

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

JULY 20, 2005

The City Council of the City of Grand Junction convened into regular session on the 20th day of July 2005, at 7:01 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Jim Doody, Gregg Palmer, Jim Spehar, Teresa Coons and President of the Council Bruce Hill. Councilmember Doug Thomason was absent. Also present were Assistant City Manager David Varley, City Attorney John Shaver and City Clerk Stephanie Tuin.

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

PRESENTATION OF CERTIFICATES OF APPOINTMENT

TO THE DOWNTOWN DEVELOPMENT AUTHORITY

Peggy Page was present to receive her certificate.

TO THE WALKER FIELD PUBLIC AIRPORT AUTHORITY

John Stevens was present to receive his certificate.

PROCLAMATIONS/RECOGNITIONS

PROCLAIMING JULY 30, 2005 AS "CELEBRATE THE AMERICANS WITH DISABILITIES ACT DAY" IN THE CITY OF GRAND JUNCTION TOGETHER WITH THE COUNTY OF MESA

APPOINTMENT

TO THE GUNNISON BASIN COMPACT COMMITTEE (RESOLUTION NO. 130-05)

Councilmember Spehar moved to adopt Resolution No. 130-05 appointing and assigning Dan Vanover to the Division 4 Basin Roundtable. Council President Pro Tem Palmer seconded the motion. Motion carried.

CITIZEN COMMENTS

There were none.

CONSENT CALENDAR

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

1. **Minutes of Previous Meetings**

Action: Approve the Minutes of the July 6, 2005 Special Session and the July 6, 2005 Regular Meeting

2. **Setting a Hearing for the Reduction of Distance Restriction for Brew Pub Liquor Licenses to College Campuses**

State law requires five hundred feet, using direct pedestrian access, from the property line of a school to the liquor-licensed premise; however, the law also allows local jurisdictions to reduce that distance for a certain class of license for one or more types of schools. In 1987, the Grand Junction City Council reduced the distance for full service restaurant licenses from college campuses to 300 feet and then in 2004, the City Council eliminated the distance restriction from college campuses to full service restaurant licenses. The City Council has now been requested to consider reducing the distance restriction from college campuses to brew pub liquor licenses.

Proposed Ordinance Amending Section 4-52 of the Grand Junction Code of Ordinances Reducing the Distance a Brew Pub Liquor Licensed Premise Must Be from the Principal Campus of a College or University in the City of Grand Junction

Action: Introduction of Proposed Ordinance and Set a Hearing for August 3, 2005

3. **Setting a Hearing for the Formation of Downtown Grand Junction Business Improvement District**

The Downtown Grand Junction Business Improvement District group has turned in petitions which represent more than 50% of the property owners in the proposed Business Improvement District. At the hearing, the City Council will determine if the petitions were signed in conformity with the law and if the District should be formed. The City Council may exclude property from the District as allowed by statute or if it deems it to be in the best interest of the District. Once the Improvement District is formed, the petition group has asked that Council set a special election for November 1, 2005 for a ballot question on a special assessment and authorizing the retention of all revenues (de-Brucing).

Proposed Ordinance Establishing the Downtown Grand Junction Business Improvement District and Approving an Operating Plan and Budget Therefor

Action: Introduction of Proposed Ordinance and Set a Hearing for August 17, 2005

4. **Setting a Hearing – Vacating a Public Right-of-Way – Forrest Run Subdivision, Located at 641 29 ½ Road** [File #VR-2005-052]

The petitioner is requesting approval of a vacation of a 25 foot wide public road right-of-way located on the west side of Marchun Drain. The road right-of-way was dedicated in the County as part of the Holton's Haciendas Subdivision. There is no improved road or utilities within the right-of-way.

Proposed Ordinance Vacating a Public Road Right-of-Way Located at 641 29 ½ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for August 3, 2005

5. **Setting a Hearing on Zoning the Pear Park School Annexation, Located at 2927 and 2927 ½ D ½ Road** [File # GPA-2005-125]

Introduction of a proposed zoning ordinance to zone the Pear Park School Annexation CSR, located at 2927 and 2927 ½ D ½ Road.

Proposed Ordinance Zoning the Pear Park School Annexation to CSR, Located at 2927 and 2927 ½ D ½ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for August 3, 2005

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Public Hearing – Zoning the Munkres-Boyd Annexation, Located at 2866 A ¾ Road [File #ANX-2005-089] **CONTINUED FROM JULY 6, 2005**

Hold a public hearing and consider final passage of the zoning ordinance to zone the Munkres-Boyd Annexation RSF-4, located at 2866 A ¾ Road. The Munkres-Boyd Annexation consists of 1 parcel on 6.04 acres and the zoning being requested is RSF-4.

The public hearing was opened at 7:12 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She described the location, the current and prior uses and the surrounding zoning within the City limits. The remaining surrounding areas are County and she described that zoning. A request was received for the Planning Commission to rehear the matter which was denied. Ms. Costello displayed a slide that showed lot sizes in the immediate area. She identified lots representing property owners that have submitted letters opposing the requested zoning. Ms. Costello also had a map showing the areas in that vicinity that have been annexed and also a map showing new subdivisions and their assigned zoning. All are RSF-4 or greater in density. Planning Commission did maintain their recommendation for RSF-4.

Bob Jasper, representing the petitioner, said the existing zoning for the property when in the County was RSF-4. The Persigo Agreement allows the same zoning to be applied to annexed property. The requested zoning meets the Growth Plan designation. It is adjacent to an older neighborhood that has bigger lots. The developer, Ted Munkres, looks to build housing that is more affordable. The property is right on the highway and not necessarily suitable for larger houses with bigger lots. They held a neighborhood meeting, which was not required. Traffic was one issue raised. The traffic flows for the area have not been clarified; there is more than one option. Another concern was pedestrians and children using the roads to get to the bus stop. The developer is therefore looking at building trails in the area as his development will be designed for families.

Councilmember Coons inquired what Council's leeway is in placing requirements for traffic flow. City Attorney Shaver stated that this is a review of zoning and the Code specifically states that those issues will be addressed during the design process. Many of the neighborhood comments will probably address these items and Council may articulate their desires to the developer.

