 (Light Commercial).
Planner Senta Costello



CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT DEPARTMENT
250 NORTH 5TH STREET
GRAND JUNCTION CO 81501

POSTAGE



U.S. POSTAGE
00.222

METER 734922

CITY OF GRAND JUNCTION
COMMUNITY DEVELOP
520 NORTH 5TH STREET
GRAND JUNCTION, CO 81501

PERIMETER BOUNDARY LEGAL DESCRIPTION ROLD ANNEXATION

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 9, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Northwest corner of the SW 1/4 SW 1/4 of said Section 9 and assuming the West line of the SW 1/4 SW 1/4 of said Section 9 bears S 00°07'39" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°57'58" E along the North line of the SW 1/4 SW 1/4 of said Section 9 a distance of 40.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue S 89°57'58" E along the North line of the SW 1/4 SW 1/4 of said Section 9, being the South line of the Francis Subdivision, as same is recorded in Plat Book 7, Page 92, Public Records of Mesa County, Colorado, a distance of 247.10 feet; thence S 00°07'29" E a distance of 141.00 feet; thence N 89°57'58" W a distance of 247.10 feet to a point on the East right of way for 30 Road as same is described in Book 1425, Pages 784 and 785, Public Records of Mesa County, Colorado; thence N 00°07'39" W along said East right of way, being a line 40.00 feet East of and parallel to, the West line of the SW 1/4 SW 1/4 of said Section 9, a distance of 141.00 feet, more or less, to the Point of Beginning.

CONTAINING 0.7998 Acres (34,841.15 Sq. Ft.), more or less, as described.



97 TEXAS AVE

FLORENCE RD

ELM AVE

30 ROAD

30 ROAD

526 30 RD

3005 MARKET WAY

3007 MARK

525 30 RD

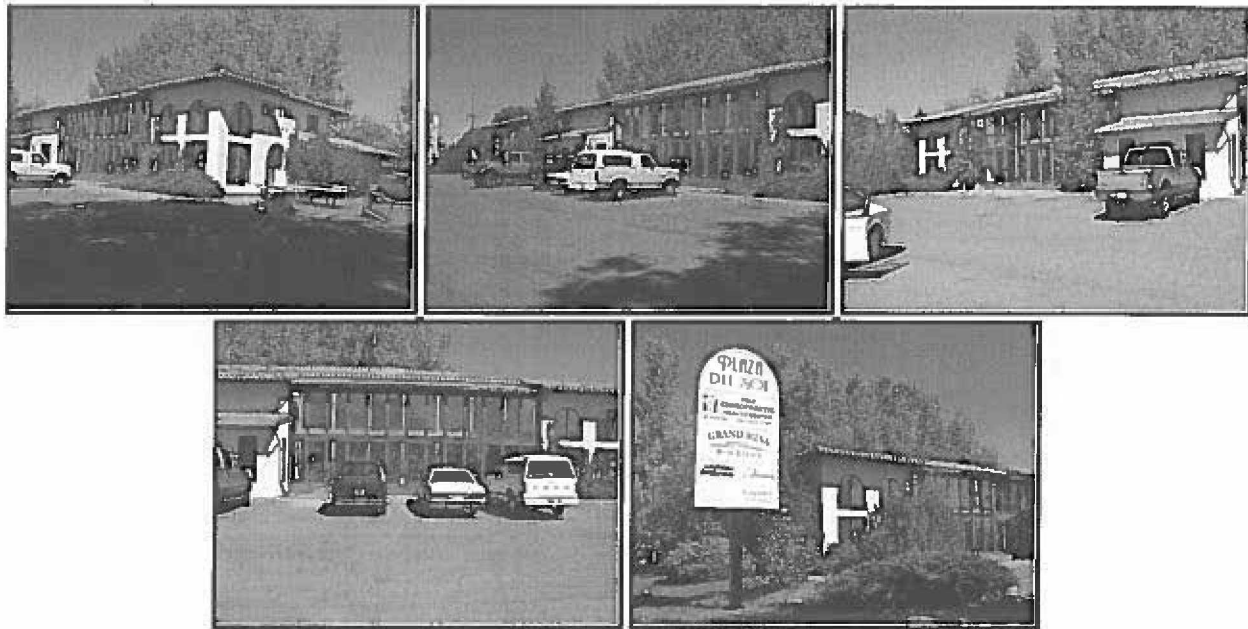
523 1/2 30 RD

524 30 RD

523 30 RD

520 30 RD

521 30 RD



[\[MC Home Page\]](#)



[\[Assessor Main Page\]](#)



[\[Return to Run Query\]](#)



[\[Top of Page\]](#)

Click "Back" on your web browser to return to the previous page.

PERIMETER BOUNDARY LEGAL DESCRIPTION ROLD ANNEXATION

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 9, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

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CONTAINING 0.7998 Acres (34,841.15 Sq. Ft.), more or less, as described.

From: David Thornton
To: Costello, Senta; Spurr, Wendy
Subject: Rold Annexation

Attached is the legal. This is a new annexation with no development proposal so it needs its own file. Wendy please put the file together and Senta will be the project planner taking it through the Annexation process.

The annexation schedule is the following:

Referral/First Reading/Exercise Landuse	May 21st
PC Zoning	May 27th or June 10th (You decide Senta)
CC Zoning First Read	June 18th June 16th
CC Accept Petition and 2nd Read Annex and Zoning	July 2nd
Effective Date	August 3, 2003

Property Address: 524 30 Road

Property Owner: Rita L Rold, 955 Bunting Avenue, GJ, CO 81504

Property being sold to: Housing Resources of Western Colorado, 128 South 5th Street, GJ, CO 81501

THANK YOU!

CC: Blanchard, Bob; Cecil, Pat; Portner, Kathy

From: "Dan Whalen" <danw@theenergyoffice.org>
To: "davidt@ci.grandjct.co.us" <davidt@ci.grandjct.co.us>
Date: 3/19/03 1:14PM

Dave,

Here is the information for the petition to annex 524 30 Road into the City of Grand Junction:

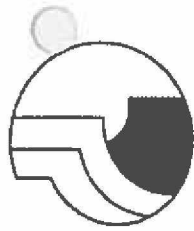
Current owner: Rita L. Rold

Address: 955 Bunting Avenue (I'm not sure she is currently getting mail at this address)

Tax Parcel # : 2943-093-00-031

Legal Description: N 141FT OF THE W 287.1FT OF W2SW4SW4 SEC 9 1S 1E EXC W 40FT FOR RD
ROW AS DESCB-1425 P-784 THRU 785 MESA CO RECDS

Let me know if you have other questions



Mesa County

Property Search Results *(Continued)*

The Mesa County Assessor's Office makes every effort to collect and maintain accurate data. However, the Mesa County Assessor's Office is unable to warrant any of the information contained herein.

Owner's Name:	ROLD, RITA L
Mailing Address:	955 BUNTING AVE GRAND JUNCTION, CO 81501-3015
Parcel Identifier:	2943-093-00-031
Associated Par:	
Legal Description:	N 141FT OF THE W 287.1FT OF W2SW4SW4 SEC 9 1S 1E EXC W 40FT FOR RD ROW AS DESC B-1425 P-784 THRU 785 MESA CO RECDS
Property Address:	524 30 RD
Neighborhood:	AREA 13 MULTI-USE
Land Unit 1:	
Schedule Type:	MULTI USE
Units:	36155.0
Unit Type:	Sqft
	Building Characteristics (Including Drawings and Information)

Tax Information

2003	Tac 16112	Improvements	Land	Total
	Actual	\$332,920	\$43,390	\$376,310
	Assessed	\$96,540	\$12,580	\$109,120
	Mill Levy			0.07268
	Special Asmt			\$0.00
	Property Taxes + Special Asmt			\$7,930.84
2002	Tac 16112	Improvements	Land	Total
	Actual	\$332,920	\$43,390	\$376,310
	Assessed	\$96,550	\$12,580	\$109,130
	Mill Levy			0.07268
	Special Asmt			\$0.00
	Property Taxes + Special Asmt			\$7,931.57
2001	Tac 16112	Improvements	Land	Total
	Actual	\$332,920	\$43,390	\$376,310
	Assessed	\$96,550	\$12,580	\$109,130
	Mill Levy			0.068557
	Special Asmt			\$0.00
	Property Taxes + Special Asmt			\$7,481.63

Sales Activity *(if any)*

Date	Amount	Book	Page	Instrument Type
11/1/1993	\$240,000	2022	757	WDTC
8/13/1996	\$397,000	2257	531	WD

Click on Image(s) to Enlarge

**Action: Adopt Resolution No. 45 -03*

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, O'Connor Annexation, Approximately 1.3121 Acres Located at 511 31 Road and Including a Portion of E Road and 31 Road Rights-Of-Way

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for July 2, 2003

3. Setting a Hearing for the Rold Annexation Located at 524 30 Road [File #ANX-2003-080]

Resolution for Referral of Petition to Annex/First reading of the annexation ordinance/Exercising land use jurisdiction immediately for the Rold Annexation located 524 30 Road. The 0.7998 acre Rold Annexation is an annexation consisting of one parcel of land.

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

Resolution No. 46-03 - 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, Rold Annexation, Located at 524 30 Road

**Action: Adopt Resolution No. 46 -03*

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Rold Annexation, Approximately 0.7998 Acres Located at 524 30 Road

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for July 2, 2003

4. Nomination to CML Executive Board

City Council will consider a letter of nomination for Mayor Jim Spehar to the Colorado Municipal League slate of nominees.

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Rold Annexation at 524 30 Road					
Meeting Date	May 21, 2003					
Date Prepared	May 12, 2003				File #ANX-2003-080	
Author	Senta Costello			Associate Planner		
Presenter Name	Senta Costello			Associate Planner		
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda	X	Consent	Individual Consideration

Summary: Resolution for Referral of Petition to Annex/First reading of the annexation ordinance/Exercising land use jurisdiction immediately for the Rold Annexation located 524 30 Road. The .7998 acre Rice Annexation is an annexation consisting of one parcel of land.

Budget: N/A

Action Requested/Recommendation: It is recommended that City Council approve the resolution for the referral of petition to annex, first reading of the annexation ordinance and exercise land use immediately for the Rold Annexation and set a hearing for July 2, 2003.

Attachments:

1. Staff Report
2. Site Location Map
3. Aerial Photo Map
4. Future Land Use Map
5. Existing Zoning Map
6. Annexation Map
7. Resolution of Referral of Petition/Exercising Land Use Immediately
8. Annexation Ordinance

Background Information: See attached report.

BACKGROUND INFORMATION			
Location:		524 30 Road	
Applicants:		Rita L. Rold	
Existing Land Use:		Commercial	
Proposed Land Use:		Commercial	
Surrounding Land Use:	North	Single Family Residential	
	South	Vacant Commercial land	
	East	Vacant Commercial land	
	West	Single Family Residential	
Existing Zoning:		County B-1/PC	
Proposed Zoning:		City C-1	
Surrounding Zoning:	North	County B-1	
	South	City C-1	
	East	City C-1	
	West	County B-1	
Growth Plan Designation:		Commercial	
Zoning within density range?	X	Yes	No

Staff Analysis:

ANNEXATION:

This annexation area consists of annexing .7998 acres of land. Owners of the property have signed a petition for annexation pursuant to the 1998 Persigo agreement with Mesa County.

It is staff's professional 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 Rold Annexation is eligible to be annexed because of compliance with the following:

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

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

ROLD ANNEXATION SUMMARY		
File Number:	ANX-2003-080	
Location:	524 30 Road	
Tax ID Number:	2943-093-00-031	
Parcels:	1	
Estimated Population:	0	
# of Parcels (owner occupied):	1	
# of Dwelling Units:	0	
Acres land annexed:	.7998 acres for annexation area	
Developable Acres Remaining:	Parcel is developed	
Right-of-way in Annexation:	0	
Previous County Zoning:	B-1/PC	
Proposed City Zoning:	C-1	
Current Land Use:	Commercial	
Future Land Use:	Commercial	
Values:	Assessed:	= \$113,340
	Actual:	= \$390,800
Address Ranges:	524 30 Road	
Special Districts:	Water:	Clifton Water
	Sewer:	Central Grand Valley Sanitation
	Fire:	Clifton Fire District
	Irrigation:	Grand Valley Irrigation District
	School:	District 51

The following annexation and zoning schedule is being proposed.

ANNEXATION SCHEDULE	
May 21, 2003	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
June 10, 2003	Planning Commission considers Zone of Annexation
June 16, 2003	First Reading on Zoning by City Council
July 2, 2003	Acceptance of Petition and Public hearing on Annexation and Zoning by City Council
August 3, 2003	Effective date of Annexation and Zoning

Action Requested/Recommendation: It is recommended that City Council approve the Rold Annexation.

Attachments:

1. Site Location Map
2. Aerial Photo Map
3. Future Land Use Map
4. Existing Zoning Map
5. Annexation Map
6. Resolution of Referral of Petition/Exercising Land Use Immediately
7. Annexation Ordinances

CC Ref-1st read - LU.doc



Rec 5/27/03

City of Grand Junction, Colorado
Office of the City Clerk
250 North Fifth Street
81501-2668
(970) 244-1509
FAX: (970) 244-1599

May 22, 2003

Board of County Commissioners
P.O. Box 20,000-5010
Grand Junction, Colorado 81502

Commissioners:

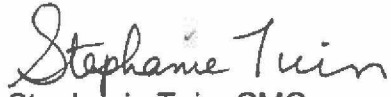
Subject: Rold Annexation – Notice of Hearing,
Resolution No. 46-03, and Petition

In compliance with Title 31, Article 12, C.R.S., Part 1, entitled "Municipal Annexation Act of 1965", Section 31-12-108(2), I have enclosed a copy of the petition as filed and Resolution No. 46-03 adopted by the City Council of the City of Grand Junction, Colorado, at its regular meeting May 21, 2003, giving notice of hearing on the proposed Rold Annexation on July 2, 2003.

By this resolution the City of Grand Junction has assumed jurisdiction of all land use proceedings within the area to be annexed. Accordingly, the processing of all development reviews, including but not necessarily limited to, planning clearances for building permits, fence permits, sign permits, subdivisions, planned developments, rezonings, conditional use permits, right-of-way vacations, and similar applications or proceedings, by the County, for lands within this annexation should be discontinued. Applicants, their agents or representatives, should be referred to the City Community Development Department. Please compile forthwith all documents, maps, plans, plats and files relating to current or pending applications, reviews or approvals in the annexation area. A Community Development Department representative will be in to pick up these items one week from the date of this letter.

If you have questions or need additional information on development issues, please contact Bob Blanchard, Director of the Community Development Department, at 244-1430.

Sincerely,



Stephanie Tuin, CMC
City Clerk

ST:jsp

Enclosures

- c: Mr. Lyle Dechant, County Attorney
- Mesa County Building Inspection Division
- Mesa County Planning Division
- Dan Wilson, City Attorney
- Bob Blanchard, Community Development Director
- School District #51
- Clifton Water District
- Clifton Fire District
- Grand Junction Drainage District
- Central Grand Valley Sanitation District

**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 21st day of May, 2003, the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. 46-03

**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**

ROLD ANNEXATION

LOCATED AT 524 30 ROAD

WHEREAS, on the 21st day of May, 2003, 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:

ROLD ANNEXATION

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 9, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Northwest corner of the SW 1/4 SW 1/4 of said Section 9 and assuming the West line of the SW 1/4 SW 1/4 of said Section 9 bears S 00°07'39" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°57'58" E along the North line of the SW 1/4 SW 1/4 of said Section 9 a distance of 40.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue S 89°57'58" E along the North line of the SW 1/4 SW 1/4 of said Section 9, being the South line of the Francis Subdivision, as same is recorded in Plat Book 7, Page 92, Public Records of Mesa County, Colorado, a distance of 247.10 feet; thence S 00°07'29" E a distance of 141.00 feet; thence N 89°57'58" W a distance of 247.10 feet to a point on the East right of way for 30 Road as same is described in Book 1425, Pages 784 and 785, Public Records of Mesa County, Colorado; thence N 00°07'39" W along said East right of way, being a line 40.00 feet East of and parallel to, the West line of the SW 1/4 SW 1/4 of said Section 9, a distance of 141.00 feet, more or less, to the Point of Beginning.

CONTAINING 0.7998 Acres (34,841.15 Sq. Ft.), more or less, as described.

and,

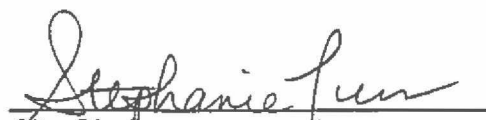
WHEREAS, the Council has found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

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

1. That a hearing will be held on the 2nd day of July, 2003, in the auditorium of the Grand Junction City Hall, located at 250 N. Fifth Street, Grand Junction, Colorado, at 7:30 p.m. 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 Community Development Department of the City.

ADOPTED this 21st day of May, 2003.

Attest:




City Clerk



President of the Council

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>PUBLISHED</i>
May 23, 2003
May 30, 2003
June 6, 2003
June 13, 2003

TO: ANNEXATION IMPACT REPORT TEAM MEMBERS

Dan Wilson, City Attorney
Tim Moore, Public Works Manager
Tim Woodmansee, Property Agent
Peter Krick, Senior Real Estate Technician
Greg Trainor, Utility Manager
Terry Brown, Technical Service Supervisor
Rob Laurin, Solid Waste Supervisor
Mike McDill, City Engineer
Doug Cline, Streets Superintendent
Jody Kliska, Traffic Engineer
Gordon Gram, Public Works
Michael Grizenko, Public Works
Edward Wacker, Public Works
Don Hobbs, Parks Manager
Shawn Cooper, Parks Planner
Rick Beaty, Fire Chief
Jim Bright, Fire Department
Harry Long, Police Department
Lanny Paulson, Budget Coordinator
Jodi Romero, Customer Service Manager
Patti Gillidette, Administrative Services
Stephanie Tuin, City Clerk
Debbie Kovalik, Director of VCB
Ivy Williams, Code Enforcement Supervisor
Kathy Portner, Planning Manager
Steve Smith, GIS Technician II
Jeff Wood, Communications 911
Linda Dannenberger, Mesa County Planning
Ed Tolen, Ute Water Conservancy

FROM: Dave Thornton, Community Development Department 

RE: Rold Annexation

DATE: June 4, 2003

Wednesday, May 21st, City Council approved the resolution of referral of petition to annex and exercise land use immediately for the Rold Annexation. The entire annexation area consists of one parcel of land located at 521 30 Road. The annexation area is 0.7998 acres in size. Please see the attached map and annexation summary information. If you need any additional information, please contact either Senta Costello at 244-1442 or me at 244-1450.

Rold ANNEXATION SUMMARY

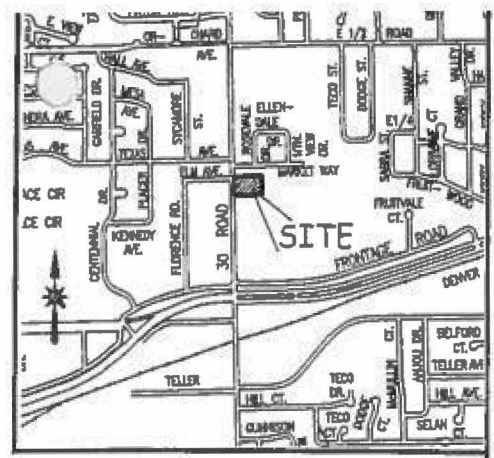
File Number:	ANX-2003-080	
Location:	524 30 Road	
Tax ID Number:	2943-093-00-031	
Parcels:	1	
Estimated Population:	0	
# of Parcels (owner occupied):	1	
# of Dwelling Units:	0	
Acres land annexed:	.7998 acres for annexation area	
Developable Acres Remaining:	Parcel is developed	
Right-of-way in Annexation:	0	
Previous County Zoning:	B-1/PC	
Proposed City Zoning:	C-1	
Current Land Use:	Commercial	
Future Land Use:	Commercial	
Values:	Assessed:	= \$113,340
	Actual:	= \$390,800
Address Ranges:	524 30 Road	
Special Districts:	Water:	Clifton Water
	Sewer:	Central Grand Valley Sanitation
	Fire:	Clifton Fire District
	Irrigation:	Grand Valley Irrigation District
	School:	District 51

The following annexation and zoning schedule is being proposed.

