

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

**December 16, 1998**

The City Council of the City of Grand Junction, Colorado, convened into regular session the 16<sup>th</sup> day of December, 1998, at 7:30 p.m. in the City/County Auditorium at City Hall. Those present were Cindy Enos-Martinez, Gene Kinsey, Earl Payne, Jack Scott, Mike Sutherland, and Reford Theobold. President of the Council Janet Terry was absent. Also present were Assistant City Manager David Varley, City Attorney Dan Wilson, and City Clerk Stephanie Nye.

Mayor Pro Tem Theobold called the meeting to order and Councilmember Payne led in the Pledge of Allegiance. The audience remained standing during the invocation by Steve Johnson, Living Hope Evangelical Free Church.

**PROCLAMATION COMMEMORATING THE 100<sup>TH</sup> ANNIVERSARY OF THE NATIONAL WEATHER SERVICE IN THE CITY OF GRAND JUNCTION**

**PROCLAMATION DECLARING DECEMBER 24, 1998, FROM 6:00 P.M. TO 7:00 P.M., "LEGACY OF LIGHTS HOUR" IN THE CITY OF GRAND JUNCTION**

**APPOINTMENTS TO THE HISTORIC PRESERVATION BOARD**

Upon motion by Councilmember Payne, seconded by Councilmember Scott and carried, Pat Gormley and Barbara Creasman were reappointed to the Historic Preservation Board for three year terms ending December, 2001.

**APPOINTMENTS TO THE GRAND JUNCTION HOUSING AUTHORITY**

Upon motion by Councilmember Payne, seconded by Councilmember Scott and carried, Marius "Gabe" DeGabriele was appointed to a three year term until October, 2001 and Kathleen Belgard was appointed to a five year term, ending October 2003 to the Grand Junction Housing Authority.

Mayor Terry arrived and presided over the rest of the meeting at 7:40 p.m.

**CONSENT ITEMS**

Upon motion by Councilmember Sutherland, seconded by Councilmember Enos-Martinez and carried by roll call vote, the following Consent Items # 1 through 13, were approved:

1. **Minutes of Previous Meeting**

*Action: Approve the Minutes of the Regular Meeting December 2, 1998*

2. **Intergovernmental Agreement with Mesa County Concerning a Mail Ballot in April, 1999**

The City Council budgeted for a mail ballot election for the regular municipal election in April, 1999. In order to prepare for that election, the City Clerk, with the assistance of the City Attorney, has been negotiating with the County Clerk an intergovernmental agreement for the two clerks to partner in that effort. The details regarding the timetable, the individual responsibilities and the cost of Mesa County's participation have been worked out and are now being presented to City Council for approval.

*Action: Authorize the City Clerk to Sign the Intergovernmental Agreement with Mesa County*

3. **Purchase of Personal Computer Systems**

The personal computer systems consist of 50 desktop computers which are now four years old and slated for replacement through the Information Services Replacement Program.

*Action: Approve Purchase of 50 Personal Computer Systems from Gateway 2000, Inc., for the Amount of \$99,550.*

4. **Construction of Restrooms/Storage Buildings at Westlake Park and Tiara Rado Golf Teaching Center**

Two bids were submitted for the construction of two restrooms/storage buildings at Westlake Park and Tiara Rado Golf Teaching Center. Vostatek Construction and Design, Inc., of Grand Junction tendered the low bid of \$161,340.

*Action: Award Contract for the Construction of Restrooms/Storage Buildings at Westlake Park and Tiara Rado Golf Teaching Center to Vostatek Construction and Design, Inc. in the Amount of \$161,340*

5. **Grant from the Colorado Council on the Arts**

The Grand Junction Commission on Arts & Culture has received a \$14,800 grant for 1999 from the Colorado Council on the Arts to support arts events, projects and programs.

*Action: Authorize the City Manager to Sign Contract with the Colorado Council on the Arts for a \$14,800 Grant*

6. **VCB Special Event Funding**

The VCB received 7 applications for Special Event funding by the November 3 deadline. After review and discussion of the applications, the VCB Board recommends funding the following events:

Southwest Fest	\$3,000
Tour of the Vineyards	3,500
Fruita Fat Tire Festival	4,000
Celtic Festival	3,000
Grand Valley Gaited Horse Show	2,000
Total Funding Recommendation	\$15,500

*Action: Approve VCB Special Event Funding*

7. **VCB 1999 Advertising Contract with Hill & Tashiro Marketing & Advertising**

This is the second year of a three-year advertising contract which is renewable annually. The 1999 budget amount is \$300,000.

*Action: Authorize the City Manager to Sign a Contract for Advertising Services with Hill & Tashiro Marketing and Advertising for the Period January 1-December 31, 1999*

8. **Horizon Drive Bike and Pedestrian Trail Project**

The following bids were received on November 17, 1998:

Reyes Construction, Grand Junction	\$ 88,163.26
Sorter Construction, Inc., Grand Junction	\$ 92,582.60

Palisade Constructors, Inc., Palisade	\$ 97,550.17
Mays Concrete, Inc., Grand Junction	\$ 98,642.00
Mountain Valley, Grand Junction	\$108,804.90
G&G Paving, Grand Junction	\$114,316.90
Gary Rinderle, Grand Junction	\$127,098.45
Atkins and Associates, Grand Junction	\$137,500.50
Engineer's Estimate	\$109,256.49

*Action: Award Contract for Horizon Drive Bike and Pedestrian Trail Project to Sorter Construction in the Amount of \$92,582.60*

9. **Western Urban Area Metro Transportation Study**

Four firms submitted statements of qualifications to complete a transportation study and analysis of the Grand Junction western urban area. Staff recommends Fehr & Peer Associates of Salt Lake City be awarded the contract in the amount of \$79,970. Mesa County has contributed \$40,000 to fund the study.

*Action: Authorize the City Manager to Sign a \$79,970 Professional Services Contract with Fehr & Peer Associates of Salt Lake City to Complete a Transportation Study of the Grand Junction Western Urban Area*

10. **FY1999-2004 Consolidated Planning Grant Intergovernmental Agreement**

The Metropolitan Planning Organization seeks approval of the FY 1999-2004 Consolidated Planning Grant Intergovernmental Agreement to continue transportation planning activities on behalf of the City and the County. This multi-year contract with the Colorado Department of Transportation would be renewed annually through FY 2004 and replaces the previous multi-year contract due to the consolidation of the various grant funds allotted to the MPO.

*Action: Authorize the Mayor to Sign the Consolidated Planning Grant Intergovernmental Agreement*

11. **Setting a Hearing on Rezoning the Northwest Corner of 12<sup>th</sup> Street and Bookcliff Avenue (Bookcliff Square) from RMF-64 to B-1** [File #RZ-1998-194]

A request for a rezone from RMF-64 (Residential Multi-Family with a density not to exceed 64 units per acre) to B-1 (Limited Business).

