

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

July 5, 2000

The City Council of the City of Grand Junction, Colorado, convened into regular session the 5th day of July, 2000, at 7:33 p.m. at Two Rivers Convention Center. Those present were Earl Payne, Jack Scott, Jim Spehar, Reford Theobold and President of the Council Gene Kinsey. Cindy Enos-Martinez and Janet Terry were absent. Also present were City Manager Mark Achen, City Attorney Dan Wilson, and City Clerk Stephanie Nye.

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

RESOLUTION NO. 65-00 - A RESOLUTION DESIGNATING A CERTAIN TRAIL ON THE GRAND MESA AS "MARK'S TRAIL"

Mayor Kinsey read the resolution.

Upon motion by Mayor Kinsey, seconded by Councilmember Spehar and carried by a unanimous voice vote, Resolution No. 65-00 was adopted.

City Manager Achen expressed his feelings on his service and thanked the Council for this gesture.

PROCLAMATION DECLARING JULY 5, 2000 AS "GET MOO-VING WITH MILK DAY" IN THE CITY OF GRAND JUNCTION

PROCLAMATION DECLARING JULY 26, 2000 AS "CELEBRATE THE AMERICANS WITH DISABILITIES ACT DAY" IN THE CITY OF GRAND JUNCTION

PRESENTATION OF CERTIFICATES TO NEWLY APPOINTED COMMISSION ON ARTS AND CULTURE MEMBERS

Pamela Blythe and LeRoy Donegan were present to receive their Certificates of Appointment.

CONSENT ITEMS

Upon motion by Councilmember Payne, seconded by Councilmember Scott and carried by roll call vote, the following Consent Calendar items # 1 through #15 were approved with Councilmember **THEOBOLD** voting **NO** on Item #12:

1. **Minutes of Previous Meeting**

Action: Approve the Minutes of the Regular Meeting June 21, 2000

2. **FAA Grant Agreement and Supplemental Co-Sponsorship for Rehabilitation of East Air Carrier Apron**

The Walker Field Airport Authority has applied for an FAA Airport Improvement Program Grant, AIP-20, to help fund improvements to the airfield in 2000. This is an AIP grant with FAA picking up \$622,000 of the total project cost. The State of Colorado is picking up \$75,000 and the Airport Authority is picking up \$69,000 through Authority Funds. No additional funding is being asked for from either the City of Grand Junction or the County of Mesa for this project. This Grant Agreement is the final step in securing Federal funds.

Action: Approve the Grant Agreement and Supplemental Co-Sponsorship Agreement for AIP-20 with the Federal Aviation Administration

3. **FAA Grant Agreement and Supplemental Co-Sponsorship for Airport Layout Plan Update**

The Walker Field Airport Authority has applied for an FAA Airport Improvement Program Grant, AIP-21, to help fund the update of the Airport Layout Plan in 2000. This is an AIP grant with FAA picking up \$106,833 of the total project cost and the Airport Authority is picking up the remainder of \$11,870, using Authority Funds. No additional funding is being asked for from either the City of Grand Junction or the County of Mesa for this project. This Grant Agreement is the final step in securing Federal funds.

Action: Approve the Grant Agreement and Supplemental Co-Sponsorship Agreement for AIP-21 with the Federal Aviation Administration

4. **Visitor and Convention Bureau Special Events Funding**

Four applications for Special Events funding were received by the June 6 deadline. The VCB Board recommends funding the following events:

Grand Junction Air Show	\$8,500
Fruita Fall Festival	\$3,500 maximum
(VCB will match City of Fruita contributions up to \$3,500)	

Action: Approve the Recommended VCB Special Events Funding to a Maximum of \$12,000

5. **Amending the Signatories on the City's Bank Accounts**

Due to the retirement of City Manager Mark Achen, the authorized signatories on the Alpine Bank accounts needs to be revised. Approval of the resolution will authorize a change removing Mark Achen and adding David Varley as a signatory on the Payroll and Accounts Payable clearing accounts.