ANNEXATION SCHEDULE	
May 21, 2003	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
June 10, 2003	Planning Commission considers Zone of Annexation
June 16, 2003	First Reading on Zoning by City Council
July 2, 2003	Acceptance of Petition and Public hearing on Annexation and Zoning by City Council
August 3, 2003	Effective date of Annexation and Zoning



SITU



LOCATION MAP: NOT-TO-SCALE

TEXAS AVENUE

2943-084-00-022

2943-084-00-057

ELM AVENUE

2943-084-00-027

2943-084-00-026

2943-084-00-028

2943-084-00-029

2943-084-00-031

30 ROAD

30 ROAD

WEST LINE OF THE SW 1/4 SW 1/4 SEC 9

S 00°07'39" E (BASIS OF BEARINGS)

POINT OF BEGINNING

40.00'

N 00°07'39" W 141.00'

40.00'

LEGAL DESCRIPTION

parcel of land lying in the Southwest Quarter of the ... Quarter (SW 1/4 SW 1/4) of Section 9, Township 1 South, ... East of the Ute Meridian, County of Mesa, State of Colorado, ... particularly described as follows:

Beginning at the Northwest corner of the SW 1/4 SW 1/4 of said ... and assuming the West line of the SW 1/4 SW 1/4 of said ... bears S 00°07'39" E with all other bearings contained herein ... thence from said Point of Commencement, S ... E along the North line of the SW 1/4 SW 1/4 of said ... a distance of 40.00 feet to the POINT OF BEGINNING; ... from said Point of Beginning, continue S 89°57'58" E along the ... of the SW 1/4 SW 1/4 of said Section 9, being the South ... Francis Subdivision, as same is recorded in Plat Book 7, ... Public Records of Mesa County, Colorado, a distance of ... et; thence S 00°07'29" E a distance of 141.00 feet; thence ... W a distance of 247.10 feet to a point on the East right ... of 30 Road as same is described in Book 1425, Pages 784 ... Public Records of Mesa County, Colorado; thence N ... W along said East right of way, being a line 40.00 feet East ... rallel to, the West line of the SW 1/4 SW 1/4 of said ... a distance of 141.00 feet, more or less, to the Point of

0.7998 Acres (34,841.15 Sq. Ft.), more or less, as

AREA OF ANNEXATION

ANNEXATION PERIMETER	776.20 FT
CONTIGUOUS PERIMETER	388.10 FT.
AREA IN SQUARE FEET	34,841.15
AREA IN ACRES	0.7998

ANNEXATION BOUNDARY EXISTING CITY LIMITS

The Description(s) contained herein have been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This plat does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.

PETER T. KRICK PLS No. 32824 Professional Land Surveyor for the City of Grand Junction

DATE: P

DRAWN BY P.T.K. DESIGNED BY CHECKED BY T.W. APPROVED BY

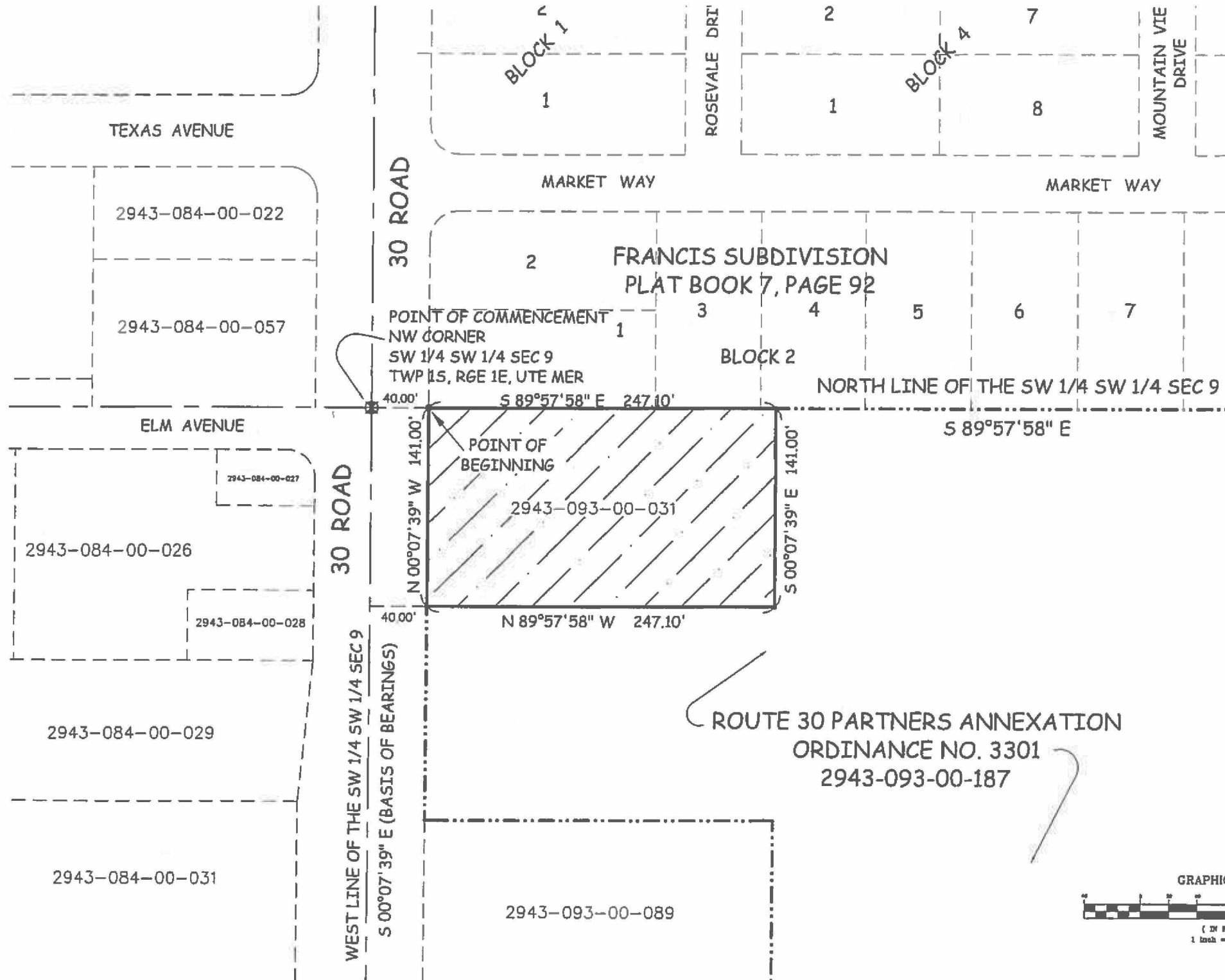
ROLD ANNEXATION

1 OF 1

Notice: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein.

C:\drawing\Peter\annex\Rolld Annexation\dwg\Rolld Annexation Drawing.dwg 04/17/2003 09:37:58 AM MDT

\\Peter\annex\Aold Annexation\dwg\Aold Annexation Drawing.dwg 04/17/2003 09:37:58 AM MDT



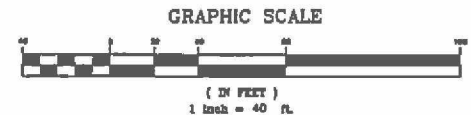
LEGAL DESCRIPTION

A certain parcel of land lying in the Southwest Quarter (SW 1/4 SW 1/4) of Section 9, Township 15, Range 1E, Ute Meridian, being more particularly described as follows:

COMMENCING at the Northwest Corner of the Southwest Quarter of Section 9 and assuming the West line of said Section 9 bears S 00°07'39" E being relative thereto; thence following said North line of the Francis Subdivision, Plat Book 7, Page 92, Public Records of Mesa County, Colorado, a distance of 247.10 feet; thence S 89°57'58" E along the North line of the SW 1/4 SW 1/4 SEC 9 a distance of 40.00 feet; thence from said Point of Beginning North line of the SW 1/4 SW 1/4 SEC 9 a distance of 247.10 feet; thence S 00°07'39" E being relative thereto; thence N 89°57'58" W a distance of 247.10 feet; thence S 00°07'39" E being relative thereto; thence N 00°07'39" W along said East right of way and parallel to, the West line of the SW 1/4 SW 1/4 SEC 9, a distance of 141.00 feet to the Point of Beginning.

CONTAINING 0.7998 Acres (34,800 sq. ft.) described.

**ROUTE 30 PARTNERS ANNEXATION
ORDINANCE NO. 3301
2943-093-00-187**



The Description(s) of the subdivision plat(s) shown on this office of the Mesa County Clerk constitute a legal means for establishing the boundaries of the same.

AREA OF ANNEXATION
ANNEXATION PERIMETER 778.20 FT
CONTIGUOUS PERIMETER 388.10 FT.

LEGEND
ANNEXATION BOUNDARY

ORDINANCE NO.
999

EFFECTIVE DATE
999

PETER T. KRICK

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

7000 1670 0010 0684 7896

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

Sent To *Rita Rola*
Street, Apt. No., or P.O. Box No. *455 Bunting Ave*
City, State, ZIP+4 *Grand Junction, CO 81504*



CITY OF GRAND JUNCTION

Community Development Dept. • 250 N. 5th Street • Grand Junction, CO 81501

Date: May 27, 2003

Applicant: Rita Rold

The following item (Rold Subdivision – ANX-2003-080) has been scheduled for Planning Commission on June 10, 2003.

A sign(s) advertising the Public Hearing will be required to be posted no later than this Friday, 5/30/03. The signs are available at the Community Development Department. A \$50.00 deposit is required for a Public Hearing sign. The deposit will be refunded, in full, if the sign(s) is/are returned within 5 working days after the final meeting. A sign is required to be placed facing each road(s) that abuts the project site.

The Staff Report for the project will be available for pick-up after 4 P.M. on Thursday, May 29, 2003.

Please contact the project planner, Senta Costello, at (244-1442, sentac@ci.grandjct.co.us) if you have any questions relating to this notice.

cc: ANX-2003-080

ROLL ANNEXATION

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 9, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Northwest corner of the SW 1/4 SW 1/4 of said Section 9 and assuming the West line of the SW 1/4 SW 1/4 of said Section 9 bears S 00°07'39" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°57'58" E along the North line of the SW 1/4 SW 1/4 of said Section 9 a distance of 40.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue S 89°57'58" E along the North line of the SW 1/4 SW 1/4 of said Section 9, being the South line of the Francis Subdivision, as same is recorded in Plat Book 7, Page 92, Public Records of Mesa County, Colorado, a distance of 247.10 feet; thence S 00°07'29" E a distance of 141.00 feet; thence N 89°57'58" W a distance of 247.10 feet to a point on the East right of way for 30 Road as same is described in Book 1425, Pages 784 and 785, Public Records of Mesa County, Colorado; thence N 00°07'39" W along said East right of way, being a line 40.00 feet East of and parallel to, the West line of the SW 1/4 SW 1/4 of said Section 9, a distance of 141.00 feet, more or less, to the Point of Beginning.

CONTAINING 0.7998 Acres (34,841.15 Sq. Ft.), more or less, as described.

AGENDA TOPIC: Zone of Annexation for the Rold Annexation to the Light Commercial (C-1) zone district for a property comprised of .7998 acres. (#ANX-2003-080)

SUMMARY: The .7998 acre Rold Annexation is located at 524 30 Road. State law requires the City to zone newly annexed areas within 90 days of the annexation. The proposed City zoning conforms to the Growth Plan's Future Land Use Maps recommendation for Commercial, with Commercial land uses for this area.

Action Requested: Recommendation to City Council for approval of the zone of annexation of C-1 for the Rold Annexation.

BACKGROUND INFORMATION					
Location:	524 30 Road				
Applicant(s):	Rita L. Rold				
Existing Land Use:	Commercial				
Proposed Land Use:	Commercial				
Surrounding Land Use:	North Single Family Residential – Francis Sub – 4.53 un/ac				
	South Vacant Commercial land				
	East Vacant Commercial land				
	West Single Family Residential – Unsubdivided land – Lot sizes range from .132 ac -1.263 ac				
Existing Zoning:	County B-1/PC				
Proposed Zoning:	City C-1				
Surrounding Zoning:	North County B-1				
	South City C-1				
	East City C-1				
	West County B-1				
Growth Plan Designation:	Commercial				
Zoning within density range?	<table border="1"> <tr> <td>X</td> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	X	Yes	No	N/A
X	Yes	No	N/A		

Staff Analysis:

ZONE OF ANNEXATION:

Under the 1998 Persigo Agreement with Mesa County, the City is allowed to zone newly annexed areas with a zone that is either identical to current County zoning or conforms to the City's Growth Plan's Future Land Use Map. This proposed zoning of C-1 conforms to the City's Growth Plan's Future Land Use Map.

C-1 ZONE DISTRICT

- The C-1 (Light Commercial) is consistent with the Growth Plans Future Land Use Map designation of Commercial.
- Zoning this annexation with the C-1 Zone district meets the criteria found in Sections 2.14.F and 2.6 of the Grand Junction Zoning and Development Code.
- The property is bordered by other commercially zoned property on the south and the west

ZONING AND DEVELOPMENT CODE CRITERIA:

Section 2.14.F: "Land annexed to the City shall be zoned in accordance with Section 2.6 to a district that is consistent with the adopted Growth Plan or consistent with the existing County zoning."

Section 2.6.A. Approval Criteria. In order to maintain internal consistency between this Code and the Zoning Maps, map amendments must only occur if:

- 1. The existing zoning was in error at the time of adoption;**
The application of the C-1 zoning district is in connection with an annexation therefore this criterion is not applicable.
- 2. There as been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.;**
The application of the C-1 zoning district is in connection with an annexation therefore this criterion is not applicable.
- 3. *The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances;***
The requested rezone to C-1 is consistent with the Growth Plan. This specific criterion must be considered in conjunction with criterion 5 which requires that public facilities and services are available when the impacts of any proposed development are realized. Staff has determined that public infrastructure can address the impacts of any development consistent with the proposed zone district, therefore this criterion is met.
- 4. *The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of this Code, and other City regulations and guidelines.***
The proposal conforms to the Growth Plan as it supports commercial uses in this particular area.
- 5. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development;**
Public facilities and services are available for the current residential uses.

6. *There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs; and*

The application of the C-1 zoning district is in connection with an annexation therefore this criterion is not applicable.

7. *The community or neighborhood will benefit from the proposed zone.*

The application of the C-1 zoning district is in connection with an annexation therefore this criterion is not applicable.

FACTS AND CONCLUSIONS: It is recommended that the Planning Commission make the following findings of Facts and Conclusions

1. The requested zoning of C-1 is consistent with the Future Land Use Growth Plan
2. The requested zoning of C-1 is consistent with Sections 2.6 and 2.14 of the Zoning and Development Code

STAFF RECOMMENDATION: Recommend approval of the requested C-1 zone district to the City Council, finding the zoning to Light Commercial with the findings of Fact and Conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

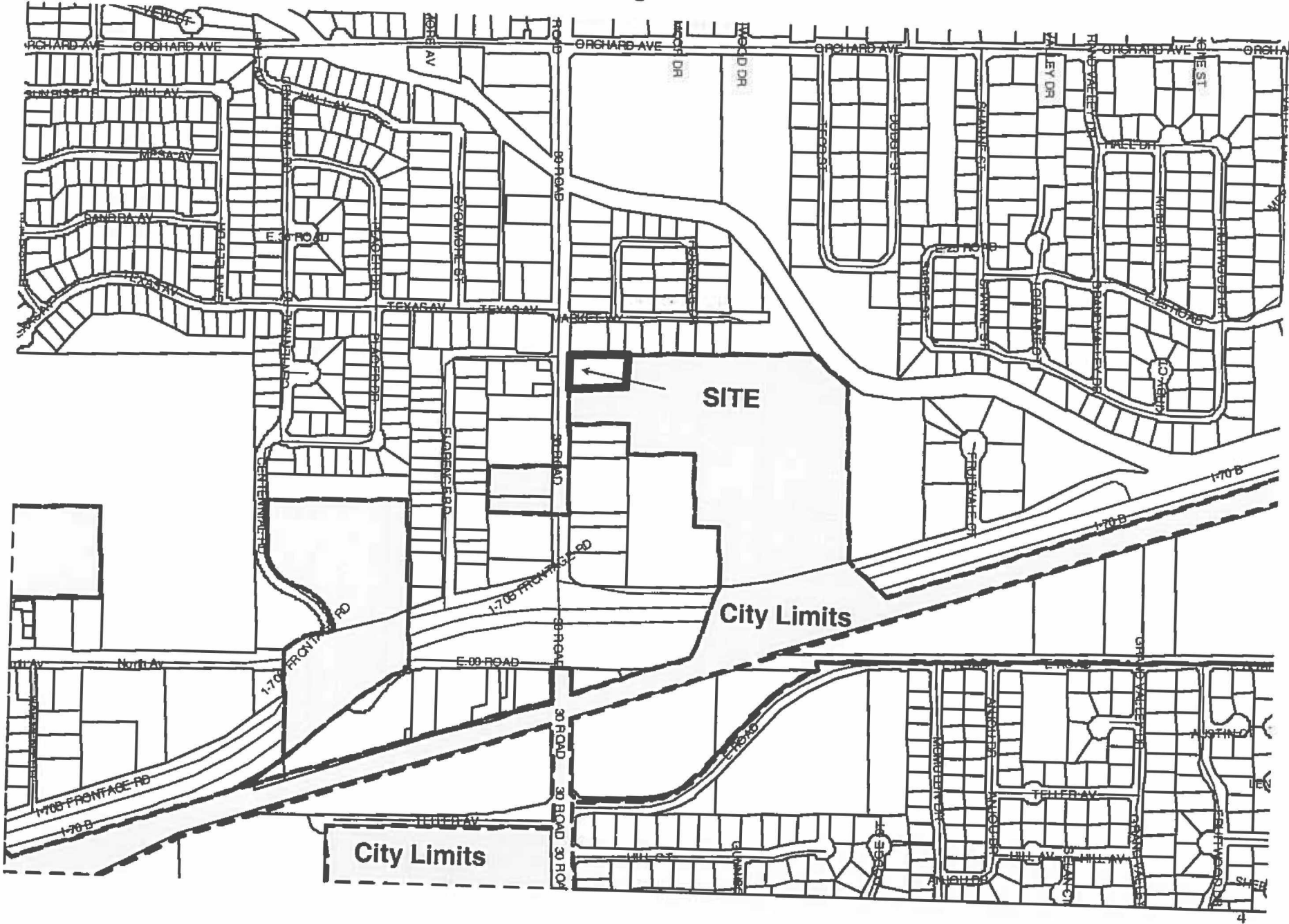
Mr. Chairman, on Zone of Annexation, #ANX-2003-080, I move that the Planning Commission forward the zone of annexation to City Council with the recommendation of the Light Commercial, (C-1) district for the Rold Annexation with the facts and conclusions listed in the staff report.