Proposed Ordinance Rezoning Property at the Northwest Corner of 12<sup>th</sup> Street and Bookcliff Avenue from RMF-64 to B-1

*Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for January 6, 1999*

12. **Setting a Hearing on Rezoning Approximately 3.87 Acres Located at 1800 East Main Street (Maurice Arms Apartments) from RMF-32 to RMF-64**  
[File #RZ-1998-193]

The petitioner is requesting a rezone from RMF-32 (Residential Multi-Family, 32 units per acre) to RMF-64 (Residential Multi-Family, 64 units per acre) for the Maurice Arms Apartments at 1800 East Main Street. Planning Commission recommended approval of this request on December 9, 1998.

Proposed Ordinance Rezoning 1800 Main Street from RMF-32 to RMF-64

*Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for January 6, 1999*

13. **Interim Storage Facility for Mill Tailings**

Even though the federal and state mill tailings removal programs have ceased, there remain tailings in various locations on the Western Slope, including utility trenches of the City. From time-to-time, as utilities are repaired, and from other sources, mill tailings will continue to be handled by various public and private persons. Rather than transport small portions of such tailings to the Cheney Mill Tailings Repository located south of Whitewater, the proposed contract provides that the City will provide interim storage.

*Action: Authorize the Mayor to Sign an Agreement for Interim Storage Facility for Mill Tailings with the Colorado Department of Public Health and Environment*

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

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

**PUBLIC HEARING - VACATING THE EAST/WEST ALLEY BETWEEN 4<sup>TH</sup> AND 5<sup>TH</sup> STREETS AND BETWEEN GRAND AND OURAY AVENUES - ORDINANCE NO. 3082**

**VACATING THE EAST/WEST ALLEY BETWEEN 4<sup>TH</sup> AND 5<sup>TH</sup> STREETS AND BETWEEN GRAND AND OURAY AVENUES** [FILE #VR-1998-178]

The petitioner, First Assembly of God Church, is requesting vacation of the east/west alley between 4<sup>th</sup> and 5<sup>th</sup> Streets and between Grand and Ouray Avenues. The petitioner owns all the property on the block and desires the vacation in order to allow future construction at the site. The alley will be retained as a utility easement to allow for maintenance of existing utility lines. The request meets the vacation criteria and both Staff and Planning Commission recommend approval.

A public hearing was held after proper notice (opened at 7:43 p.m.) Mike Pelletier, Community Development Department, stated that Banner Associates, representing the petitioner, is unable to be present. He reviewed the request and stated that Staff and Planning Commission recommends approval.

Councilmember Payne asked if there are any plans to underground the utilities. Mr. Pelletier said the utilities would remain mixed until such time as future expansion of the facility requires moving of any utilities. The applicant will consider undergrounding the utilities if and when that occurs.

Mayor Terry inquired if the expansion will go into the alley. Kipper Van, 2159 S. Canyon View, representing the petitioner, stated there are no immediate plans, but wanted the flexibility to expand in the future.

Councilmember Theobald stated he is a member of the First Assembly of God Church.

There were no other comments. The hearing was closed 7:45 p.m.

Upon motion by Councilmember Sutherland, seconded by Councilmember Scott and carried by roll call vote, Ordinance No. 3082 was adopted on second reading and ordered published.

**PUBLIC HEARING - VILLAGE PARK ENCLAVE ANNEXATION LOCATED AT THE NORTHWEST CORNER OF 28 1/4 ROAD AND F ROAD AND REZONING THE ANNEXATION FROM COUNTY PB AND PR-16 TO CITY PB AND PR-17.3, AND APPEAL OF PLANNING COMMISSION'S DENIAL OF PRELIMINARY PLAN - ORDINANCE NO. 3085 ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO, VILLAGE PARK ENCLAVE ANNEXATION, APPROXIMATELY 22.41 ACRES LOCATED AT THE NORTHWEST CORNER OF 28 1/4 AND F ROADS** [FILE #ANX-1998-155]

Bob Walker of Peak Properties and Development has appealed the Planning Commission's denial of the preliminary plan for Village Park, an 18.8 acre planned development consisting of commercial and mixed density residential uses. Second reading of an ordinance for the Village Park Enclave Annexation and second reading of an ordinance for zoning the Village Park Enclave Annexation from County PB and PR-16 to City PB and PR-17.3 is also requested.

A hearing was held after proper notice. The hearing was opened at 7:46 p.m.

Councilmember Theobald stated that Council discussed the order of discussion and decided to have the hearing on the annexation first, then address the preliminary plan and the subsequent rezoning issue.

Bill Nebeker, Community Development Department, reviewed this item. Per the Persigo agreement, the County would not allow anything but a single family home on this property without annexation. The annexation petition was filed before the Persigo Agreement as it was in their best interest to be in the City. Mr. Nebeker said the zoning would be a problem if the preliminary plan were denied.

Councilmember Theobald asked if the property is an enclave that has been surrounded by the City for more than three years. City Attorney Wilson said yes. Councilmember Theobald asked if the property meets the annexation requirements. Mr. Nebeker said yes.

Bob Walker, Peak Properties and Development partner, stated that it was his understanding that the annexation would not proceed if the plan was not approved. Since then the Persigo Agreement was signed. The problem is if they are annexed, the zoning requirement must be met within 90 days of the annexation. It is unclear what kind of zoning would be on this site without the approval of the proposed preliminary plan. Councilmember Theobald said normally it would be zoned whatever is the equivalent of the County zoning.

Mr. Walker said then nothing would impede a buyer from proceeding with a Planned Unit Development. Councilmember Theobald said it would neither aid nor impede a prospective purchaser.

Mayor Terry said the options are redo the plan and come back within 90 days, and if not, then Council will assign zoning. The process could continue, although another hearing would be required.

Mr. Walker was concerned with the timing. Councilmember Theobald stated the law actually allows four months, as it is 90 days from the effective date of the annexation

ordinance, which is thirty days after adoption. Attorney Wilson added if the law is interpreted that there is an appeal and if the law is to the benefit of the petitioner, then the petitioner could have five months or longer if there is an application in process.

Councilmember Sutherland explained that once an annexation petition is signed and found to be technically correct, and filed with the City, the petition cannot be withdrawn and the City must proceed with the petition. That applies in this case.

There were no public comments. The hearing was closed at 7:55 p.m.

Upon motion by Councilmember Payne, seconded by Councilmember Theobald and carried by roll call vote, Ordinance No. 3085 was adopted on second reading and ordered published.

A public hearing was opened at 7:56 p.m. to discuss the preliminary plan.

