

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

October 20, 2021

Call to Order, Pledge of Allegiance, Moment of Silence

The City Council of the City of Grand Junction convened into regular session on the 20th day of October 2021 at 5:30 p.m. Those present were Councilmembers Abe Herman, Phillip Pe'a, Randall Reitz, Dennis Simpson, Anna Stout, Rick Taggart and Council President Chuck McDaniel.

Also present were City Manager Greg Caton, City Attorney John Shaver, Records Manager Debbie Kemp, and Deputy City Clerk Selestina Sandoval.

Council President McDaniel called the meeting to order, and Councilmember Stout led the Pledge of Allegiance which was followed by a moment of silence.

Proclamations

Proclaiming October 28, 2021 as Grand Junction Lions Club Day in the City of Grand Junction

Councilmember Pe'a read the proclamation and Grand Junction Lion's Club President Dan Sites accepted it.

Citizen Comments

Bruce Lohmiller spoke of the Mesa County Valley School District #51 Board Meeting regarding a Sex Education Class, the importance of funding local organizations, Collin Powell and the Mentor's Program.

Ed Treu expressed his concern about the lack of an ambulance at Fire Station 5.

Bill Lewis expressed his concern about the lack of an ambulance at Fire Station 5.

Sue Carbone expressed her concern about the lack of an ambulance at Fire Station 5.

Anthony Hober expressed his concern about the lack of an ambulance at Fire Station 5.

Kenneth Frankhouser advocated for a full-time crew and ambulance at Fire Station 5.

Ed Kowalski expressed concern with speeding in the community.

John Pond spoke of speeding, black smoke chips in vehicles, expressed concerns of the Grand Junction Police Department identifying citizens who file complaints, and their policy of not accepting oral open record requests.

Barbara Geer expressed concerns about the election.

Council President McDaniel stated that he and all of City Council listened to a voicemail left by Richard Swingle and viewed a presentation he sent electronically for citizen comments previously.

City Manager Report

City Manager Caton stated that, in response to concerns about the lack of an ambulance at Fire Station 5, there will be meetings scheduled for community engagement to share the City's practices and plans for safety going forth with growth in that area.

Council Reports

Councilmember Reitz gave an update on the Downtown Development Authority (DDA).

Councilmember Stout gave an update on the Colorado Municipal League, Associated Governments of Northwest Colorado, Business Incubator Chief Executive Officer hiring, and spoke of a fundraiser for Sister City, El Espino.

Councilmember Herman gave an update on Hanging with Herman, Grand Junction Bike Night, Grand Junction Economic Partnership Executive Director hiring, and the Urban Trails Committee.

Councilmember Taggart gave an update on One Riverfront and the Grand Junction Regional Airport Authority.

CONSENT AGENDA

Councilmember Pe'a moved to adopt Consent Agenda items #1 - #4. Councilmember Herman seconded the motion. Motion carried by unanimous voice vote.

1. Approval of Minutes

- a. Summary of the October 4, 2021 Workshop
- b. Minutes of the October 6, 2021 Regular Meeting

2. Set Public Hearings

- a. Quasi-judicial
 - i. 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, Exercising Land Use Control, and Introducing Proposed Annexation Ordinance for the Cross Orchards Annexation of 22.68 Acres, Located 3073 & 3075 Patterson Road & Tax Parcel No. 2943-091-30-004, a Parcel with no Physical Address, and Setting a Public Hearing for December 1, 2021
 - ii. Introduction of an Ordinance to 1) Amend the Comprehensive Plan from Residential Medium to Commercial; and 2) Rezone 0.276 Acres from R-5 (Residential 5 du/ac) to C-1 (Light Commercial), Located at 2894 Presley Avenue and Setting a Public Hearing for November 3, 2021

3. Contracts

- a. 2021 Community Development Block Grant (CDBG) Subrecipient Agreement between Grand Valley Catholic Outreach and the City of Grand Junction

4. Resolutions

- a. A Resolution Supporting the Application for a Bureau of Reclamation Grant for Kannah Creek and Purdy Mesa Flow Lines Intertie Project
- b. A Resolution Vacating a Portion of an Emergency Access Easement Totaling 0.26 Acres, Located within Tract C of Sundance Village Subdivision