Attachments:

1. Site Location Map
2. Aerial Photo
3. Future Land Use Map
4. Zoning Map
5. Annexation Location Map

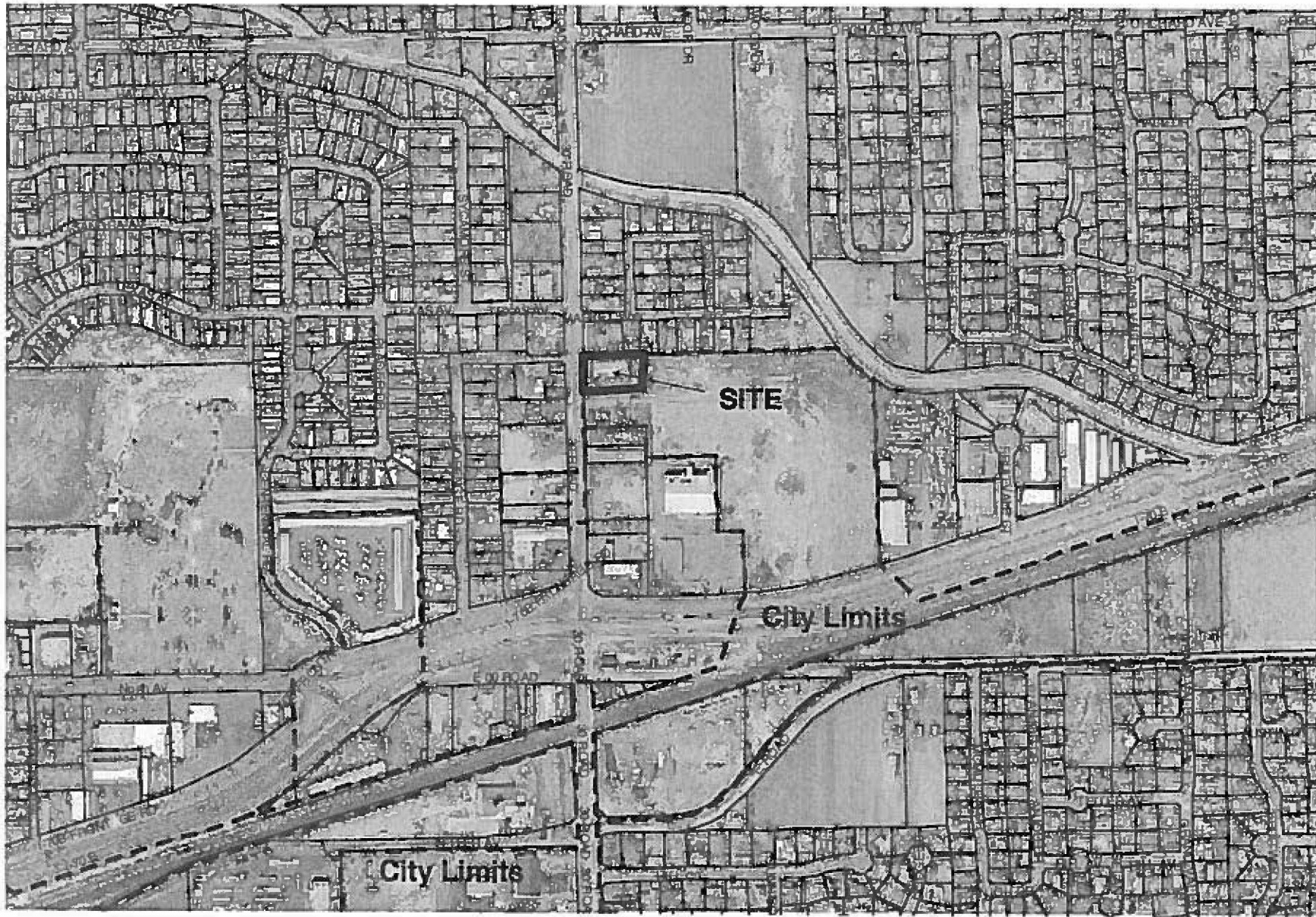
Site Location Map

Figure 1



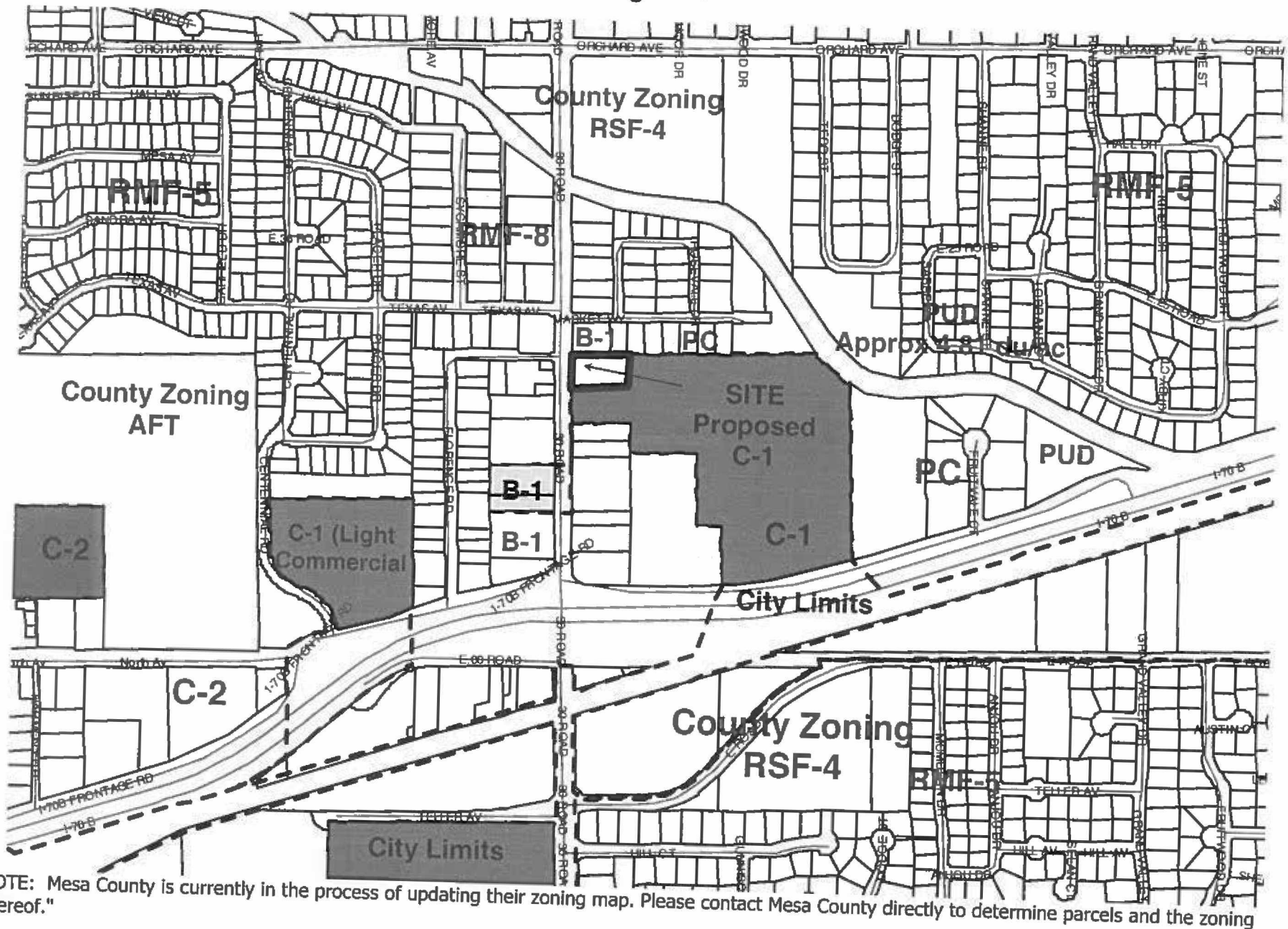
Aerial Photo Map

Figure 2



Existing City and County Zoning

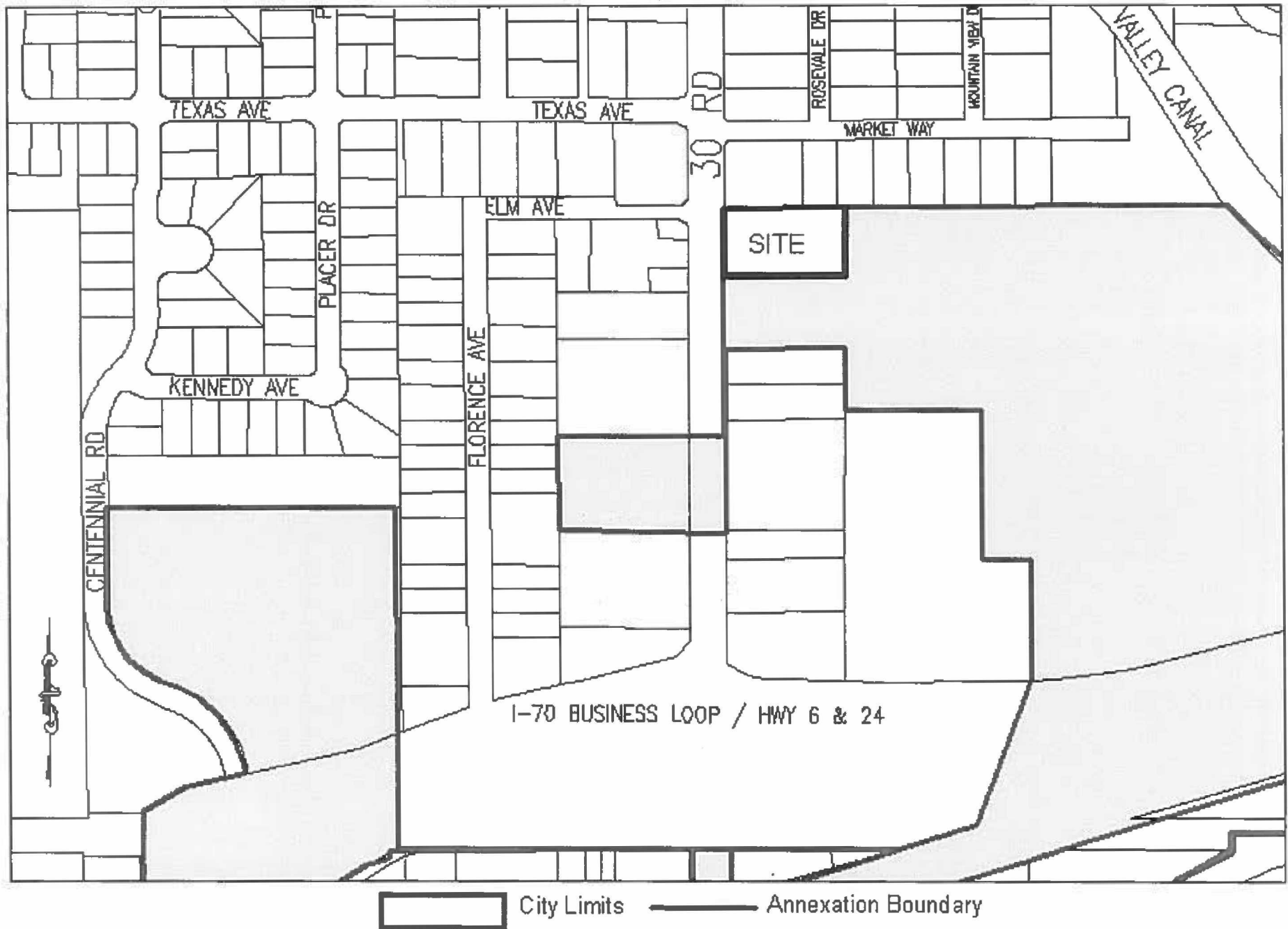
Figure 4



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

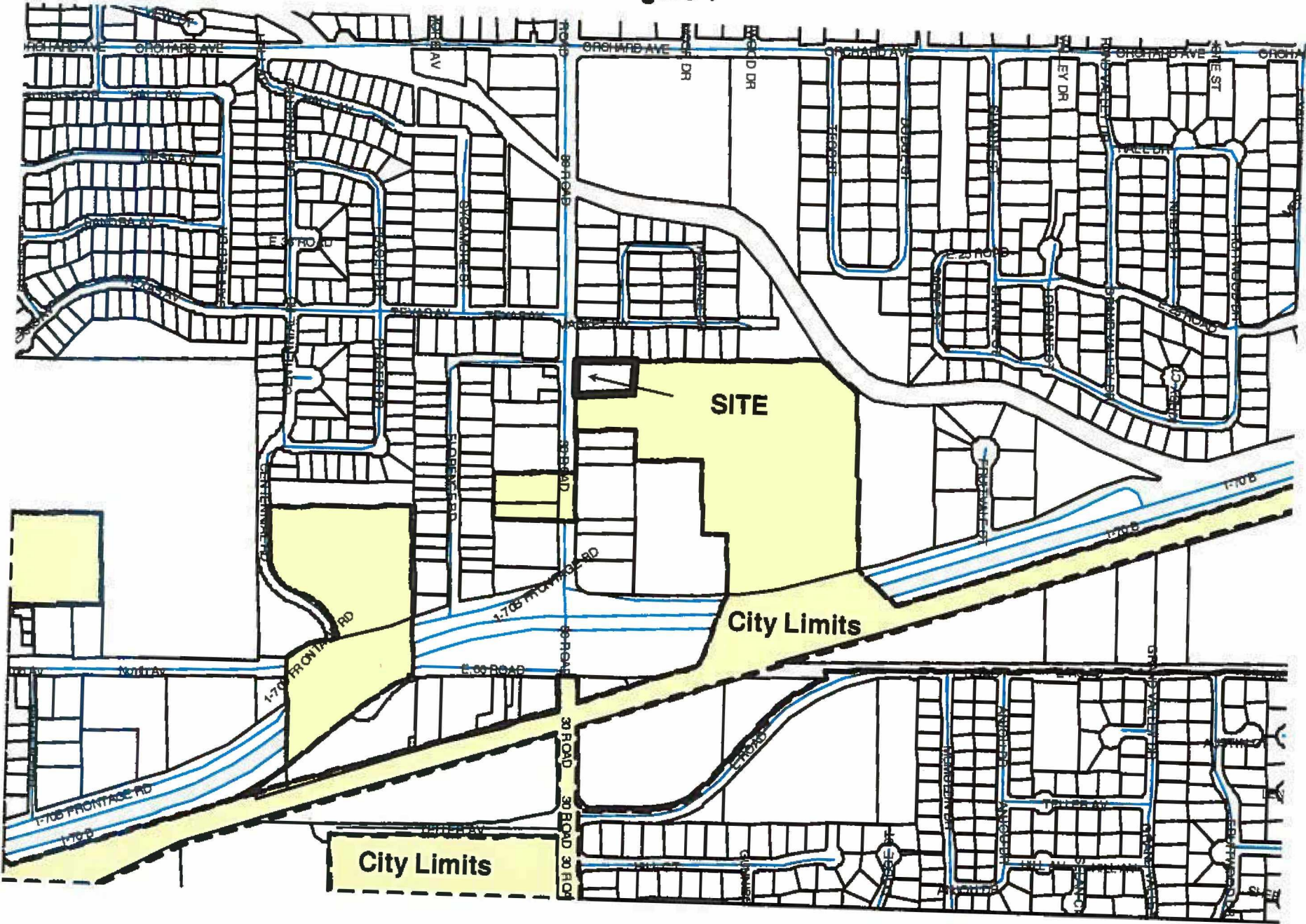
Rold Annexation

Figure 5



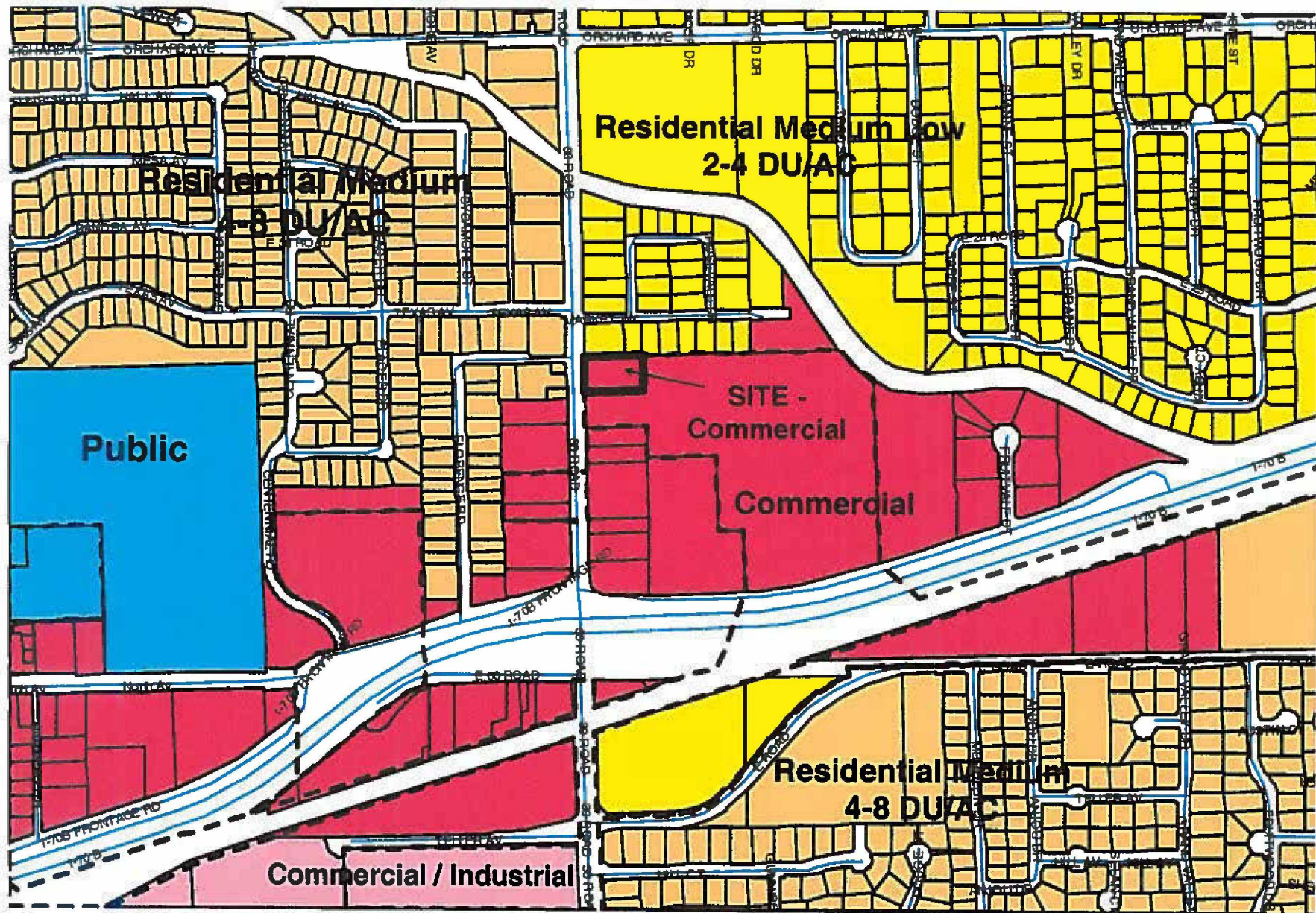
Site Location Map

Figure 1



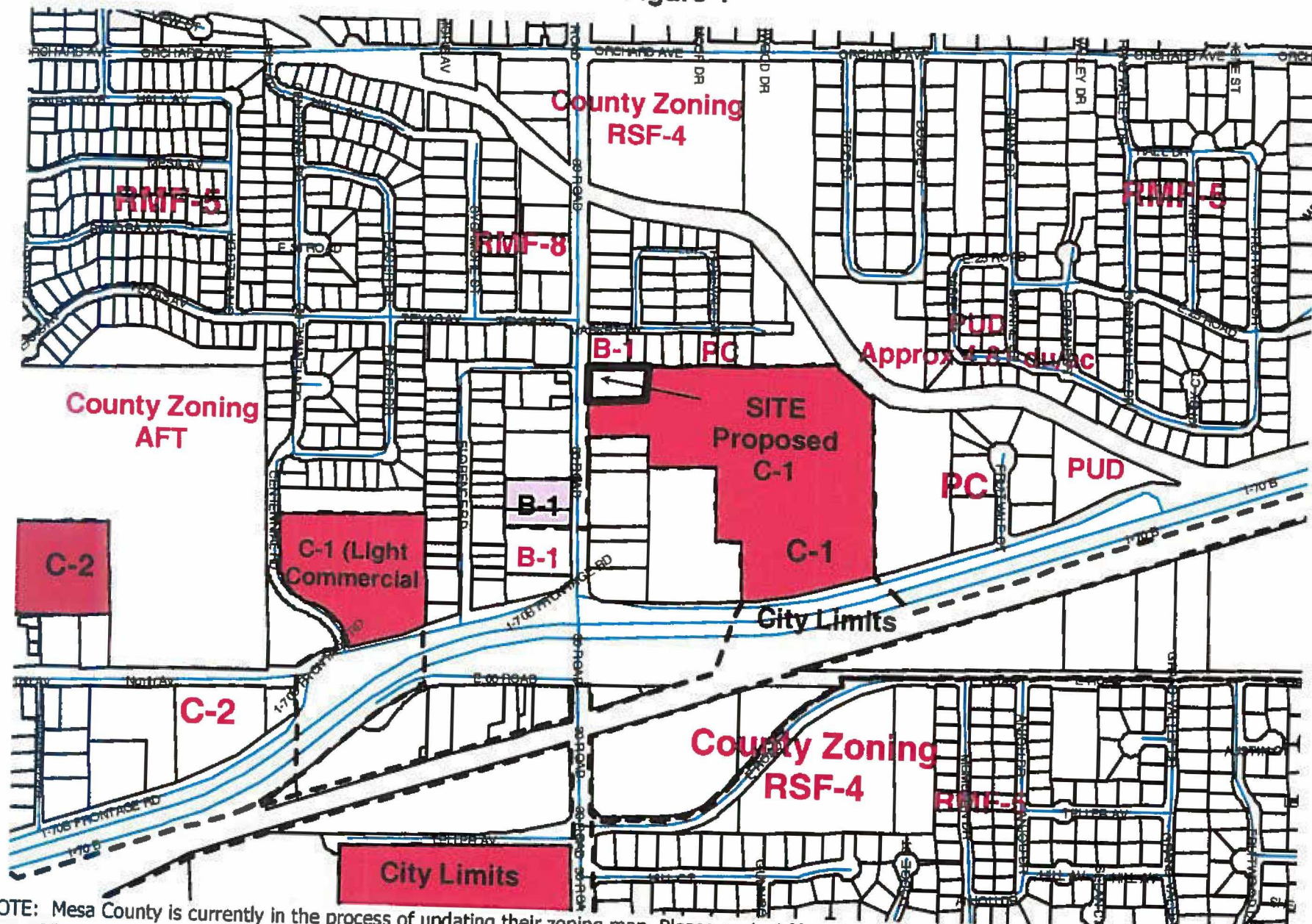
Future Land Use Map

Figure 3



Existing City and County Zoning

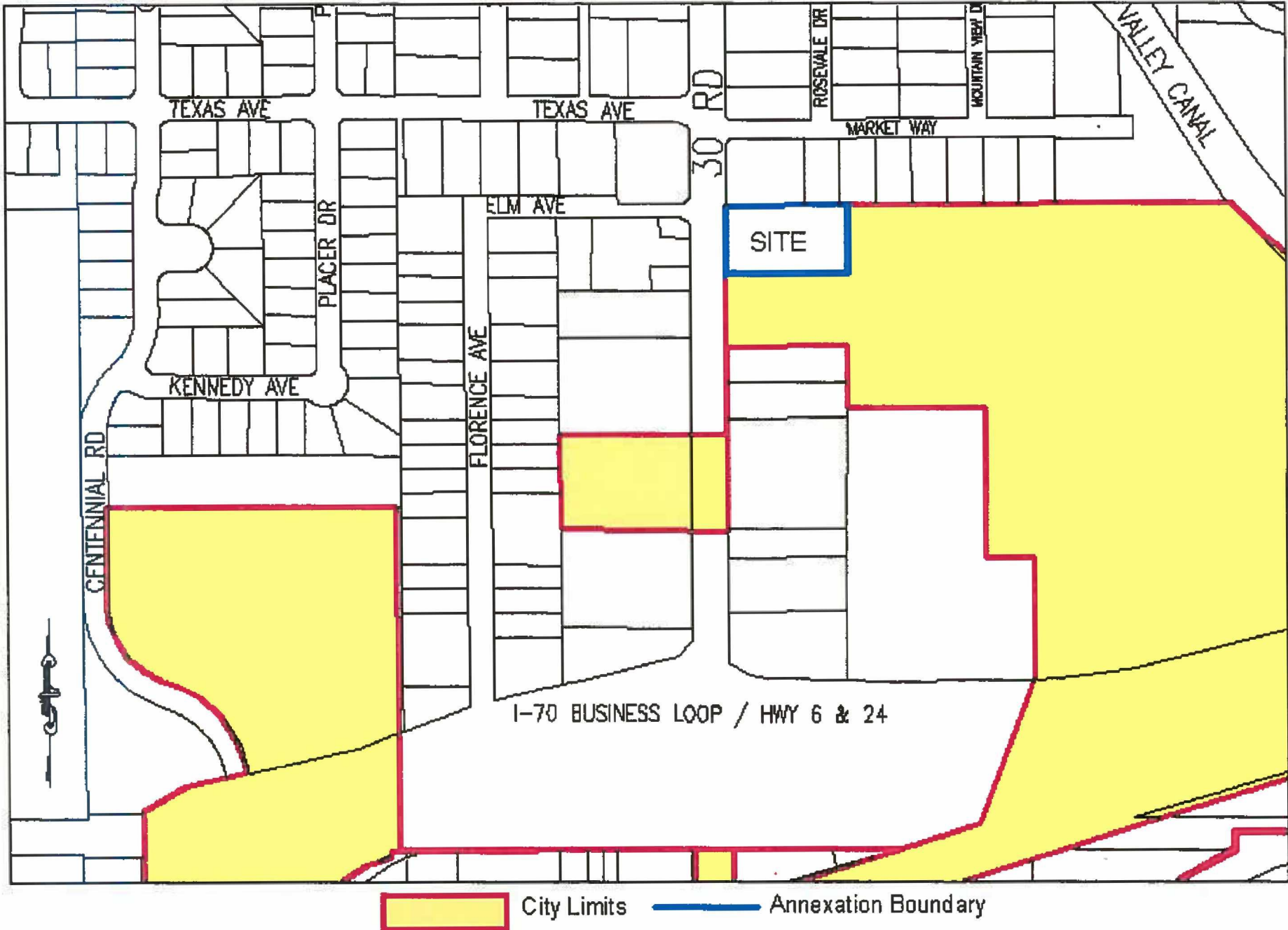
Figure 4



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

Rold Annexation

Figure 5



GRAND JUNCTION PLANNING COMMISSION
JUNE 10, 2003 MINUTES
7:00 P.M. to 8:30 P.M.

The regularly scheduled Planning Commission hearing was called to order at 7:00 P.M. by Chairman Paul Dibble. The public hearing was held in the City Hall Auditorium.

In attendance, representing the City Planning Commission, were Dr. Paul Dibble (Chairman), Roland Cole, John Evans, John Redifer, John Paulson, Bill Pitts and Richard Blosser. William Putnam was absent.

In attendance, representing the City's Community Development Department, were Bob Blanchard (Community Development Director), Pat Cecil (Development Services Supervisor), Senta Costello (Associate Planner), Scott Peterson (Associate Planner), Lori Bowers (Senior Planner) and Ronnie Edwards (Associate Planner).

Also present were John Shaver (Assistant City Attorney) and Rick Dorris and Eric Hahn (City Development Engineers).

Terri Troutner was present to record the minutes.

There were approximately 17 interested citizens present during the course of the hearing.

I. APPROVAL OF MINUTES

Available for consideration were the minutes from the April 22 and May 13, 2003 Planning Commission public hearings.

MOTION: (Commissioner Cole) "Mr. Chairman, I move approval [of the April 22, 2003 minutes as submitted]."

Commissioner Blosser seconded the motion. A vote was called and the motion passed by a vote of 6-0, with Commissioner Paulson abstaining.

MOTION: (Commissioner Cole) "Mr. Chairman, I move approval [of the May 13, 2003 minutes as submitted]."

Commissioner Pitts seconded the motion. A vote was called and the motion passed by a vote of 5-0, with Chairman Dibble and Commissioner Paulson abstaining.

II. ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

There were no announcements, presentations and/or visitors.

III. CONSENT AGENDA

Offered for placement on the Consent Agenda were items VE-2003-054 (Vacation of Easement--Cox Easement Vacation); ANX-2003-080 (Zone of Annexation--Rold Annexation); ANX-2003-022 (Zone of Annexation--Unawep Heights Subdivision); ANX-2003-090 (Zone of Annexation--Sonrise Acres Subdivision); VE-2002-205 (Vacation of Easement--Cimarron Mesa Filing #1); and ANX-2003-068 (Zone of Annexation--O'Connor Subdivision). At citizen request, item ANX-2003-022 was pulled and placed on the Full Hearing Agenda.

MOTION: (Commissioner Blosser) "Mr. Chairman, I move that we approve the Consent Agenda as modified."

Commissioner Evans seconded the motion. A vote was called and the motion passed unanimously by a vote of 7-0.

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Rold Annexation at 524 30 Road					
Meeting Date	June 16, 2003					
Date Prepared	June 10, 2003				File #ANX-2003-080	
Author	Senta Costello			Associate Planner		
Presenter Name	Senta Costello			Associate Planner		
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda	X	Consent	Individual Consideration

Summary: The Rold Annexation consists of one parcel of land on approximately .7998 acres. The requested zoning for the property is C-1 (Light Commercial). The physical address for the property is 524 30 Road.

The Planning Commission reviewed the requested zoning on June 10, 2003 and recommended approval.

Budget: N/A

Action Requested/Recommendation: Approval of the first reading of the Zoning Ordinance for the Rold Annexation and set a hearing for August 6, 2003.

Attachments:

1. Staff Report
2. Site Location Map
3. Aerial Photo Map