Ben McEvoy, architect, 1928 Pearl Street, Boulder, Colorado, said he is from Grand Junction and his parents live here. They have designed a mixed use project on 18.8 acres on the northwest corner of 28 ¼ and F Road. He displayed an aerial photo and a growth plan map. He addressed the 28 ¼ Road extension to the Matchett parkland. He showed slides of surrounding developments which included duplexes, attached single-family homes, and detached single-family homes.

He detailed the site plan by discussing the commercial area which is limited to 40,000 square feet, substantially less than what a 5.2 acre site would normally support.

He detailed the assisted living area encompassing 80 units. Then he described the apartment complex section. The apartment buildings are three-story buildings, which step down to two-story on the ends. They are placed so that the two-story portion is on the exterior of the area. He displayed photos of the same apartments that have been built in Lafayette, Colorado.

He concluded by saying this project fits with the existing zoning, the Growth Plan, and the neighborhood. He listed his neighbors and who will be impacted. The site borders only six single-family lots in the Dawn Subdivision to the west, and three in the Grand View Subdivision to the north. Other neighbors are the detention pond and the Nazarene Church to the west, and the World Harvest Church to the east. The nursing home across Patterson Road is to the south. With the apartment buildings and the commercial area located to the south half of the site, it will have the least impact possible on the existing residential neighborhood. Eventually, Hawthorne will connect to 28 ¼ Road, giving better access to Patterson Road. He referred to the Growth Plan, which indicates a zone of 12 to 24 units/acre for the area. The density proposed is 17.3 units/ acre. There is



transitional zoning on site with low density housing to create a buffer between their apartments and the existing single-family neighbors. The attached single-family units at the perimeter, the street and the triplex units create this separation. They are not increasing the traffic in the surrounding neighborhoods. All of the residential traffic has been directed onto 28 ¼ Road. This is an excellent location for this density since both an east to west and a north to south arterial serve it. All the traffic is not being forced onto Patterson Road, but the residents and neighbors are given the opportunity to drive straight down 28 ¼ Road to the center of Grand Junction.

Mr. McEvoy said this will be a quality mixed use development, demanding the highest rents. He was involved in the planning for Lakeside, a quality mixed use development. It incorporates apartments across the street from single-family and across the street from duplexes and four-plexes. A quality design will result in a quality product.

Councilmember Theobold asked if Mr. McEvoy had a map of the existing zoning for the property. He wanted to see the size and shape of the existing zoning. Mr. McEvoy said he had only the growth plan map.

Mayor Terry asked if there are restrictions on the type of retail allowed in the commercial area. Mr. McEvoy said the intent is neighborhood services such as dry cleaners and barbers.

Mayor Terry asked about the two pedestrian access routes. One was between the commercial and the multi-family, and one between Dawn Subdivision and the residential. She asked why no access was provided between the commercial and the church. Mr. McEvoy said Staff did not identify it as a priority. Mayor Terry asked if such an access is feasible, as one of the goals in the Master Plan regarding neighborhood commercial centers is to prevent more traffic. There is a lot of development west of this development that could walk to the commercial site. Accessibility which does not take pedestrians onto Patterson Road is a much safer route. She asked if that is possible. Mr. McEvoy said they don't control the land owned by the Church of the Nazarene, but would be happy to provide such a pedestrian access, and it would be feasible.

Mayor Terry asked why the 36' height of the multi-family structures is four feet higher than typically allowed. Mr. McEvoy said they are higher than single-family, but it is the City's standard for multi-family. Bill Nebeker clarified multi-family allows heights of 36', single-family is 32'.

Mayor Terry asked who will run the Assisted Living facility, and if it is marketable. Bob Walker said it will be sold to another party, and they have already received some unsolicited interest.

Bill Nebeker said he was unable to locate a County zoning map. He identified the original Outline Development Plan showing where the commercial area was located. The Growth Plan map did not show the boot shape for the commercial area. He noted that perhaps the commercial zoning was not site specific in the County for this parcel. No parcel boundary was shown between commercial and residential.

Councilmember Theobald asked what is the optimal stacking distance allowed for that intersection. Mr. Nebeker said 200 feet or so minimum.

Mr. Nebeker said 28 ¼ Road is proposed to go north. He showed the major street plan from 1994, noting there is a signalized intersection at 28 ¼ Road, and an unsignalized intersection one quarter mile away at 28 Road. There are plans to have Cortland connect through to 29 Road.

Mayor Terry asked if these street improvements are dependent on school and park locations. Mr. Nebeker said yes. They have tried to get most of the traffic on Cortland which is the collector street.

Mayor Terry said there is a single-family residence there, which must be considered. Mr. Nebeker said yes, future connection has to be worked out.

Mr. Nebeker said one proposal had multi-family up against the single family with no buffer. This developer has a proposal more closely like the original plan. The Planning Commission recommended denial but gave no guidance. Staff reviewed the Growth Plan and believes the applicant is proposing a compatible plan. Mr. Nebeker compared the size of the commercial to Village Fair plus a convenience store and car wash. When the developer met with Staff, he was told 12 to 24 units per acre per the Growth Plan. Anything less would not have been looked at favorably by Staff. The Growth Plan says, "Higher density housing shall be located throughout the community, rather than concentrating in a few small areas. Ideally, it should be integrated into mixed density housing developments." The developer has done this exactly. Staff finds this proposed rezone meets the criteria of Section 4-4-4 and 4-11 of the Zoning & Development Code with conditions 1 through 8.

Councilmember Theobald said the higher density zoning is due to existing zoning from the County. It appears to be spot zoning of high density, although Mr. Nebeker has implied it is desirable. Mr. Nebeker said the Growth Plan policies state that higher density should be disbursed throughout the community. Councilmember Theobald said it stands out on his map. Mr. Nebeker said the mixed use is similar to Lakeside on a smaller scale. Multi-family is a good goal, but it always meets with opposition.

Councilmember Scott asked about the detention pond. Mr. Nebeker said the detention pond's capacity will be increased. Regarding Mayor Terry's earlier question about pedestrian access, Staff told the petitioner to move it because there is an existing trail. Mayor Terry asked if a path can be placed on the south side as well. Mr. Nebeker said it could be done but one would need to know where the connection is.

He received a map with the surrounding County zones and provided it to Council.

Councilmember Sutherland asked Mr. Nebeker to compare the development to the Patterson Road corridor guidelines. Mr. Nebeker said the general guidelines support commercial at this location but says no more. When the Growth Plan was adopted showing the commercial area at this site, it superceded the corridor guidelines.

Councilmember Theobald asked what Staff's rationale was concerning additional access off Patterson Road. Mr. Nebeker said a full movement intersection would not be in the best interest for traffic. It was determined access would be allowed there only if a median is constructed to prevent left turns in or out.