Carol Ward, 2860 Casimir Drive, supports the Sharon Heights neighborhood community but is against the RSF-4 zoning for the Munkres-Boyd subdivision. Although Sharon Heights has been zoned RSF-4 for 60 years, and while Planning Commission sympathized, they still recommended the requested zoning. She cited Growth Plan goals under the Executive Summary are "focusing on unique needs of each neighborhood." In Chapter 3, under community values, the community perceptions and values were the bases of the Growth Plan, therefore new growth should be appropriate. She felt appropriate meant compatible. There are numerous references in the Growth Plan to quality of life, maintaining the integrity of established neighborhoods and addressing unique neighborhood needs. A number of other policies in the Growth Plan, as well as goals, were quoted by Ms. Ward as excerpted and provided in hard copy to the City Council (see attached). She read the definition of compatible in the appendices of the Growth Plan which said "capable of existing together without conflict or negative land use effects." The Growth Plan recognizes the unique features of neighborhood area and recommends the adoption and use of

neighborhood plans. She also included an excerpt from the Orchard Mesa Neighborhood Plan regarding compatibility, page 29 "Zoning should be compatible with existing development densities on Orchard Mesa." She said the proposed density will have a negative affect on their neighborhood. She stated that most of the homes in the Sharon Heights are 2 units per acre, while some have as much as an acre of ground. She felt the proposed development to be incompatible. She said the neighborhood's major concern is traffic and safety. A traffic count on Rainbow Drive performed by Mesa County determined it could handle more traffic; she disagrees. Her main concern is the intersection of A ¾ Road and Rainbow Drive, the sight distance is poor. She then detailed the various options for traffic and how the roads identified by the developer as possibilities are not adequate to handle current yet alone additional traffic. She asked Council to consider RSF-2 or less as a more compatible zoning for the existing neighborhood.

Chuck Beauchamp, 230 28 ½ Road, sees real problems with a real development. He is speaking on behalf of his 86 year old mother-in-law who has no irrigation water because Mr. Munkres refuses to reestablish her water ditch. Mr. Munkres insists that the irrigation water is for the exclusive use of his development, Fox Run. Mr. Beauchamp referred to the plat drawing he distributed and pointed out the plat makes it clear. He offered the information not to get any action from the Council but to offer it as an example of the pattern of behavior of this developer.

Dana Stilson, 168 Rainbow Drive, realizes Orchard Mesa is targeted for urbanization. Blanket growth does not work, especially in their neighborhood and is worth fighting for. Ms. Stilson is disappointed by Planning Commission's decision. The development is in the middle of their subdivision which is 27 homes on 18 acres. Ms. Stilson is asking the Council to make a decision that not only works for the developer but also the neighborhood. The only way to save this neighborhood's integrity is to zone the Munkres-Boyd development RSF-2.

Teresa Manti, realtor, speaking on behalf of the development, understands the concerns, is asking to look at bigger picture which would include solid and steady growth. Ms. Manti stated sprawl is not wonderful, but the Growth Plan was passed to alleviate sprawl and that is why higher density should go into the infill areas and be closer to the main arteries. Ms. Manti's main concern is the rising cost of housing; many families cannot even afford housing now and it is getting worse.

Allen Crim, 184 Rainbow Drive, looked at the map and noted to the north and west of 28 ½ Road, there is affordable housing. There are numerous developments in the area that are RSF-4; the issue is that this area is surrounded by Sharon Heights subdivision. They are not opposed to a subdivision, but opposed to greater density, not opposed to growth. They can

accept the change in the area, but just don't want it to be injurious to their neighborhood.

Dale Nelson, 182 Rainbow Drive, lives right across the fence from the property in question, and has lived there 21 years and believes they should have a say to what happens in their neighborhood.

Joe Lenahan, 179 Rainbow Drive, stated there is a new subdivision behind him with a fence for that subdivision between his property and the subdivision. The developer has worked with him, but is still concerned about this new subdivision. Mr. Lenahan delivers the mail there and the intersection at A $\frac{3}{4}$ Road and Rainbow Drive is a terrible intersection.

Constance Murphy, 2863 $\frac{1}{2}$ A $\frac{3}{4}$ Road, told her family history and described her property. She said the development will destroy her view.

Laurie Jo Elisha, 2865 A $\frac{3}{4}$ Road, stated the development is right across the street and will impact them greatly. The children now can use the road to go to the neighbors. She asked how can the City annex and invite City traffic into the County. She is concerned about making the roads safe and adequate for her children. The City should grow on City roads. The 23-house subdivision will have at least 50 cars, no sidewalks for bus stops and she questions the ability of a bus coming up the road. This road is so tight the garbage truck has to back down the road. The RSF-2, $\frac{1}{2}$ acre per home, would be more like the rural area. She always has a lot of children in her yard and wants to keep it a nice neighborhood.

Robert Tinkle, 167 Rainbow Drive, has an acre and a half and said there are nice homes close to the highway in their neighborhood.

Jess McElroy, 186 Rainbow Drive, keeps hearing the cost for the developer. The developer just purchased this property last year but there are people who have a lifetime of investment.

Kevin Elisha, 2865 A $\frac{3}{4}$ Road, has sent a letter expressing his opinions. His big issue that with the annexations that have taken place in Orchard Mesa, the City has not kept up with the parks and green space for the area. The developers are buying up land so there won't be any green space left. The development plan said the City would honor existing areas.

Bertie Deering, 2868 A $\frac{3}{4}$ Road, is to the right of the subdivision on an acre and a half with an orchard. Ms. Deering went to the Planning Commission and inquired about selling their orchard and was told about all the improvements they would have to do. She wondered why the same was not true for this development. Ms. Deering asked for 2 homes per acre.

Joseph Hayes, 185 Rainbow Drive, first acknowledged Councilman Doody for all the good work he has done for Vietnam Veterans. He then said the developer is taking an undeveloped parcel within Sharon Heights and plans to transform it into either 2 or 4 units per acre. He gave the history of the area and described the current state of the area. The Growth Plan calls for compatibility with existing neighborhoods many times. He defined compatibility and said the proposal is not compatible. Planning Commissioner Putnam voted against the zoning due to incompatibility. He noted that Ms. Costello also expressed the opinion that RSF-2 would be the most compatible. Community Development Director Blanchard was quoted in the paper as saying that RSF-2 would be acceptable under the Growth Plan. Other issues he views are traffic, access, safety and noise. He disagreed that doubling the density is compatible. He stated the access would be through the Sharon Heights Subdivision and it is a blind intersection. He said Bob Jasper, representing the developer, stated they followed all the rules and cannot make a profit without this density. Mr. Jasper also accused the neighbors of being NIMBY (Not in My Back Yard), which is not true. They are not opposed to the development as long as it is compatible.