4. Future Land Use Map
5. Existing Zoning Map
6. Annexation Map
7. Zone of Annexation Ordinance

Background Information: See attached report.

BACKGROUND INFORMATION			
Location:		524 30 Road	
Applicants:		Rita L. Rold	
Existing Land Use:		Commercial	
Proposed Land Use:		Commercial	
Surrounding Land Use:	North	Single Family Residential	
	South	Vacant Commercial land	
	East	Vacant Commercial land	
	West	Single Family Residential	
Existing Zoning:		County B-1/PC	
Proposed Zoning:		City C-1	
Surrounding Zoning:	North	County B-1	
	South	City C-1	
	East	City C-1	
	West	County B-1	
Growth Plan Designation:		Commercial	
Zoning within density range?		<input checked="" type="checkbox"/> X	<input type="checkbox"/> Yes
		<input type="checkbox"/>	<input type="checkbox"/> No

Staff Analysis:

ANNEXATION:

This annexation area consists of annexing .7998 acres of land. Owners of the property have signed a petition for annexation pursuant to the 1998 Persigo agreement with Mesa County.

ZONE OF ANNEXATION:

Under the 1998 Persigo Agreement with Mesa County, the City is allowed to zone newly annexed areas with a zone that is either identical to current County zoning or conforms to the City's Growth Plan's Future Land Use Map. This proposed zoning of C-1 conforms to the City's Growth Plan's Future Land Use Map.

C-1 ZONE DISTRICT

- The C-1 (Light Commercial) is consistent with the Growth Plans Future Land Use Map designation of Commercial.
- Zoning this annexation with the C-1 Zone district meets the criteria found in Sections 2.14.F and 2.6 of the Grand Junction Zoning and Development Code.
- The property is bordered by other commercially zoned property on the south and the west

ZONING AND DEVELOPMENT CODE CRITERIA:

Section 2.14.F: "Land annexed to the City shall be zoned in accordance with Section 2.6 to a district that is consistent with the adopted Growth Plan or consistent with the existing County zoning."

Section 2.6.A. Approval Criteria. In order to maintain internal consistency between this Code and the Zoning Maps, map amendments must only occur if:

- 1. The existing zoning was in error at the time of adoption;**
The application of the C-1 zoning district is in connection with an annexation therefore this criterion is not applicable.
- 2. There as been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.;**
The application of the C-1 zoning district is in connection with an annexation therefore this criterion is not applicable.
- 3. *The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances;***
The requested rezone to C-1 is consistent with the Growth Plan. This specific criterion must be considered in conjunction with criterion 5 which requires that public facilities and services are available when the impacts of any proposed development are realized. Staff has determined that public infrastructure can address the impacts of any development consistent with the proposed zone district, therefore this criterion is met.
- 4. *The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of this Code, and other City regulations and guidelines.***
The proposal conforms to the Growth Plan as it supports commercial uses in this particular area.
- 5. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development;**
Public facilities and services are available for the current residential uses.
- 6. *There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs; and***
The application of the C-1 zoning district is in connection with an annexation therefore this criterion is not applicable.
- 7. The community or neighborhood will benefit from the proposed zone.**
The application of the C-1 zoning district is in connection with an annexation therefore this criterion is not applicable.

FINDINGS AND CONCLUSIONS:

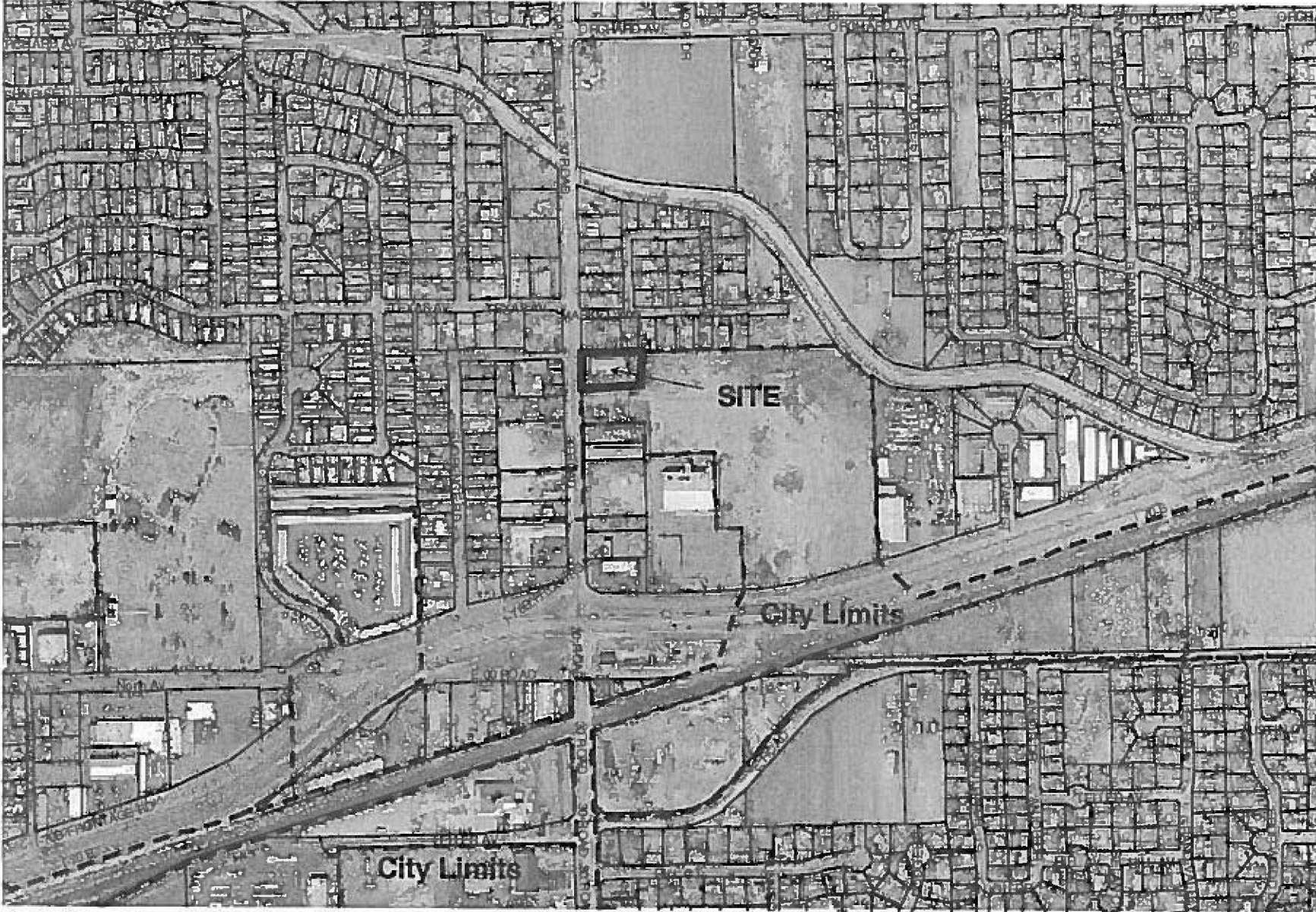
1. The requested zoning of C-1 is consistent with the Future Land Use Growth Plan
2. The requested zoning of C-1 is consistent with Sections 2.6 and 2.14 of the Zoning and Development Code

Recommendation: The Planning Commission recommends that City Council find the proposed zoning for the Rold Annexation to be consistent with the Growth Plan and Sections 2.14 and 2.6 of the Zoning and Development Code.