REGULAR AGENDA

Colorado Department of Transportation I-70B Phase 6 Design Update and Resolution of Support

Colorado Department of Transportation (CDOT) is currently reconstructing the I-70 Business Loop from American Way south to Rood Avenue (Phase 5). The next phase will reconstruct the section of I-70B/1st Street from Rood Avenue south through 2nd Street along both the Pitkin Avenue and Ute Avenue corridors (Phase 6). Senate Bill 267 funding is in place and CDOT is working toward 2023 construction. CDOT will provide an update on the revised design elements of Phase 6 and Council will consider a resolution of support.

Public Works Director Trenton Prall introduced this item. Shoshana Lew, CDOT Executive Director made some opening remarks, then Kaity Clark, Grand Junction Resident Engineer for Region 3 presented this item.

Conversation included the timeline for a federal grant decision for this project (by December 1st), gratitude to CDOT for addressing community concerns, mobility hub version if the federal grant is not received, pedestrian crossings (usable crosswalks) and sidewalks, transit lane that will allow for the third lane once the trigger is initiated, realignment of the expansion of the road to prevent the bisection of the City, DDA support for this item, and utilizing the Riverside Parkway to the best ability possible through better signage.

The floor was opened for public comment at 6:32 p.m.

Dustin Anzares, owner of the Historic Train Depot expressed his support for this project and thanked staff and CDOT for their advocacy of this project.

Ian Thomas with Grand Junction Bike Med encouraged City Council to vote against this resolution due to going against the “pedestrian first” feel of Downtown.

Steve Carter expressed concern with how this plan would impact the accessibility to the Courthouse and other buildings in that area.

Jason Winn shared his experience as a bicyclist commuting in the City and expressed his concern of the six-lane highway.

Logan (no last name given) shared concerns with the six-lane highway and safety for bicyclists and pedestrians.

The floor was closed to public comments at 6:45 p.m.

Conversation ensued regarding the six-lane highway and being forward thinking, diverting traffic around the City and not through it (new mobility west proposal), increasing crossing times for pedestrians and balancing the needs of the community.

Councilmember Simpson moved to adopt Resolution No. 89-21, a resolution supporting the Colorado Department of Transportation's October 2021 conceptual design for I-70B Phase 6. Councilmember Stout seconded the motion. Motion carried with Councilmember Taggart voting no.

A Resolution Accepting the Petition for the Annexation of 19.41 Acres of Land and Ordinances Annexing and Zoning the Westland Meadows Annexation to R-8 (Residential - 8 du/ac), on Property Located at 2973 D ½ Road, West of 30 Road in Pear Park

The applicants, Richard and Marianne Traver requested annexation of 19.41 acres of land located at 2973 D ½ Road and a zone of annexation to R-8 (Residential – 8 du/ac) for the

Westland Meadows Annexation. The property has a Comprehensive Plan Land Use Map designation of Residential Medium (5.5 – 12 du/ac). The subject property currently has an existing single-family residence.

The properties are Annexable Development per the Persigo Agreement. The applicants requested annexation into the City limits in anticipation of future residential subdivision development. The zone district of R-8 is consistent with the Comprehensive Plan. The request for annexation will be considered separately by City Council, but concurrently with the zoning request.

Planning Supervisor Felix Landry presented this item.

The public hearing opened at 7:00 p.m.

There were no comments.

The public hearing closed at 7:00 p.m.

Councilmember Herman moved to adopt Resolution No. 86-21, a resolution accepting a petition to the City Council for the annexation of lands to the City of Grand Junction, Colorado, the Westland Meadows Annexation, approximately 19.41 acres, on a property located at 2973 D ½ Road and to adopt Ordinance No. 5026, an ordinance annexing territory to the City of Grand Junction, Colorado, Westland Meadows Annexation, approximately 19.41 acres, a property located at 2973 D ½ Road, just west of 30 Road in Pear Park, and to adopt Ordinance No. 5027, an ordinance zoning the Westland Meadows Annexation to R-8 on final passage and ordered final publication in pamphlet form. Councilmember Pe'a seconded the motion. Motion carried by unanimous roll call vote.