Gaylynn Boelke, 167 29 Road, her concerns are the Council's considerations on parks, schools for Orchard Mesa, crime protection, local post office, traffic lights, and asked what will Orchard Mesa look like in 5 to 10 years.

Chris Boelke, 167 29 Road, is concerned with the monetary benefit as opposed to what will be lost.

There were no other public comments.

The public hearing was closed at 8:28 p.m.

Bob Jasper, the developer's representative, said he did go out and talk to the neighbors and was surprised how he was heard. Munkres-Boyd is a one shot LLC, not a big corporation. Mr. Jasper stated what they considered a nice neighborhood, noting that they did follow the rules, looked at broader things of importance like the need for affordable housing. Mr. Jasper believes this development will not reduce their property values as Freestyle builds nice houses. Rainbow Drive residents were the majority of the speakers. Mr. Jasper concurred there should be more thinking about parks, but the formal plan has not been submitted. City staff will review it and may require the widening of A $\frac{3}{4}$ Road and the developer will work with them. Mr. Jasper indicated he can't answer all the issues. The proposal is not incompatible, 4 units per acre near 2 units per acre is done all over the City. The school bus stop issue request is reasonable. Mr. Jasper hears the concerns but believes the broader concern is the cost of housing, the price of land and housing has gone up. Lastly once platted, the subdivision might be fewer lots.

Councilmember Doody questioned Mr. Jasper's statement that 2 to 4 units per acre will be honored. Mr. Jasper responded by stating zoning came in the 50's and 60's, when tracts were originally laid out, there was no zoning. This parcel has been shown as RSF-4 for many years in the County. In the Persigo Agreement, the County wanted respect for the County zoning when they entered that Agreement.

Councilmember Coons had questions on whether or not there are things that can be done to mitigate some of the concerns like traffic and if there is a requirement for curbs and gutters.

Community Development Bob Blanchard stated the street layout occurs during subdivision process, what must be considered now is if there the ability to provide infrastructure at this stage. The submittal will show the layout and it must meet standards. The decision is made at that stage regarding interconnectivity and the main access point.

Councilmember Coons stated the intersection at Rainbow and A $\frac{3}{4}$ Road will be a safety concern and the sight triangle should be looked at with the other design factors in the development stage of the process.

Councilmember Spehar indicated another important aspect is that there are several review agencies in the subdivision submittal stage. Mr. Jasper said that will be when the traffic engineers review the subdivision plan.

Council President Pro Tem Palmer asked since the Transportation Capacity Payment (TCP) has changed how will this be addressed.

Public Works and Utilities Director Mark Relph stated there are no plans at this time for street upgrades in this area but this will be evaluated during the subdivision review process. The TCP being paid for this development would be one revenue stream to tackle a problem such as this. CDOT would have to be involved in the discussion since Highway 50 is involved and the City could take on a larger role in developing that access.

Councilmember Spehar asked Community Development Director Bob Blanchard to clarify his quote in reference to the minimum or maximum density and so either would be compatible. Mr. Blanchard advised that the Growth Plan allows for a range of 2 to 4 units per acre so either designation would comply with the Growth Plan.

Councilmember Beckstein asked if the neighborhood will have input into the subdivision process. Mr. Blanchard stated yes, at a public hearing with the Preliminary Plan before the Planning Commission, and the neighborhood will be notified and can make comments.

Councilmember Doody stated the evidence was presented well. One point, the unique neighborhood with unique needs and the evidence, sways him to believe Sharon Heights is unique. Councilmember Doody does not think an RSF-4 is a high density but for this area he is comfortable with RSF-2.

Council President Pro Tem Palmer said it is an emotional issue. The Planning Commission is a group of volunteers who are citizens and doing the best job they can for the citizens, just like the Council and just because these boards don't agree doesn't mean they don't hear. It is great so many came out to express their views. He doesn't believe the density is out of line; most of Orchard Mesa is going to develop at RSF-4. He has taken notes all night and agrees with the compatibility with the established neighborhood of RSF-2 and would support RSF-2 as being compatible.

Councilmember Coons stated this is one of the toughest land use issues to come before her and she usually doesn't have a hard time deciding. She noted "compatible" is not "the same as". She believes in infill and avoiding sprawl. Her concern is about affordable housing and there is a need. One way to address this is higher density. RSF-4 is not high density but this is more difficult because it is in the middle of an existing development. She is really torn and thinks RSF-2 might be a better approach. The traffic concerns of the neighborhood during the planning process need to really be listened to.

Councilmember Beckstein drove out there to get the perception. She has concerns about the RSF-4 but also wants to have faith in the Planning Department, that they will listen to the community at large and that tonight the Council is just considering the zoning. She believes the process will take care of some of the issues brought up tonight, so she supports the RSF-4 zoning.

Councilmember Spehar is familiar with these neighborhoods. He agrees that the actual density is likely not to be 4 units per acre and with the infrastructure it will be less. The traffic issues identified by the neighbors will be dealt with in the next process and resolve the issues that can be but economics is not the issue. If developed at RSF-2, the developer can make a profit; it just might be more expensive houses. Both zoning is appropriate within the rules. The expectations in Orchard Mesa are urbanization which brings expectations of facilities. The School District is working on schools and the County is recognizing the need for parks. It is different to put the development in the middle of a subdivision so he is supportive of RSF-2, as compatible with the existing subdivision.

Council President Hill drove into the neighborhood, which he had never been in, and immediately could see there is ownership in the neighborhood. He applauded the neighborhood getting together to look at the issues and be organized through letters and emails. The stress due to this process is unfortunate. The zoning can be RSF-2 or 4. This is different, it is unique. He advised this developer gives his time to this community by providing houses that

are affordable, but that doesn't mean everything has to be zoned at the highest density. Council President Hill tends to support the high side of density, but with this project he supports RSF-2.