CC Zone-1st read.doc

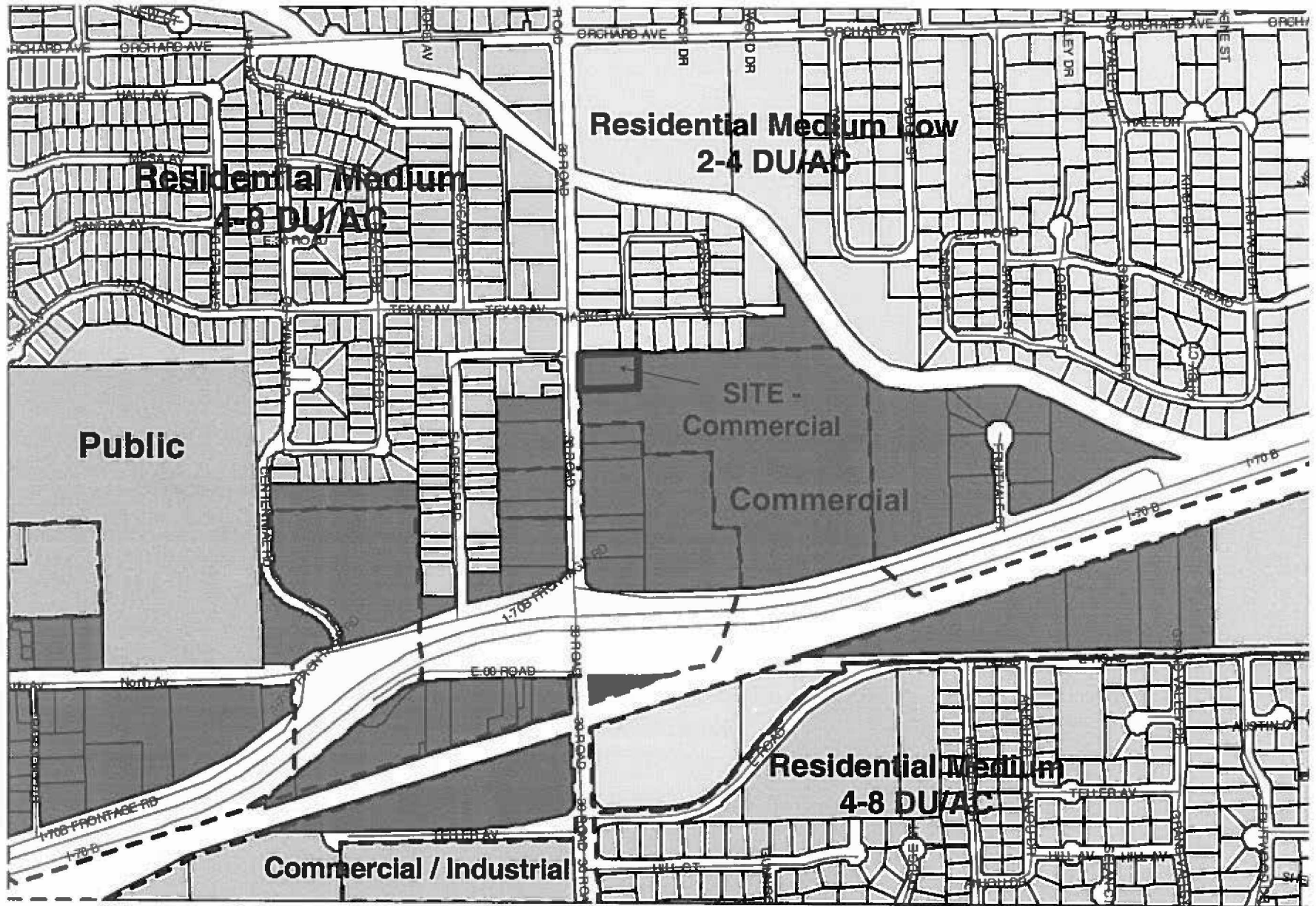
Aerial Photo Map

Figure 2



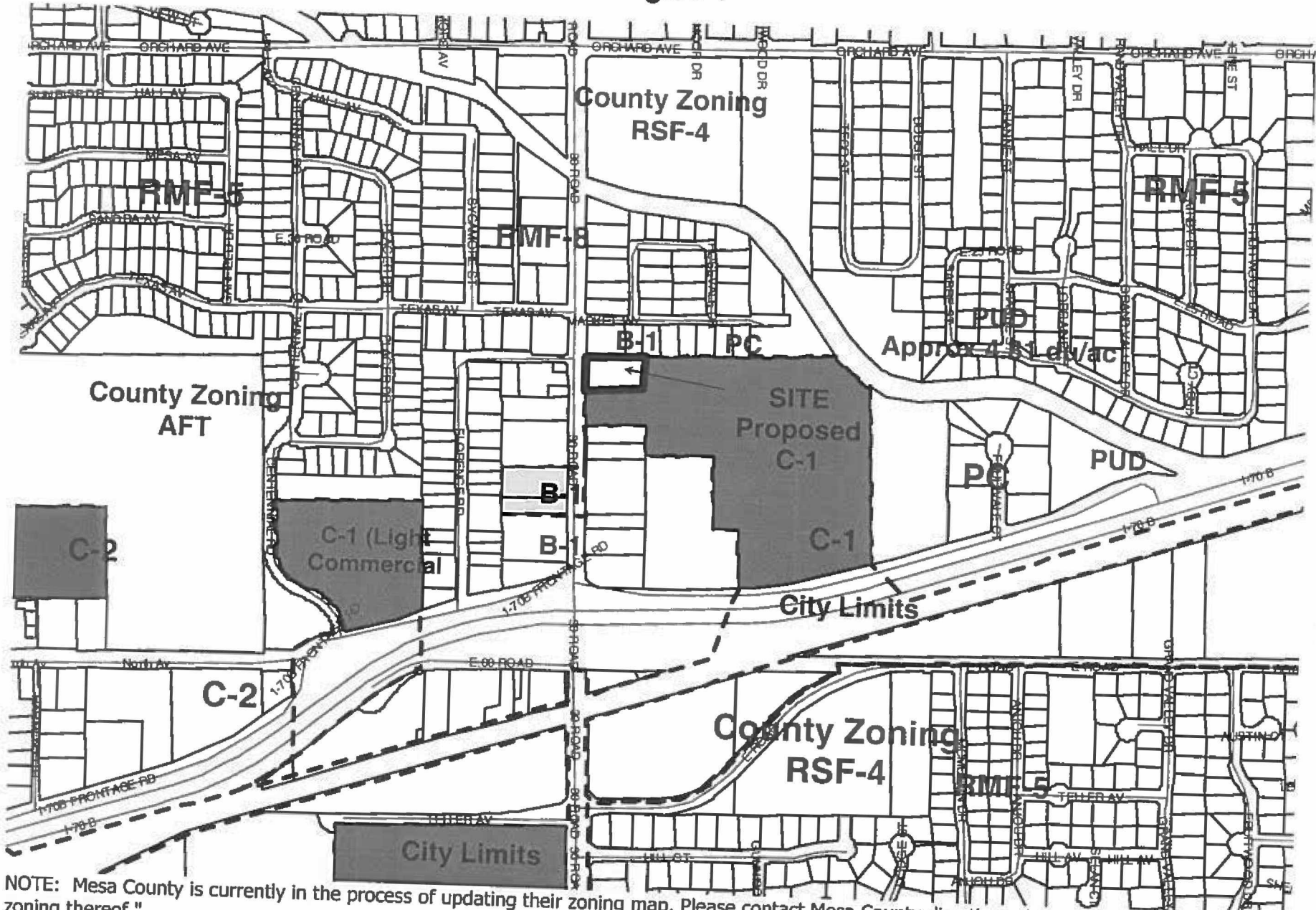
Future Land Use Map

Figure 3



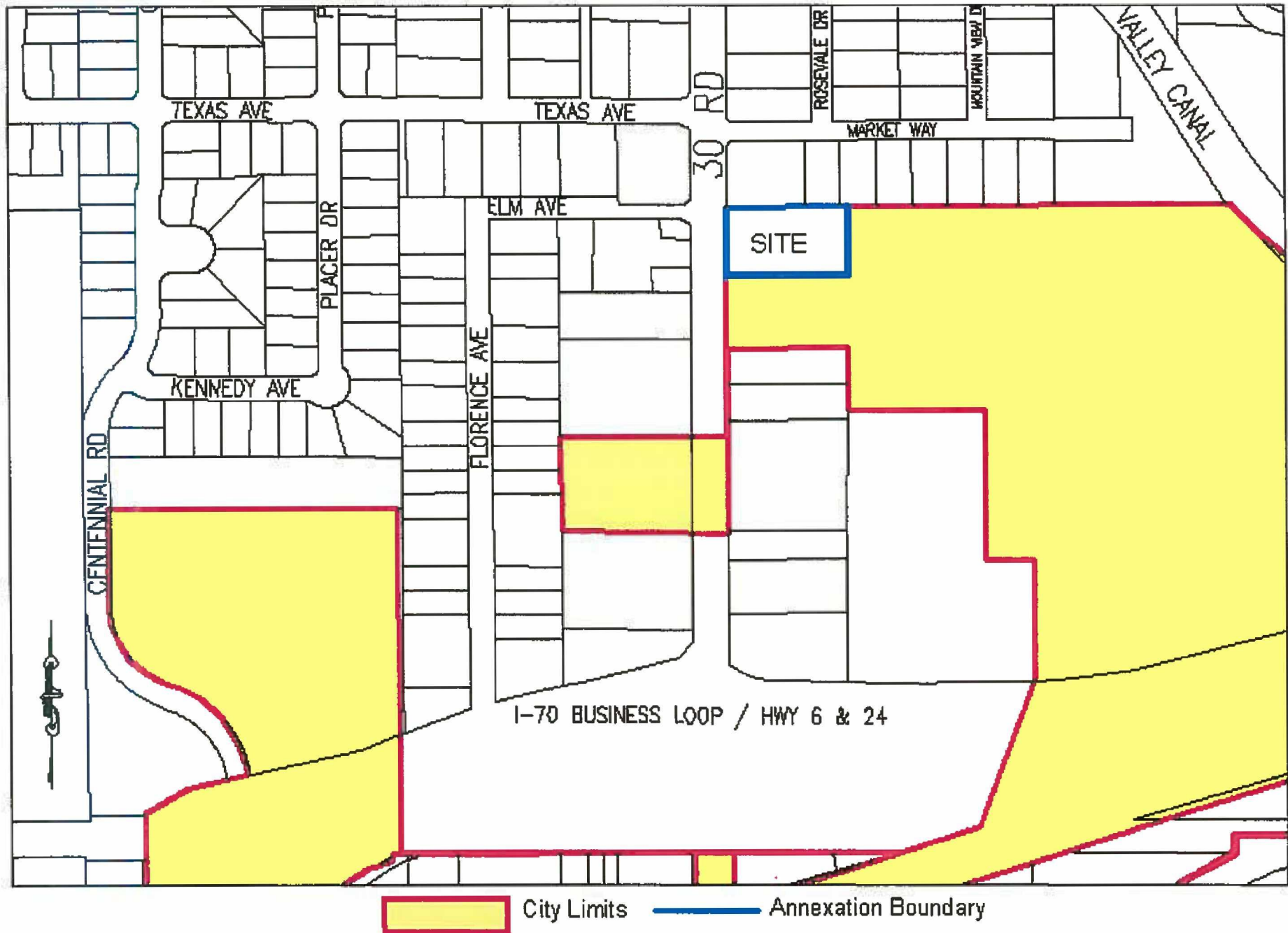
Existing City and County Zoning

Figure 4



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

Rold Annexation Figure 5



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**ZONING THE ROLD ANNEXATION
TO C-1 (Light Commercial)**

LOCATED AT 524 30 ROAD

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of applying a C-1 zone district to this annexation.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the C-1 zone district be established for the following reasons:

- This zone district meets the criteria of Section 2.14.F of the Zoning and Development Code by being identical to or nearly identical to the former Mesa County zoning for each parcel and conforms to the adopted Growth Plan Future Land Use Map.
- This zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

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

The following property shall be zoned the C-1 (Light Commercial) zone district

Includes the following tax parcel 2943-093-00-031

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 9, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Northwest corner of the SW1/4SW1/4 of said Section 9 and assuming the West line of the SW 1/4 SW 1/4 of said Section 9 bears S00°07'39"E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S89°57'58"E along the North line of the SW1/4SW1/4 of said Section 9 a distance of 40.00' to the POINT OF BEGINNING; thence from said Point of Beginning, continue S89°57'58"E along the North line of the SW1/4SW1/4 of said Section 9, being the South line of the Francis Sub, as same is recorded in Plat Bk 7, Pg 92, Public Records of Mesa County, Colorado, a distance of 247.10'; thence S00°07'29"E a distance of 141.00'; thence N89°57'58"W a distance of 247.10' to a point on the East right of way for 30 Road as same is described in Bk 1425, Pgs 784 and 785, Public Records of Mesa County, Colorado; thence N00°07'39"W along said East right of way, being a line 40.00' East of and parallel to, the West line of the SW 1/4 SW 1/4 of said Section 9, a distance of 141.00', more or less, to the Point of Beginning.

CONTAINING 0.7998 Acres (34,841.15 Sq. Ft.), more or less, as described.

Introduced on first reading this 16th day of June, 2003.

PASSED and ADOPTED on second reading this ____ day of _____, 2003.

Attest:

President of the Council

City Clerk

GRAND JUNCTION PLANNING COMMISSION
JUNE 10, 2003 MINUTES
7:00 P.M. to 8:30 P.M.

The regularly scheduled Planning Commission hearing was called to order at 7:00 P.M. by Chairman Paul Dibble. The public hearing was held in the City Hall Auditorium.

In attendance, representing the City Planning Commission, were Dr. Paul Dibble (Chairman), Roland Cole, John Evans, John Redifer, John Paulson, Bill Pitts and Richard Blosser. William Putnam was absent.

In attendance, representing the City's Community Development Department, were Bob Blanchard (Community Development Director), Pat Cecil (Development Services Supervisor), Senta Costello (Associate Planner), Scott Peterson (Associate Planner), Lori Bowers (Senior Planner) and Ronnie Edwards (Associate Planner).

Also present were John Shaver (Assistant City Attorney) and Rick Dorris and Eric Hahn (City Development Engineers).

Terri Troutner was present to record the minutes.

There were approximately 17 interested citizens present during the course of the hearing.

I. APPROVAL OF MINUTES

Available for consideration were the minutes from the April 22 and May 13, 2003 Planning Commission public hearings.

MOTION: (Commissioner Cole) "Mr. Chairman, I move approval [of the April 22, 2003 minutes as submitted]."

Commissioner Blosser seconded the motion. A vote was called and the motion passed by a vote of 6-0, with Commissioner Paulson abstaining.

MOTION: (Commissioner Cole) "Mr. Chairman, I move approval [of the May 13, 2003 minutes as submitted]."

Commissioner Pitts seconded the motion. A vote was called and the motion passed by a vote of 5-0, with Chairman Dibble and Commissioner Paulson abstaining.

II. ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

There were no announcements, presentations and/or visitors.

III. CONSENT AGENDA

Offered for placement on the Consent Agenda were items VE-2003-054 (Vacation of Easement--Cox Easement Vacation); ANX-2003-080 (Zone of Annexation--Rold Annexation); ANX-2003-022 (Zone of Annexation--Unawep Heights Subdivision); ANX-2003-090 (Zone of Annexation--Sonrise Acres Subdivision); VE-2002-205 (Vacation of Easement--Cimarron Mesa Filing #1); and ANX-2003-068 (Zone of Annexation--O'Connor Subdivision). At citizen request, item ANX-2003-022 was pulled and placed on the Full Hearing Agenda.

MOTION: (Commissioner Blosser) "Mr. Chairman, I move that we approve the Consent Agenda as modified."

Commissioner Evans seconded the motion. A vote was called and the motion passed unanimously by a vote of 7-0.

IV. FULL HEARING

ANX-2003-022 ZONE OF ANNEXATION--UNAWEEP HEIGHTS SUBDIVISION

A request for approval to zone the UnawEEP Heights Subdivision, consisting of 30.33 acres, to RSF-4 (Residential Single-Family with a density not to exceed 4 units per acre).

Petitioner: UnawEEP Heights, LLC

Location: 2857 UnawEEP Avenue

PETITIONER'S PRESENTATION

Doug Theis, representing the petitioner, briefly reviewed the request. He said that because the property is currently zoned County RSF-4, the City's RSF-4 zoning would be compatible. The requested zone is consistent with Growth Plan recommendations and Code requirements. Mr. Theis said that the Planning Commission would soon consider a Preliminary Plan consisting of 108 lots; however, he noted that the only item under current consideration tonight is the Zone of Annexation.

STAFF'S PRESENTATION

Lori Bowers reviewed the request as outlined in her June 10, 2003 staff report. Referencing an overhead map of the site, she noted that UnawEEP Avenue is undergoing realignment. The petitioner had delayed his request for annexation until the realignment was underway. Staff determined that the request met Growth Plan requirements and Code criteria and the RSF-4 land use designation would be consistent with the one previously applied by the County. Ms. Bowers also presented an aerial photo of the site, the City/County Zoning Map and the Future Land Use Map.

QUESTIONS

Chairman Dibble asked if the zoning on all sides of the subject parcel was RSF-4, to which Ms. Bowers responded affirmatively. She noted that the subject parcel was the only one in the immediate area that, once annexation was completed, would be situated within City limits.

Commissioner Cole asked how contiguity was established. Ms. Bowers pointed out an adjacent parcel and said that contiguity would be ensured from that parcel to B 3/4 Road.

Commissioner Blosser asked about the zoning to the north of the subject property; Ms. Bowers replied that the area to the north was zoned AFT.

PUBLIC COMMENTS

FOR:

There were no comments for the request.

AGAINST:

Carlo Godel (2873 C Road, Grand Junction) said that actual densities of the surrounding area were closer to 1-2 units/acre. An increase in density to 4 units per acre would be incompatible; however, a zoning designation allowing 2-3 units per acre would be more acceptable. Mr. Godel indicated the location of his property on the aerial photo. Chairman Dibble reminded citizens that the only matter being considered was the Zone of Annexation. The Planning Commission had not seen any plan submitted for the property, so it was unclear at this point what the actual density of the proposed subdivision would be. The RSF-4, he continued, allowed for densities anywhere between 2 and 4 units per acre.

John Denison (2858 C Road, Grand Junction) noted a small portion of land located at the juncture of the "realigned" UnawEEP Avenue and C Road. He wondered what would become of that piece of ground. He

5. **Setting a Hearing – Rezoning 653 Young Street** [File # RZ-2003-070]

Request to rezone 653 Young Street, comprised of 1.252 acres, from RSF-1 (Residential Single Family with a density not to exceed 1 du/ac) to RSF-2 (Residential Single Family with a density not to exceed 2 du/ac). Planning Commission recommended approval of the rezoning at its June 10, 2003 meeting.

Proposed Ordinance Zoning a Parcel of Land Located at 653 Young Street

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for July 2, 2003

6. **Setting a Hearing – Zoning Rold Annexation Located at 524 30 Road** [File # ANX-2003-080]

The Rold Annexation consists of one parcel of land on approximately .7998 acres. The requested zoning for the property is C-1 (Light Commercial). The physical address for the property is 524 30 Road. The Planning Commission reviewed the requested zoning on June 10, 2003 and recommended approval.

Proposed Ordinance Zoning the Rold Annexation to C-1 (Light Commercial) Located at 524 30 Road

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for July 2, 2003

7. **Setting a Hearing – Carville Annexation Located at 2675 Highway 50** [File # ANX-2003-116]

Resolution for Referral of Petition to Annex/First Reading of the Annexation ordinance/exercising land use jurisdiction immediately for the Carville Annexation located at 2675 Hwy 50. The 19.93 acre Carville Annexation is an annexation consisting of one parcel of land.

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

Resolution No. 53-03 – 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, Carville Annexation Located at 2675 Hwy 50

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Rold Annexation located at 524 30 Road					
Meeting Date	July 2, 2003					
Date Prepared	June 25, 2003				File #ANX-2003-080	
Author	Senta Costello		Associate Planner			
Presenter Name	Senta Costello		Associate Planner			
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda		Consent	X Individual Consideration

Summary: Resolution for Acceptance of Petition to Annex/Second reading of the annexation ordinance. The .7998 acre Rold Annexation consists of one parcel of land. The requested zoning for the property is C-1 (Light Commercial). The physical address for the property is 524 30 Road.

Budget: N/A

Action Requested/Recommendation: It is recommended that City Council approve the resolution accepting the petition to annex, second reading of the annexation ordinance for the Rold Annexation.

Attachments:

1. Staff Report
2. Site Location Map
3. Aerial Photo Map
4. Future Land Use Map
5. Existing City and County Zoning Map
6. Annexation Map
7. Resolution of Acceptance of Petition
8. Annexation Ordinance

Background Information: See attached report.

BACKGROUND INFORMATION			
Location:		524 30 Road	
Applicants:		Rita L. Rold	
Existing Land Use:		Commercial	
Proposed Land Use:		Commercial	
Surrounding Land Use:	North	Single Family Residential	
	South	Vacant Commercial land	
	East	Vacant Commercial land	
	West	Single Family Residential	
Existing Zoning:		County B-1/PC	
Proposed Zoning:		City C-1	
Surrounding Zoning:	North	County B-1	
	South	City C-1	
	East	City C-1	
	West	County B-1	
Growth Plan Designation:		Commercial	
Zoning within density range?		<input checked="" type="checkbox"/> X	<input type="checkbox"/> Yes
		<input type="checkbox"/>	<input type="checkbox"/> No

Staff Analysis:

ANNEXATION:

This annexation area consists of annexing .7998 acres of land. Owners of the property have signed a petition for annexation as part of their request to split their property into two lots, pursuant to the 1998 Persigo agreement with Mesa County.

It is staff's professional 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 Rold Annexation is eligible to be annexed because of compliance with the following:

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

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

ROLD ANNEXATION SUMMARY		
File Number:	ANX-2003-080	
Location:	524 30 Road	
Tax ID Number:	2943-093-00-031	
Parcels:	1	
Estimated Population:	0	
# of Parcels (owner occupied):	1	
# of Dwelling Units:	0	
Acres land annexed:	.7998 acres for annexation area	
Developable Acres Remaining:	0	
Right-of-way in Annexation:	N/A	
Previous County Zoning:	B-1/PC	
Proposed City Zoning:	C-1 (Light Commercial)	
Current Land Use:	Commercial	
Future Land Use:	Commercial	
Values:	Assessed:	= \$113,340
	Actual:	= \$390,800
Address Ranges:	524 30 Road	
Special Districts:	Water:	Clifton Water
	Sewer:	Central Grand Valley Sanitation
	Fire:	Clifton Fire District
	Drainage:	Grand Valley Irrigation District
	School:	District 51

The following annexation and zoning schedule is being proposed.

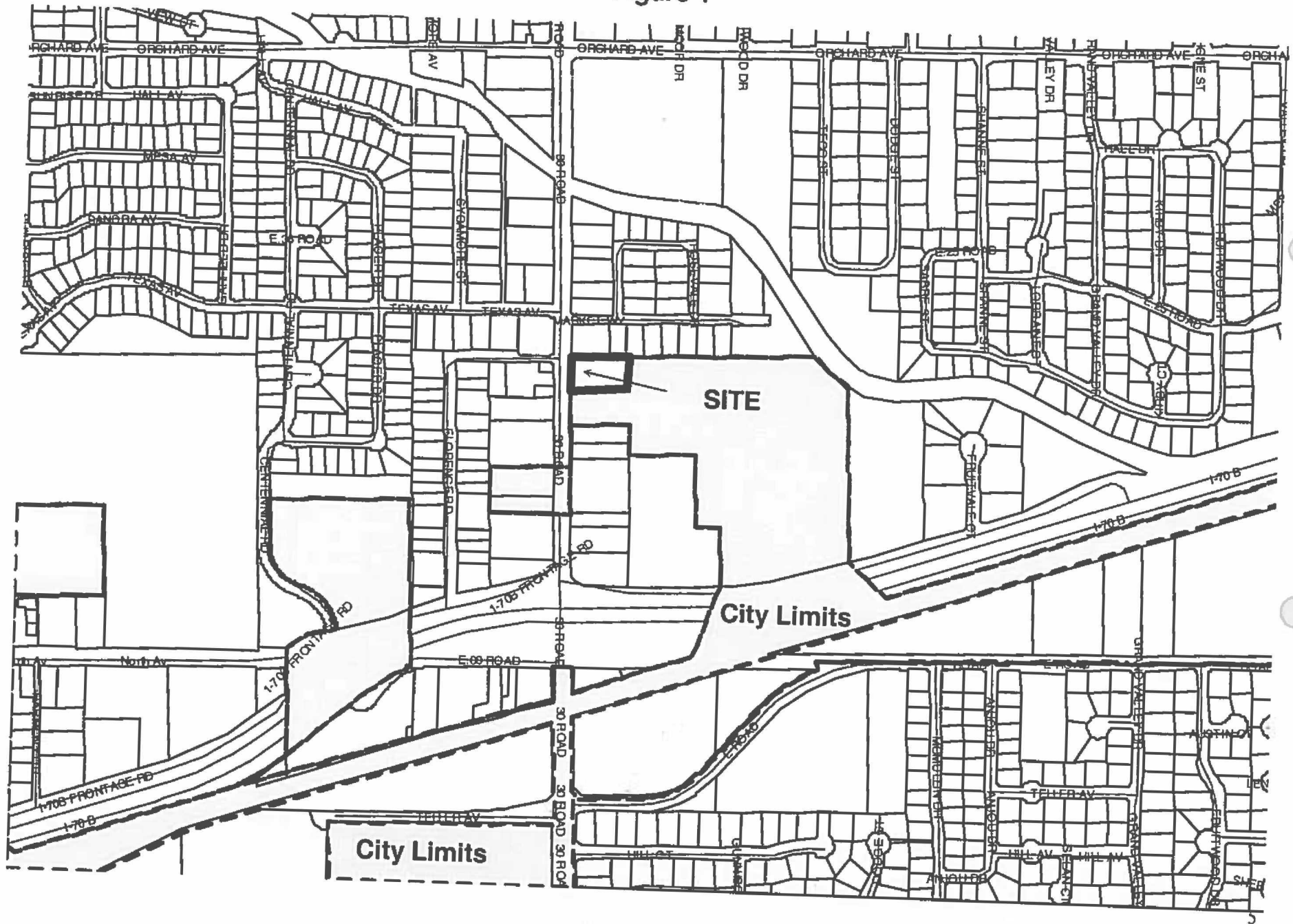
ANNEXATION SCHEDULE	
May 21, 2003	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
June 10, 2003	Planning Commission considers Zone of Annexation
June 16, 2003	First Reading on Zoning by City Council
July 2, 2003	Acceptance of Petition and Public hearing on Annexation and Zoning by City Council
August 3, 2003	Effective date of Annexation and Zoning

Action Requested/Recommendation: It is recommended that City Council approve the Rold Annexation.