Council took a break at 7:03 p.m.

Council reconvened at 7:12 p.m.

An Ordinance Rezoning Approximately 12.00 Acres from I-1 (Light Industrial) to C-2 (General Commercial), Located at 2211 Hallco Drive

The applicant LSM Red Rock, LLC requested the rezone of one parcel totaling approximately 12.00 acres from I-1 (Light Industrial) to C-2 (General Commercial) located at 2211 Hallco Drive. The requested C-2 zone district conforms with the Comprehensive Plan Land Use Map designation of Commercial.

Jace Hochwalt presented this item.

The public hearing opened at 7:17 p.m.

There were no public comments.

The public hearing closed at 7:17 p.m.

Councilmember Taggart moved to adopt Ordinance No. 5028, an ordinance rezoning one parcel totaling approximately 12.00 acres from I-1 (Light Industrial) to C-2 (General Commercial) located at 2211 Hallco Drive on final passage and ordered final publication in pamphlet form. Councilmember Pe'a seconded the motion. Motion carried by unanimous roll call vote.

A Resolution Accepting the Petition for the Annexation of 2.98 Acres of Land and Ordinances Annexing and Zoning the Phoenix Haus Annexation to I-1 (Light Industrial), Located at 834 21 ½ Road

The applicants, 834 21 ½ RD, LLC (Phoenix Haus-William & Kate McDonald) and Buttolph Trust (Kathleen Selover); Aerial & William H Buttolph Trust (Sheryl Buttolph Fitzgerald) are requesting annexation of two properties and a zone of annexation to I-1 (Light Industrial) for the Phoenix Haus Annexation. The approximately 2.98-acre land area is located at 834 21 ½ Road and includes a portion of the Pritchard Wash (Capeco Drain). The area has a Comprehensive Plan Land Use Map designation of Industrial for the 834 21 ½ Road property, however, the Buttolph Trust/William H. Buttolph Trust property is part of the Pritchard Wash (Copeco Drain) corridor and has no land use designation; it is a drainage ditch corridor that runs north-south through the City's Urban Development Boundary planning area. It is adjacent to Industrial on both sides as shown on the Land Use Map. The annexation area contains the existing Phoenix Haus business facility at 834 21 ½ Road, on Lot 8 of the Riverview Commercial Subdivision and a parcel of land containing a portion of the Pritchard Wash/Copeco Drain area owned by the Buttolph trusts.

The area is Annexable Development per the Persigo Agreement. The applicant requested annexation into the City limits in anticipation of future expansion of the existing building containing the Phoenix Haus business. The proposed zone district of I-1 is consistent with the Comprehensive Plan land use of Industrial. The request for annexation is being considered concurrently by City Council.

Principal Planner David Thornton presented this item.

Applicant with the Phoenix Haus, Bill McDonald spoke of his request.

Comments were made thanking the applicant for their business.

The public hearing opened at 7:27 p.m.

There were no public comments.

The public hearing closed at 7:27 p.m.

Councilmember Reitz moved to adopt Resolution No. 87-21, a resolution accepting a petition to the City Council for the annexation of lands to the City of Grand Junction, Colorado, the Phoenix Haus Annexation, approximately 2.98 acres, located at 834 21 ½ Road, adopt Ordinance No. 5029 an ordinance annexing territory to the City of Grand Junction, Colorado, Phoenix Haus Annexation, approximately 2.98 acres, located 834 21 ½ Road, and to adopt Ordinance No. 5030, an ordinance zoning the Phoenix Haus Annexation to I-1 on final passage and ordered final publication in pamphlet form. Councilmember Simpson seconded the motion. Motion carried by unanimous roll call vote.

