

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

APRIL 16, 2003

The City Council of the City of Grand Junction convened into regular session on the 16th day of April 2003, at 7:35 p.m. in the City Auditorium. Those present were Councilmembers Harry Butler, Bill McCurry, Dennis Kirtland, Jim Spehar, Janet Terry, Reford Theobald, and President of the Council Cindy Enos-Martinez. Also present were City Manager Kelly Arnold, City Attorney Dan Wilson, and City Clerk Stephanie Tuin.

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

PROCLAMATIONS

PROCLAIMING APRIL AS "FAIR HOUSING MONTH" IN THE CITY OF GRAND JUNCTION

PROCLAIMING APRIL 17, 2003 AS "ARBOR DAY" IN THE CITY OF GRAND JUNCTION

PROCLAIMING MAY 3, 2003 AS "MARINE CORPS LEAGUE DAY" IN THE CITY OF GRAND JUNCTION

APPOINTMENTS

APPOINTMENTS TO THE HISTORIC PRESERVATION BOARD

Councilmember Kirtland moved to appoint Judy Prosser-Armstrong and Bill Cort to the Historic Preservation Board for three-year terms expiring December 2005. Councilmember Terry seconded the motion. Motion carried.

APPOINTMENT TO THE COMMISSION ON THE ARTS AND CULTURE

Councilmember Spehar moved to appoint Lee Borden to the Commission on the Arts and Culture to fill a three-year term expiring February 2006. Councilmember McCurry seconded the motion. Motion carried.

PRESENTATION OF CERTIFICATES OF APPOINTMENT

TO REAPPOINTED MEMBER OF THE COMMISSION ON ARTS AND CULTURE

The appointee Janet Prell was present and received her certificate.

RECOGNITIONS

PRESENTATION TO KRISTIN WINN FOR HER REPRESENTING THE CITY AT THE SKIJOURING EVENT IN OURAY.

President of the Council Enos-Martinez thanked Kristen Winn and presented a gift to her for her continued representation of the City at the annual skijouring event in Ouray.

PRESENTATION OF PLAQUES FOR OUTGOING COUNCILMEMBERS JANET TERRY AND REFORD THEOBOLD

President of the Council Enos-Martinez read and presented plaques to each of the outgoing Councilmembers Terry and Theobold.

SCHEDULED CITIZEN COMMENTS

There were none.

President of the Council Enos-Martinez introduced Emily Wingerd, a 3rd grader, who attended the meeting with her father.

CONSENT CALENDAR

It was moved by Councilmember Kirtland, seconded by Councilmember McCurry, and carried by a roll call vote, to approve Consent Items #1 through 8.

1. Minutes of Previous Meetings

Action: Approve the Summary of the March 31, 2003 Workshop, and the Minutes of the April 2, 2003 Regular Meeting and the Minutes of the April 9, 2003 Special Meeting

2. Purchase of Sales Tax System Software

ACS (Banner) has abandoned further development of the current sales tax system, and it will become obsolete. Several systems were researched and it was determined that HMS, Inc software system is the most viable and cost effective alternative.

Action: Authorize the City Information Services Manager to Sign a Contract with HMS, Inc. for a New Sales Tax System for a Total of \$36,500 and Authorize \$11,600 from Contingency to Supplement the \$30,000 Budgeted for a Total of \$41,600 to Purchase, Implement and Install the HMS, Inc. System

3. Setting a Hearing on Supplemental Budget Appropriations for 2003

The request is to appropriate specific amounts for several of the City's accounting funds as specified in the ordinance.

Proposed Ordinance Making Supplemental Appropriations to the 2003 Budget of the City of Grand Junction

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for May 7, 2003

4. Setting a Hearing on Creating the Special Assessment District, Issuing Bonds and Assessing the Properties for Rimrock Marketplace

This is the first reading of three related ordinances for Rimrock Marketplace G.I.D. They authorize creating a special assessment district, bond sale of \$3,980,000, and assessing the properties in the district.