Councilmember Theobald questioned why the City would allow any at all when there is a signalized intersection nearby. Mr. Nebeker responded because of the size of site.

Councilmember Theobald said a right out would still slow traffic on Patterson so he was surprised that it would be allowed. Mr. Nebeker suggested Public Works Director Mark Relph might address that in more detail.

Mark Relph, Public Works Director, said generally, if a site is large enough, the City likes to disburse the traffic so it's not all concentrated. With a signalized intersection, the City likes to control the turning movements as long as they are right in/right out. The question is will right turns interfere with the traffic flow. The City's threshold determines the need for deceleration lanes. He was confident that City Staff looked at it and determined the turning movements did not reach that threshold. Right in/right out access could be eliminated and controlled through a traffic signal.

Councilmember Sutherland asked for the City's policy on acceleration lanes out of a secondary access. Mr. Relph said people don't use acceleration lanes and they take up a lot of room. Deceleration lanes, however, are justified.

Mayor Terry asked about widening on the north to match the principal arterial street section. Mr. Relph said it is a transition area between two different standards, from City to County, so there is a possibility for widening.

Mayor Terry asked about the possibility of requiring an additional traffic signal at 28 Road and Patterson Road. Mr. Relph said the distance between signals, normally every half-mile, is studied. Signals too close often result in complaints during off-peak hour traffic. The Traffic Division tries to maintain a 40-mph speed limit through that corridor. By putting an additional signal at that location, the speed limit would have to be reduced. He did not feel that would be an effective use of Patterson Road.

Councilmember Theobold noted the existing commercial zone is an unintended leftover from a 1982 plan that has lapsed. The Growth Plan results from that which then overrules the corridor guidelines. He concluded that the only conscious thought relative to the uses was overruled by the Growth Plan. Mr. Nebeker agreed. The owner has been trying to exercise his land use right with multiple proposals over the years, searching to find a compatible zone.

Councilmember Theobold asked the City Attorney if the commercial aspect of the property is vested. City Attorney Wilson said it's irrelevant what happened in 1982, except for historical interest. The corridor guideline is now irrelevant if the Growth Plan is the most currently adopted plan. There is no vesting. In Colorado, one form of vesting is by Statute. The City has an ordinance that implements the same Statute (Site Specific Development Plans). If this plan were to be adopted, and it was requested, it could be a vested development right in Colorado for up to three years. The second procedure is common law vesting. He did not think there was any such vesting here. He thought City Council could rezone this property to straight residential without a "taking" being claimed.

Councilmember Theobold said the Growth Plan was not intended to be site specific yet it has been interpreted as so. City Attorney Wilson said in 1982 there was a plan that lapsed, but the zoning has not. It was looked at from a County perspective as the existing zoning which is in place, and one must give credence to it. The County probably thought it must retain that PB zoning.

Councilmember Theobold said the original 140 feet to 125 feet depth of commercial provides inadequate depth for traffic stacking distance. He asked if the City is required to honor that setback and violate stacking distance requirement, or allow more depth for the commercial. City Attorney Wilson said Council may approve a development without requiring the stacking distance, or it could change the boundaries and keep the same acreage, or it could change the zoning to residential with the right plan.

Mr. Nebeker clarified the corridor guidelines were adopted in the mid 80's, so the zoning was in place at that time.

Mayor Terry said the senior housing represents one third of the density. If it doesn't play out, it can then be reconfigured into multi-family units, which would increase traffic. She

questioned why did Staff would allow that flexibility. Mr. Nebeker said the applicant requested that option, but such a change would require a new filing for the site. Mr. Nebeker said townhomes were also a possibility.

Mayor Terry asked if a traffic count had been done. Mr. Nebeker suggested the applicant's traffic engineer respond. Bill Hart, President of LandDesign, said a traffic study was done on a former plan and was updated for this plan. The stacking distance, signalized intersection at 28 ¼ Road, the right in/right out access, etc. was included in the study.

Mayor Terry asked for a figure on the daily traffic impact of the entire development. Mr. Hart said the update included the addition of the park, the school and the church next door to assess the impact on the intersection.

Mayor Terry asked for a total for the development as proposed (commercial, multi-family, detached housing, etc.). She requested he compile the information during public comment, and present it during rebuttal afterwards.

Mayor Terry solicited public comments.

Lyle Chamberlain, 1996 Bison Court, was in favor of the proposal. He was a real estate agent and he looks at the City's development plan and Staff recommendations. He criticized Council's drilling of its Staff.

Mayor Terry responded that the only thing discussed in the last hour was exploration of this particular development so Council can have a full understanding. If Mr. Chamberlain interpreted any of the discussion as biased, she was sorry. Mr. Chamberlain's comment was out of line. She said Council is willing to respond to his questions.

Mr. Chamberlain said, as a real estate professional, he guides people looking for property based on approved guidelines and plans. The guidelines encourage infill development, which is always confrontational. This proposal is within the guidelines and the Growth Plan, and Staff has recommended it.

Rich Helm, 2816 Hawthorne Avenue, stated he is not a native, but he and his wife searched two years for a suitable home. They are the third house in the subdivision and reside on Hawthorne Avenue. They selected that subdivision because it was quiet, and it was to have a school and a park in the area. They also enjoyed the view. This plan has been denied three times. It is not compatible with single-family homes. He paraphrased the Planning Commission Chairman as saying "I wouldn't want it in my backyard." Mr. Helm said he wouldn't object to a reasonable development, but the parcel is pretty small for all of these uses. He would not object to townhouses, retirement communities or

single-family houses. The current traffic on Patterson Road is bad. One can't turn right off of 28 Road. There's something wrong with the development if it has been denied three times. He was trying to maintain the integrity of the area where he lives.

Councilmember Theobald said one of the reasons Mr. Helm chose his home there was because of the view. He asked if Mr. Helm knew this property would develop. Mr. Helm said he was not aware that this parcel was separate. He thought the view would be relatively unobstructed with the school and the park. However, he expected development to occur on this property once he realized it wasn't part of the City park.

Ralph Mulford, 134 El Corona Drive, was concerned with the number of people and the traffic impact. The traffic on Patterson Road is quite heavy. He didn't think high density in this area is compatible.

Steve Harrington, 2811 Cottage Lane, presented 231 letters of opposition to Mayor Terry for the record. The proposal was denied before. The plan proposed a high density rezoning of 17.3 units/acre. It should be denied because the design does not adequately address the incompatibility. He referred to goals and policies and stated why they were not met. He then referred to the Patterson Road corridor guidelines. It states that there is no need for additional commercial development in this area. It conflicts with the Growth Plan. Policy 12.3 says the City and County will protect existing stable neighborhoods from encroachment of incompatible residential and non-residential development. The neighborhood is not in the wrong for expecting only single-family homes in their area. The future Land Use Plan shows PR-12 to 24 as the appropriate zoning for the area. The Growth Plan is erroneous. This plan was denied before and he asked that it be denied again.