CC accept pet-2nd read - LU.doc

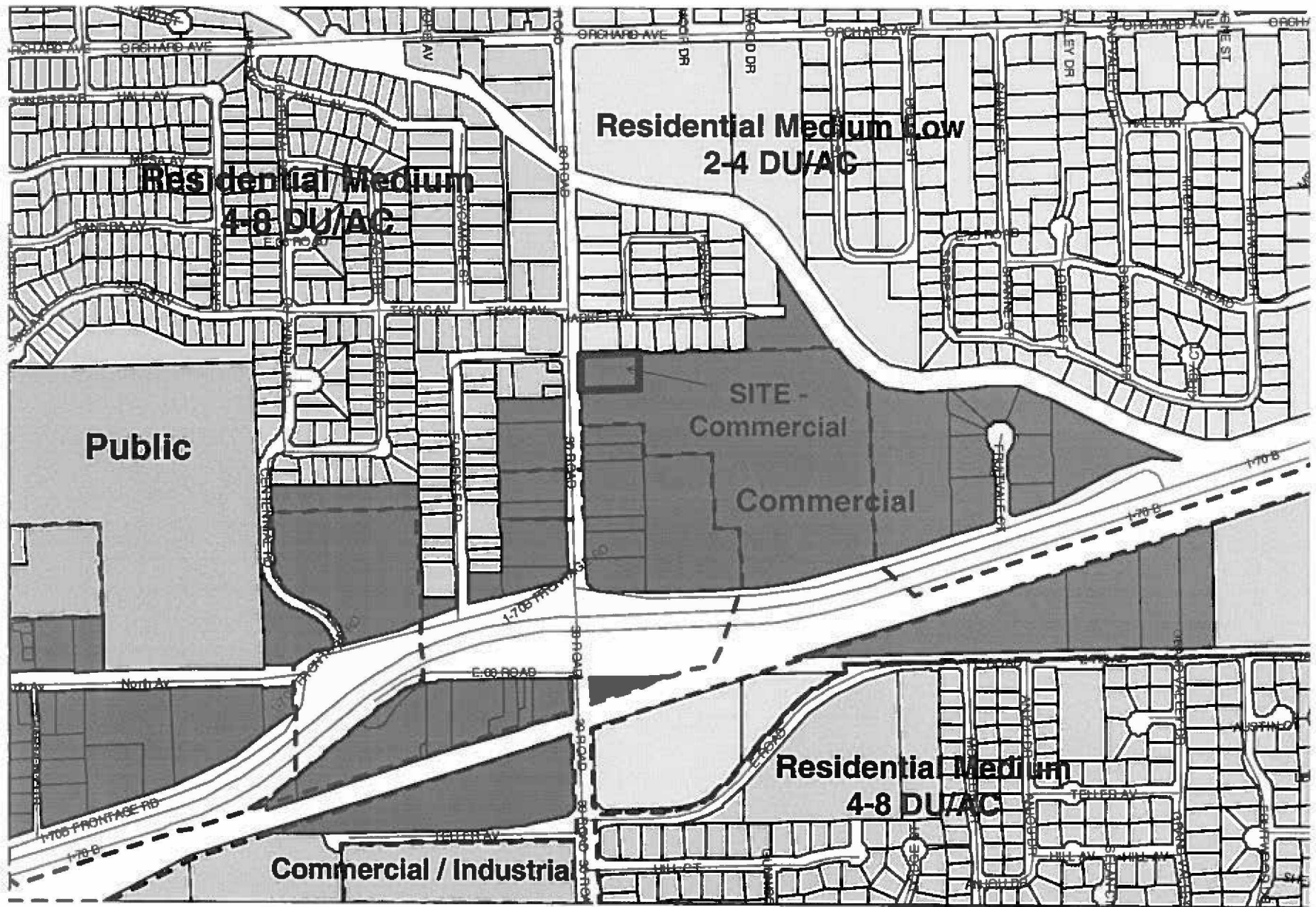
Site Location Map

Figure 1



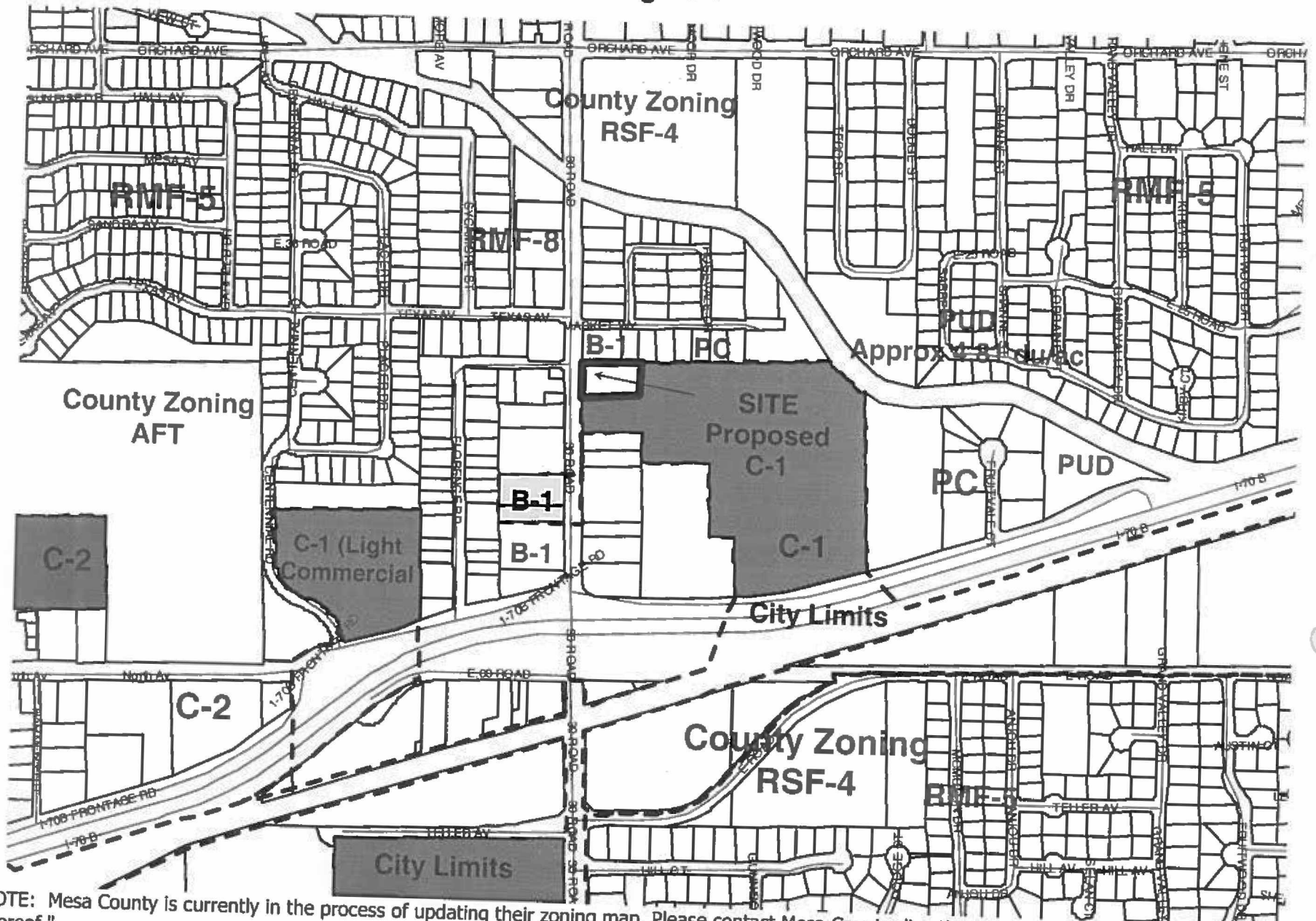
Future Land Use Map

Figure 3



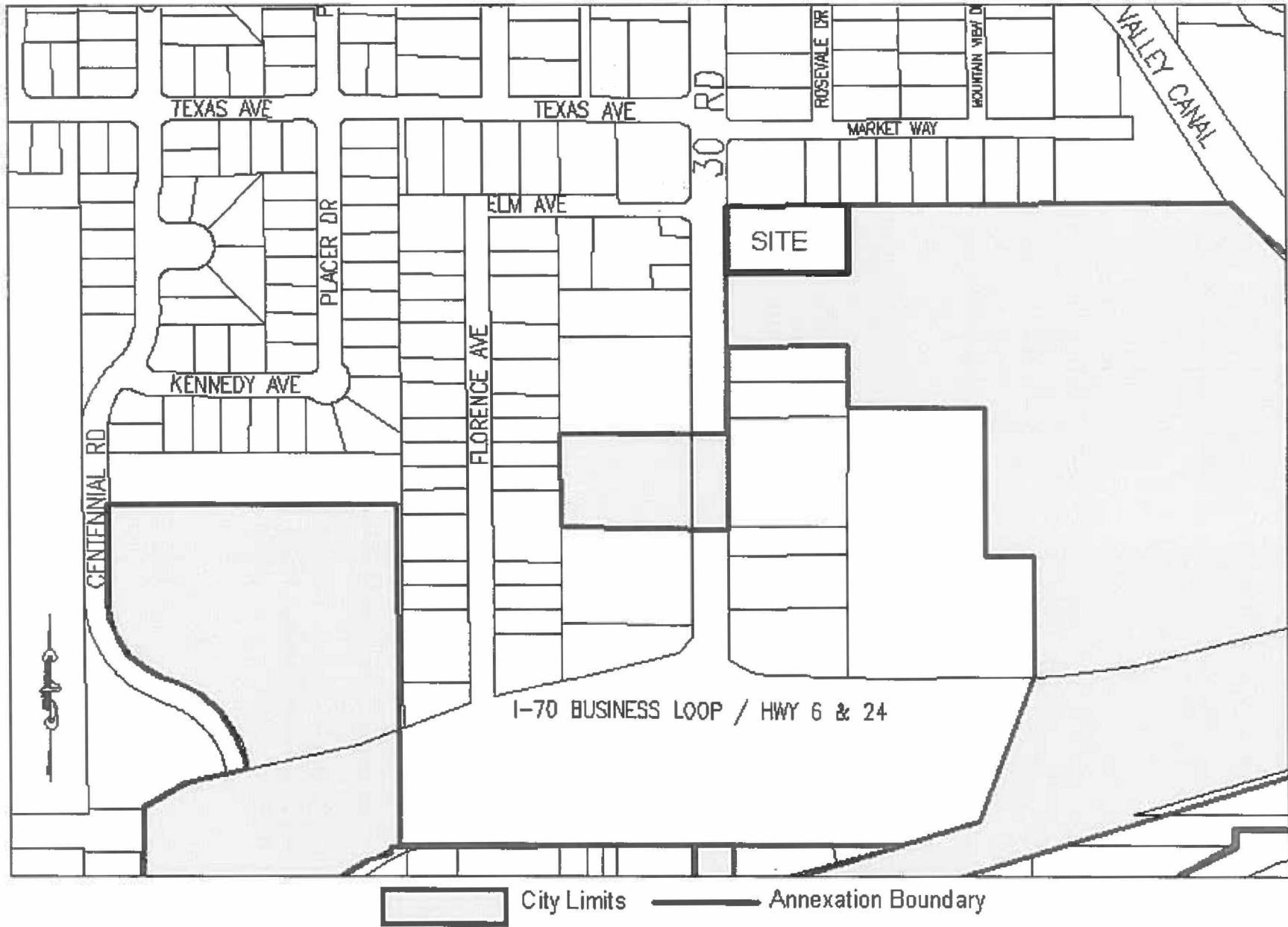
Existing City and County Zoning

Figure 4



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

Rold Annexation Figure 5



**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 21st day of May, 2003, the following Resolution was adopted:

RESOLUTION NO. __-03

A RESOLUTION ACCEPTING PETITIONS FOR ANNEXATION, MAKING CERTAIN FINDINGS, DETERMINING THAT PROPERTY KNOWN AS

ROLD ANNEXATION

IS ELIGIBLE FOR ANNEXATION

LOCATED AT 524 30 ROAD

WHEREAS, on the 21st day of May, 2003, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

ROLD ANNEXATION

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 9, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Northwest corner of the SW 1/4 SW 1/4 of said Section 9 and assuming the West line of the SW 1/4 SW 1/4 of said Section 9 bears S 00°07'39" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°57'58" E along the North line of the SW 1/4 SW 1/4 of said Section 9 a distance of 40.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue S 89°57'58" E along the North line of the SW 1/4 SW 1/4 of said Section 9, being the South line of the Francis Subdivision, as same is recorded in Plat Book 7, Page 92, Public Records of Mesa County, Colorado, a distance of 247.10 feet; thence S 00°07'29" E a distance of 141.00 feet; thence N 89°57'58" W a distance of 247.10 feet to a point on the East right of way for 30 Road as same is described in Book 1425, Pages 784 and 785, Public Records of Mesa County, Colorado; thence N 00°07'39" W along said East right of way, being a line 40.00 feet East of and parallel to, the West line of the SW 1/4 SW 1/4 of said Section 9, a distance of 141.00 feet, more or less, to the Point of Beginning.

CONTAINING 0.7998 Acres (34,841.15 Sq. Ft.), more or less, as described.

And,

WHEREAS, a hearing on the petition was duly held after proper notice on the 2nd day of July, 2003; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefor; that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that

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

ADOPTED this ____ day of _____, 2003.

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**

**ROLD ANNEXATION
APPROXIMATELY .7998 ACRES**

LOCATED AT 524 30 ROAD

WHEREAS, on the 21st day of May, 2003, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 2nd day of July, 2003; and

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

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

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

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 9, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Northwest corner of the SW 1/4 SW 1/4 of said Section 9 and assuming the West line of the SW 1/4 SW 1/4 of said Section 9 bears S 00°07'39" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°57'58" E along the North line of the SW 1/4 SW 1/4 of said Section 9 a distance of 40.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue S 89°57'58" E along the North line of the SW 1/4 SW 1/4 of said Section 9, being the South line of the Francis Subdivision, as same is recorded in Plat Book 7, Page 92, Public Records of Mesa County, Colorado, a distance of 247.10 feet; thence S 00°07'29" E a distance of 141.00 feet; thence N 89°57'58" W a distance of 247.10 feet to a point on the East right of way for 30 Road as same is described in Book 1425, Pages 784 and 785, Public Records of Mesa County, Colorado; thence N 00°07'39" W along said East right of way, being a line 40.00 feet East of and parallel to, the West line of the SW 1/4 SW 1/4 of said Section 9, a distance of 141.00 feet, more or less, to the Point of Beginning.

CONTAINING 0.7998 Acres (34,841.15 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 21st day of May, 2003.

ADOPTED and ordered published this ____ day of _____, 2003.

Attest:

President of the Council

City Clerk

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

JULY 2, 2003

The City Council of the City of Grand Junction convened into regular session on the 2nd day of July 2003, at 7:33 p.m. in the City Auditorium. Those present were Councilmembers Harry Butler, Cindy Enos-Martinez, Bruce Hill, Dennis Kirtland, Gregg Palmer, and President of the Council Jim Spehar. Councilmember Bill McCurry was absent. Also present were City Manager Kelly Arnold, City Attorney Dan Wilson, and City Clerk Stephanie Tuin.

President of the Council Jim Spehar called the meeting to order. Councilmember Palmer led in the pledge of allegiance. The audience remained standing for the invocation by Pastor Jim Hale, Spirit of Life Christian Fellowship.

APPOINTMENTS

APPOINTMENTS TO THE WALKER FIELD PUBLIC AIRPORT AUTHORITY

Councilmember Palmer moved to appoint Frank Roger Little to the Walker Field Public Airport Authority for a three year term. Councilmember Kirtland seconded. Motion carried.

**APPOINTMENTS TO THE PARKS AND RECREATION ADVISORY BOARD AND
APPOINT A CITY COUNCIL REPRESENTATIVE TO THE PARKS AND RECREATION
ADVISORY BOARD**

Councilmember Butler moved to reappoint Bernie Goss to a three-year term, appoint Reford Theobald to a three year term and appoint Tom Fisher to fill an unexpired term until June, 2005 on the Parks and Recreation Advisory Board and to appoint Cindy Enos-Martinez as the City Council representative on the Parks and Recreation Advisory Board as ex-officio. Councilmember Hill seconded. Motion carried.

APPOINTMENTS TO THE DOWNTOWN DEVELOPMENT AUTHORITY

Councilmember Kirtland moved to reappoint Doug Simons to a four-year term, appoint Karen Vogel to a four year term and Scott Howard to fill an unexpired term until June, 2005 on the Downtown Development Authority. Councilmember Enos-Martinez seconded. Motion carried.

RATIFICATION OF APPOINTMENT TO RIVERVIEW TECHNOLOGY CORPORATION

Councilmember Hill moved to ratify the appointment of Dennis King to the Riverview Technology Corporation Board of Directors for a three year term. Councilmember Kirtland seconded. Motion carried.

Council President Spehar explained the appointment process for volunteer boards to the audience.

SCHEDULED CITIZEN COMMENTS

Lena Elliot, former Parks and Recreation Advisory Board member, addressed the Council on her service on the board. She reflected on the accomplishments of the board. She distributed a list of projects for the Council's review and the Council thanked Ms. Elliot for her service on the board.

CONSENT CALENDAR

It was moved by Councilmember Palmer, seconded by Councilmember Enos-Martinez and carried to approve Consent Items #1 through 6.

1. **Minutes of Previous Meetings**

Action: Approve the Summary of the June 16, 2003 Workshop and the Minutes of the June 16, 2003 Regular Meeting

2. **Create Sanitary Sewer Improvement District No. SS-45-03**

A majority of property owners in an area on both sides of 26 ½ Road bounded by Dahlia Drive on the north, and F ½ Road on the south have signed a petition requesting an improvement district to provide sanitary sewer service to their neighborhood. The proposed resolution is the required first step in the formal process of creating the proposed improvement district.

Resolution No. 59-03 – A Resolution Declaring the Intention of the City Council of the City of Grand Junction, Colorado, to Create within said City Sanitary Sewer Improvement District No. SS-45-03, Authorizing the City Utility Engineer to Prepare Details and Specifications for the Same, and Giving Notice of a Hearing

Action: Adopt Resolution No. 59-03

3. **Hazard Elimination Grant for the 24 ½ Road and G Road Intersection Project**

Approve a contract with CDOT for a Federal Hazard Elimination Grant of \$771,241 for the intersection and drainage improvements at 24½ & G Road.

Resolution No. 60-03 – A Resolution Authorizing a Contract with the Colorado Department of Transportation for Hazard Elimination Grant Funding for Intersection Improvements at 24 ½ & G Road

Action: Adopt Resolution No. 60-03

4. **Setting a Hearing - Vacating of Right-of-Way and Multipurpose Easements, Rimrock Marketplace 3 Subdivision** [File # PFP-2003-076]

The petitioners are requesting the vacation of portions of the Ligrani Lane right-of-way and portions of the multi-purpose easements located on either side of the right-of-way. The purpose of the vacations is to allow for the reconfiguration of Ligrani Lane to create a cul-de-sac to provide road frontage to the Woolard lot that is located north of the Rimrock Marketplace project, adjacent to Highway 6 & 50. New right-of-way and multi-purpose easements will be dedicated on the recorded plat. As a matter of convenience, the proposed ordinance addresses both the right-of-way vacation and the multi-purpose easement vacations.

Proposed Ordinance Vacating a Portion of Ligrani Lane and Portions of Adjacent Multi-purpose Easements Located between Rimrock Avenue and State Highway 6 & 50

Action: Introduction of Proposed Ordinance and Set a Hearing for July 16, 2003

5. **Setting a Hearing - Zoning the Sunrise Acres Annexations No. 1, 2, 3, & 4 Located at 3068 F Road** [File #ANX-2003-090]

Introduction of the Zoning ordinance to zone the Sunrise Acres Annexation RSF-4, located at 3068 F Road; Residential Single Family, not to exceed 4 dwelling units per acre.