Proposed Ordinance Creating the Rimrock Marketplace Special Improvement District within the City of Grand Junction Rimrock Marketplace General Improvement District

Proposed Ordinance Concerning the Rimrock Marketplace General Improvement District and Authorizing the Issuance of Special Assessment Bonds

Proposed Ordinance Approving the Whole Cost of the Improvements to be Made in the Rimrock Marketplace Special Improvement District; Assessing a Share of said Cost Against each Lot or Tract of Land in the District; and Prescribing the Manner for the Collection and Payment of said Assessments

Action: Adopt Proposed Ordinances on First Reading and Set a Hearing for May 7, 2003

5. Purchase of 1 Tractor and 1 Weed Mower

This purchase is being requested by the Streets Department to replace two old outdated mowers with a single better suited mower. Bid details are as follows:

Delta Implement Company	Grand Junction	\$65,650.00
Western Implement Company	Grand Junction	\$73,832.00
Western Implement Company	Grand Junction	\$78,650.00

Action: Authorize the City Purchasing Manager to Purchase One (1) John Deere Tractor and One (1) Diamond Mower from Delta Implement Company in the Amount of \$65,650.00

6. **Vacating Various Easements Associated with the Abandoned Portion of the Kannah Creek Flowline**

The easements to be vacated are no longer necessary due to the recent relocation of the Kannah Creek Flowline.

Resolution No. 31-03 – A Resolution Vacating Certain Easements No Longer Needed Because Several Portions of the Kannah Creek Flowline have been Relocated

Action: Adopt Resolution No. 31-03

7. **Revocable Permit for a Canopy and Private Parking in Main Street Right-of-Way, 205 Main Street** [File # RVP-2002-164]

Hampton Inn, to be located at 205 Main Street, is requesting approval of 2 Revocable Permits for a canopy and private parking in Main Street right-of-way.

Resolution No. 32-03 – A Resolution Concerning the Issuance of a Revocable Permit to Western Hospitality LLC, a Colorado Limited Liability Company (Canopy Over Sidewalk)

Resolution No. 33-03 – A Resolution Concerning the Issuance of a Revocable Permit to Western Hospitality LLC, a Colorado Limited Liability Company (Private Parking)

Action: Adopt Resolution No. 32-03 and Resolution No. 33-03

8. **Setting a Hearing for Text Amendments to the Zoning and Development Code** [File # TAC-2003-01.01]

First reading of the Ordinance to correct, clarify, re-format or delete numerous references in the current Zoning and Development Code.

Proposed Ordinance Adopting Amendments to the City of Grand Junction's Zoning and Development Code and Authorizing Publication of the Amendments by Pamphlet

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for May 7, 2003

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

Canyon View Park Improvements (24 & G Rd.)

This project will include improvements on the property at the corner of 24 Rd. and G Rd. within Canyon View Park. The improvements are to include: lighting and landscaping in the parking lot adjacent to the new multi-purpose fields, grading and drainage improvements, concrete walkways, a shade pavilion, irrigation and landscaping and new entry landscaping in the area of the G Road entrance into the park. There were 3 responsive responsible bids received and opened on April 3, 2003.

Contractor	Location	Base Bid	*Alternate 1	**Alternate 2
WD Yards	Grand Junction	\$193,568.00	\$6,806.00	\$3,214.00
Clarke & Co.	Grand Junction	\$223,443.00	\$5,360.00	\$2,800.00
Alpine C.M.	Grand Junction	\$239,700.00	\$4,200.00	\$3,300.00
Engineers Estimate		\$195,613.00	\$7,834.00	\$3,940.00

*Removal and disposal of pavement and accessories near handball court.

**Drinking Fountain

Joe Stevens, Parks and Recreation Director, reviewed this item. He explained the extent of the improvement phase. He said the improvements would be around the area of the handball court and would include a shade shelter, a drinking fountain, and landscaping.

Councilmember Terry asked when the improvements would be completed. Mr. Stevens replied the work will start mid May and will take about two months.

It was moved by Councilmember Kirtland, seconded by Councilmember Spehar, and carried by a roll call vote, to authorize the City Manager to sign a contract with WD Yards Inc., for the Canyon View Park Base Bid Improvements including both alternates in the amount of \$203,588 pending the receipt of a current contractor's license.

Public Hearing - Bond Ordinance for Community Hospital

The City of Grand Junction has been requested to authorize tax exempt bonds not to exceed \$3,025,000 on behalf of Community Hospital. The proposed ordinance accomplishes the issuance of these bonds for the 501 C (3) hospital. The bonds are not an obligation of the City nor do they in any way use our credit rating.