Shirley McGinnis, 2811 Hawthorne Avenue, was concerned with some of the other examples of similar type developments. She is also a real estate agent. El Corona had no surrounding houses when it was built. The exterior in El Corona and Indian Creek Subdivision is stucco. She said 98% of the single-family attached homes are owner occupied. On the perimeter, are the attached single-family homes. She asked if they are one level ranch story homes, if there are two families in one unit, are they considered duplexes, patio homes, or what. Will they be rentals or put on the market for sale. She wanted to know the price range of the homes, which would give her some idea of the quality of the homes. She asked if there was nothing to prevent traffic from going through Hawthorne unless Cortland is put through at the same time this project is developed. She was also concerned with drainage. The detention pond is a distasteful piece of work. She was more concerned with drainage coming back through Grand View Subdivision. She is already getting some irrigation from Dawn Subdivision.

Hans Kunz, 3820 Applewood Street, said this is the fourth time he has attended discussion on this project. He agreed with others that the biggest opposition is the commercial section. Two years ago the County was told to take out commercial, because commercial areas are available a short distance away. If the petitioner would listen to the people, they would go to a medium density operation. There are psychological affects when people live too close together. He asked Council to request the petitioner to come up with a much more reasonable project.

Councilmember Sutherland reminded Mr. Kunz that City Staff is not designing this project, the petitioner is. He clarified the 64 feet height of the apartments is not accurate, 36 feet is the highest. Mr. Kunz said it is still disturbing.

In answer to an earlier question of Shirley McGinnis, Councilmember Theobold said the townhomes and single-family homes will be two-story.

Kelly Turner, 2013 Daybreak Avenue, said she doesn't back onto the duplexes. Her home backs onto the apartment buildings. There will be no privacy in her backyard, and she spends a lot of time in her backyard. She will view from her kitchen window 60 other families. It will dramatically impact her quality of life. The area is a quiet neighborhood now. She knew there would be development but thought they would be single-family homes. Duplexes or patio homes are fine also but she objected to apartment buildings.

Councilmember Scott said if a single-family home were there, would she see the occupants. Ms. Kelly said yes, it would be an impact, but there's a dramatic difference between one family looking through your window and 60 to 100 families. She would like to see her quiet subdivision continue.

Councilmember Sutherland asked if Ms. Kelly had an opinion on the closeness of the single-family attached homes. Ms. Kelly said they are close to her back yard, but are actually closer to her neighbor.

Brook Blaney, 2805 Daybreak Avenue, opposed the proposed development. This plan has been denied several times. It does not meet the criteria which Staff says it does in Section 4-4-4, Part a, "Was there an error at the time of adoption?" It refers to the original zoning, which goes back to the County who made a mistake in the 80's. He said Councilmember Theobold adequately described how it perpetuated. The growth trend in the area has been residential, with plenty of commercial. Section 4-4-4.d – "Is the proposed rezone compatible with the surrounding area or will there be adverse impacts." He felt 235 signatures say yes, there are adverse impacts. Section 4-4-4.f, "Is the proposal in conformance with the Code, the Master Plan and with other adopted policies."

No, it is not in conformance with the Code. The Master Plan was flawed in two ways: first, the property was an older estate that was approved in 1982 that slipped through the cracks and ended up on the Master Plan; second, the City is just now working on a

means to amend the Master Plan. "Is the development or zoning in conformance with other plans." It is not in conformance with the Patterson Road corridor guidelines. It also conflicts with Section 4-11. The buffer is not great enough. It is ludicrous to put three times the density in this area. He requested Council deny the proposal if it comes back to Council in the future. He requested only ten units per acre or less be accepted.

Judd Perry, 2954 Beechwood Street, said he thought the proposal is gross. When it was before the County, it was suggested to the developers to provide patio homes or a density that would be compatible with the neighborhood. The signal light at 28 ¼ Road and Patterson favors Patterson Road traffic. Changing the time on the signal light will change the flow and could cause stacking of vehicles on Patterson Road. The property records show the same people as before own this property, and they just get different developers to come back and attempt to rezone for a higher density.

There were no other public comments.

Petitioner rebuttal. Bob Walker said their recommendation from City Staff was to follow the Growth Plan. They wanted to be consistent with plans before they spent money. They did not question the Growth Plan. They had to reconcile two goals – (1) mid range of density identified in the Growth Plan, they wanted a compact development to support the goals, and (2) land use compatibility. Developing a transition area is the way they are meeting those goals. They are proposing 7.65 units per acre in the transition area, plus an added 6 foot privacy fence. They have taken steps in response to neighbors' concerns. They have also mitigated traffic concerns. They were frustrated with the neighborhood opposition, and don't know where to go from here. This is their only plan – to compare it with the previous plan is ludicrous. Their plan has addressed all the concerns of City Staff. They are confident the patio homes will be marketable. The ideas of the neighbors conflict with the community desires. There are precious few infill sites. The plan offers the diversity and density targeted in the Growth Plan. They have responded to the Staff concerns and Staff supports the plan.

Mayor Terry asked about the single-family attached on the perimeter. Mr. Walker said the Assisted Living facility could change to multi-family, if they can't find a quality user. The number of units could be reduced to 40 townhomes, depending on the market. Duplexes would be two story with a price in the low \$100,000's, \$120,000 to \$140,000.

Councilmember Theobald asked if the apartments would be rentals. Mr. Walker said yes, at around \$700 per month.

Mayor Terry asked who would build the apartments. Mr. Walker said he would build the apartments and in a joint venture with a local builder for the attached homes. They would



sell the assisted living area and the pods in the commercial. He would be the long-term owner of the apartments.

Councilmember Theobold asked for clarification on the buffering density. Mr. Walker said 7.6 units per acre in the transition area falls within the medium density range as defined in the Growth Plan. It is the next step up from low density residential.

There were no other comments. The hearing was closed at 10:05 p.m.

Councilmember Theobold thought Council needs to react to this proposal rather than the previous failed proposals. The issue is the quality of the proposal. He was sorry for those that have been to several meetings and sorry for those that have spent money on this proposal. One needs to accept that Hawthorne and Cortland as well will become busier. Individuals have voiced they would like to see single-family residential on this parcel, and it may not be a reasonable expectation. It is best to spread the density around. Objections have been voiced in subdivisions, like the Dawn Subdivision, as reducing property values. It appears the petitioner and developer performs quality work, although they could improve the buffering. He liked the concept of mixed use, which Council has endorsed.