Ordinance No. 3802 – An Ordinance Zoning the Munkres-Boyd Annexation to RSF-4, Located at 2866 A ¾ Road

Councilmember Spehar moved to approve Ordinance No. 3802 on second reading changing all references to RSF-2 zoning and ordered it published. Council President Pro Tem Palmer seconded the motion. Motion carried by a roll call vote with Councilmember Beckstein voting NO.

Council President Hill called a recess at 9:08 p.m.

The meeting reconvened at 9:21 p.m.

Public Hearing – Zoning the Twenty Three Park Plaza Annexation, Located at the Northwest Corner of 23 Road and I-70 [File #GPA-2005-045]

Hold a public hearing and consider final passage of the ordinance to zone the 35.52 acre Twenty Three Park Plaza Annexation I-O (Industrial/Office Park).

Dan Wilson, attorney representing the petitioner Karen Marquette, requested that the matter be remanded back to Planning Commission and continue this hearing to the August 17, 2005 regular City Council meeting.

Council President Pro Tem Palmer moved to remand the request to the Planning Commission and continue the public hearing to August 17, 2005. Councilmember Coons seconded the motion. Motion carried.

Public Hearing – Zoning the Career Center Annexation, Located at 2935 North Avenue [File #ANX-2005-102]

Hold a public hearing and consider final passage of the zoning ordinance to zone the Career Center Annexation CSR, located at 2935 North Avenue. The Career Center consists of 1 parcel on 7.91 acres. The zoning being requested is CSR.

The public hearing was opened at 9:23 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She described the location and the size of the parcel. It is currently the site of the existing Career Center and they are planning to expand the facility so the property was annexed. They are requesting a zone of CSR which was recommended for approval by the Planning Commission.

Council President Pro Tem Palmer asked if this does not create an enclave. Ms. Costello stated correct.

There were no public comments.

The public hearing was closed at 9:25 p.m.

Council President Pro Tem Palmer moved to approve Ordinance No. 3804 on second reading and ordered it published. Councilmember Doody seconded the motion. Motion carried by roll call vote.

Public Hearing – Pear Park School Annexation, Located at 2927 and 2927 ½ D ½ Road [File #GPA-2005-125]

Resolution for acceptance of petition to annex and to hold a public hearing and consider final passage of the annexation ordinance for the Pear Park School Annexation, located at 2927 and 2927 ½ D ½ Road. The 20.42 acre Pear Park School Annexation consists of 2 parcels and is a 2 part serial annexation.

The public hearing was opened at 9:26 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She described the location and the size of the parcel, and the type of annexation. The existing use is residential; one home exists on each lot. The Future Land Use Designation is Public as was changed at the last Council meeting. The annexation is the only thing being considered tonight. The City is the applicant on this item.

There were no public comments.

The public hearing was closed at 9:28 p.m.

a. Accepting Petition

Resolution No. 131-05 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Pear Park School Annexations #1 & #2, Located at 2927 and 2927 ½ D ½ Road is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 3805 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Pear Park School Annexation #1, Approximately 0.11 Acres, Located at 2927 D ½ Road

Ordinance No. 3806 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Pear Park School Annexation #2, Approximately 20.19 Acres, Located at 2927 and 2927 ½ D ½ Road

Councilmember Beckstein moved to adopt Resolution No. 131-05 and Ordinance Nos. 3805 and 3806 on second reading and ordered them published. Council President Pro Tem Palmer seconded the motion. Motion carried by roll call vote.

Public Hearing – Koch/Fisher Annexation and Zoning, Located at 2041 and 2043 Conestoga Drive [File #ANX-2005-108]

Acceptance of a petition to annex and consider the annexation and zoning for the Koch/Fisher Annexation. The Koch/Fisher Annexation is located at 2041 and 2043 Conestoga Drive and consists of two parcels on .744 acres. The zoning being requested is RSF-4 (Residential Single Family with a density not to exceed 4 du/ac).

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

Ronnie Edwards, Associate Planner, reviewed this item. The request is for annexation and zoning. She described the site and the reason for the request. She described the surrounding zoning and uses and the existing uses and zoning. The request matches the existing County zoning and it is compatible with the Future Land Use map.

The applicant was not present.

There were no public comments.

The public hearing was closed at 9:31 p.m.

a. Accepting Petition

Resolution No. 132-05 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Koch/Fisher Annexation, Located at 2041 and 2043 Conestoga Drive and Including a Portion of Conestoga Drive is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3807 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Koch/Fisher Annexation, Approximately 0.79 Acres, Located at 2041 and 2043 Conestoga Drive and Including a Portion of Conestoga Drive

c. Zoning Ordinance

Ordinance No. 3808 – An Ordinance Zoning the Koch/Fisher Annexation to an RSF-4 (Residential Single Family with a Density not to Exceed 4 du/ac) Zone District, Located at 2041 and 2043 Conestoga Drive

Council President Pro Tem Palmer moved to adopt Resolution No. 132-05 and Ordinance Nos. 3807 and 3808 on second reading and ordered them published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Public Hearing – Schultz Annexation and Zoning, Located at 513 29 ¼ Road
[File #ANX-2005-112]

Acceptance of a petition to annex and consider the annexation and zoning for the Schultz Annexation. The Schultz Annexation is located at 513 29 ¼ Road and consists of one parcel on .73 acres and 1133.51 feet of North Avenue and 29 ¼ Road right-of-way. The zoning being requested is RMF-8 (Residential Multi-Family with a density not to exceed 8 du/ac).

The public hearing was opened at 9:32 p.m.

Ronnie Edwards, Associate Planner, reviewed this item. She described the request and location which is near the Career Center. The reason for the annexation was explained. She described the surrounding lots sizes. The adjacent zoning was identified and stated the proposed zoning is compatible with the existing neighborhood.

The applicant was present.

Jana Gerow, Development Construction Services, 2350 G Road, was representing the applicant. She had nothing further to add.

There were no public comments.