The public hearing was opened at 8:02 p.m.

Councilmember Janet Terry recused herself from this discussion.

Ron Lappi, Administrative Services Director, reviewed this item.

There were no public comments.

Councilmember Spehar applauded the effort to help Community Hospital.

The public hearing was closed at 8:03 p.m.

Ordinance No. 3528 - An Ordinance Authorizing the Issuance and Sale of City of Grand Junction, Colorado, Development Revenue Bond (Community Hospital Project), Series 2003, in the Aggregate Principal Amount not to Exceed \$3,025,000; Making Determinations as to Sufficiency of Revenues and as to Other Matters Related to the Project and Approving the Form and Authorizing the Execution of Certain Documents Relating Thereto.

Councilmember Spehar moved to adopt Ordinance No. 3528 on Second Reading. Councilmember Kirtland seconded the motion. Motion carried by a roll call vote.

Councilmember Terry rejoined the meeting.

Policy to Bid Out Capital Improvements

This resolution was a follow-up from the Monday April 14, 2003 City Council Workshop.

Kelly Arnold, City Manager, reviewed the proposed resolution which states that the general philosophy is that the majority of projects by the City, Public Works and Parks Departments will be bid out. Mr. Arnold explained that this matches the current process in which about 95% of all projects are bid out. He said Staff will then develop a policy on how to implement this philosophy, and Council will have the opportunity to review such policy. Mr. Arnold read the short resolution.

Councilmember Theobald inquired if this philosophy will restrict how maintenance projects are bid out. Mr. Arnold said that is not the intent of the resolution.

Councilmember Kirtland supported the statement of philosophy. Councilmember Spehar wanted Council to continue to mention the awarding of contracts that are on the agenda.

Resolution No. 40-03 – A Resolution that is a Statement of Intent for the Departments of Public Works and Utilities, and Parks and Recreation, to Bid Out Capital Improvements

Councilmember Terry moved to adopt Resolution No. 40-03. Councilmember Kirtland seconded the motion. Motion carried by a roll call vote.

Public Hearing - Rehearing of the Zoning the Red Tail Ridge Annexation, Located at the South End of Buena Vista Drive [File #ANX-2002-230]

The Red Tail Ridge Annexation is requesting that a zoning of RSF-4 be applied to the 9.88 acres. The City Council at its February 19, 2003 hearing zoned the site to an RSF-2 zone district based on public testimony and compatibility with adjacent property's densities.

The public hearing was opened at 8:10 p.m.

Pat Cecil, Development Services Supervisor, reviewed this item. He explained the reason for the rehearing and mentioned the size of surrounding properties, as that was an issue at the previous hearing in February.

Ted Ciavonne, Ciavonne & Associates, 844 Grand Avenue, was present representing the petitioner. He said they support the original Staff recommendation and the unanimous Planning Commission's recommendation for an RSF-4 zoning.

Mr. Ciavonne stated that the request does fall within the Orchard Mesa Plan. He displayed a subdivision map of surrounding areas, which detailed the density of each parcel. He pointed out that there are zones of RSF-R, RSF-1, RSF-2, RSF-4, and RSF-5 in the area. He then displayed the Zoning Map and the Growth Plan Map.

Councilmember Terry asked for a definition of RSF-R. Mr. Ciavonne replied that RSF-R's designation is one unit per five acres.

Councilmember Spehar asked Mr. Ciavonne if he acknowledges that RSF-2 will meet the Growth Plan designation. Mr. Ciavonne agreed.

Councilmember Theobald asked for legal advise regarding the status of previously heard testimony. Dan Wilson, City Attorney, said the previous testimony could be incorporated by reference, or Council can rehear it all.

Councilmember Spehar asked City Attorney Wilson about clarification of the Growth Plan designation of RSF-2. Mr. Wilson said the RSF-2 designation does comply even if the lots cannot effectively be developed exactly at two units per acre.

Christina E. Bybee, 142 Sundance Court, Vice President of the Orchard Mesa Beautification Council, said they are not opposed to growth in the area, but felt that the approv-

al of the density of an RSF-4 designation would set precedence for future development in the area.