Proposed Ordinance Zoning the Sunrise Acres Annexations to RSF-4, Located at 3068 F Road

Action: Introduction of Proposed Ordinance and Set a Hearing for July 16, 2003

6. **Setting a Hearing - Zoning the UnawEEP Heights Annexation Located at 2857 UnawEEP Avenue** [File # ANX-2003-022]

Introduction of the Zoning ordinance to zone the UnawEEP Heights Annexation, RSF-4 (Residential Single Family, not to exceed 4 dwelling units per acre), located at 2857 UnawEEP Avenue.

Proposed Ordinance Zoning the UnawEEP Heights Annexation to RSF-4, Located at 2857 UnawEEP Avenue

Action: Introduction of Proposed Ordinance and Set a Hearing for July 16, 2003

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

Contract for Combined Sewer Elimination Project Phase I, Basin 8

This project is the third of six contracts associated with the Combined Sewer Elimination Project and the Waterline Replacement Project. This contract will construct 18,800 feet of storm sewer, a storm water quality facility, storm water pump station, and 900 feet of 6" water line. On June 17, 2003, Mendez, Inc. of Grand Junction submitted a low, qualified, bid of \$4,430,101.65 to complete the work.

Mark Relph, Public Works and Utilities Director, reviewed this item. He noted the magnitude of the project, the number of bids received and advised that Mendez Inc. was the low bid.

Councilmember Kirtland moved to authorize the City Manager to Execute a Construction Contract for the Combined Sewer Elimination Project Phase I – Basin 8 with Mendez Inc., in the Amount of \$4,430,101.65. Councilmember Hill seconded the motion. Motion carried.

Distribution of Forfeited Property

This resolution is brought to the Council by Chief Morrison and the Mesa County Forfeiture Board. This is actually a resolution to reaffirm Resolution No. 49-92 which approved a Committee on the disposition of forfeited property pursuant to C.R.S. 16-13-702. The Committee on Disposition of Forfeited Property has determined the appropriate distribution for forfeited property since that time. The City Council receives annual reports on the distributions.

Mary Beth Buescher, Deputy District Attorney for Mesa County, explained what a forfeiture of property is and why it is a good idea to adopt a new resolution.

Councilmember Butler asked if there is ever a case where a property owner is forced to forfeit property when they were unaware of the crime being committed. Ms. Buescher

said no, there is very strong law on behalf of innocent owners in the State Statutes. She gave a few examples and showed a table that listed the funds and the percentages that were forfeited versus returned to the rightful owner. She deferred to Chief Morrison on how the distributions are spent.

Chief Morrison told the Council what police items were purchased in the last year with the forfeited property money that was distributed to the Grand Junction Police Department.

Ms. Buescher noted that the amounts will go down significantly since half the funds must now go to substance abuse treatment. Councilmember Palmer questioned the need for the resolution when the State Law requires one half of the monies to go to Social Services for substance abuse treatment. City Attorney Wilson confirmed that and the State law does supercede any local desire but thought it best to confirm that through this resolution.

Resolution No. 61-03 – A Resolution Affirming Resolution No. 49-92 Relating to the Distribution of Forfeited Property

Councilmember Kirtland moved to adopt Resolution No. 61-03. Councilmember Enos-Martinez seconded the motion. Motion carried unanimously by roll call vote.

Public Hearing - O'Connor Annexation and Zoning Located at 511 31 Road [File #ANX-2003-068]

Resolution for Acceptance of the Petition to Annex and Consideration of Final Passage of the Annexation Ordinance for the O'Connor Annexation located at 511 31 Road. The Annexation consists of 1.3121 acres on one parcel of land. The petitioner is seeking annexation in conjunction with a future subdivision request, pursuant to the 1998 Persigo Agreement with Mesa County.

The petitioner is requesting a zone of Residential Single Family with a density not to exceed four units per acre (RSF-4), which conforms to the Growth Plan Future Land Use Map. Planning Commission recommended approval at its June 10, 2003 meeting.

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

Ronnie Edwards, Associate Planner, reviewed this item combining the annexation and zoning hearings.

Councilmember Palmer addressed a matter related to the development of the property, specifically the road improvements. Ms. Edwards advised that improvements would be addressed when and if the property is actually developed. The matter at hand is annexation and zoning only.

Jim White, land surveyor, representing the petitioner said the petitioner is willing to work with the Planning Department to comply with any required improvements on 31 Road.

Michael Melgares, residing northwest of the proposed subdivision, does not object to the requested annexation and zoning but is concerned about the road improvements and the need for them to be addressed. He feels a paved road is necessary because he is concerned about the children at the Pear Park Baptist Church School playing around all the dust that will be created from the unpaved road.

The public hearing was closed at 8:06 p.m.

a. Accepting Petition

Resolution No. 62-03 - A Resolution Accepting Petitions for Annexation, Making Certain Findings, Determining that Property Known as O'Connor Annexation, Located at 511 31 Road and Including a Portion of 31 Road and E Road Right-of-Way, is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3535 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, O'Connor Annexation, Approximately 1.3121 Acres Located at 511 31 Road and Including a Portion of E Road and 31 Road Rights-Of-Way

c. Zoning Ordinance

Ordinance No. 3536 – An Ordinance Zoning the O'Connor Annexation to Residential Single Family with a Density not to Exceed Four Units per Acre (RSF-4) Located at 511 31 Road

Councilmember Enos-Martinez moved to adopt Resolution No. 62-03 and Ordinances No. 3535 and No. 3536 on Second Reading. Councilmember Kirtland seconded the motion. Motion carried by a unanimous roll call vote.

Public Hearing – Rezoning 653 Young Street to RSF-2 [File # RZ-2003-070]

Request to rezone 653 Young Street, comprised of 1.252 acres, from RSF-1 (Residential Single Family with a density not to exceed 1 du/ac) to RSF-2 (Residential Single Family with a density not to exceed 2 du/ac). Planning Commission recommended approval at its June 10, 2003 meeting.

Public hearing was opened at 8:09 p.m.

Ronnie Edwards, Associate Planner, reviewed this item. She explained the staff recommendation for denial is because staff found that the requested rezone is not consistent with the adjacent property development and review criteria in section 2.6a had not all been met, specifically items 1,2,4,6 and 7 have not been satisfied.

Councilmember Hill asked for her to go through each criteria that had not been met.

Karl Clemons, property owner, agreed that the zoning was not in error at the time with RSF-1, but things have changed. As far as compatibility, he feels it is compatible on the west side. He noted the unique shape of the lot and feels there is a buildable envelope on the property. It is not practical to develop the area in conjunction with the existing lot because getting access would require going back onto Young Street and F ½ to get to the property.

Councilmember Palmer asked about the easement. Mr. Clemons said the biggest handicap is a Grand Valley Irrigation ditch that goes almost to the middle of the property. There is a big enough envelope to build an 1800 square foot ranch style house without moving the easement, but it is also possible to move the easement.

Councilmember Kirtland asked if he will have to fence off the property from the canal. Mr. Clemons said that it could be a possibility if required.

Councilmember Hill asked if the proposed area is the only buildable area. Mr. Clemons said yes because there is already a house on the other side of the property. They are just trying to solve an unattractive nuisance.

Councilmember Palmer asked about surrounding zoning. Mr. Clemons described the surrounding zoning.

Councilmember Kirtland asked about ground water problems. Mr. Clemons said that 17,000 square feet is the minimum lot size and that will include the canal. It will be a small lot.

Councilmember Palmer asked what the curb and gutter requirements are, and if it is possible to meet the RSF-2 requirements. Mr. Clemons said the easement will count for part of the 17,000 square foot lot size; they just can't build on the easement.

Public hearing was closed at 8:24 p.m.

Councilmember Palmer stated that he visited the site and it is unsightly and he believes a house would be more desirable on that location.

Councilmember Kirtland said he looked at it also and it is a fairly big piece of property. He feels it will be a challenge to build on the property but the adjoining new development would merit the property to be developed in the same character.

Councilmember Hill felt the property being developed would be a better fit but it is a small envelope to build on.

Councilmember Spehar stated that the property appears to be an unfinished part of the adjacent subdivision, but it would take some ingenuity to develop the property right.

Ordinance No. 3537 – An Ordinance Zoning a Parcel of Land Located at 653 Young Street to RSF-2 (Residential Single Family, with a Density Not to Exceed Two Units per Acre)

Councilmember Palmer moved to adopt Ordinance No. 3537. Councilmember Kirtland seconded the motion. Motion carried by a vote of 6 to 1 with Councilmember Butler voting NO.

Public Hearing - Rold Annexation and Zoning Located at 524 30 Road [File #ANX-2003-080]

Resolution for Acceptance of Petition to Annex and Consideration of Final Passage of the annexation ordinance. The .7998 acre Rold Annexation consists of one parcel of land. The requested zoning for the property is C-1 (Light Commercial). The physical address for the property is 524 30 Road.

Consideration of Final Passage of the Zoning Ordinance for the Rold Annexation located at 524 30 Road. The .7998-acre Rold consists of one parcel of land. The Planning Commission reviewed the requested zoning on June 10, 2003 and recommended approval.

The public hearing was opened at 8:28 p.m.

Senta Costello, Associate Planner, reviewed this item. Dan Whalen, Director of Housing Resources, purchased the building two months ago and has moved their offices there after 25 years downtown. He would like to be a part of the City of Grand Junction.

There were no public comments.

The public hearing was closed at 8:31 p.m.

Councilmember Enos-Martinez disclosed for the record that she was one of the prior owners of the property.

a. Accepting Petition

Resolution No. 63-03 - A Resolution Accepting a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Making Certain Findings and Determining that Property known as the Rold Annexation, Located at 524 30 Road is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3538 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Rold Annexation, Approximately 0.7998 Acres Located at 524 30 Road

c. Zoning Ordinance

Ordinance No. 3539 – An Ordinance Zoning the Rold Annexation to C-1 (Light Commercial) Located at 524 30 Road

Councilmember Kirtland moved to adopt Resolution No. 63-03, Ordinances No. 3538 and No. 3539. Councilmember Hill seconded the motion. Motion carried by a unanimous roll call vote.

The Council President called a recess at 8:33 p.m.

The meeting was back in session at 8:40 p.m.

Smoking in Public Places - Council Consideration Continued from June 16, 2003 Council Meeting

A proposal to prohibit smoking in public places is to be considered.

Council President Spehar explained where Council is in the process of this item and that Council has decided not to take any more public testimony. He then deferred to the City Attorney for further explanation.

City Attorney Dan Wilson echoed what the Mayor stated and that two weeks ago Proposed Ordinance Alternative 1C was on the internet site and the newest version

labeled Proposed Ordinance Alternative 1E has highlighted the changes from Alternative 1C.

He then reviewed each of the highlighted areas. Enclosed areas and physically separated areas were first explained, with Mr. Wilson noting that there will be a three year time frame for establishments to comply.

The next significant change is the distinction between restaurants and bars. If 55 percent or more of an annual business is food, by definition, it is a restaurant, irrespective of their liquor license. If liquor is more than 45 percent of an annual business, the person has the election to treat it as a bar.

A restaurant with an attached bar can physically separate the bar and allow smoking.

Outdoor areas, if not covered by a roof or extension of the roof, can have smoking.

Bowling alleys and bingo halls have special exceptions in the old version of the proposed ordinance. Now the new version requires physical separation in bingo halls. Attached bars in bowling alleys are treated the same as restaurants.

A new section adds a new concept. An establishment can elect to be treated as a bar if serving less than 55 percent food. These places may elect to be smoking. A reminder will be sent out annually in the fall for the establishment to elect to be a bar. Council-member Palmer asked how establishments will be notified and Mr. Wilson answered that the City Clerk already sends out annual renewals for occupational tax licenses in the late fall and will include another notice for the election on bar or restaurant.

A significant factor is if there is a complaint, the owner must make an affirmative defense and prove that they are under the 55 percent food service. Without that provision the owner would not be required to provide the information since financial information is confidential.

Lastly, if the election is made and the business changes so that food becomes a larger percentage, it is the duty of the owner to notify the Clerk. The new version also confirms that sales tax and financial information is confidential and the general public is not entitled to that information.

He summarized that smoking in public places is not allowed with the following exceptions: an owner can elect to have smoking in freestanding bars, bingo halls and bowling alleys with attached bars can have smoking if an area is enclosed. Regarding workplace rules, the owner is not required to spend money to provide a smoke-free workplace. The rule also includes that the employee cannot force non-smoking in workplaces where smoking is allowed by the ordinance.

Councilmember Kirtland asked Mr. Wilson to address the amortization period. Mr. Wilson stated that the current proposed ordinance draft states that the amortization period for compliance allows until January 1, 2006, which is roughly 2 ½ years.

Councilmember Enos-Martinez emphasized the importance for the audience to understand that if the ordinance is passed, changes will not be expected to happen right away. Mr. Wilson suggested that ongoing education will be critical because of the time frame for the compliance period. Councilmember Spehar agreed with ongoing education but felt that the provision should not be in the ordinance. Mr. Wilson agreed.

Councilmember Palmer asked about motel and hotel regulations. Mr. Wilson said there is no mention of motels or hotels in the ordinance.

Councilmember Hill questioned section 3.a.6. where workplaces do not include offices to be non-smoking. Mr. Wilson stated that public does not access offices. Councilmember Hill asked about signage. Mr. Wilson thought signage would be required for all areas, both smoking and not smoking in public settings. Councilmember Hill asked for clarification if smoking was allowed only in a bar in a bowling alley. Mr. Wilson said that is correct. Councilmember Hill asked about the three workplace alternatives that were listed on the proposed ordinance. Mr. Wilson clarified that the workplace alternative labeled 1E is the wording for this proposed draft. The other two were from previous drafts of the proposed ordinance.

Councilmember Palmer asked that if this proposed ordinance is adopted, can amendments be made to it. Mr. Wilson replied that it could always be changed but would require introduction, ten day publication and final passage. If it were to go to the ballot, changes would have to go to the voters.

Ordinance No. 3540 – An Ordinance Prohibiting Smoking in Workplaces and Public Places in the City of Grand Junction

Councilmember Kirtland moved to adopt Ordinance No. 3540, Alternative 1E and not to include any other alternatives or include additions on page 10 of the Ordinance. Councilmember Palmer seconded.

Council President Spehar asked for discussion or proposed amendments. Councilmember Hill felt that more consistency was needed between free standing bars and bars attached to a restaurant. He felt that the Ordinance should read the same as for bingo halls or bowling alleys.

Councilmember Enos-Martinez asked for more clarification on bowling alleys. Would smoking be allowed around the lanes? Councilmember Palmer stated that he

understands that as long as an area is physically separated, smoking could be allowed in that area, whether it is behind the lanes or wherever.

Council President Spehar cautioned making provisions for specific establishments as it could create an enforcement issue.

Councilmember Kirtland stated that food is an important part of preventing over imbibing and these businesses do have to consider their insurance costs. He does support the amortization period. It will allow the opportunity for people to figure out how to apply this to their business. It is important to put something in place this community can live with.

Council President Spehar stated there is an expectation that soon there will be a statewide ban on smoking in public places, therefore he is resistant to tweaking the restaurant section of the Ordinance. A county-wide ban would not apply to municipalities, so discussion is important.

Councilmember Enos-Martinez reiterated that this Ordinance would only cover those establishments that are within the city limits.

Councilmember Hill commended the City of Grand Junction for being ahead of its time with the earlier ordinance and appreciates going to non-smoking places and being provided with clean air. Many restaurants are going to non-smoking without the requirement. He agrees with Council President Spehar that there is a movement toward a statewide ban. He feels that this issue should be revisited sooner than every 17 years.

Councilmember Hill moved to amend the motion to adopt Ordinance No. 3540, section 3.a.7.(a) to delete the wording "attached bar" and replace it with the word "area". Councilmember Palmer seconded the motion. The motion failed with a 4 to 2 vote with Councilmembers Kirtland, Butler, Enos-Martinez and Council President Spehar voting NO.

Councilmember Butler moved to amend the motion to adopt Ordinance No. 3540 to prohibit smoking in outdoor seating areas of restaurants. The motion died for lack of a second.

Councilmember Hill moved to amend the motion to adopt Ordinance No. 3540 to add indoor smoking is not prohibited in physically separated areas not limited to bars in bowling alleys and bingo halls, section 6.a.(viii), and delete the next subsection and make other areas or ordinance consistent. Councilmember Palmer seconded the motion. The motion failed with a 3 to 3 vote with Councilmember's Butler, Enos-Martinez and Council President Spehar voting NO.

Council President Spehar explained the reason for the 55 percent food, originally proposed at 25 percent, which was too low of a number. Councilmember Kirtland agreed they should be allowed to serve food and he supports the 55/45 number.

Councilmember Butler moved to amend the motion to adopt Ordinance No. 3540 to prohibit smoking in stage productions, section 6. a.(v). The motion died for lack of a second.

Councilmember Butler moved to amend the motion to adopt Ordinance No. 3540 to prohibit smoking in bingo halls and all reference. The motion died for lack of a second.

Council President asked for a round of Council comments.

Councilmember Enos-Martinez applauded students for all their work towards bringing this Ordinance to the Council. If she was voting on just her feelings she would leave it up to the owners to decide whether smoking is allowed or not, but as an elected official, overwhelmed by constituents asking for adoption, it is her duty to listen and she will have to support the ordinance. She feels it's not perfect, but it is time to move forward.

Councilmember Hill stated that this is an interesting issue as a new Councilmember. His personal preference is non smoking. From a business perspective, he also holds to that choice.

Councilmember Kirtland echoed kudos to students. The important thing is to try and figure out the balance for the community, no one wants to see jobs leaving the City. He likes this issue being an Ordinance so that Council can make amendments if needed, and keeping the issue from going to the community through a difficult election process.

Councilmember Palmer agrees with a lot of what he has heard. He said it is incumbent upon Council to make a decision, to save taxpayers the cost of an election, and to have quality of life. He does not think it is a perfect ordinance, but supports it.

Councilmember Butler stated that he was elected to serve the public and think of their welfare. He prefers no smoking in any establishment, but this ordinance is better than no ordinance at all.

Councilmember Spehar applauds Councilmember Enos-Martinez with the point that she made. He believes that they have crafted something that is reflective of the community. They are elected to serve and he feels the process has worked well. He said Council can make some people happy but can't please everyone. He is proud of the community that this has been a very civil discussion.

The motion to adopt Ordinance No. 3540, Alternate 1E and not to include any other alternatives and not include additions on page 10 of the Ordinance was carried 5 to 1 by a roll call vote with Councilmember Hill voting NO.

Councilmember Spehar congratulated the students and apologized for allowing derogatory comments made at the public hearing. He pledged to watch that in the future.

NON-SCHEDULED CITIZENS & VISITORS

None.

OTHER BUSINESS

None

ADJOURNMENT

Councilmember Kirtland moved to adjourn. It was seconded and carried. The meeting adjourned at 10:00 p.m.

Stephanie Tuin, MMC
City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 3538

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

**ROLD ANNEXATION
APPROXIMATELY .7998 ACRES**

LOCATED AT 524 30 ROAD

WHEREAS, on the 21st day of May, 2003, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 2nd day of July, 2003; and

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

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

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

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 9, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Northwest corner of the SW 1/4 SW 1/4 of said Section 9 and assuming the West line of the SW 1/4 SW 1/4 of said Section 9 bears S 00°07'39" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°57'58" E along the North line of the SW 1/4 SW 1/4 of said Section 9 a distance of 40.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue S 89°57'58" E along the North line of the SW 1/4 SW 1/4 of said Section 9, being the South line of the Francis Subdivision, as same is recorded in Plat Book 7, Page 92, Public Records of Mesa County, Colorado, a distance of 247.10 feet; thence S 00°07'29" E a distance of 141.00 feet; thence N 89°57'58" W a distance of 247.10 feet to a point on the East right of way for 30 Road as same is described in Book 1425, Pages 784 and 785, Public Records of Mesa County, Colorado; thence N 00°07'39" W along said East right of way, being a line 40.00 feet East of and parallel to, the West line of the SW 1/4 SW 1/4 of said Section 9, a distance of 141.00 feet, more or less, to the Point of Beginning.

CONTAINING 0.7998 Acres (34,841.15 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 21st day of May, 2003.

ADOPTED and ordered published this 2nd day of July, 2003.