The public hearing was closed at 9:35 p.m.

a. Accepting Petition

Resolution No. 133-05 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Schultz Annexation, a Serial Annexation Comprising Schultz Annexation No. 1 and Schultz Annexation No. 2, Located at 513 29 ¼ Road and Including a Portion of North Avenue and 29 ¼ Road Rights-of-Way is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 3809 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Schultz Annexation No. 1, Approximately 0.02 Acres of North Avenue and 29 ¼ Road Right-of-Way

Ordinance No. 3810 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Schultz Annexation No. 2, Approximately 0.71 Acres, Located at 513 29 ¼ Road and Including a Portion of North Avenue and 29 ¼ Road Rights-of-Way

c. Zoning Ordinance

Ordinance No. 3811 – An Ordinance Zoning the Schultz Annexation to an RMF-8 (Residential Multi-Family with a Density not to Exceed 8 du/ac) Zone District, Located at 513 29 ¼ Road

Councilmember Coons moved to adopt Resolution No. 133-05 and Ordinance Nos. 3809, 3810, and 3811 on second reading and ordered them published. Councilmember Spehar seconded the motion. Motion carried by roll call vote.

Public Hearing – Amending the Existing PD for The Glens at Canyon View Planned Development, Located at 2459 F ¼ Road [File #PP-2004-219]

The Glens at Canyon View, located at 2459 F ¼ Road is 20.942 acres in size and is located about one quarter mile north of Mesa Mall, and to the north of F 1/8 Road alignment, and just east of 24 ½ Road. It is zoned PD 17 under a currently lapsed PD, known as the Homestead Subdivision and the Hacienda Subdivision.

The public hearing was opened at 9:36 p.m.

Lori V. Bowers, Senior Planner, reviewed this item. She described the location of the development and the history of the property development. She described the surrounding uses. Phase II improvements were not completed so the developer did not meet the City's deadline which resulted in the project approval lapsing. Therefore a new submittal and review was required. The new proposal does meet the goals and policies of the Growth Plan. The new proposal reduces the density but still meets the objectives of the Growth Plan. The existing City zoning was PD 17, the new request is PD 14. She described the surrounding zoning. The rezone criteria have been met. Ms. Bowers highlighted some of the criteria met, including some of the benefits to the community. She then described some the requirements for this density. The F 1/8 Road negates any need for additional walls between developments, and berms are planned for screening. Fences internal to the development will be no higher than four feet and no chain link will be allowed. This project will complete the Homestead Subdivision. Landscaping will

comply with requirements as well as parking. Private streets were recommended for approval by the Planning Commission but require City Council approval. Plans for interconnectivity are included in the plan. Since this is a Planned Development (PD), additional community benefits must be provided. The project will provide housing that is affordable to low income families. The project will be phased. Staff finds that the plan meets the Code. The Planning Commission recommended approval on their Consent Calendar.

Council President Pro Tem Palmer asked if the private streets are narrower. Ms. Bowers said yes but the Fire Department approved of the plan.

Council President Pro Tem Palmer asked if these were the same owners who began the process. Ms. Bowers stated she believed so.

Council President Hill asked if there is a second entryway. Ms. Bowers stated yes and pointed out other entries.

Council President Hill asked if they wind all the way around. Ms. Bowers stated yes.

Councilmember Beckstein asked why the development stopped. Ms. Bowers stated developers may be able to provide that information.

Jim Golden, 2808 North Avenue, Suite 400, was representing the applicant and he introduced Mark Mower, the developer.

Mark Mower said he had a short presentation. He clarified it is not the same development group and his group got involved about 18 months ago. There was a conflict created with the stoppage of work. They redesigned the entire 20 acres, and gave it a new name, which will result in a number of benefits. They introduced the group which develops neighborhoods not subdivisions. The development is pedestrian-oriented in a village concept. This is a unique neighborhood, surrounded by C-1, within walking distance to mall and other employment districts. This will be a lower end cost of housing for first time home buyers or "mover downers". It will be a safe, healthy environment through a thoughtful design. The original design had no effective place for children to play. The amenities include landscape entries and a boulevard, recreation facilities, pocket parks, well-defined street crossings, gazebos, tot lots, picnic areas, xeriscape landscaping with native and drought-tolerate plantings, and bearing the cost of half-street improvements. They have worked with existing residents of the Homestead development to create a buffer around the existing buildings. There will be 30%+ open space, park amenities including a pond for open space and drainage that won't be a hazard, and a community center.

Council President Hill asked about the street width. Mr. Mower said it will be two lanes, the off street parking is being met by a periphery parking area. He identified the private streets and stated they do meet engineering requirements.

Councilmember Beckstein asked about parking for those without carports or garages. Mr. Mower responded it would be similar to apartment parking, a number of covered spaces in a line.

Council President Hill asked about the existing foundations. Mr. Mower stated Phase I will use existing foundations but there is no agreement to share community centers.

Councilmember Spehar asked if Council should determine appropriate phasing. City Attorney Shaver said Council can delegate that to staff.

There were no public comments

The public hearing was closed at 10:12 p.m.

Councilmember Beckstein asked Fire Chief Beaty if he was comfortable with the streets. Chief Beaty responded that 20 feet is needed and these are proposed at 22 feet. Mr. Mower said any on street parking is adjacent to the travel lane, not encumbering the travel way at all.

Councilmember Coons moved to approve Ordinance No. 3812 on second reading and ordered it published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

It was noted that the Council would defer timeline adjustments to staff.

Amendment #1 of the Engineering Services Contract with Carter & Burgess for 29 Road and I-70B Interchange Approval Process

This amendment is for the preparation of an environmental assessment for the 1601 interchange approval process for the connection of 29 Rd to I-70B. Pending changes to the 1601 process made it difficult to originally estimate the full scope of the project without some preliminary work and meetings with CDOT.

Mark Relph, Public Works and Utilities Director, reviewed this item. He explained the purpose of the contract amendment for the work with CDOT for the 1601 process. In the original contract, the environmental assessment was omitted as it was thought that CDOT was simplifying the process. The process was not simplified as much as hoped. The City does not have to go before the Transportation Commission but the process has changed very little. Therefore the City would like to contract with Carter & Burgess to go through the

environmental assessment process. He anticipates construction for the interchange to be in 2008 and 2009. It is a shared project with the County.

Councilmember Beckstein asked if this would cause any delay. Mr. Relph said no it would not.

Councilmember Beckstein moved to authorize the City Manager to approve a Contract Amendment in the amount of \$235,392. Councilmember Coons seconded the motion. Motion carried.

