

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

August 4, 1999

The City Council of the City of Grand Junction, Colorado, convened into regular session the 4th day of August, 1999, at 7:30 p.m. at Two Rivers Convention Center. Those present were Earl Payne, Jack Scott, Jim Spehar, Janet Terry and President of the Council Gene Kinsey. Cindy Enos-Martinez and Reford Theobald were absent. Also present were Assistant City Manager David Varley, City Attorney Dan Wilson, and City Clerk Stephanie Nye.

Council President Kinsey called the meeting to order and Councilmember Payne led in the Pledge of Allegiance. The audience remained standing during the invocation by Rev. Eldon Coffey, Living Hope Evangelical Free Church.

COLORADO RECYCLER OF THE YEAR AWARDED TO THE CITY OF GRAND JUNCTION

Sandi Sturm presented the award to the City Council.

APPOINTMENTS TO THE RIVERFRONT COMMISSION

Upon motion by Councilmember Spehar, seconded by Councilmember Payne and carried, Pat Kennedy, Paul Jones and Bill Findlay were reappointed to three-year terms on the Riverfront Commission.

APPOINTMENTS TO THE DOWNTOWN DEVELOPMENT AUTHORITY

Upon motion by Councilmember Scott, seconded by Councilmember Payne and carried, Bruce Hill and Doug Simons were appointed to four-year terms on the Downtown Development Authority.

CONSENT ITEMS

Upon motion by Councilmember Payne, seconded by Councilmember Terry and carried by roll call vote, the following Consent Calendar items #1 through 15 were approved:

1. **Minutes of Previous Meetings**

Meeting July 7, 1999, the Special Meeting July 12, 1999 and the Regular Meeting July 21, 1999

2. **4-Wheel Drive Loader for Streets Department**

The following bids were received for a rubber-tired 4-wheel drive Loader for the Streets Department:

Honnen Equipment Co. (John Deere)	Grand Junction	\$102,994.00
Century Equipment Co. (Case)	Clifton	\$103,600.00
Power Motive Corp. (Komatsu)	Grand Junction	\$108,573.00

Action: Award Contract for 4-Wheel Drive Loader for Streets Department to Honnen Equipment Co. in the Amount of \$102,994.00

3. **FAA Grant and Co-Sponsorship Agreement for Navigational Aid**

The Federal Aviation Administration has offered a grant in the amount of \$89,300 toward the installation and commissioning of a Localizing Directional Aid at Walker Field Airport. This LDA is an additional flight navigational aid for use by aircraft operating into and out of Walker Field. It replaces the Fruita VOR which was decommissioned and removed by the FAA in May of this year. The Airport Authority has applied for and received a grant from the Colorado Aeronautical Board in the amount of \$60,000 for this project which is expected to be in place and operational by November 1, 1999.

The Supplemental Co-Sponsorship Agreement is required by the FAA to administer AIP grants to Walker Field in large part due to the City's land use and zoning authority.

Action: Approve the FAA Grant and Co-Sponsorship Agreement for Navigational Aid

4. **Change Order #1 to the Contract for Street Pavement Overlays 1999**

This Change Order would authorize eight (8) additional streets be added to the current Street Pavement Overlay Contract with Elam Construction, Inc.

Action: Approve Change Order #1 to the Construction Contract for Street Pavement Overlays 1999 to Elam Construction, Inc. in the Amount of \$84,410 for Eight Additional Streets

5. **1999 Curb, Gutter and Sidewalk Replacement**

The following bids were received on July 27, 1999:

Precision Paving	Grand Junction	\$126,544.73
Reyes Construction	Grand Junction	\$142,050.22
G and G Paving	Grand Junction	\$143,960.00
Engineer's Estimate		\$127,664.90

Action: Award Contract for 1999 Curb, Gutter and Sidewalk Replacement to Precision Paving and Construction in the Amount of \$126,544.73

6. **Downtown Parking Structure Analysis**

Three firms submitted bids for a Downtown Parking Structure Analysis for the City and the Downtown Development Authority. The scope of professional services is to include a conceptual design of a viable parking structure. The downtown area currently has no parking structures and relies on public and private surface parking to meet the needs of downtown merchants and businesses. DDA has agreed to pay for ½ of the study.