Resolution No. 66-00 - A Resolution Amending Resolution No. 2-99, Passed and Adopted by City Council on January 6, 1999 that Modified Section (d) of Resolution No. 69-98 Relative to Authorized Signatures

Action: Adopt Resolution No.66-00

6. **Columbine Park Parking Lot Renovation Project**

The work includes adding new concrete barrier curbing, installation of new walks, installation of an asphalt overlayment in the existing parking lot, installation of new parking lot lighting, irrigation, and shrub/tree plantings.

The following bids were received:

M.A. Concrete Construction, Inc.	\$144,016.88
G & G Paving, Inc.	\$173,519.04
Elam Construction, Inc.	\$178,136.80
Precision Paving and Construction, Inc.	\$198,739.34

Action: Award Contract for Columbine Park Parking Lot Renovation Project, to M.A. Concrete Construction, Inc. in the Amount of \$144,016.88

7. **Sole Source Procurement of Pavement Management Data Collection**

Staff is requesting authorization for the City Manager to sign a contract between the City and Stantec Consulting Ltd./Inc. to provide professional services to the Public Works Department for field testing/data collection, sectional database update, verification, project management, editing the condition data and calculation of the present status of the street network. The amount of the contract is not to exceed \$39,500.

Action: Authorize the City Manager to Sign the Contract with Stantec Consulting LTD./Inc. in an Amount Not to Exceed \$39,500

8. **FY2001 Unified Planning Work Program (UPWP) for the Grand Junction/
Mesa County Metropolitan Planning Organization**

The Metropolitan Planning Organization (MPO) seeks approval of the FY 2001 Unified Planning Work Program (UPWP) to continue transportation planning activities on behalf of the City and the County under the previously approved multi-year contract (Nov. 14, 1996) with the Colorado Dept. of Transportation (CDOT). A local match of \$11,423 is required.

Resolution No. 67-00 - A Joint Resolution of the County of Mesa and the City of Grand Junction Concerning Adoption of the Fiscal Year 2001 Unified Planning Work Program

Action: Adopt Resolution No. 67-00

9. **Amendments to the Grand Junction/Mesa County Metropolitan Planning Organization FY 2000 Transportation Improvement Plan (TIP)**

Staff from the City of Grand Junction, Mesa County and CDOT Region 3 have been consulted and concur with all the proposed amendments. All local funding changes have been made under separate budgets in City & County Public Works, as well as in CDOT Region 3's Engineering budget. Authority is granted to the MPO for TIP amendments under Section F, paragraphs 2a, 2b and 2c of the Grand Junction Urbanized Area Memorandum of Agreement dated July 2, 1984.

Resolution No. 68-00 - A Joint Resolution of the County of Mesa and the City of Grand Junction Concerning Adoption of Administrative Amendments to the Fiscal Year 2000 Transportation Improvement Program

Action: Adopt Resolution No. 68-00

10. **Setting a Hearing on Assessments for Sanitary Sewer Improvement District No. SS-43-99** **Attach 11**

Sanitary sewer facilities have been installed as petitioned by and for the special benefit of seven properties located in the vicinity of Marsh Lane and North 12th Street. The proposed ordinance would levy assessments in the amount of \$11,883.97 upon each of the seven benefiting parcels. A public hearing and

second reading of the proposed ordinance will be conducted by the City Council on August 2, 2000.

Proposed Ordinance Approving the Assessable Cost of the Improvements Made in and for Sanitary Sewer Improvement District No. SS-43-99, in the City of Grand Junction, Colorado, Pursuant to Ordinance No. 178, Adopted and Approved the 11th day of June, 1910, as Amended; Approving the Apportionment of Said Cost to Each Lot or Tract of Land or Other Real Estate in Said District; Assessing the Share of Said Cost against Each Lot or Tract of Land or Other Real Estate in Said District; Approving the Apportionment of Said Cost and Prescribing the Manner for the Collection and Payment of Said Assessment

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for August 2, 2000

10. **25 1/2 Road and Eisenhower Street Connection**

The following bids were received June 19, 2000:

<u>Contractor</u>	<u>From</u>	<u>Bid Amount</u>
G&G Paving	Grand Junction	\$62,778.00
Bogue Construction	Fruita	\$63,164.80
Martinez Western	Rifle	\$63,437.88
Elam Construction	Grand Junction	\$66,948.30
Skyline Contracting	Grand Junction	\$68,228.25
M.A. Concrete Construction	Grand Junction	\$68,557.50
United Companies	Grand Junction	\$72,385.80
Vista Paving	Grand Junction	\$92,109.62
Engineer's Estimate		\$67,641.75

Action: Award Contract for 25½ Road and Eisenhaur Street Connection to G&G Paving in the Amount of \$62,778

11. **Sale of Land to the Grand Junction Housing Authority**

The Housing Authority has submitted a contract offering to purchase the subject property for the sum of \$25,000. The property consists of 8 city lots (approximately 25,000 square feet of vacant land) on the north side of Pitkin Avenue between 10th Street and 11th Street.

Resolution No. 69-00 – A Resolution Authorizing the Acceptance of an Offer to

Sell to the Grand Junction Housing Authority Lots 19 through 26, Block 134 of The City of Grand Junction

Action: Adopt Resolution No. 69-00

13. **Setting a Hearing on Rezoning the Scariano/Williams Property Located Between 428 Ridgewood Lane and Monument Little League Ball Fields from RMF-12 to CSR** [File #RZ-2000-094]

The City of Grand Junction, representing the owner, proposes to rezone a 1.86-acre parcel from RMF-12 to CSR (Community Services & Recreation). The parcel is located between 428 Ridgewood Lane to the east and Monument Little League ball fields to the west. The CSR zone district is proposed because the parcel is landlocked and serves as a buffer between the two uses. At its June 13, 2000 hearing the Planning Commission recommended approval of this rezone request.

Proposed Ordinance Zoning a Landlocked Parcel from RMF-12 to CSR, Located West of 428 Ridgewood Lane

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for July 19, 2000

14. **Notice of Intent to Annex G Road North Enclave Located North of G Road between 25 1/2 Road and 26 1/2 Road** [File #ANX-2000-114]

The 274-acre G Road North Enclave Annexation area consists of 73 parcels of land completely surrounded by existing Grand Junction city limits. State law allows a municipality to annex enclave areas after they have been enclaved for a period of three years. The 1998 Persigo Agreement with Mesa County requires the City to annex enclave areas within 5 years.

Resolution No. 70-00 – A Resolution of the City of Grand Junction Giving Notice That a Tract of Land Known as the G Road North Enclave, Located Generally between 25½ Road and 26½ Road and North of G Road and South of H Road, but Including One Property North of H Road, and Including but Not Limited to All or a Portion of the Following Rights-of-Way: 25½ Road, 26 Road, G Road, 26½ Road, G½ Road, Elvira Drive, Partridge Court, Kelly Drive, Clarkdell Court, Cottonwood Drive, Lujan Circle and Interstate-70, Consisting of approximately 274 Acres, will be Considered for Annexation to the City of Grand Junction, Colorado, and Exercising Land Use Control

Action: Adopt Resolution No. 70-00

15. **Notice of Intent to Annex Chamblee/Boydston Enclave Located at 714 and 720 24 1/2 Road** [File #ANX-2000-115]

The 9.60-acre Chamblee/Boydston Enclave Annexation area consists of two parcels of land completely surrounded by existing Grand Junction city limits. State law allows a municipality to annex enclave areas after they have been enclaved for a period of three years. The 1998 Persigo Agreement with Mesa County requires the City to annex enclave areas within 5 years.