Attest:

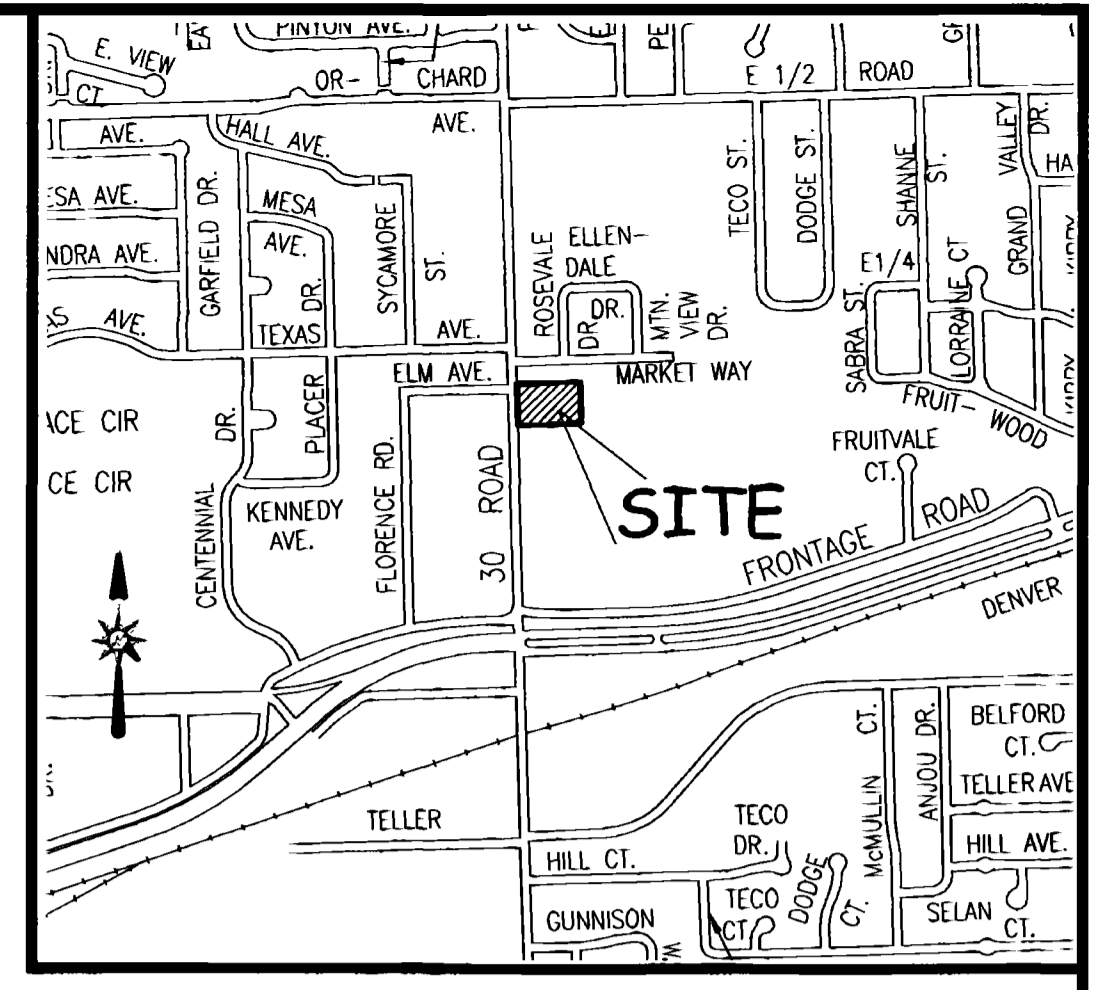
/s/ Stephanie Tuin
City Clerk

/s/ Jim Spehar
President of the Council

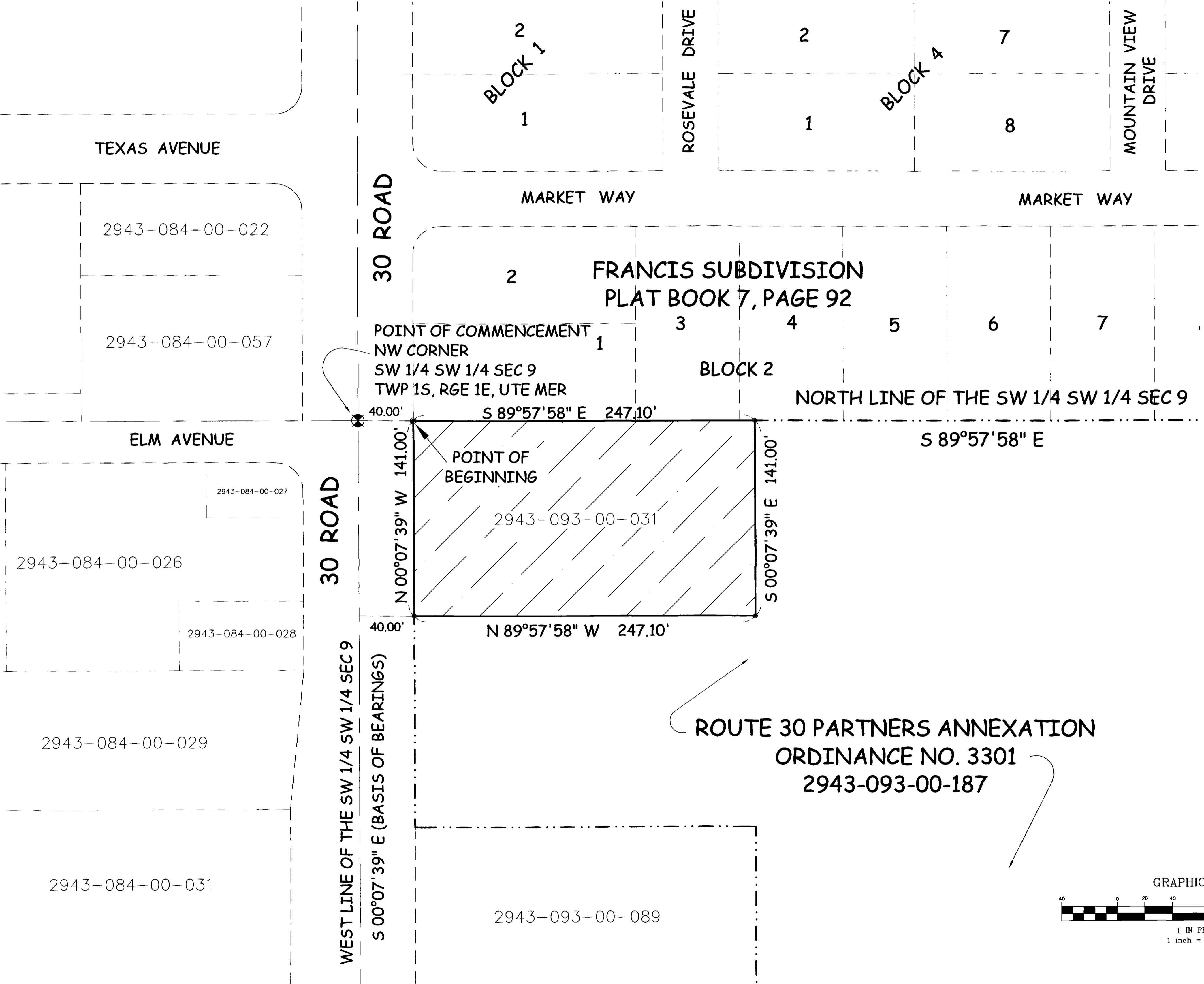


ROLD ANNEXATION

SITUATE IN THE SOUTHWEST QUARTER OF SECTION 9, T1S, R1E, U.M.
COUNTY OF MESA, STATE OF COLORADO



LOCATION MAP: NOT-TO-SCALE



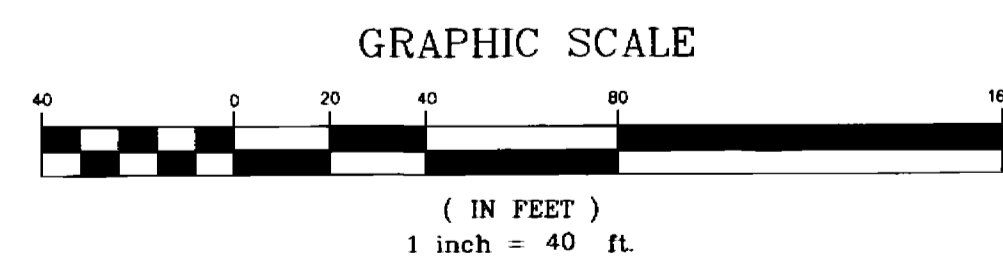
LEGAL DESCRIPTION

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 9, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Northwest corner of the SW 1/4 SW 1/4 of said Section 9 and assuming the West line of the SW 1/4 SW 1/4 of said Section 9 bears S 00°07'39" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°57'58" E along the North line of the SW 1/4 SW 1/4 of said Section 9 a distance of 40.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue S 89°57'58" E along the North line of the SW 1/4 SW 1/4 of said Section 9, being the South line of the Francis Subdivision, as same is recorded in Plat Book 7, Page 92, Public Records of Mesa County, Colorado, a distance of 247.10 feet; thence S 00°07'29" E a distance of 141.00 feet; thence N 89°57'58" W a distance of 247.10 feet to a point on the East right of way for 30 Road as same is described in Book 1425, Pages 784 and 785, Public Records of Mesa County, Colorado; thence N 00°07'39" W along said East right of way, being a line 40.00 feet East of and parallel to, the West line of the SW 1/4 SW 1/4 of said Section 9, a distance of 141.00 feet, more or less, to the Point of Beginning.

CONTAINING 0.7998 Acres (34,841.15 Sq. Ft.), more or less, as described.

**ROUTE 30 PARTNERS ANNEXATION
ORDINANCE NO. 3301
2943-093-00-187**



AREA OF ANNEXATION	
ANNEXATION PERIMETER	776.20 FT
CONTIGUOUS PERIMETER	388.10 FT.
AREA IN SQUARE FEET	34,841.15
AREA IN ACRES	0.7998

LEGEND	
ANNEXATION BOUNDARY	
EXISTING CITY LIMITS	

ORDINANCE NO.
3538

EFFECTIVE DATE
August 3rd, 2003

P.T.K.
PETER T. KRICK, PLS No. 32824
Professional Land Surveyor for the
City of Grand Junction
DATE: July 7th, 2003

THIS IS NOT A BOUNDARY SURVEY
DEPARTMENT OF PUBLIC WORKS AND UTILITIES
REAL ESTATE DIVISION
CITY OF GRAND JUNCTION, COLORADO

ROLD ANNEXATION

Notice:
According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

DRAWN BY P.T.K.	DATE 04-16-2003
DESIGNED BY	DATE
CHECKED BY T.W.	DATE
APPROVED BY	DATE

SCALE
1" = 40'

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 3539

**AN ORDINANCE ZONING THE ROLD ANNEXATION
TO C-1 (Light Commercial)**

LOCATED AT 524 30 ROAD

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of applying a C-1 zone district to this annexation.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the C-1 zone district be established for the following reasons:

- This zone district meets the criteria of Section 2.14.F of the Zoning and Development Code by being identical to or nearly identical to the former Mesa County zoning for each parcel and conforms to the adopted Growth Plan Future Land Use Map.
- This zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

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

The following property shall be zoned the C-1 (Light Commercial) zone district

Includes the following tax parcel 2943-093-00-031

A certain parcel of land lying in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 9, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

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CONTAINING 0.7998 Acres (34,841.15 Sq. Ft.), more or less, as described.

Introduced on first reading this 16th day of June, 2003.

PASSED and ADOPTED on second reading this 2ND day of July, 2003.

Attest:

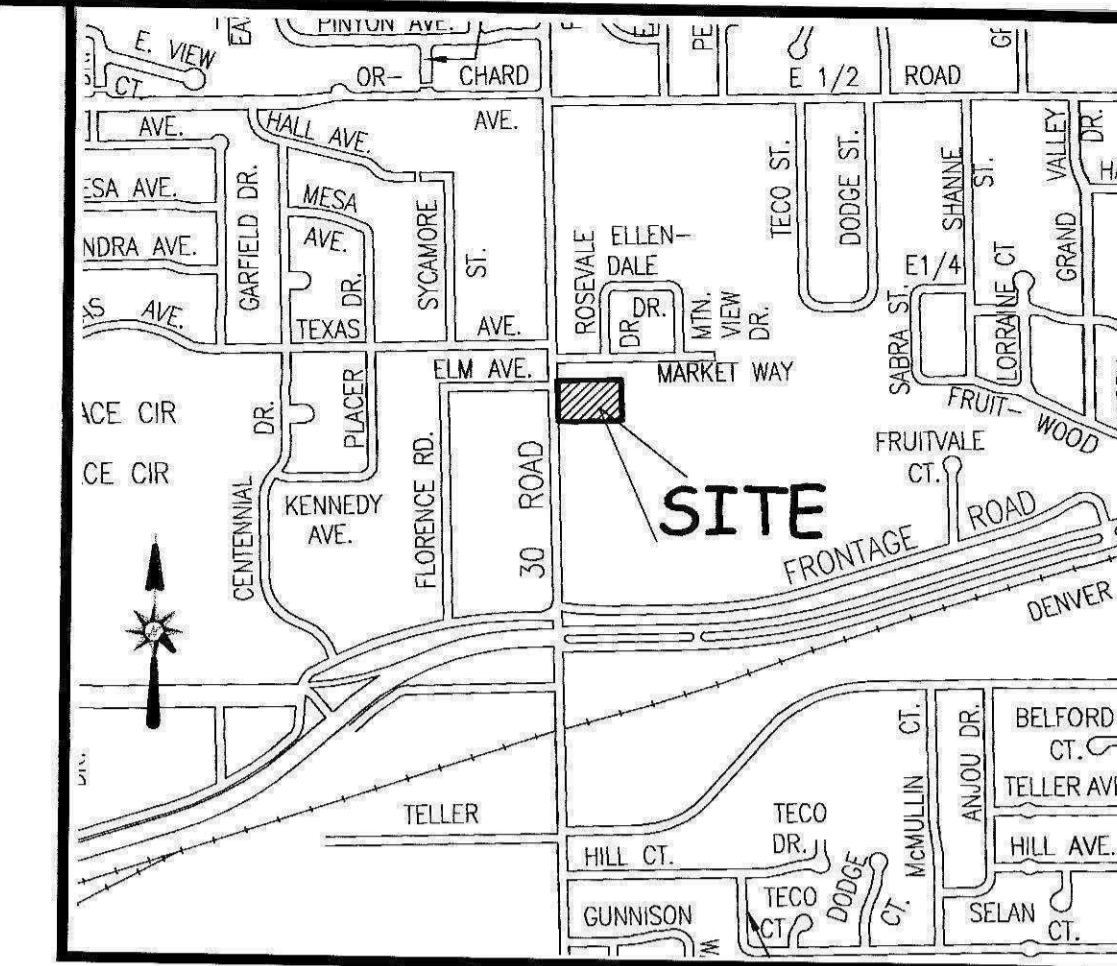
/s/ Stephanie Tuin
City Clerk

/s/ Jim Spehar
President of the Council

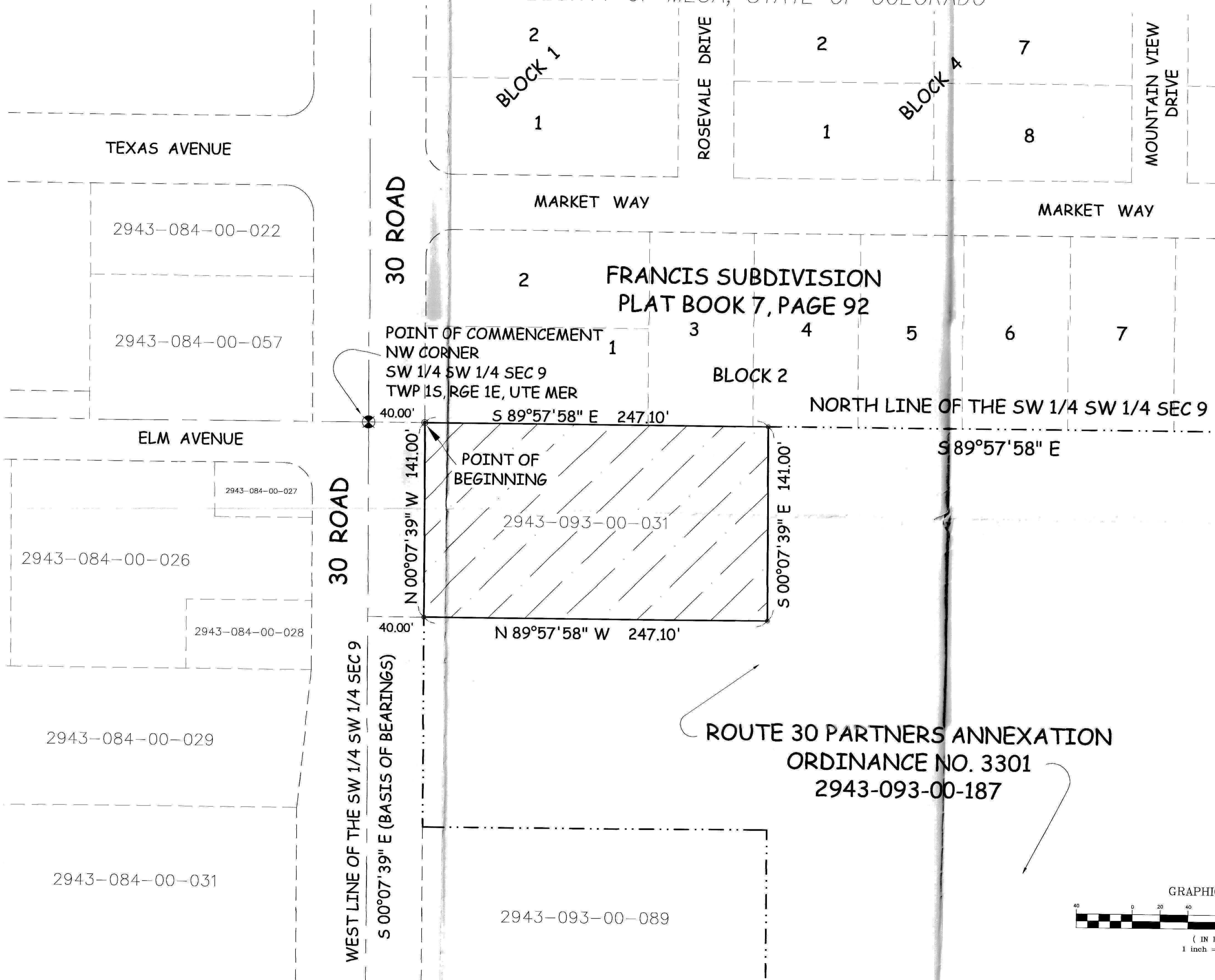


ROLD ANNEXATION

SITUATE IN THE SOUTHWEST QUARTER OF SECTION 9, T1S, R1E, U.M.
COUNTY OF MESA, STATE OF COLORADO



LOCATION MAP: NOT-TO-SCALE



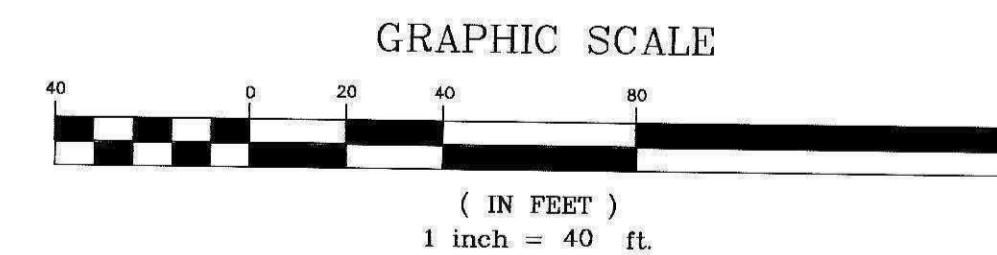
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LEGEND	
ANNEXATION BOUNDARY	—————
EXISTING CITY LIMITS	- - - - -

ORDINANCE NO. ???

EFFECTIVE DATE ???

THIS IS NOT A BOUNDARY SURVEY

DEPARTMENT OF PUBLIC WORKS AND UTILITIES
REAL ESTATE DIVISION
CITY OF GRAND JUNCTION, COLORADO

The Description(s) contained herein have been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This plat does not constitute a legal survey, and is not intended to be used as a means for establishing or verifying property boundary lines.

PETER T. KRICK, PLS No. 32824
Professional Land Surveyor for the
City of Grand Junction

DATE: _____

ROLD ANNEXATION

C:\drawing\Peter\annex\Road Annexation.dwg\Road Annexation Drawing.dwg 04/17/2003 09:37:58 AM MDT

Roll - April 2003 - 080