Action: Award Contract for Downtown Parking Lot Analysis to Walker Parking Consultants, Denver, (with Dillon-Hunt Architecture, Grand Junction) in the Amount of \$34,500 and Approve a Contingency Transfer for \$17,250

7. **Design Contract for 25 Road Construction, from Highway 6 & 50 to Patterson Road**

Three consulting engineering firms were interviewed on July 16, 1999 to perform engineering services for the 25 Road improvement project. Rolland Engineering was selected as the best qualified firm for the project.

Action: Award Design Contract for 25 Road Reconstruction, from Highway 6 & 50 to Patterson Road, to Rolland Engineering in the Amount of \$72,210.00

8. **Amendment to the Cross Connection Control Program**

City Resolution No. 92-94 established a cross connection control program for the City of Grand Junction water service area with the County Building Department being responsible for reviewing plans and inspecting installation of back flow prevention devices. In 1998 a process was developed where the City Water Services Division took over these tasks.

Resolution No. 89-99 – A Resolution of the City of Grand Junction, Colorado, Establishing a Cross-Connection Control Program and Policies to Require

Adequate Backflow Prevention Pursuant to 1) Sections 25-1-107, 25-1-108, 25-1-109 and 25-1-114, C.R.S., as Amended and 2) Colorado Primary Drinking Water Regulations, Article 14 Hazardous Cross Connections

Action: Adopt Resolution No. 89-99

9. **Contract for Consulting Services for 24 Road Corridor Study**

The City advertised for and received proposals for consulting services for a land use study of the 24 Road Corridor. A panel of City and County staffs and the Mayor selected BRW and their team of consultants. Staff is currently negotiating a final scope of services and fee, but in no case will the fee exceed \$80,000. Staff would like to begin the study as soon as possible and is requesting the Council authorize the City Manager to conclude negotiations and execute a final contract not to exceed \$80,000.

Action: Authorize the City Manager to Negotiate and Execute a Contract for Consulting Services for the 24 Road Corridor Study with BRW in an Amount Not to Exceed \$80,000

10. **Vacating an Easement at 634 E. Pagosa Drive** [File #VE-1999-151]

Planning Commission approved the request to vacate a portion of a utility easement along the south property line of Lot 1, Block 3, Filing #3 of Grand View Subdivision at its July 20, 1999 meeting. Formal adoption of the resolution vacating the easement is requested.

Resolution No. 90-99 – A Resolution Vacating a Utility Easement at 634 E. Pagosa Drive

Action: Adopt Resolution No. 90-99

11. **Setting a Hearing on Zoning Sharp Annexation RSF-4, Located at 410/412 30 Road** [File #ANX-1999-134]

The 1.26-acre Sharp Annexation consists of one parcel of land located at 410 and 412 30 Road. At the July 13, 1999 Planning Commission meeting the Planning Commission granted approval for a minor subdivision and recommended to Council the zoning district of RSF-4 for this property.

Proposed Ordinance Zoning Sharp Annexation RSF-4

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for August 18, 1999

12. **Setting a Hearing on Zoning Hall Annexation RSF-4, Located on the West Side of Round Table Road, North of F Road** [File #ANX-1999-139]

The applicant requests to annex a 20.79-acre parcel into the City and rezone it to RSF-4. The proposed zoning is in conformance with the Growth Plan Future Land Use designation of Residential Medium Low Density (2-4 du/ac) and comparable in density to a portion of the current County R-2 zoning of the parcel; the remainder of the parcel is zoned AFT (Agriculture, Forest Transition). The Planning Commission recommended approval of this request at its July 13, 1999 hearing.