Shawna Wells, 143 Buena Vista, said her property is at the entrance to the proposed subdivision and that she is happy with Council's February approval of the RSF-2 designation. She said she is also afraid that an approval of RSF-4 will set a precedence for the density for the Irrigation Company's planned auction of the adjacent three parcels. She said she is not only concerned about the density, even with three houses per acre, but also about the congestion created by having only one entrance/exit to the development. She said she is also worried about access by emergency vehicles, a place for kids to play, and the children's safety.

Jerry Jones, 2951 Hwy 50, said he also lives next to the entrance of the proposed subdivision and that there is only one exit to Hwy 50, which has a 55 mph speed limit. He said he's seen many accidents and the highway traffic has increased a lot.

Tony Mondragon, 2962 A $\frac{1}{4}$ Road, agreed with the previous speakers and said two houses per acre are enough.

Ron Bainter, 125 29 $\frac{3}{4}$ Road, believed that there is not enough room to make a decent exit or entrance to the parcel; that he is also concerned about the future zoning designation of the irrigation properties near there; and he agrees with Ms. Wells. He reiterated the difficult access onto Hwy 50.

Leslie Renquist-Hughes, 141 Mizelle Drive, said when her family moved to the area, there was one house per one or one-half acre, and four houses per acre will not fit in with the surrounding area.

Pat Hughes, 141 Mizelle Drive, explained that this community's appeal is its variety. He said open space is good for the area, and that the geography and access are difficult. He said he is afraid that if this parcel is zoned with a higher density, a lot of the homeowners will consider moving away.

Ted Ciavonne, Ciavonne & Associates, acknowledged that a lot of the issues brought up will be addressed at Preliminary Plan. He said the Growth Plan Map for the other properties to be sold don't have direct access. He explained that the Red Tail Ridge Subdivision has two accesses, and the RSF-4's definition is not high density, but is medium to low according to the Growth Plan. He said the Hughes's development is zoned RSF-4, and the area surrounding Red Tail Ridge Subdivision is diverse with many parcels having more than two units per acre. He explained that many lots are less than 17,000 square feet, and that an RSF-2 zoning designation cannot meet the Growth Plan minimum of two units per acre, and an RSF-4 zoning is the only City zoning designation that mirrors the Growth Plan. He said the Orchard Mesa Plan supports the

Growth Plan designation, supports infill development, and provides affordable housing. He questioned where growth would occur if only the minimum density were always approved.

Councilmember Theobold pointed out that even if zoned at RSF-4, the property won't develop at four units per acre due to topography and other issues. He said this is the first time he's heard of the possible sale of the irrigation properties, and that they will have access issues. He said the property under discussion tonight has two accesses, and he appreciates the surrounding homeowners' desire for open space. He said there are three types of open space: public, private and emotional. He said some of the open space might be someone else's private property. He said they have the right to develop their land according to the zoning adopted by the Growth Plan and not contrary to the Growth Plan. He said the real issue is compatibility, that he is sympathetic to the neighborhood's reaction, but that Council needs to follow the Growth Plan and the Orchard Mesa Plan. He said he supports an RSF-4 zoning.

Councilmember Terry said she is struggling with the same issues as Councilmember Theobold, but felt the developer has the right to develop this property according to the Growth Plan, and there are no other options but to grant the RSF-4 zoning request.

Councilmember Theobold added that the RSF-4 zoning has a minimum of two and a maximum of four units per acre.

Councilmember Kirtland said he did not think the RSF-2 zoning was right before, and some issues will constrain the parcel from being developed at four units per acre, and that the density probably will be closer to three units per acre, which he said is a better number. He said he felt the same as Councilmembers Terry and Theobold.

Councilmember Spehar said he disagrees that RSF-2 is a violation of the Growth Plan. He felt two units fell into that range and that he frequently hears of "effective zoning". He said if Council takes into account one special consideration, Council should take into account *all* special considerations, and question the degree to which the parcel will be developed. He said he thinks staying at RSF-2 conforms to the Growth Plan and he respects the neighbors' concerns.

Councilmember McCurry agreed with Councilmembers Terry and Theobold.

Councilmember Butler said he visited the site, and he felt that access is a problem, that the street is really narrow, and he felt the zoning should remain RSF-2.

The public hearing was closed at 8:50 p.m.