Resolution No. 71-00 – A Resolution of the City of Grand Junction Giving Notice That a Tract of Land Known as the Chamblee/Boydston Enclave, Located at 714 and 720 24½ Road, Consisting of Approximately 9.60 Acres, will be Considered for Annexation to the City of Grand Junction, Colorado, and Exercising Land Use Control

Action: Adopt Resolution No. 71-00

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

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

PUBLIC HEARING - ANNEXING THE G ROAD SOUTH ENCLAVE, LOCATED BETWEEN 25 1/2 ROAD AND 26 1/2 ROAD BETWEEN G ROAD AND F ROAD, WITH A PORTION EXTENDING EAST OF 26 1/2 ROAD NEAR ROUND HILL DRIVE AND HORIZON DRIVE [FILE #ANX-2000-087]

The 383.71-acre G Road South Enclave Annexation area consists of 221 parcels of land completely surrounded by existing Grand Junction city limits. State law allows a municipality to annex enclave areas after they have been enclaved for a period of three years. The 1998 Persigo Agreement with Mesa County requires the City to annex enclave areas within 5 years.

The public hearing opened at 7:49 p.m.

Dave Thornton, Principal Planner with the Community Development Department, reviewed this item. He spoke of the various meetings that have been held with the residents and how the enclave was formed with the Pomona Park Annexation.

James Bates, 626 Fletcher Lane, stated the map of the enclave is in error. The Planning Commission was advised of the error and it was not corrected. He said the city limit line is incorrect.

Councilmember Theobold said the enclave is much bigger than what is shown on the map.

Mr. Bates said the map is wrong so this enclave item should be taken off the agenda. The enclave is larger than shown. According to the law an enclave is surrounded entirely by city property. In this case that is not true. Part of the boundary is county. He disagreed with the interpretation of the City Attorney.

Councilmember Theobold explained the enclave is much larger than indicated on the map. The city boundary that is intermittent along G Road is not material to the boundary of this particular enclave.

Councilmember Spehar suggested getting all citizen comment first, and then Staff will be asked to respond to Mr. Bates' concerns.

Mr. Bates said the area must be an enclave for three years, and must be annexed within five years per the Persigo Agreement. He quoted from the Daily Sentinel in November, 1999 where one councilmember did not believe in forced annexation and four other councilmembers agreed. He asked why Council has changed its mind.

Councilmember Enos-Martinez entered the meeting at this time (7:55 p.m.).

There were no other public comments. The public hearing closed at 7:56 p.m.

Councilmember Spehar asked Staff to respond to the G Road boundary issue and the appropriateness of the larger enclave.

City Attorney Dan Wilson said the legal authority for annexation of enclaves is the State Statute, the Annexation Act, which promotes annexation. There is no case law because this issue has not come up in litigation in Colorado. The Legislature promotes annexation around urban areas because of efficiencies of services and various other public policy stated by the Annexation Act. The Act says cities may annex areas surrounded by the city for three or more years. There is no prohibition in the Statutes, and Council may annex since no exceptions control. The G Road line is irrelevant because of the northern boundary of the city limits that included the entire Pomona area.

Mayor Kinsey said Council intends to annex the entire area but it's being done in separate pieces for ease in meeting with the neighborhoods.

City Attorney Wilson said the Persigo Agreement requires the City to annex all enclaves within five years.

Councilmember Theobald said the City is obligated by the Persigo Agreement and this Council is doing so willingly and the County wants the City to annex development that is at an urban density, and the Urban Growth boundary coincides with the 201 sewer service boundary. The City and County have determined that an urban density (lots of 2 acres or smaller) are appropriate within a municipal boundary, the City of Grand Junction. As to the perception that Council has changed its mind, the quote Mr. Bates referred to was pre-Persigo Agreement and referred to the use of sewer Powers of Attorney (POA's) to force annexation. It never meant that individuals will never be annexed against their will. Even if put to a vote, those voting no could be forced in by the majority in favor.

Councilmember Spehar said he was satisfied with the issues. Within the last ten years he has been on both sides. He felt it is appropriate to annex this area because of the density of the area. Mesa County is not equipped to serve these urban areas. He was pleased on the progress with the Persigo Agreement.