Councilmember Theobold was quite concerned about the increase in commercial. He was not sure where to draw the line but didn't want to increase the acreage of commercial. The plan can be reconfigured and made acceptable, but he preferred no more commercial on Patterson or in that area. Another access off of Patterson is unnecessary. Regarding spot zoning of high density, the Growth Plan overreacted to zoning that may or may not have been desirable. He was against any increase in density. His recommendation was to deny this plan. His advice to the developer was to improve the buffering, reduce or remove the commercial, and retain the mixed use. He sympathized with the developer because they have followed what was shown in the Growth Plan, and there are several other conflicting rules.

Mayor Terry asked Councilman Theobold in what way was the improved buffering intended. Councilmember Theobold said he was talking about the buffering of the single-family attached on the north and west, extending it down more. He thought going to single story may help. One of the problems of a planned development is that no matter what Council tells them to build, the market drives the end result.

Councilmember Kinsey said he generally agreed with Councilmember Theobold. He gave credibility to those that developed the Growth Plan. This plan is a reasonable compromise on the density indicated by the Growth Plan. He also endorsed mixed use, and felt this was an attractive design of mixed use. Lakeside is an example of one, and there are many others, He thought there was too much commercial in the plan, but not

sure that would cause him to vote against the plan by itself. Compatibility is in the eye of the beholder. It is a good place for density as it is near a school and a park.

Councilmember Scott didn't like the commercial aspect. He noted 28 ¼ Road is going to go through someday with the construction of a park and school. Hawthorne was designed and built for more traffic than it currently carries. He felt a great job was done on the design of the plan. The detention pond was supposed to be taken care of last year, but will be taken care of next year with grass, etc.

Councilmember Sutherland understood the developer's frustration after looking at the Growth Plan regarding infill and the appropriateness of mixed use. When the corridor guidelines were developed Councilmember Sutherland was on the Planning Staff. He said they didn't have a crystal ball then either. He said not to expect a commitment from Council for 10 units per acre or less when the Growth Plan has set a minimum density of 12 units per acre. He encouraged meeting the lower end. The petitioner compared their proposal to Lakeside Subdivision which is a nice mix. There was resistance to that development also, although it has turned out to be a good project. The location of the apartments in Lakeside were adjacent to a busy street (12<sup>th</sup> Street) and served as a buffer. The commercial in Lakeside is integrated into apartment buildings, not stand alone commercial. He suggested putting commercial in the first floor of the apartment buildings and use the larger structures along F Road for buffers. The senior housing portion is very "iffy". He would like to see such buildings used as a buffer on corners or busy streets. He preferred a different plan. He would accept some commercial on a smaller scale or integrated better into some multi-family. He didn't feel it needed to border or be in close proximity to existing single-family residential. There are some opportunities there and would like to see some multi-family move to the south, perhaps some single-family along the perimeters.

Councilmember Enos-Martinez had nothing further to add.

Councilmember Payne said growth plans are out there, but they are guidelines only. He has never seen a proposal like this before. It entails a little bit of everything. He felt it was a good proposal but not in the right location. The traffic impact on Patterson Road was a concern as well as the integration of commercial. Another bank down the road was turned down by the Planning Commission. Planning Commission considered the traffic its greatest concern. Even if this proposal is denied, he warned the audience that infill will come. That area will be developed eventually. He could not support this plan.

Mayor Terry said she was close to liking the plan, although some minor things kept her from supporting it. The buffering housing being used along the perimeter works extremely well. Even though it is single-family attached, it works well if single story. She thought the housing needs to be extended along the entire perimeter and buffer all of the

western boundary. She did not like the stark difference between the apartments and Dawn Subdivision. She liked the senior housing there and it represents one third of the units on the site. She has always supported commercial on this site but not to this extent. She believed in mixed use strongly. The traffic on Patterson Road is horrendous and is going to get worse. Hopefully, that traffic will move out to the interstate eventually. She liked the plan as infill. If it were reconfigured slightly different, she could support it.

Councilmember Theobold said the only other commercial is directly across the street to the south. He suggested moving the assisted living units to the front, near the road.

Upon motion by Councilmember Theobold, seconded by Councilmember Sutherland and carried by roll call vote with Councilmembers **KINSEY and SCOTT** voting **NO**, the appeal of the Planning Commission decision on the preliminary plan was denied.

It was moved by Councilmember Theobold and seconded by Councilmember Payne that Ordinance No. 3086 rezoning the parcel be adopted on second reading and ordered published. Roll was called on the motion with the following result:

**AYE: KINSEY, SCOTT**

**NO: ENOS-MARTINEZ, PAYNE, SUTHERLAND, THEOBOLD, TERRY**

The motion failed.

### **RECESS**

Mayor Terry declared a brief recess at 10:40 p.m. Upon reconvening at 10:49 p.m., all members of Council were present.

### **DESIGN DENSITY AND OUTLINE DEVELOPMENT PLAN – REDLANDS MESA SUBDIVISION - RESOLUTION NO. 80-98 APPROVING AN OUTLINE DEVELOPMENT PLAN AND DESIGN DENSITY FOR THE REDLANDS MESA DEVELOPMENT, LOCATED SOUTH OF THE RIDGES** [FILE #RZO-1998-151]

A proposal to establish a design density and ODP (outline development plan) for 526 residential units, a commercial parcel containing a clubhouse, offices and maintenance facility and an 18 hole golf course on 494 acres. The property is located south and west of the existing Ridges development.

Ron Austin, one of the owners and managers of Redlands Mesa LLC, introduced his partner, David Slemon. He also introduced Susan Wade, Thornton-James, golf course planning firm from Boulder, Doug Theis and Jim Bell, engineers with Thompson-Langford in Grand Junction, and Mark Van Kell, traffic engineer from MK Centennial. Mr. Austin said they were all present to receive guidance and answer questions of Council.

Mayor Terry requested the petitioner to point out on the map which parcels will be developed. Susan Wade said Phase I is the entire golf course, the community parkway to Parcels #2, #5, #7 and #8, a total of 117 units, all single-family but with different sized lots.

Mayor Terry asked about the traffic impact on Monument Road. Mark Van Kell, MK Centennial, said part of the development will be the extension of Mariposa Drive across City-owned property to Monument Road. There are no sight distance issues. The development will provide a right-turn deceleration lane into Mariposa Drive. The intersection at Mariposa and Monument will be stop sign controlled. Once Mariposa is through, the residents of the development and some existing residents will use it as well.

Mayor Terry asked if there had been discussion regarding improvements to Monument Road. Mr. Van Kell said there has been discussion of off-site improvements for Ridges and Mariposa, but none on Monument. He understood City Staff has said any improvements in the area will be on Broadway.

Mayor Terry asked about the public street connection across Red Canyon Wash. Mr. Austin indicated the location of Red Canyon Wash on the map and described the topography of the property.