Ordinance No. 3509 - An Ordinance Zoning the Red Tail Ridge Annexation to the Residential Single Family – 4 dwelling units per acre (RSF-4) District, Located at the Southerly End of Buena Vista Road

Councilmember Spehar moved to reaffirm the Council's previous action to zone the project. Councilmember Butler seconded the motion. Roll call vote with Councilmembers Butler, Spehar and Council President Enos-Martinez voting Aye. Councilmembers Terry, Theobold, Kirtland and McCurry voting Nay. The motion failed.

Councilmember Theobold moved to repeal Ordinance No. 3504 and adopt Ordinance No. 3509 on Second Reading. Councilmember Terry seconded the motion. Roll call vote. Councilmembers Terry, Theobold, Kirtland and McCurry voted Aye. Councilmembers Butler, Spehar and Council President Enos-Martinez voted Nay. The motion carried.

Councilmember Theobold explained for the benefit of the audience that the carried motion meant the property is now zoned RSF-4.

Public Hearing - Grand Meadows South Annexation and Zoning the Grand Meadows South Annexation Located at 466 30 Road [File #ANX-2003-010]

A Resolution for acceptance of petition to annex and second reading of the Annexation Ordinance for the Grand Meadows South Annexation, located at 466 30 Road.

Second Reading of the zoning ordinance to zone the Grand Meadows South Annexation Residential Multi-Family-5 (RMF-5), located at 466 30 Road.

The public hearing was opened at 8:55 p.m.

Pat Cecil, Community Development Services Supervisor, reviewed this item for Lisa E. Cox, Senior Planner, in her absence.

The applicant was not present and there were no public comments.

The public hearing was closed at 8:58 p.m.

a. Accepting Petition

Resolution No. 34-03 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Grand Meadows South Annexation Area is Eligible for Annexation, Located at 466 30 Road

b. Annexation Ordinance

Ordinance No. 3510 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Grand Meadows South Annexation, Approximately 4.8995 Acres, Located at 466 30 Road

c. Zoning Ordinance

Ordinance No. 3511– An Ordinance Zoning the Grand Meadows South Annexation to Residential Multi-Family-5 (RMF-5), Located at 466 30 Road

Councilmember Theobold moved to adopt Resolution No. 34-03, Ordinances No. 3510, and No. 3511 on Second Reading. Councilmember Kirtland seconded the motion. Motion carried by a roll call vote.

Public Hearing - Summit Meadows West Annexation and Zoning the Summit Meadows West Annexation Located at 3134 and 3138 D ½ Road [File #ANX-2003-016]

Resolution for acceptance of petition to annex and second reading of the Annexation Ordinance for the Summit Meadows West Annexation, located at 3134 and 3138 D ½ Road.

Second Reading of the zoning ordinance to zone the Summit Meadows West Annexation Residential Multi-Family-5 (RMF-5), located at 3134 and 3138 D ½ Road.

The public hearing was opened at 8:59 p.m.

Pat Cecil, Community Development Services Supervisor, reviewed this item for Lisa E. Cox, Senior Planner, in her absence.

Rebecca Wilmarth, Casa Tiara Development, Hwy 6 & 50, Fruita, the applicant, agreed with Staff's recommendation and had little to add.

There were no public comments.

The public hearing was closed at 9:00 p.m.

a. Accepting Petition

Resolution No. 35-03 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Summit Meadows West Annexation Area is Eligible for Annexation, Located at 3134 and 3138 D ½ Road

b. Annexation Ordinances

Ordinance No. 3512 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Summit Meadows West Annexation No. 1, Approximately 5.9092 Acres Located at 3134 and 3138 D ½ Road

Ordinance No. 3513 - An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Summit Meadows West Annexation No. 2, Approximately 4.9174 Acres Located at 3134 and 3138 D ½ Road

c. Zoning Ordinance

Ordinance No. 3514 - An Ordinance Zoning the Summit Meadows West Annexation to Residential Multi-Family-5 (RMF-5), Located at 3134 and 3138 D 1/2 Road

Councilmember Kirtland moved to adopt Resolution No. 35-03, Ordinances No. 3512, No. 3513, and No. 3514 on Second Reading. Councilmember Spehar seconded the motion. Motion carried by a roll call vote.

