

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

September 1, 2004

The City Council of the City of Grand Junction convened into regular session on the 1st day of September 2004, at 7:30 p.m. in the City Auditorium. Those present were Councilmembers Harry Butler, Bill McCurry, Gregg Palmer, Jim Spehar and President of the Council Bruce Hill. Absent was, Councilmembers Cindy Enos-Martinez, and Dennis Kirtland (who arrived later). Also present were City Manager Kelly Arnold, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Hill called the meeting to order. Councilmember McCurry led in the pledge of allegiance. The audience remained standing for the invocation by Rob Storey, River of Life Alliance Church.

RECOGNITIONS / PROCLAMATIONS

RECOGNITION OF CITY MANAGER KELLY ARNOLD'S ACHIEVEMENT AS AN ICMA CREDENTIALLED MANAGER

RECOGNITION OF PUBLIC WORKS EMPLOYEES DENNIS PRICE AND JASON BROWN FOR THEIR ASSISTANCE TO THE GRAND JUNCTION FIRE DEPARTMENT IN A RIVER RESCUE

Operations Officer Jim Bright introduced Captain Eric Cox who described the incident that occurred where Dennis and Jason had rescued a woman from the river in the early spring.

PROCLAIMING SEPTEMBER 17, 2004 THROUGH SEPTEMBER 23, 2004 AS "CONSTITUTION WEEK"

PROCLAIMING THE GRAND JUNCTION CITY COUNCIL'S SUPPORT FOR THE EFFORT TO BUILD A NEW LIBRARY BUILDING AND FOR THE BALLOT MEASURE THAT WILL BE GOING BEFORE THE VOTERS

PRESENTATION OF CERTIFICATES OF APPOINTMENT

TO THE PLANNING COMMISSION

Tom Lowery was present and received his certificate.

TO THE PLANNING COMMISSION BOARD OF APPEALS

Travis Cox, Lynn Pavelka-Zarkesh, and Reginald Wall were present and received their certificates.

Councilmember Dennis Kirtland joined the meeting at 7:46 p.m.

APPOINTMENTS/ENDORSEMENTS

APPOINTMENT OF COUNCIL PRESIDENT BRUCE HILL TO CML'S POLICY COMMITTEE FOR 2004-2005

Councilmember McCurry moved to appoint Council President Hill to CML's Policy Committee. Councilmember Palmer seconded. Motion carried.

RESOLUTION NO. 79-04 – A RESOLUTION ENDORSING COUNCIL PRESIDENT BRUCE HILL'S APPLICATION FOR APPOINTMENT TO THE NATIONAL LEAGUE OF CITIES COMMUNITY AND ECONOMIC DEVELOPMENT STEERING COMMITTEE AND DIRECTING THAT A LETTER OF ENDORSEMENT BE SENT TO NLC

It was moved by Councilmember Palmer, seconded by Councilmember McCurry and carried to approve Resolution No. 79-04.

CITIZEN COMMENTS

There was none.

CONSENT CALENDAR

John Sink, 597 Ravenwood Lane, asked that the Castanha Zoning be taken off the Consent Calendar. Council President Hill advised that item is not on the Consent Calendar and will be addressed individually.

It was moved by Councilmember Palmer, seconded by Councilmember McCurry and carried by roll call vote to approve Consent Calendar Items #1 through #5.

1. Minutes of Previous Meetings

Action: Approve the Workshop Summary/Special Meeting Minutes from August 16, 2004 and the Minutes of the August 18, 2004 Regular Meeting

2. Alley Improvement District 2004

Improvements to the following alleys have been completed as petitioned by a majority of the property owners to be assessed:

- East/West Alley from 13th to 15th, between Kennedy Avenue and Elm Avenue
- East/West Alley from 14th to 15th, between Elm Avenue and Texas Avenue
- East/West Alley from 2nd to 3rd, between Chipeta Avenue and Ouray Avenue
- East/West Alley from 2nd to 3rd, between Teller Avenue and Belford Avenue
- “T” shaped Alley from 7th to Cannell, between Kennedy Avenue and Elm Avenue
- East/West Alley from 8th to Cannell, between Mesa Avenue and Hall Avenue (Alley Improvement District ST-04, Phase B)

A public hearing is scheduled for October 6, 2004.

Resolution No. 78-04 – A Resolution Approving and Accepting the Improvements Connected with Alley Improvement Districts No. ST-04 and No. ST-04, Phase B

Action: Adopt Resolution No. 78-04

3. **Setting a Hearing on Zoning the Barker Annexation Located at 172 Lantzer Avenue, 2934 Highway 50, and 2937 Jon Hall Drive to RSF-4** [File # ANX-2004-127]

Introduction of a proposed zoning ordinance to zone the Barker Annexation, located at 172 Lantzer Avenue, 2934 Highway 50 and 2937 Jon Hall Drive, to RSF-4 (Residential Single Family, not to exceed 4 dwelling units per acre).

Proposed Ordinance Zoning the Barker Annexation to RSF-4 Located at 172 Lantzer Avenue, 2934 Hwy 50, and 2937 Jon Hall Drive

Action: Introduction of a Proposed Ordinance and Set a Hearing for September 15, 2004

4. **Setting a Hearing on Right-of-Way Vacation – Southwest Corner of Patterson Road and 28 ½ Road intersection within The Falls Filing One Subdivision** [File # VR-2004-133]

Introduction of a proposed ordinance to vacate the public right-of-way as dedicated in the Falls Filing No. One, as amended, except for F Road also known as Patterson Road, located at the southwest corner of Patterson Road and 28 ½ Road.