Mayor Terry asked about the golf course. It is desert now and she wanted to know what type of vegetation will be provided. Mr. Austin said they will try to preserve the natural landscape, with grass only in target fairways. Susan Wade said target courses are often used in desert areas. Mr. Austin showed the layout; it is not wall to wall grass. Mayor Terry said not as much irrigation is required in such cases.

Mayor Terry asked what studies are needed for that type of a golf course. Doug Theis described some of the studies, showed the map, and identified the areas which are non-developable.

Mr. Austin said the terrain dictates where the golf course has to go. They haven't changed the plan done ten years ago that much. One-third of the area will provide the golf course, one-third for development, and one-third will remain open space.

Councilmember Sutherland asked if the golf course will be a privately owned public golf course or a private membership course. Mr. Austin said it will be daily fee course, a public course which is privately owned.

Mr. Austin said the planning between the applicant and City Staff has been almost perfect. They met every week for ten weeks. There has been much give and take, and City Staff has done a thorough job.

Kathy Portner, Community Development Department, said this is a big project. The request is for an outline development plan and a design density with a resolution to approve. A zoning ordinance would be required at preliminary plan, actually setting a density. Regarding the school impact, the City routinely sends the school district review packets for any subdivision proposal. No school district comments were received on this development. They will send it again when the applicant comes in for the preliminary plan. Scenic Elementary, Redlands Middle School and Fruita Monument High School are in the area. Scenic Elementary is at capacity. With the construction of Mariposa, some of this development could access Wingate Elementary. City Council will see this project again with more detail. The developer has agreed to the recommended Staff conditions for approval. The conditions are as follows:

1. The ODP and design density establish maximum number of units. However, due to constraints on the property it is unlikely that those maximum numbers will be achieved. The design density does not constitute a commitment to approve subsequent submittals. The specific density shall be established at the time of approval of a preliminary plan.
2. The rough grading of Mariposa Drive to Monument Road will be in place with the first phase of development for emergency access and for the use of construction traffic. The improvements will include an all-weather surface meeting all structural, horizontal and vertical alignment requirements set forth in the City's engineering and fire protection standards.
3. The completion of Mariposa Drive will be required when the average daily traffic generated from the Redlands Mesa project exceeds that generated by the golf course and 187 homes, or when the ADT on Ridges Boulevard exceeds 8,000, whichever occurs first. At the time of platting of the filing that triggers the requirement for the completion of Mariposa, the improvements must be in place or a Developments Improvement Agreement and Guarantee executed.
4. The extension of Ridges Boulevard and Mariposa Drive will meet all City standards, but a 10' wide concrete, detached path on one side of the street will be allowed rather than attached sidewalks on both sides. The street connection through Parcel #5 will match the Rana Road street section through Cobblestone Ridges.

5. Path connections between housing pods must be improved to City standards, unless at the preliminary design it can be shown that an improved trail is impractical.
6. The unimproved single-track trail section will be provided along the rim above Monument Road, including through Parcels #7 and #9 unless, at the preliminary plan stage, the applicant can show that location to be not feasible.
7. An improved trails section must be provided as an east-west connection to the Dynamic property to the northwest. The trail alignment and improvement requirements will be determined at the preliminary plan stage. Staff has recommended Condition #7 in the resolution be amended by deleting the word "improved", to then read "A trail section must be provided as an east-west connection to the Dynamic property to the northwest. The trail alignment and improvement requirements will be determined at the Preliminary Plan stage." Staff would like that decision delayed until the preliminary plan, as to whether it needs to be improved at this time.
8. A looped water line will be required to serve the Redlands Mesa project. Prior to submitting for preliminary plan review the applicant must have any necessary easements in place or written agreements for the easements executed. In addition, necessary approvals and agreements to provide the looped water line must be in place with Ute Water and the City prior to submittal of the preliminary plan.
9. The design of lots on Parcels 9, 11, 13B, 14 and 17 will be reviewed at the preliminary plan stage for ridgeline development issues.
10. Through the preliminary plan process, areas of "no-disturbance" must be identified to preserve many of the significant natural features.
11. Those areas designed as open space should be left as undisturbed. If disturbance is necessary, a plan for revegetation will be required. The open space areas shall not be used for the stockpiling of dirt and other materials.
12. The cul-de-sac accessing the proposed Parcel #2 will be allowed to exceed the 1000' maximum City standard provided the applicant do one of the following:
  - (1) provide secondary access;
  - (2) widen the street section to a minimum width of 34'; or
  - (3) provide residential fire sprinkler systems.
13. Unless otherwise stated, the project must meet all City code requirements for all future submittals.

Mayor Terry asked about the shoulder on Monument Road. Public Works Director Mark Relph said he has talked to Mesa County in last year about this. It has been submitted to the Metropolitan Planning Organization to build some trails along Monument Road. Mesa County is getting pressure to build shoulders, and hopefully they will tackle that next year.

Councilmember Sutherland asked if there is adequate right-of-way. Mr. Relph said there is sufficient right-of-way for shoulder work, although it drops off in some areas.

Councilmember Sutherland said in the past the City has dealt with some small sections in the Ridges where drainage was an issue. He asked if Staff thinks that can be handled in the future submittals. Mr. Relph said the outline development plan is in the early stage, but the developer has been looking at the issue and Staff is confident, at this point, it can be addressed.

Mr. Austin addressed some of the conditions, saying they had a drainage study done regarding. They think they can handle it well. Regarding recommendation #6 dealing with the unimproved single tract trail. There is an issue about the location and whether it can run along the rim along Parcels #7 and #9. It is not feasible as it is dangerous along the rim. They will work with the Urban Trails Committee to merge the unimproved single tract trail with the 10' wide path inside, and then back out. It is not feasible to run the trail right through the middle of the lots. Regarding the extension on Mariposa, they have agreed to upgrade early on for emergency access, and eventually pave it. They have met with administration and the City has precedence for them that they can seek reimbursements from future developments for that improvement, as it is very expensive.

Mayor Terry asked if the reimbursement would be in the form of a TCP credit. City Attorney Wilson said it would be similar to the sewer reimbursement agreements. The form will be presented to Council for approval.

Councilmember Theobald asked when Phase I will be completed. Mr. Austin said they hope to be through this process by March or April, 1999, and get started upon final plat approval. Construction and seeding of the golf course will take nine months. Building houses will begin late 1999, or early 2000. The golf course should be ready for play by 2001, allowing a full growing season.

Councilmember Theobald asked what year Mr. Austin expected complete buildout. Mr. Austin said that would be dictated by the market. He hoped to start the Phase II process (approximately 84 lots) in 2000, with an expected buildout within six to seven years.

Mayor Terry solicited comments from the public.