Proposed Ordinance Zoning Hall Annexations Nos. 1, 2 and 3 Located on the West Side of Round Table Road, North of F Road, to RSF-4

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for August 18, 1999

13. **Setting a Hearing on Zoning the Fruitvale Texaco Annexation PB** [File #ANX-1999-141]

The 6.4-acre Fruitvale Texaco Annexation consists of two parcels of land and a portion of the 30 Road right-of-way. The petitioner is requesting a Growth Plan Amendment and a zone of annexation of PB (Planned Business) for the already developed Texaco convenience store on the corner, as well as the undeveloped parcel west of the Texaco. A Preliminary Plan for a car wash and laundromat was proposed and approved by the Planning Commission for the undeveloped parcel. The requested Growth Plan Amendment will be heard on August 18, 1999.

Proposed Ordinance Zoning Fruitvale Texaco Annexation PB

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for August 18, 1999

14. **Meadowlark Planned Development Growth Plan Amendment** [File #RZP-1998-182]

The City Council approved a request to amend the Future Land Use Map of the Growth Plan from Residential Low Density (.5 to 1.9 units per acre) land use designation to a Commercial designation for five parcels located on the southeast

corner of Highway 340 and Redlands Parkway to be known as the Meadowlark Planned Development at its July 7, 1999 meeting. Formal adoption of the resolution amending the Growth Plan is requested.

Resolution No. 91-99 A Resolution Amending the Growth Plan of the City of Grand Junction

Action: Adopt Resolution No. 91-99

15. **Funding for the Joint Utilization Commission**

The Joint Utilization Commission has submitted an application to the Department of Energy for \$280,000 in funding. This grant requires participation of local governments. Therefore, they are requesting financial support from the City of Grand Junction in the amount of \$15,000 to help fund the commission activities for the next year.

Action: Approve Funding for the Joint Utilization Commission in the Amount of \$15,000 from the Economic Development Fund

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

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

CHANGE ORDER TO THE 1999 CONTRACT FOR STREET PAVEMENT OVERLAYS FOR CONSTRUCTION OF PEDESTRIAN/BIKE PATHS ON SOUTH BROADWAY

This Change Order would authorize the construction of an 8' wide asphalt path on the south and/or north sides of South Broadway in the vicinity of South Camp Road.

Public Works & Utilities Director Mark Relph explained the Council's options on constructing a pathway along South Broadway and the funding considerations. He advised the differences between running the pathway on the south side of the road (approximately \$100,000) versus using the north side (\$70,000). There are embankment problems on the south side. The north side is what Staff recommends. The extension would run from South Camp Road to almost Wildwood, to the end of the city limits.

Councilmember Spehar noted that the existing path is detached and asked why this one won't be detached. Mr. Relph said it is due to the expense (purchase of right-of-way, etc.). Councilmember Payne felt the north side would be a logical location.

Upon motion by Councilmember Scott, seconded by Councilmember Payne and carried, the change order to the 1999 contract with Elam Construction for Street Pavement Overlays for construction of pedestrian/bike paths on the north side of S. Broadway was approved in the amount of \$70,000, and a contingency transfer was approved.

PUBLIC HEARING - VACATING A RIGHT-OF-WAY AT 377 S. REDLANDS ROAD

[FILE #VR-1999-150]

The petitioner is requesting the vacation of a 13' x 22' portion of the right-of-way adjacent to 377 S. Redlands Road. This vacation will straighten the right-of-way line adjacent to this lot and allow the existing home location to meet the front yard setback. The right-of-way will be retained as a utility easement.

The hearing was opened at 7:41 p.m.

Brian Cole, 377 S. Redlands Road, was present. He explained why the problem came up and the reason for the request. They had received all approvals from the Building Department and Community Development, and were then told by the Planning Department that a mistake had been made. The property has a telephone pole and other utilities in it. It will remain a utility easement. The vacation is Staff's method of making the correction.