Proposed Ordinance Vacating Right-of-Way Located in the Falls Filing No. One, as amended, Subdivision on the Southwest Corner of Patterson Road and 28 ½ Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for September 15, 2004

5. **Setting a Hearing on Indian Road Annexation Located between C ½ Road and D Road at Indian Road** [File # ANX-2004-137]

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 34.806 acre Indian Road Annexation consists of 49 parcels. Indian Road Annexation is a 2 part serial annexation.

a. **Referral of Petition, Setting a Hearing and Exercising Land Use Jurisdiction**

Resolution No. 80-04 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control, Indian Road Annexation Located Between C ½ Road and D Road at Indian Road

Action: Adopt Resolution No. 80-04

b. **Setting a Hearing on Proposed Ordinances**

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Indian Road Annexation #1, Approximately 1.017 Acres Located at C ½ Road and Indian Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Indian Road Annexation #2, Approximately 33.789 Acres Located at D Road and Indian Road

Action: Introduction of Proposed Ordinances and Set a Hearing for October 6, 2004

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

Public Hearing – Rezoning the Ice Skating Inc. Property, Located at 2515 River Road, from I-1 to CSR [File # RZ-2004-125]

A continuance to the September 15, 2004 City Council meeting is requested to hold the public hearing and consider final passage of the zoning ordinance to rezone the Ice Skating Inc. property from I-1 (Light Industrial) to CSR (Community Services & Recreation), located at 2515 River Rd. At that time a Growth Plan Amendment request

will also be heard to change the subject property from a Commercial/Industrial designation to a Park designation.

Kathy Portner, Planning Manager, asked the Council to continue this item until September 15, 2004 at which time a Growth Plan Amendment will be brought before Council.

Proposed Ordinance Rezoning the Ice Skating Inc. property to CSR (Community Services and Recreation) Located at 2515 River Road

Councilmember Kirtland moved to continue the public hearing to September 15, 2004. Councilmember Palmer seconded the motion. Motion carried.

Public Hearing – Zoning the Castanha Annexation 1, 2, 3 & 4 Located at 2250 Saddlehorn Road to RSF-2 [File # ANX-2004-135]

Hold a Public Hearing and Consider Final Passage of a proposed zoning ordinance for the Castanha Annexation. The request is for RSF-2 zoning. Castanha Annexation is a serial annexation comprised of 4.895 acres, located at 2250 Saddlehorn Road.

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

Lori V. Bowers, Senior Planner, reviewed this item. She described the site and the surrounding areas. She referred to three letters of concern included in the packet that related to the road and specific criteria relative to the compatibility to the neighborhood.

Tom Dixon was present representing the applicant. He pointed out that the Mesa County land use designation allows a minimum lot size of 8,000 square feet. The applicant is requesting an RSF-2 zone district with minimum lot sizes of 17,000 square feet. Mr. Dixon advised that the Planning Commission recommended approval of the request 7 to 0.

John Sink, 597 Ravenwood Lane, thought RSF-1 would be more appropriate. The surrounding areas are mostly one acre lots in Redlands Village, this was discussed at the Planning Commission. The proposal then was for a simple lot split, yet the request tonight is RSF-2.

Council President Hill noted this was the first time he had seen a downzone from the existing zoning. So to clarify, Mr. Sink was stating it to be less.

Councilmember Butler inquired what Mr. Sink's response would have been if the applicant had built at the current zoning. Mr. Sink said he would have come down and offered his perspective on that. He felt it is not a good fit.

Councilmember Palmer asked about the RSF-2 density. City Attorney Shaver said that the maximum density would be 2 units per acre.

Councilmember Spehar said the zoning has to be consistent with either the County zone or the Growth Plan. The Growth Plan allows two to four units, so the request is consistent. Certainly other development restraints will come into play. He believes they should follow the lead of the Planning Commission and approve the request.

Tom Dixon said the RSF-1 issue came up and that would work for the Castanhas but may not fit long term. There are opportunities in this area for higher densities, like RSF-2. The properties to the north do not have sewer, but areas to the west have potential for redevelopment to have RSF-2 since the Growth Plan has directed that. Any further downzone may set a precedent in the area. He asked for the requested zoning.

The public hearing was closed at 8:06 p.m.

Councilmember Kirtland agreed with Councilmember Spehar's remarks. The property owner should be able to rely on the Growth Plan designation and it seems reasonable to allow this type of development.

Councilmember Spehar referred to another similar situation and how the Council reacted.

Councilmember Palmer said they are not unsympathetic but feel the request is appropriate.

Council President Hill thanked the neighbors for taking the time to come down and testify. It would be hard to vote against the Future Land Use designation for that property and was sympathetic to the roadway concerns, but was confident that will be addressed during development review.

Ordinance No. 3664 – An Ordinance Zoning the Castanha Annexation to Residential Single Family (RSF-2) not to exceed 2 dwelling units per acre Located at 2250 Saddlehorn Road

Councilmember Spehar moved to adopt Ordinance No. 3664 on Second Reading and ordered it published. Councilmember Kirtland seconded the motion. Motion carried by roll call.

NON-SCHEDULED CITIZENS & VISITORS

There was none

OTHER BUSINESS

There was none

ADJOURNMENT

The meeting adjourned at 8:11p.m.

Stephanie Tuin, MMC
City Clerk