Councilmember Payne asked Mr. Bates if he read the entire agenda. The G Road North enclave is being annexed also, and will be closing the loop. He suggested Mr. Bates talk with City Attorney Wilson to help him understand the procedure.

Ordinance No. 3264 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, G Road South Enclave Annexation, Located Generally between 25½ Road and 26½ Road and North of Patterson (F) Road and South of G Road and Including a Portion of Land Extending East of 26½ Road near Round Hill Drive and Horizon Drive, and Including but Not Limited to All or a Portion of the Following Rights-of-Way: Fruitridge Drive, Meander Drive, Music Lane, Music Court, Braemar Circle, Fletcher Lane, F½ Road, Young Street, Young Court, Galley Lane, F¾ Road, 26 Road, Knoll Ridge Lane, Glen Caro Drive, Cloverdale Drive, Stepside Drive, Myrtle Lane, Dahlia Drive, Larkspur Drive, Crest Ridge Drive, G Road, 26½ Road, and Horizon Drive, Consisting of Approximately 383.71 Acres

Upon motion by Councilmember Scott, seconded by Councilmember Theobald and carried by roll call vote with Councilmember **ENOS-MARTINEZ ABSTAINING**, Ordinance No. 3264 was passed and adopted on second reading and ordered published.

PUBLIC HEARING - ZONING G ROAD SOUTH ENCLAVE ANNEXATION TO RSF-R, RSF-1 AND RSF-2, LOCATED BETWEEN 25 1/2 ROAD AND 26 1/2 ROAD BETWEEN G ROAD AND F ROAD, WITH A PORTION EXTENDING EAST OF 26 1/2 ROAD NEAR ROUND HILL DRIVE AND HORIZON DRIVE [FILE #ANX-2000-087]

The 383.71-acre G Road South Enclave Annexation area consists of 221 parcels of land completely surrounded by existing Grand Junction city limits. State law requires a City to zone newly annexed areas within 90 days of annexation. Property owners have

requested that proposed city zoning be identical with existing Mesa County zoning for their properties. Request for approval of zoning for approximately 383.71 acres from County RSF-R, RSF-1 and PUD to City RSF-R (Residential Single Family 1 unit/5 acres), RSF-1 (Residential Single Family 1 unit/acre) and RSF-2 (Residential Single Family 2 units/acre) zone districts.

The public hearing opened at 8:08 p.m.

Dave Thornton, Principal Planner, reviewed this item. He explained the proposed zoning. He gave some history of two of the properties and their planned zoning.

Councilmember Spehar said in general the zoning conforms to the previous zoning. Mr. Thornton said yes.

Councilmember Payne said outside of Meander Drive, the zone is identical to previous County zoning. Dave Thornton said the zone is as identical as possible.

There were no public comments. The public hearing closed at 8:10 p.m.

Ordinance No. 3265 – An Ordinance Zoning the G Road South Enclave Annexation RSF-R, RSF-1 and RSF-2 Located between 25½ Road and 26½ Road and between G Road and F Road

Upon motion by Councilmember Payne, seconded by Councilmember Spehar and carried by roll call vote, Ordinance No. 3265 was passed and adopted on second reading and ordered published.

PUBLIC HEARING - ANNEXING THE CLARK/WILSON ENCLAVE, LOCATED AT 2522 AND 2524 F 1/2 ROAD [FILE #ANX-2000-088]

The 4.85-acre Clark/Wilson Enclave Annexation area consists of two parcels of land completely surrounded by existing Grand Junction city limits. State law allows a municipality to annex enclave areas after they have been enclaved for a period of three years. The 1998 Persigo Agreement with Mesa County requires the City to annex enclave areas within 5 years.

The public hearing opened at 8:11 p.m.

Dave Thornton, Principal Planner, reviewed this item stating it involves two parcels. He pointed out their location.

There were no public comments. The public hearing closed at 8:13 p.m.