A Resolution Accepting the Petition for the Annexation of 5-Acres of Land and Ordnances Annexing, Amending the Comprehensive Plan Land Use Map to Residential Medium and Zoning the Sage Creek Annexation to R-8 (Residential - 8 du/ac), Located at 3038 D ½ Road

The applicant Sage Creek Investments, LLC requested annexation of one property, a Comprehensive Plan Amendment from Residential Low (2-5.5 du/ac) to Residential Medium (5.5-12 du/ac) and a zone of annexation to R-8 (Residential 5.5-8 du/ac) for the Sage Creek Annexation. The approximately 5-acre property is located at 3038 D ½ Road in Pear Park. The subject property has one existing residence with most of the property vacant.

The property is Annexable Development per the Persigo Agreement. The applicant requested annexation into the City limits and an amendment to the 2020 One Grand Junction Comprehensive Plan in anticipation of future residential subdivision development. The zone district of R-8 is consistent with the proposed Residential Medium Land Use category of the Comprehensive Plan. The request for annexation is being considered concurrently by City Council with the Comprehensive Plan amendment and zone of annexation requests.

Principal Planner David Thornton presented this item.

Tracy States with River City Consultants was present to answer questions.

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

There were no public comments.

The public hearing closed at 7:37 p.m.

Conversation ensued regarding clarification of how 18% of perimeter abutting City limits is calculated for criteria, appreciation of packet photos showing proximity of location, neighborhood meeting participation and notice.

Councilmember Pe'a moved to adopt Resolution No. 88-21, a resolution accepting a petition to the City Council for the annexation of lands to the City of Grand Junction, Colorado, the Sage Creek Annexation, approximately 5 acres, located at 3038 D ½ Road, adopt Ordinance No.

5031, an ordinance annexing territory to the City of Grand Junction, Colorado Sage Creek Annexation approximately 5 acres located on a property at 3038 D ½ Road Tax Parcel Number 2943-162-00-037, and to adopt Ordinance No. 5032, an ordinance amending the Comprehensive Plan Land Use Map of the City of Grand Junction from Residential Low (2-5.5 Dwelling Units/Acre) to Residential Medium (5.5-12 Dwelling Units/Acre) and Zone of Annexation for the Sage Creek Annexation from Rural (1 Dwelling Unit/5-Acres) to R-8 (Residential–8 Dwelling Units/Acre) Zone District Located at 3038 D ½ Road on final passage and ordered final publication in pamphlet form. Councilmember Stout seconded the motion. Motion carried by unanimous roll call vote.

An Ordinance Rezoning 1.51 Acres from I-1 (Light Industrial) to C-2 (General Commercial), Located at 2150 Hwy 6 and 50

The representative Tom Logue, acting on behalf of the applicant, Cyndi Casebier (manager of Western Engineers, Inc.), requested the rezone of one parcel totaling approximately 1.51 acres from I-1 (Light Industrial) to C-2 (General Commercial) located at 2150 Hwy 6 and 50. The requested C-2 zone district conforms with the Comprehensive Plan Land Use Map designation of Commercial.

Associate Planner Daniella Acosta presented this item.

The public hearing opened at 7:47 p.m.

There were no public comments.

The public hearing closed at 7:47 p.m.

Councilmember Taggart moved to adopt Ordinance No. 5033, an ordinance rezoning one parcel totaling 1.51 acres from light I-1 (Light Industrial) to C-2 (General Commercial) located at 2150 Hwy 6 and 50 on final passage and ordered final publication in pamphlet form. Councilmember Simpson seconded the motion. Motion carried by unanimous roll call vote.

An Ordinance Vacating a Portion of the Orchard Avenue Right-of-Way in the Vicinity of North 10th Street

The applicant Colorado Mesa University (CMU) requested vacation of a portion of the south side of the Orchard Avenue public right-of-way in order to make improvements to the baseball field, track and pedestrian facilities on the south side of the street within the CMU campus that would encroach in the public right-of-way. The existing Orchard Avenue right-of-way in this vicinity was originally dedicated by subdivision plats in the 1940's. The applicant requested the vacation of a 6.5-foot wide by 497.95-foot-long portion of the south side of this right-of-way (0.178-acres) in order to construct the proposed improvements. The plans for the construction have been reviewed and approved by the City subject to this vacation request and the vacation is consistent with the City's Comprehensive Plan and Circulation Plan.

Principal Planner Kristen Ashbeck presented this item.