Purchase of Property at 758 Struthers Avenue for the Riverside Parkway Project

The City has entered into a contract to purchase the property at 758 Struthers Avenue from Rose M. Reed. The City's obligation to purchase this property is contingent upon Council's ratification of the purchase contract.

Mark Relph, Public Works and Utilities Director, reviewed this item. He described the location of the property and its relationship to the Riverside Parkway. The parcel has a 500 square foot home. The owner's appraisal was higher as it was based on the land value alone, zoned C-2. The settlement price is \$60,000 with relocation fees of \$21,168 for the current tenants to relocate to a decent, safe, and sanitary dwelling.

There was discussion as to the price being proposed with Councilmember Spehar stating it is probably a reasonable settlement.

Resolution No. 134-05 – A Resolution Authorizing the Purchase of Real Property at 758 Struthers Avenue from Rose M. Reed

Councilmember Coons moved to adopt Resolution No. 134-05. Councilmember Spehar seconded the motion. Motion carried by roll call vote with Council President Pro Tem Palmer voting NO.

Purchase of Property at 725 Struthers Avenue

The City has entered into a contract to purchase the property at 725 Struthers Avenue from Martha Arcieri and Lorraine Williams. The City's obligation to purchase this property is contingent upon Council's ratification of the purchase contract.

Mark Relph, Public Works and Utilities Director, reviewed this item. The property is not part of the Riverside Parkway project but an opportunity since it is on the open market and is adjacent to City property. The asking price is a reasonable price and there are no special conditions.

Councilmember Doody asked how it is adjacent to City property. Mr. Relph pointed out that the Botanical Gardens is City property and the adjacent trail system parking.

Councilmember Spehar stated that this property might be needed long term and is at a good price.

Councilmember Pro Tem Palmer stated it is not needed and that the City didn't get an appraisal and he is generally not in favor of buying property without a specific use.

Councilmember Coons agrees with Councilmember Spehar that it is an opportunity to further a vision for this area.

Councilmember Beckstein agrees as it is a part of long term plan and the City can save money by buying it up front so she supports the purchase.

Councilmember Doody understands the long term vision but doesn't see the need to purchase this property.

Mr. Relph stated the funds would be paid out of general fund contingency.

Council President Hill stated he can see both sides but views it as an asset and he can support the purchase.

Resolution No. 135-05 – A Resolution Authorizing the Purchase of Real Property at 725 Struthers Avenue from Martha Arcieri and Lorraine Williams

Councilmember Spehar moved to adopt Resolution No. 135-05. Councilmember Beckstein seconded the motion. Motion carried by roll call vote with Council President Pro Tem Palmer and Councilmember Doody voting NO.

Change Order #2 to the Contract for the Duck Pond Park Lift Station Elimination Project

Attach 19

Approve Contract Change Order #2 for Repair/Replacement of a 24-inch water transmission line to Mendez, Inc. in the amount of \$298,379.55 to the Duck Pond Park Lift Station Elimination Project construction contract for a revised contract amount of \$2,120,759.59.

Mark Relph, Public Works and Utilities Director, reviewed this item. He explained the purpose of the request. It is some emergency work due to the condition of the existing water line. During the work on the sewer line, the water pressure was lowered and caused the line to break. It is a large line and a significant project to replace the line. Sufficient funds are available but would need to be appropriated.

Councilmember Doody asked about the lead joints and if this is a health hazard. Mr. Relph stated it is not a health risk.

Council President Hill asked if the crossing Highway 50 portion can be done at night and managed. Mr. Relph stated yes. Council President Hill indicated this is an emergency replacement and unfortunately no alternative route. Mr. Relph said the goal will be to get the highway portion done as quickly as possible.

Council President Pro Tem Palmer moved to authorize the City Manager to approve contract change order #2 to the Duck Pond Park Lift Station Elimination Project in the amount of \$298,379.55 with Mendez, Inc. for repair/replacement of a 24-inch waterline from the north side of Duck Pond Park across Highway 50. Councilmember Coons seconded the motion. Motion carried.

Sister City Request – San Pedro Perulupan

This is a request for the City of Grand Junction to enter into a “Sister City” relationship with the village of El Espino, San Pedro Perulupan, El Salvador, Central America.

No one was present to make the request. It will be rescheduled when a representative can be in attendance.

Ambulance Service Provider Request for Proposals

On December 6, 2004 the Mesa County Board of County Commissioners (BOCC) adopted a resolution concerning the delivery of emergency medical services. The resolution became effective on January 1, 2005. The primary goal of the resolution is to formalize regulation of the primary components (ambulances and personnel) in the delivery of emergency medical services to Mesa County. The resolution provides that the City of Grand Junction may determine who and how will provide patient transport within the Grand Junction Ambulance Service Area.

John Shaver, City Attorney, said this is hopefully the final draft. Council has reviewed this and he will answer any questions. Request for Proposals will be sent out by August 5th.

Council Pro Tem Palmer inquired if this exclusivity would prohibit any other provider in the area. Mr. Shaver stated, by the contract, yes, but they could come in as a subcontractor and that would be allowed. Mr. Shaver stated they only anticipate one provider and the RFP allows some flexibility.

Council President Hill said the City will have until November to let the County know what the City is doing; the service will begin July 1, 2006.

City Attorney Shaver stated the interim contract with American Medical Response goes through July 1, 2006 but contingencies are covered with the interim agreement.

Chief Beaty agreed, if AMR is not selected they could pull out, and it would be difficult but the City could pick up the slack. If another provider were to be selected, it would take time to hire personnel and order equipment and get up and running which is why the July 1 date is being used.

Council President Hill said that was a good point and indicated the City has ability to take over if needed. He also thanked Council President Pro Tem Palmer for serving on the committee.

Councilmember Coons moved to authorize the RFP as drafted and continue with the ambulance service provider selection process as defined in the RFP. Council President Pro Tem Palmer seconded the motion. Motion carried.

NON-SCHEDULED CITIZENS & VISITORS

There were none.

OTHER BUSINESS

There was none.

ADJOURNMENT

The meeting adjourned at 10:53 p.m.

Stephanie Tuin, MMC
City Clerk

Welcome To Sharon Heights, A 34 Road !!