Ordinance No. 3266 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado – Clark/Wilson Enclave Annexation Located at 2522 and 2524 F½ Road and Including a Portion of the F½ Road Right-of-Way, Consisting of Approximately 4.85 Acres

Upon motion by Councilmember Spehar, seconded by Councilmember Scott and carried by roll call vote, Ordinance No. 3266 was passed and adopted on second reading and ordered published.

PUBLIC HEARING - ZONING THE CLARK/WILSON ENCLAVE ANNEXATION TO RSF-R, LOCATED AT 2522 AND 2524 F 1/2 ROAD [FILE #ANX-2000-088]

The 4.85-acre Clark/Wilson Enclave Annexation area consists of two parcels of land completely surrounded by existing Grand Junction city limits. State law requires the City to zone newly annexed areas within 90 days of the annexation. Property owners have requested that proposed city zoning be identical with existing Mesa County zoning for their properties.

The public hearing opened at 8:14 p.m.

Dave Thornton, Principal Planner, reviewed this item. He noted that the zoning was identical to the previous zone in the County.

There were no public comments. The public hearing closed at 8:15 p.m.

Ordinance No. 3267 - An Ordinance Zoning the Clark/Wilson Enclave Annexation to RSF-R Located at 2522 and 2524 F½ Road

Upon motion by Councilmember Scott, seconded by Councilmember Enos-Martinez and carried by roll call vote, Ordinance No. 3267 was passed and adopted on second reading and ordered published.

PUBLIC HEARING - ANNEXING THE SUTTON/RICKERD ENCLAVE, LOCATED AT 2543 G ROAD AND 689 25 1/2 ROAD [FILE #ANX-2000-089]

The 5.73-acre Sutton/Rickerd Enclave Annexation area consists of two parcels of land completely surrounded by existing Grand Junction city limits. State law allows a municipality to annex enclave areas after they have been enclaved for a period of three years. The 1998 Persigo Agreement with Mesa County requires the City to annex enclave areas within 5 years.

The public hearing opened at 8:16 p.m.

Dave Thornton, Principal Planner, reviewed this item giving the location as the southwest corner of 25 ½ Road and G Road.

There were no public comments. The public hearing closed at 8:16 p.m.

Ordinance No. 3268 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado - Sutton/Rickerd Enclave Annexation Located at 2543 G Road and 689 25½ Road and Including a Portion of the G Road and 25½ Road Rights-of-Way, Consisting of Approximately 5.73 Acres

Upon motion by Councilmember Payne, seconded by Councilmember Spehar and carried by roll call vote, Ordinance No. 3268 was passed and adopted on second reading and ordered published.

PUBLIC HEARING - ZONING SUTTON/RICKERD ENCLAVE ANNEXATION TO RSF-R, LOCATED AT 2543 G ROAD AND 689 25 ½ ROAD [FILE #ANX-2000-089]

The 5.73-acre Sutton/Rickerd Enclave Annexation area consists of two parcels of land completely surrounded by existing Grand Junction city limits. State law requires a City to zone newly annexed areas within 90 days of annexation. Property owners have requested that proposed city zoning be identical with existing Mesa County zoning for their properties. Request for approval of zoning for approximately 5.73 acres from County RSF-R to City RSF-R (Residential Single Family 1 unit/5 acres) zone district.

The public hearing opened at 8:17 p.m.

Dave Thornton, Principal Planner, reviewed this item. The proposed zoning is identical to the previous County zoning.

There were no public comments. The public hearing closed at 8:17 p.m.

Ordinance No. 3269 – An Ordinance Zoning Sutton/Rickerd Enclave Annexation RSF-R, Located at 2543 G Road and 689 25½ Road

Upon motion by Councilmember Enos-Martinez, seconded by Councilmember Payne and carried by roll call vote, Ordinance No. 3269 was passed and adopted on second reading and ordered published.

PUBLIC HEARING - ANNEXING THE P.S. SUBSTATION ENCLAVE, LOCATED AT THE SOUTHWEST CORNER OF 25 1/2 ROAD AND F 1/2 ROAD
[FILE #ANX-2000-090]

The 2.13-acre P.S. Substation Enclave Annexation area consists of one parcel of land completely surrounded by existing Grand Junction city limits. State law allows a municipality to annex enclave areas after they have been enclaved for a period of three years. The 1998 Persigo Agreement with Mesa County requires the City to annex enclave areas within 5 years.