Derek Wagner with CMU was present to answer questions.

The public hearing opened at 7:54 p.m.

There were no public comments.

The public hearing closed at 7:54 p.m.

Councilmember Simpson moved to adopt Ordinance No. 5034, an ordinance vacating a portion of the Orchard Avenue right-of-way in the vicinity of North 10th Street on final passage and order final publication in pamphlet form. Councilmember Stout seconded the motion. Motion carried by unanimous roll call vote.

An Ordinance to Rezone Property Located at 1101 Winters Avenue from General Industrial (I-2) to Light Industrial (I-1)

The applicant James R. McConnell, Member of Winters Building, LLC, requested the rezone of one 4.91-acre parcel from I-2 (General Industrial) to I-1 (Light Industrial) located at 1101 Winters Avenue. The requested I-1 zone district conforms with the Comprehensive Plan Land Use Map designation of Industrial.

Principal Planner Kristen Ashbeck presented this item.

Conversation ensued regarding how this rezone will benefit the Riverside Educational Center, a non-profit organization.

The public hearing opened at 8:01 p.m.

There were no public comments.

The public hearing closed at 8:01 p.m.

Councilmember Stout moved to adopt Ordinance No. 5035, an ordinance rezoning the property located at 1101 Winters Avenue from General Industrial (I-2) to Light Industrial (L-1) on final passage and ordered final publication in pamphlet form. Councilmember Herman seconded the motion. Motion carried by unanimous roll call vote.

An Ordinance Rezoning 26.673 Acres from R-R (Rural Residential) to MXG-3 (Mixed Used General - 3), Located at 765 24 Road

The representative Daniel C. Hooper, President, acting on behalf of the applicant, Fellowship Church of Grand Junction (“Fellowship Church”), requested the rezone of one parcel totaling 26.673 acres from R-R (Rural Residential) to MXG-3 (Mixed Use General – 3) located at 765 24 Road. The purpose of the rezone is to enable the applicant to erect signage consistent with a non-residential zone district. The requested MXG-3 zone district conforms with the Comprehensive Plan Land Use Map designation of Residential Medium.

The MXG-3 zone district allows for mixed-use development and has specific site design and architectural standards intended to create a mix of compatible uses in close proximity to one another in a pedestrian-friendly environment. Furthermore, the subject site is located within the 24 Road Corridor Subarea Plan and therefore, is subject to 24 Road Corridor Design Standards. The signage standards require monument style signs not exceeding 12 feet in height and 100 square feet in size.

Associate Planner Daniella Acosta presented this item.

The public hearing opened at 8:07 p.m.

There were no public comments.

The public hearing closed at 8:07 p.m.

Conversation ensued regarding how this church was allowed in a residential area (because churches are allowed in all zones), and allowed sign sizes.

Councilmember Stout moved to adopt Ordinance No. 5036, an ordinance rezoning one parcel totaling 26.673 acres from R-R (Rural Residential) to MXG-3 (Mixed Use General - 3) located at 765 24 Road on final passage and ordered final publication in pamphlet form.

Councilmember Simpson seconded the motion. Motion carried by unanimous roll call vote.

An Ordinance Amending the Grand Junction Municipal Code by Establishing a Process for Optional Premises Licenses

The Grand Junction Municipal Code (GJMC) at 5.12.010 *et. seq.* provides a process for liquor and beer licensure according to State and local law. With this Ordinance, the City Council will amend the GJMC to create a process for optional premises licenses in the City of Grand Junction, Colorado.

City Attorney John Shaver presented this item.

The public hearing opened at 8:12 p.m.

There were no public comments.

The public hearing closed at 8:12 p.m.

Councilmember Taggart moved to adopt Ordinance No. 5037, an ordinance to amend the Grand Junction Municipal Code to establish a process for Optional Premises licenses as provided in the ordinance and by applicable law on final passage and ordered final publication in pamphlet form. Councilmember Pe'a seconded the motion. Motion carried by unanimous roll call vote.

Non-Scheduled Citizens and Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting was adjourned at 8:14 p.m.

Selestina Sandoval
Deputy City Clerk