Sharon Heights 2 homes/acre



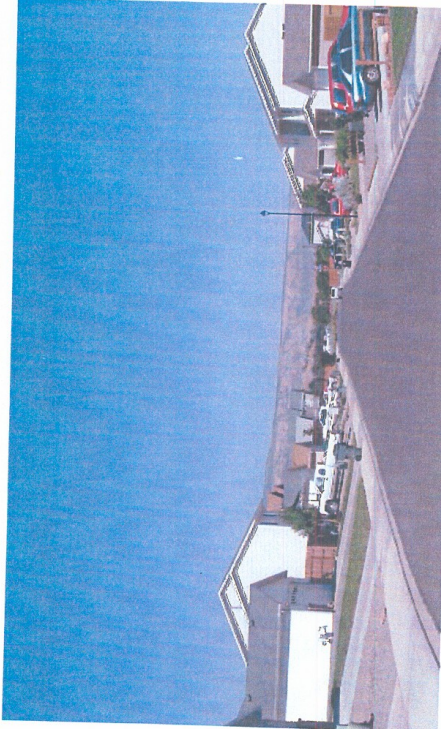
Red Tail Ridge RSF4



Rainbow Drive / Sharon Heights



RSF4



Stopped at Stop Sign A 3/4 Rd



→ Moving Forward

A 3/4 Rd Stop Sign - Visibility to South on Rainbow

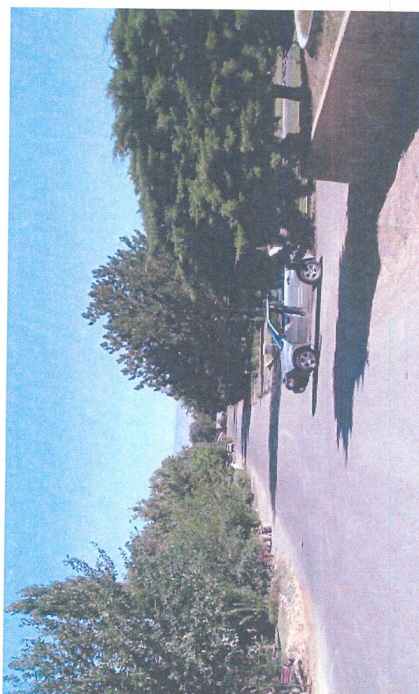


Forward From Stop Sign - Still Can't see top of hill.

Can now begin to see top of hill.



*With A tree trim, Full Visibility
← Note position of Car!*



B. Vision for the Urban Area**Community Vision Statement**

The City of Grand Junction is a partner with Mesa County, other service providers, the private sector and community groups -- all working in cooperation to maintain the high quality of life that is valued by people in our community.

The community's pride in its cultural and natural resources is apparent in the clear views of the Colorado National Monument, Book Cliffs and Grand Mesa, in the character of the downtown and residential neighborhood, in the valley-wide trail and open space system, in the distinctive community gateways and the appearance of its major street corridors.

These attributes are the basis for a comprehensive plan that supports a stable and diverse economy and a harmonious community.

EXECUTIVE SUMMARY

Commissioners, the City and County Steering Committees have constructively addressed many of the issues facing the community.

Growth Management Alternatives

Three diverse growth alternatives were proposed to answer questions about the future. The **Trends** alternative examined the impact of continuing historical policies and practices. The **Concentrated Growth** alternative promoted compatible infill and higher density development in areas of the community that already have adequate public facilities. The **Urban Core and Growth Centers** alternative supported creation or expansion of neighborhood commercial centers throughout the planning area.

After reviewing the impacts of each of these alternatives on population, commercial land supply, transportation system impacts, community character and a variety of other factors, input from area residents was sought. The City and County Steering Committees jointly selected a preferred alternative, which was a combination of the **Concentrated Growth** and **Urban Core and Growth Centers** alternatives. The preferred alternative included some new commercial centers, emphasized and promoted infill, established urban growth boundaries and increased protection of river and stream corridors.

Plan Development

The sprawling development pattern created in the area has resulted in fiscal burdens and is consuming large tracts of agricultural and open space land. The Plan developed goals and policies to reduce any further effects of sprawl and gain a fiscally responsible growth pattern. These goals and policies are intended to be adopted and jointly implemented by the City of Grand Junction and Mesa County. Some of those goals include:

- Ensuring land use compatibility and a balance between urban development and open space,
- Maintaining more compact development patterns,
- Ensuring that there are adequate public facilities for residents and businesses,
- Maintaining equitable funding strategies for public facilities and services,
- Improving coordination between service providers,
- Enhancing the visual appeal of major road corridors in the community, and
- Focusing on unique needs in each of the community's neighborhoods.

Implementation

Successful plan implementation is the product of many individual actions by City, County and private decision makers over the course of many years. The City and County will need to



CONTEXT FOR PLANNING

F. Community Values

There is remarkable consensus among community residents about the issues facing the community. In surveys, workshops, focus group meetings, steering committee meetings and interviews, the community presented a consistent message. The following community perceptions and observations formed the basis of the Growth Plan's vision statement, policies and recommendations. While not all of these issues are fully resolved in the Growth Plan, most are addressed.

1. Managing and Planning Future Growth

- a. The Plan should retain current community assets and build on them as we plan for our future.
- b. The community is not "no growth," but is very concerned that new growth be appropriate to the community.
- c. The City is part of a larger urban community. Growth decisions need to address the needs of both the City and the larger community of Grand Junction.
- d. The future size of the City is a concern. There are advantages (in terms of federal funding and national perception) to a population over 50,000. On the other hand, the feeling of a small community (which is enjoyed today) is also an asset.
- e. By managing growth, the community would like to minimize the effects of boom/bust cycles.
- f. Future growth should be planned so it is within the limitations of our natural and community resources. How much growth can our community accommodate? How much growth can our natural, economic and cultural resources allow?
- g. Planning for growth should also focus on preserving environmental quality. It should not result in declining air quality or degradation of other environmental resources.
- h. Future growth should be planned and located so it can be provided with adequate infrastructure.
- i. The form development takes is an issue for planning and managing growth.
- j. The amount, type and location of extra-territorial growth is an important concern, in addition to management of growth inside the City limits.



APPENDICES

VII. APPENDICES

A. Glossary

Affordable Housing. Housing capable of being purchased or rented by a household with very low, low, or moderate income, based on a household's ability to make monthly payments necessary to obtain housing. Housing is considered affordable when a household pays less than 30 percent of its gross monthly income (GMI) for housing costs including utilities.