The public hearing opened at 8:18 p.m.

Dave Thornton, Principal Planner, reviewed this item and located the Public Service Substation annexation area at the southwest corner of 25½ Road and F½ Road.

There were no public comments. The public hearing closed at 8:18 p.m.

Ordinance No. 3270 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado - P.S. Substation Enclave Annexation Located at the Southwest Corner of 25½ Road and F½ Road, Consisting of Approximately 2.13 Acres

Upon motion by Councilmember Scott, seconded by Councilmember Enos-Martinez and carried by roll call vote, Ordinance No. 3270 was passed and adopted on second reading and ordered published.

PUBLIC HEARING - ZONING THE P.S. SUBSTATION ENCLAVE ANNEXATION TO I-O, LOCATED AT THE SOUTHWEST CORNER OF 25 1/2 ROAD AND F 1/2 ROAD

[FILE #ANX-2000-090]

The 2.13-acre P.S. Substation Enclave Annexation area consists of one parcel of land completely surrounded by existing Grand Junction city limits. State law requires a City to zone newly annexed areas within 90 days of annexation. Request for approval of zoning for approximately 2.13 acres from County PI to City I-O (Industrial Office Park) zone district.

The public hearing opened at 8:19 p.m.

Dave Thornton, Principal Planner, reviewed this item. The zoning is I-O which is one of the new zoning districts under the new Zoning & Development Code. The previous County zone was planned industrial. The proposal is to keep the zone the same as Foresight Industrial Park.

Councilmember Spehar asked if this were a new substation facility, would there be a CUP (Conditional Use Permit) required for construction. Mr. Thornton did not know.

There were no public comments. The public hearing closed at 8:20 p.m.

Ordinance No. 3271 – An Ordinance Zoning P.S. Substation Enclave Annexation to I-O (Industrial Office Park), Located at the Southwest Corner of 25½ Road and F½ Road

Upon motion by Councilmember Payne, seconded by Councilmember Spehar and carried by roll call vote, Ordinance No. 3271 was passed and adopted on second reading and ordered published.

PUBLIC HEARING - ANNEXING THE PUCKETT ENCLAVE, LOCATED AT 2563 F 1/2 ROAD [FILE #ANX-2000-091]

The 1.00-acre Puckett Enclave Annexation area consists of one parcel of land completely surrounded by existing Grand Junction city limits. State law allows a municipality to annex enclave areas after they have been enclaved for a period of three years. The 1998 Persigo Agreement with Mesa County requires the City to annex enclave areas within 5 years.

The public hearing opened at 8:20 p.m.

Dave Thornton, Principal Planner, reviewed this item.

There were no public comments. The public hearing closed at 8:21 p.m.

Ordinance No. 3272 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado - Puckett Enclave Annexation Located at 2563 F½ Road and Including a Portion of the F½ Road Right-of-Way, Consisting of Approximately 1.00 Acre

Upon motion by Councilmember Enos-Martinez, seconded by Councilmember Scott and carried by roll call vote, Ordinance No. 3272 was passed and adopted on second reading and ordered published.

PUBLIC HEARING - ZONING THE PUCKETT ENCLAVE ANNEXATION TO RSF-R, LOCATED AT 2563 F 1/2 ROAD [FILE #ANX-2000-091]

The 1.00-acre Puckett Enclave Annexation area consists of one parcel of land completely surrounded by existing Grand Junction city limits. State law requires a City to zone newly annexed areas within 90 days of annexation. Property owners have requested that proposed city zoning be identical with existing Mesa County zoning for their properties. Request for approval of the zoning for approximately 1.00 acre from County RSF-R to City RSF-R (Residential Single Family 1 unit/5 acres) zone district.

The public hearing opened at 8:22 p.m.