Mike Pelletier, Community Development Department, showed a site plan and explained the request. The vacation is required for the house to meet the 20' setback. It is currently 7.6' from the right-of-way. All of the utility companies have agreed to the vacation. The request meets the criteria of Section 8-3 of the Zoning & Development Code. The Planning Commission and Staff recommend approval.

Mayor Kinsey asked who made the mistake. Mr. Pelletier explained that the original planning clearance was issued but the Building Department sent the applicant back to the City regarding the setback, and the Planning Department noticed the error. No additional fees were charged to the applicant. City Attorney Wilson said the setback line was drawn straight north instead of on a diagonal as the right-of-way jogs.

Councilmember Spehar asked if vacating the right-of-way would comprise the ability to improve S. Redlands Road. Mr. Pelletier said the Engineering Department felt the additional right-of-way is not needed. There is enough there for typical improvements.

There were no public comments. The hearing was closed at 7:47 p.m.

Ordinance No. 3164 – An Ordinance Vacating a Right-of-Way at 377 S. Redlands Road

Upon motion by Councilmember Scott, seconded by Councilmember Terry and carried by roll call vote, Ordinance No. 3164 was adopted on second reading and ordered published.

PUBLIC HEARING - WORLD HARVEST CHURCH ANNEXATION LOCATED AT THE NORTHEAST CORNER OF 28 ¼ ROAD AND F ROAD [FILE #ANX-1999-147]

The 17.26-acre World Harvest Church Annexation area consists of one parcel of land. Owners of the property have signed a petition for annexation in anticipation of their future plans to build a church on the site.

The hearing was opened at 7:48 p.m.

Rick Maxville, Pastoral Assistant, World Harvest Church, spoke representing the church. The petition was submitted in anticipation of future development.

Kathy Portner, Community Development Department, reviewed this item. The owners plan to build a church on the site in the future. The request meets the statutory requirements and is eligible for annexation. Staff recommended approval.

There were no public comments. The hearing was closed at 7:50 p.m.

a. Resolution Accepting Petition

Resolution No. 92-99 – A Resolution Accepting Petitions for Annexation, Making Certain Findings, Determining that Property Known as World Harvest Church Annexation Located at the Northeast Corner of 28 ¼ Road and F Road is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3168 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, World Harvest Church Annexation, Approximately 17.26 Acres, Located at the Northeast Corner of 28 ¼ Road and F Road

Upon motion by Councilmember Payne, seconded by Councilmember Terry and carried by roll call vote, Resolution No. 92-99 was adopted, and Ordinance No. 3168 was adopted on second reading and ordered published.

PUBLIC HEARING ON GROWTH PLAN AMENDMENT AND ZONING FOR WORLD HARVEST CHURCH ANNEXATION LOCATED AT 2826 F ROAD

[FILE #ANX-1999-147]

Request for approval to zone the 17.26-acre World Harvest Church Annexation site to RSF-8 (Residential Single Family, 8 units per acre) and amend the Growth Plan to the Residential Medium-High land use category (8 to 12 units per acre).

The hearing was opened at 7:50 p.m.

Rick Maxville was present.

Councilmember Terry said the report said the entire 17 acres will not be used for the church. Mr. Maxville said there will be quite a bit of open space, possibly ballfields. They are anticipating a building that would seat 500 along with church offices, a youth center, required parking, etc., nothing out of the ordinary.

Councilmember Payne asked for an estimate of how many acres will be used for the church site. Mr. Maxville said this is just the first phase. A separate sanctuary is possible. It depends on the growth of the church.

Kathy Portner, Community Development Department, reviewed this item. She noted the two items before Council, amending the Growth Plan to the residential medium high land use category (8-12 units/acre) and zoning the property RSF-8 (residential single family 8 units/acre) which would allow a church facility under the current and proposed Code.