Public Hearing - Hubbartt Annexation and Zoning the Hubbartt Annexation Located at 2976 Gunnison Avenue [File #ANX-2003-008]

Resolution for acceptance of the petition to annex and second reading of the annexation ordinance for the Hubbartt Annexation located at 2976 Gunnison Avenue. The annexation consists of 1.2731 acres on one parcel of land. The petitioner is seeking annexation in anticipation of constructing a 5,000 s.f. auto body repair shop, pursuant to the 1998 Persigo Agreement with Mesa County.

The Hubbartt Annexation is comprised of 1 parcel of land consisting of 1.2731 acres located at 2976 Gunnison Avenue. The petitioner is requesting a zone of Light Industrial (I-1), which conforms to the Growth Plan Future Land Use Map. Planning Commission recommended approval at its February 25, 2003 meeting.

The public hearing was opened at 9:00 p.m.

Ronnie Edwards, Associate Planner, reviewed this item.

The applicant was present but had nothing to add.

There were no public comments.

The public hearing was closed at 9:02 p.m.

a. Accepting Petition

Resolution No. 36-03 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as Hubbartt Annexation is Eligible for Annexation Located at 2976 Gunnison Avenue and Including a Portion of Gunnison Avenue Right-of-Way

b. Annexation Ordinance

Ordinance No. 3515 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Hubbartt Annexation, Approximately 1.2731 Acres, Located at 2976 Gunnison Avenue and Including a Portion of Gunnison Avenue Right-of-Way

C. Zoning Ordinance

Ordinance No. 3516 – An Ordinance Zoning the Hubbartt Annexation to Light Industrial I-1 Located at 2976 Gunnison Avenue

Councilmember Spehar moved to adopt Resolution No. 36-03, Ordinances No. 3515, and No. 3516 on Second Reading. Councilmember McCurry seconded the motion. Motion carried by a roll call vote.

Public Hearing - Seriani Annexation No. 1 & 2 and Zoning the Seriani Annexation Located at 2986 Gunnison Avenue [File #ANX-2003-025]

The Seriani Annexation No. 1 & 2 is a serial annexation consisting of a total of 0.68 acres and can be legally described as Lot 12, Banner Industrial Park and is located at 2986 Gunnison Avenue and is currently being used as a storage yard. The petitioner's intent is to annex and then develop the property as light industrial by constructing an office/shop building for their concrete business. The proposed annexation lies within the Persigo 201 sewer district. The petitioner's request acceptance of the Annexation Petition, and Second Reading of the Annexation Ordinance(s) for the Seriani Annexation No. 1 & 2.

The Seriani Annexation consists of 0.68 acres of land that is located at 2986 Gunnison Avenue and is currently being used as a storage yard for their concrete business. The petitioner's intent is to annex and then develop the property as light industrial by con-

structing an office/shop building for their concrete business in spring 2003. The proposed annexation is considered to be a serial annexation and can be legally described as Lot 12, Banner Industrial Park. The proposed zoning is I-1, Light Industrial. The Planning Commission recommended approval at its February 25, 2003 meeting.

The public hearing was opened at 9:03 p.m.

Scott D. Peterson, Associate Planner, reviewed this item.

Travis Cox, representing the petitioner, was present to answer Council's questions.

There were no questions for Mr. Cox and there were no public comments.

Councilmember Kirtland asked if these multiple annexations could be done in a larger package rather than one parcel at a time. Councilmember Theobald said that the Persigo Agreement does provide for incentives to come into the City limits. Councilmember Terry said that this process seems tedious but it represents the will of the property owners. Councilmember Kirtland replied that he respects that.

The public hearing was closed at 9:10 p.m.

a. Accepting Petition

Resolution No. 37-03 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as Seriani Annexation, a Serial Annexation Comprising Seriani Annexation No. 1 and Seriani Annexation No. 2, Located at 2986 Gunnison Avenue

b. Annexation Ordinances

Ordinance No. 3517 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Seriani Annexation No. 1, Approximately 0.3444 Acres Located at 2986 Gunnison Avenue

Ordinance No. 3518 - An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Seriani Annexation No. 2, Approximately 0.3436 Acres Located at 2986 Gunnison Avenue

c. Zoning Ordinance

Ordinance No. 3519 – An Ordinance Zoning the Seriani Annexation, Lot 12, Banner Industrial Park to Light Industrial (I-1) Located at 2986 Gunnison Avenue

Councilmember Theobald moved to adopt Resolution No. 37-03, Ordinances No. 3517, No. 3518, and No. 3519 on Second Reading. Councilmember McCurry seconded the motion. Motion carried by a roll call vote.