Annex. To incorporate a land area into an existing district or municipality, with a resulting change in the boundaries of that district or municipality.

Average Daily Traffic (ADT). The average number of cars per day that pass over a given point.

Base Flood. The 100-year flood, a flood with a one percent likelihood of occurring in any given year.

Bulk Regulations. Standards and controls that establish the maximum size of buildings and structures on a lot and the buildable area within which the building can be located, including coverage, setbacks, height, floor area ratio, and yard requirements.

Cluster Development. A form of development design that concentrates buildings on lots grouped on a specific portion of the site to allow the remaining land area to be devoted to open space, active recreation, preservation of environmentally sensitive areas, or agriculture.

Compatible. Capable of existing together without land use conflict or negative effects.

Concurrency. Requirement for the provision of adequate public facilities and/or services at the time the demand for those facilities or services is created.



GROWTH PLAN

FUTURE LAND USE PLAN GOALS, POLICIES, AND IMPLEMENTATION

Chapter 5 – Updated May 2003

THEME #2 – COMPATIBILITY ISSUES

Page V.5

C. *Key Issues*

Ensuring Land Use Compatibility

“Residents...want to be certain that new development will not erode their property values or create excess traffic or noise. This plan...calls for the establishment of appropriate standards to ensure neighborhood compatibility.”

Page V.6

Focusing on the Unique Needs of the Community’s Neighborhoods.

“This plan recognizes the different characteristics of the community’s neighborhoods and recommends the use of area plans to identify and address unique neighborhood needs.”

Page V.9

Definitions

***Residential Low Density.** Single family detached residences on lots ranging from ½ to 2 acres. (As has been the case in Sharon Heights for 60 years).*

***Residential Medium Low Density.** Detached single family residences with typically 2 to 4 units per acre. (Sharon Heights has never had more than 2 units per acre.)*

Page V.11

E. *Preferred Land Use Scenario*

Principles

2. ***Support/Enhance Existing Neighborhoods.***

- a. *“Planning should help maintain the quality of life in existing neighborhoods.”*
- b. *“All neighborhood plans should be incorporated.”*

- c. *"New roadways should be designed and located so they do not intrude on existing neighborhoods."*
- d. *"Compatibility standards should be in place for more intense uses in or adjacent to neighborhoods."*

Page V.14

F. *Goals and Policies*

"Policies with the verb 'will' express a greater level of commitment than policies using 'should' or 'may'."

Land Use

Goal 1: "To achieve a balance of...land use opportunities that reflects...the integrity of the community's neighborhoods...the rights of private property owners..."

Page V.16

Policy 1.3: "City and County decisions about the type and intensity of land uses will be consistent with the Future Land Use Map and Plan policies."

"The City and County may limit site development to a lower intensity than shown on the Future Land Use Map if site specific conditions do not support planned intensities."

Policy 1.5: "...proposed development will be compatible with adjacent development. Specific community benefits may include compatible infill..."

Page V.28

Goal 9: "To recognize and preserve valued distinctions between different areas within the community."

Policy 9.2: "The City and County will encourage neighborhood designs which promote neighborhood stability and security."

Goal 10: "To retain valued characteristics of different neighborhoods within the community."

Policy 10.1: "The City and County should encourage public and private investments that contribute to stable residential areas..."

Policy 10.2: "The City and County will consider...the needs of individual neighborhoods when making developmental decisions."

Policy 10.3: "The City and County, recognizing the value of historic features to neighborhood character and the distinction between neighborhoods, will allow design variety that is consistent with the valued character of individual neighborhoods."

Policy 10.4: "The City and County will encourage development designs that enhance the sense of neighborhood."

Page V.29

Goal 11: "To promote stable neighborhoods and land use compatibility throughout the community."

Policy 11.1: "The City and County will promote compatibility between adjacent land uses by addressing traffic, noise...and other sources of incompatibility..."

Goal 12: "To enhance the ability of neighborhood centers to compatibly serve the neighborhoods in which they are located."

Policy 12.3: "The City and County will protect stable residential neighborhoods from encroachment of incompatible residential and non-residential development."

Community Appearance and Design

Goal 13: "To enhance the aesthetic appeal and appearance of the community's built environment".

Policy 13.8: "The City and County will encourage building and landscape designs which enhance the visual appeal of individual projects. Design guidelines should provide flexibility, while promoting aesthetics, traffic safety and land use compatibility."

GROWTH PLAN
FUTURE LAND USE PLAN
GOALS, POLICIES, AND IMPLEMENTATION

Chapter 5 – Updated May 2003

THEME #1- ROADS AND ACCESS ISSUES

Page V.5

C. Key Issues

City/County Coordination

“Areas within the Grand Valley will be allowed to develop **when there are adequate funds to provide public services and facilities such as roads and schools.**”

Page V.12

D. Preferred Land Use Scenario

2. Support/Enhance Existing Neighborhoods

c. “New roadways should be designed and located **so they do not intrude on existing neighborhoods.**”

5. *Ensure that Development Pay Its Own Way to the Extent Allowed by Law*

Page V-23

Goals and Policies

“Policies with the verb ‘will’ express a greater level of commitment than policies using ‘should’ or ‘may’.”

Growth Management

Goal 5: *To ensure that urban growth and development make efficient use of investments in streets, utilities and other public facilities.*

Policy 5.1: *“The City and County will target capital investments to serve developed areas of the community prior to investing in capital improvements to serve new development...”*

Page V-24

Goal 7: *To equitably fund improvements required to serve community residents and businesses.*

Policy 7.1: "The City and County will require new development to fund its fair share of capital costs for public facilities (e.g., roads) at adopted levels of service."

Policy 7.2: "The City and County will assess fees...for acquisition and development of the following facilities required to serve new development: streets..."

Policy 7.3: "The City and County development fees should reflect the different costs of facilities needed to serve different areas and different types of development."

Page V-39

Transportation

Goal 24: To develop and maintain a street system which effectively moves traffic throughout the community.

Policy 24.2: "When improving or constructing new streets which pass through residential neighborhoods, the City will balance the desires of residents with the need to maintain a street system which safely and efficiently moves traffic throughout the community."