She showed Council the surrounding zoning. The City-owned Matchett Park surrounds the property and is zoned PZ (Public Zone). This property was designated as institutional on the Future Land Use Map portion of the Growth Plan, merely indicating it was owned by a church. It should have been based on the most appropriate land use rather than ownership, therefore, the Planning Commission recommended amending the Future Land Use Map to reflect what it should have been. The County zoning was R-2 (residential 4 units per acre). The proposed zone of RSF-8 meets the requirements of Sections 4-4-4 and 4-11 of the Zoning & Development Code as follows:

1. The surrounding areas planned to develop at similar or higher densities,
2. There is a community need for this type of density and it provides a good opportunity for infill,
3. The proposed zoning is compatible with the surrounding area,
4. The proposed zoning would take advantage of existing utilities and proximity of Matchett Park to continue infill development in the area,
5. The proposed zone is in conformance with the Growth Plan,

6. Adequate public facilities exist or are available.
7. The property is within the urban growth boundary as identified by the Growth Plan.

Planning Staff and Planning Commission recommend approval of the Growth Plan designation of residential medium high density and the RSF-8 zoning.

Councilmember Spehar asked if the property were to be subdivided, would the church have to go back through the process. Ms. Portner said yes.

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

a. Growth Plan Amendment

b. Zoning Ordinance

Ordinance No. 3169 – An Ordinance Zoning World Harvest Church Annexation to RSF-8

Upon motion by Councilmember Terry, seconded by Councilmember Scott and carried by roll call vote, the Growth Plan Amendment was approved and Ordinance No. 3169 was adopted on second reading and ordered published.

PUBLIC HEARING - REZONING AND WAIVER OF PUBLIC STREET STANDARDS FOR CAMELOT GARDENS, LOCATED AT 2844 KENNEDY AVENUE, FROM RSF-8 TO PR-6.9 [FILE #RZP-1999-138]

The applicant proposes to rezone a 1.611 acre parcel located directly east of Compton Street at a point where Kennedy Avenue ends, from RSF-8 to PR 6.9 (Planned Residential with a density not to exceed 6.9 dwellings per acre) to accommodate an 11 lot single family residential development. The applicant is also requesting approval of a private street (Garden Court) that will run north from Kennedy Avenue.

The hearing was opened at 7:56 p.m.

Phil Hart, president of LanDesign, 259 Grand Avenue, represented the petitioner. He explained that Camelot Gardens is an infill project and displayed the site plan. He discussed the surrounding zoning and uses. They are asking for a zone change from RSF-8 to PR 6.9 and for a waiver of the public street standards. They will be back for final plan approval.

Councilmember Spehar asked for clarification on the waiver of street standards request. Mr. Hart said the streets will be narrower, with sidewalk only on one side.

Councilmember Scott asked how much narrower. Mr. Hart said the street width would be 20' versus 28' for a standard street section.

Councilmember Spehar asked for the reason for the street waiver request. Mr. Hart said they want to make it a private street which is slightly narrower. In order to get the desired density and the proper setbacks, the waiver is necessary. It is also a short road. Councilmember Payne asked how short. Mr. Hart said the street length is approximately 150'.

City Attorney Wilson asked if this configuration is the fire loop lane that was recently adopted. Ms. Portner said it is an example of that.

Kathy Portner, Community Development Department, reviewed the request and the two items before Council. The density request is within the range for this property. The infill project is justification for the street standards request. The rezone request meets the criteria of Section 4-4-4 of the Zoning & Development Code.

Councilmember Payne asked if there is curb and gutter planned on the private street. Ms. Portner said there is a walk on one side of the private street. Drainage will be accommodated within that section.

There were no public comments. The hearing was closed at 8:06 p.m.

a. Zoning Ordinance

Ordinance No. 3170 – An Ordinance Zoning a Parcel of Land Located at 2844 Kennedy Avenue to PR-6.9

b. Waiver of Public Street Standards

Upon motion by Councilmember Terry, seconded by Councilmember Payne and carried by roll call vote, Ordinance No. 3170 was adopted on second reading and ordered published, and the waiver of Public Street Standards in Camelot Gardens was approved.

ADJOURNMENT

The meeting was adjourned at 8:05 p.m.

Stephanie Nye, CMC/AAE
City Clerk