Public Hearing - Fairway Pines Annexation and Zoning the Fairway Pines Annexation Located at 2970 B Road [File # ANX-2003-021]

The Fairway Pines Annexation is an annexation comprised of 1 parcel of land located at 2970 B Road, comprising a total of 6.4295 acres. The petitioner is seeking annexation as part of a request for Preliminary Plan approval pursuant to the 1998 Persigo Agreement with Mesa County.

The Fairway Pines Annexation is requesting that a zoning of RSF-4 be applied to the 6.4295 acres. The Planning Commission at its March 11, 2003 hearing recommended approval of the zone of annexation.

The public hearing was opened at 9:11 p.m.

Pat Cecil, Development Services Supervisor, reviewed this item.

A representative for the petitioner was present but had nothing to add.

There were no public comments.

The public hearing was closed at 9:12 p.m.

a. Accepting Petition

Resolution No. 38-03 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Fairway Pines Annexation is Eligible for Annexation Located at 2970 B Road

b. Annexation Ordinance

Ordinance No. 3520 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Fairway Pines Annexation, Approximately 6.4295 Acres Located at 2970 B Road

c. Zoning Ordinance

Ordinance No. 3521 - An Ordinance Zoning the Fairway Pines Annexation to the Residential Single Family – 4 Dwelling Units Per Acre (RSF-4) District Located at 2970 B Road

Councilmember Terry moved to adopt Resolution No. 38-03, Ordinances No. 3520, and No. 3521 on Second Reading. Councilmember Theobald seconded the motion. Motion carried by a roll call vote.

Public Hearing – Fruitvale Estates Annexation and Zoning the Fruitvale Estates Annexation, Located at, South of E ½ Road (Orchard Ave.) and North of Hoover Drive (3083 E ½ Road)

The Fruitvale Estates Annexation is an annexation comprised of 1 parcel of land located on the south side of E ½ Road, north of Hoover Drive, comprising a total of 4.3815 acres. The petitioner is seeking annexation as part of a request for Preliminary Plan approval pursuant to the 1998 Persigo Agreement with Mesa County.

The Fruitvale Estates Annexation is requesting that a zoning of RSF-4 be applied to the 4.3815 acres. The Planning Commission at its March 25, 2003 hearing recommended approval of the zone of annexation.

The public hearing was opened at 9:13 p.m.

Pat Cecil, Development Services Supervisor, reviewed this item. He said this annexation will create an enclave, and that the owners in the enclave have been notified of this situation by letter.

Councilmember Terry said enclaving is an issue that can be difficult. She asked if there was any response from the owners. Mr. Cecil said there were none. Councilmember Terry asked if it could be confirmed that the owners received the letter. Mr. Cecil responded that the letters' receipt was confirmed.

Doug Theis, Thompson–Langford Corp., 529 25 1/2 Road, representing the petitioner, was present and concurred with the Staff's recommendation.

There were no public comments.

The public hearing was closed at 9:15 p.m.

a. Accepting Petition

Resolution No. 39-03 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Fruitvale Estates Annexation is Eligible for Annexation, Located at 3083 E ½ Road

b. Annexation Ordinance

Ordinance No. 3522 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Fruitvale Estates Annexation, Approximately 4.3815 Acres Located at 3083 E ½ Road

c. Zoning Ordinance

Ordinance No. 3523 – An Ordinance Zoning the Fruitvale Estates Annexation to the Residential Single Family – 4 dwelling Units Per Acre (RSF-4) District Located at 3083 E ½ Road (Orchard Avenue)

Councilmember Theobald moved to adopt Resolution No. 39-03, Ordinances No. 3522, and No. 3523 on Second Reading. Councilmember McCurry seconded the motion. Motion carried by a roll call vote.

Public Hearing – Spanish Trails, Filing 3, Right-of-Way and Easement Vacation
[File #FPP-2002-204]

A request to vacate a portion of the 24 ¼ Road Right-of-Way and emergency access easement in the proposed Spanish Trails, Filing 3.

The public hearing was opened at 9:16 p.m.

Kathy Portner, Planning Manager, reviewed this item. She explained the purpose of the right-of-way, why it can be vacated now, and that the request is consistent under the previous code.