Lee Gillat, 320 Country Club Park , requested Council be firm with the restrictions on ridgeline development. He was happy to see trails in the development. It would be ideal if there could be one continuous unimproved trail through this property. The development will affect the Painted Bowl property, He was concerned with the golf course being constructed first. He didn't want to be left with a scarred environment. He would like to see the developer make open space meaningful by connecting to the City property trail and Tabaguach Trail. He requested Council write in some restrictions which would protect those values.

Mark Abbott, 399 West Valley Circle, in the Ridges, said the developer has listened to the residents, and has made plans to the Tabaguach Trail. The trails are an integral part of the Ridges and the residents appreciate the efforts of the developer. The development is in compliance with the overall design of the Ridges. The geology of the property does not allow it to be developed to its zoning density, so he urged not to keep the golf course out or more homes will be built in its place. He also noted the developer won't allow six-foot privacy fences throughout the development, which isolates neighbors. Mr. Abbott urged approval by Council.

Linda Afman, 388 Hidden Valley Court, endorsed this project as it sets high standards for the balance of the Ridges. The petitioner placed doorhangers announcing a neighborhood meeting on October 7, 1998, from 4:30 to 7:00 p.m., and approximately 250 people attended. They received favorable comments. She felt it is an exciting project.

Lee Stegan, 410 Country Club Park, asked Council to postpone a decision on this development in order to allow City residents more time to consider the issues connected with the proposal. He only learned of this proposal in last Friday's Daily Sentinel and other local media. He was against it because he felt it will greatly increase traffic flow into and out of the Ridges onto Broadway, also on Monument Road. Another golf course is not needed with increased water consumption in an already arid climate. He objected to the use of pesticides and herbicides on the natural desert ecosystem. Just because the proposed development of this property is not taking up any farm land does not mean it's where growth needs to take place. This property is one of the last natural desert areas within the City limits. Once it is developed, it will be changed and lost forever. This is the only place inside the City limits where one can walk at night and see the night sky. He felt the City should buy this open space. If the City can have a high maintenance sports park such as Canyon View, they can do this. If the developer can't run the golf course once it's built, he asked if the City will have to take it over.

There were no other public comments.



Mr. Austin said they are proposing .3 mile of single track trails plus over two miles of the detached paved trail throughout this development. They are making that commitment.

The hearing was closed at 11:35 p.m.

Mayor Terry asked the City Attorney what should be required of the developers to ensure the developments will be completed. City Attorney Wilson said the City has not historically done so. In the past the City has taken the position that it is a market issue. Until they are final platted there is no vesting, and therefore, no public risk. Security is required for the infrastructure at the platting level. If a golf course is platted and there's no public monies involved, a security would not be required.

Councilmember Sutherland said a lot of folks think this private land is theirs and should be left open for hikers, bikers and any other trespassers. If people want to preserve the land they should find the money to buy it. Relative to the City purchase, the Parks Board has looked at that. The City has a huge amount of BLM land around its borders and will likely have that for many years. The developer has done a good job honoring desires for unimproved tracts. He recommended directing Staff that they ensure the undisturbed areas remain unscarred. There will also be more opportunities for public comment in the future. He felt this outline development plan is worth approving.

Upon motion by Councilmember Payne, seconded by Councilmember Sutherland and carried by roll call vote, Resolution No. 80-98, including the thirteen conditions as amended by Kathy Portner, was adopted.

Mayor Terry asked if the Council wants to continue with the balance of the items on the agenda, or reconvene at a later time. Council wished to complete the balance of the agenda items.

**PUBLIC HEARING – CREATING AND ESTABLISHING ALLEY IMPROVEMENT DISTRICT NO. ST-99, PHASE A - RESOLUTION NO. 81-98 CREATING AND ESTABLISHING ALLEY IMPROVEMENT DISTRICT NO. ST-99, PHASE A, WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, AUTHORIZING THE RECONSTRUCTION OF CERTAIN ALLEYS, ADOPTING DETAILS, PLANS AND SPECIFICATIONS FOR THE PAVING THEREON AND PROVIDING FOR THE PAYMENT THEREOF**

Petitions have been submitted requesting a Local Improvement District to reconstruct the following alleys:

East/West Alley from 17<sup>th</sup> to 19<sup>th</sup> Streets between Grand and White Avenues

East/West Alley from 13<sup>th</sup> to 15<sup>th</sup> Streets between Walnut and Cedar Avenues

Rick Marcus, Engineering Technician, reviewed this item. The total estimated cost for the improvement district is \$114,950 which includes engineering, project administration, construction and inspection.

Councilmember Sutherland asked when this project will it go out to bid. Mr. Marcus said as soon as it is approved, it will be designed and bid to try to get the season's low bids.

Upon motion by Councilmember Sutherland, seconded by Councilmember Scott and carried by roll call vote, Resolution No. 81-98 was adopted.

**PUBLIC HEARING - SUPPLEMENTAL APPROPRIATIONS TO THE 1998 BUDGET - ORDINANCE NO. 3083 MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 1998 BUDGET OF THE CITY OF GRAND JUNCTION**

The requests are to appropriate additional amounts for several accounting funds as specified in the ordinance. The requested changes are the product of budget revisions and to establish reserves for certain funds where revenue and expenditures may exceed budget projections due to increased economic activity.

**AND**

**PUBLIC HEARING - ANNUAL APPROPRIATIONS FOR 1999 - ORDINANCE NO. 3084 - AN ANNUAL APPROPRIATION ORDINANCE APPROPRIATING CERTAIN SUMS OF MONEY TO DEFRAY THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF GRAND JUNCTION, COLORADO, THE RIDGES METROPOLITAN DISTRICT, AND THE GRAND JUNCTION WEST WATER AND SANITATION DISTRICT, FOR THE YEAR BEGINNING JANUARY 1, 1999, AND ENDING DECEMBER 31, 1999**

The appropriations requests are the result of the budget preparation and reviews of last year with changes as presented and reviewed by City management and the City Council.

City Attorney Wilson said this item and the next could be combined. A hearing was held on the above proposed ordinances after proper notice. The hearing was opened at 11:46 p.m.

Ron Lappi, Administrative Services Director, was present to answer questions.

Councilmember Sutherland asked about the City Manager's salary. Mr. Lappi said the salary was filled in for publication purposes as the same as last year's salary due to the

fact that the City's pay plan has not been adopted. The salary would be changed at a later date along with any other employee and staff salaries.

There were no public comments. The hearing was closed at 11:49 p.m.

Upon motion by Councilmember Scott, seconded by Councilmember Sutherland and carried by roll call vote, Ordinance No. 3083 and Ordinance No. 3084 were adopted on second reading and ordered published.

**ADJOURNMENT**

Mayor Terry adjourned the meeting at 11:50 p.m.

Stephanie Nye, CMC/AE  
City Clerk