Dave Thornton, Principal Planner, reviewed this item stating the RSF-R zone is the same zone district as it exists in the County.

There were no public comments. The public hearing closed at 8:22 p.m.

Ordinance No. 3273 – An Ordinance Zoning the Puckett Enclave Annexation to RSF-R, Located at 2563 F ½ Road

Upon motion by Councilmember Spehar, seconded by Councilmember Enos-Martinez and carried by roll call vote, Ordinance No. 3273 was passed and adopted on second reading and ordered published.

PUBLIC HEARING - REZONING THE LEGENDS SUBDIVISION FROM RSF-5 TO PD, LOCATED AT THE SOUTHEAST CORNER OF 28 1/2 ROAD AND PATTERSON ROAD
[FILE #RZP-2000-067]

The Planning Commission at the hearing of June 13, 2000, recommended that the City Council rezone The Legends Subdivision to the PD district. The rezone area is comprised of approximately 35 acres. The site will ultimately be developed with 178 residential dwelling units comprised of a mix of single family detached, single family attached and four-unit condominium structures.

The public hearing opened at 8:24 p.m.

Pat Cecil, Development Services Supervisor, Community Development Department, reviewed this item. This is for 35 acres comprised of two parcels. He gave a brief history of the zoning. The northerly portion of the property was originally PR-6.5. The proponent has since added the southerly portion to the project and redesigned the project better. Community Development Staff recommends a zoning of PD.

Mayor Kinsey asked about the density. Mr. Cecil said 11-12 units/acre.

Councilmember Payne referred to the original hearing last fall when this area was annexed into the City and zoned. Now a different zoning is being requested.

Mr. Cecil said when the new Code was adopted, the northerly portion of the property was placed in a Planned Development district because the existing zone was eliminated. This request makes the entire parcel consistent.

The petitioner was not present.

There were no public comments. The public hearing closed at 8:27 p.m.

Councilmember Payne said the last hearing was well attended and there was a lot of opposition and a close vote. He was hesitant to change the zoning on the whole parcel. Council told the public that this project would go in a certain density and now the request is to increase the density.

Councilmember Theobald asked if this density complies with the Growth Plan. Mr. Cecil said yes.

Councilmember Theobald said this is an improvement.

Councilmember Spehar said this actually reduces the density.

Mr. Cecil said although the density looks higher because it is figured under the new Zoning & Development Code, it is lower and still meets the Growth Plan density.

Ordinance No. 3274 – An Ordinance Zoning Two Parcels of Land Located South of Patterson Road and East of 28 ½ Road to PD (The Legends Subdivision)

Upon motion by Councilmember Spehar, seconded by Councilmember Enos-Martinez and carried by roll call vote with Councilmember **PAYNE** voting **NO**, Ordinance No. 3274 was passed and adopted on second reading and ordered published.

PUBLIC HEARING - AMENDING ORDINANCE NO. 3220 CONCERNING THE SALARY OF THE CITY MANAGER

Mark Achen is retiring effective July 7, 2000. The City Council appointed David Varley as interim City Manager by Resolution. Since the City Manager's salary is set by ordinance, the proposed ordinance sets that amount for David Varley at \$93,786 per year, prorated appropriately.

The public hearing opened at 8:31 p.m.

Mayor Kinsey explained the reason for the proposed ordinance with the appointment of David Varley as interim City Manager.

There were no public comments. The public hearing closed at 8:33 p.m.

Ordinance No. 3275 – An Ordinance Amending Ordinance 3220 Concerning the Salary of the City Manager

Upon motion by Councilmember Spehar, seconded by Councilmember Theobald and carried by roll call vote, Ordinance No. 3275 was passed and adopted on second reading and ordered published.

EXECUTIVE SESSION

Upon motion by Councilmember Spehar, seconded by Councilmember Scott and carried, the meeting was adjourned into executive session to discuss personnel issues.

ADJOURNMENT

The meeting adjourned into executive session at 8:30 p.m.

Stephanie Nye, CMC
City Clerk