Councilmember Kirtland asked about any utility easements. Ms. Portner said there are none.

The applicant was present but had nothing to add.

There were no public comments.

The public hearing was closed at 9:18 p.m.

Ordinance No. 3524 – An Ordinance Vacating a Portion of the 24 ¼ Road Right-of-Way

Ordinance No. 3525 – An Ordinance Vacating an Emergency Access Easement in Spanish Trails Located at 719 24 ½ Road

Councilmember Theobald moved to adopt Ordinances No. 3524 and No. 3525 on Second Reading. Councilmember Spehar seconded the motion. Motion carried by a roll call vote.

Public Hearing - Zoning Redlands Mesa, Phase III

A request to approve zoning for Redlands Mesa, Phase III, to allow 61 single family lots.

The public hearing was opened at 9:19 p.m.

Kathy Portner, Planning Manager, reviewed this item. She said this ordinance would establish the zoning ordinance; that the request is consistent with the Growth Plan and the Outline Development Plan.

Councilmember Terry asked about the paving to Mariposa Drive. Ms. Portner said the first filing in this phase will trigger the improvement of that road and a Development Improvement Agreement will guarantee that completion.

A representative of the petitioner was present to answer questions but had nothing to add to Ms. Portner's presentation.

There were no public comments.

The public hearing was closed at 9:22 p.m.

Ordinance No. 3526 – An Ordinance Zoning Land Located South and West of the Ridges Known as Redlands Mesa, Phase III to Planned Development (PD)

Councilmember Theobald moved to adopt Ordinance No. 3526 on Second Reading. Councilmember Terry seconded the motion. Motion carried by a roll call vote.

Public Hearing – Zoning the Cottages at The Commons Assisted Living Facility Located at 625 27 ½ Road [File #RZ-2003-026]

Hilltop Health Service Corporation proposes to construct twenty (20) two-bedroom Cottages as Phase 2 of the four-phase Commons project in progress at 625 27-1/2 Road. This project requires that the approved Final Plan and Planned Development zoning ordinance be amended.

The public hearing was opened at 9:22 p.m.

Kristen Ashbeck, Senior Planner, reviewed this item.

Councilmember Theobald asked how it had previously had an address across the street. Ms. Ashbeck said it was incorrect.

She explained that the plan is to develop 20 cottages instead of the original 14; to decrease the size of the parking lot; and to reduce the square footage of the Enrichment Center to accommodate the loss in parking spaces. She said parking spaces are being reduced from 44 to 27. Ms. Ashbeck said the Planning Commission found the request met the criteria and recommend approval.

Robert D. Jenkins, Architect/AIA, 1000 North 9th Street, Suite 35, explained why the increase of cottages is being requested. He said they received an outpour of requests, especially from younger retirees and he reaffirmed that the cottages are not assisted living quarters, but that they are retirement homes. He said residents have the option to contract for one or all of the services offered by the Commons Assisted Living Facility.

Councilmember Theobald inquired which age group showed the higher demand. Mr. Jenkins said people 55 and older.

Kelly Arnold, City Manager, asked about the reduction of the facility. Mr. Jenkins said they plan to reduce the facility from 82,000 square feet to 75,000 square feet and the reduction will affect mostly the meeting and activity rooms, not the two swimming pools or the gymnasium. Mr. Arnold asked if the facility would remain a public facility. Mr. Jenkins said yes, and the proposed changes do not change the designation or the use of the facility.

Councilmember Theobald asked if Hermosa Avenue is a private road. Mr. Jenkins said no.

There were no public comments.

The public hearing was closed at 9:29 p.m.

Ordinance No. 3527 – An Ordinance Amending Ordinance No. 3263 Pertaining to the Commons Assisted Living Facility, 625 27-1/2 Road (Formerly 616 27-1/2 Road)

Councilmember Theobald moved to adopt Ordinance No. 3527 on Second Reading. Councilmember McCurry seconded the motion. Motion carried by a roll call vote.

NON-SCHEDULED CITIZENS & VISITORS

There were none.

OTHER BUSINESS

There was none.

ADJOURNMENT

President of the Council Enos-Martinez called for the meeting to be adjourned. The meeting adjourned at 9:30 p.m.

Stephanie Tuin, CMC
City Clerk