

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

**June 20, 2007**

The City Council of the City of Grand Junction convened into regular session on the 20<sup>th</sup> day of June 2007, at 7:07 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Bruce Hill, Gregg Palmer, Doug Thomason, Linda Romer Todd, and President of the Council Jim Doody. Also present were Acting City Manager Laurie Kadrich, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Doody called the meeting to order. Councilmember Beckstein led in the pledge of allegiance. The audience remained standing for the invocation by David Eisner, Congregation Ohr Shalom.

**Proclamations / Recognitions**

Proclaiming June 21, 2007 as “National Dump the Pump Day” in the City of Grand Junction

**Appointments**

Councilmember Bonnie Beckstein moved to appoint Patti Hoff and Scott Holzschuh to the Downtown Development Authority and Downtown Grand Junction Business Improvement District Board of Directors for four year terms expiring June, 2011. Councilmember Bruce Hill seconded the motion. Motion carried.

**Citizen Comments**

There were none.

**CONSENT CALENDAR**

Councilmember Thomason read the items on the Consent Calendar and then moved to approve the Consent Calendar. It was seconded by Councilmember Beckstein and carried by roll call vote to approve the Consent Items #1 through #10.

1. **Minutes of Previous Meetings**

*Action: Approve the Summary of the June 4, 2007 Workshop and the Minutes of the June 6, 2007 Special Meeting and the June 6, 2007 Regular Meeting*

2. **Donation of Two Police Patrol Vehicles**

The City of Grand Junction Purchasing Department is requesting to donate two surplus 2003 Crown Victoria Police Patrol vehicles equipped with light bars and cages to the Town of Center Police Department. These surplus vehicles were used by the Police Uniform Patrol Department. The estimated total value of the two surplus police patrol vehicles is \$8,000.00.

*Action: Authorize the City Purchasing Division to Donate Two 2003 Crown Victoria Police Patrol Vehicles to the Town of Center Police Department, Located in Center, Colorado*

3. **Rescinding Resolution 72-07 for Annexation of Lands for the Newton Annexation, Located at 2320 H Road and Includes Portions of the 23 Road and H Road Rights-of-Way** [File #ANX-2007-101]

Request to remove the Newton Annexation for consideration by the City Council.

Resolution No. 84-07 – A Resolution Rescinding Resolution 72-07 Concerning a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Vacating the Second Reading of the Annexation Ordinance and Releasing Land Use Control, Newton Annexation, Located at 2320 H Road and Includes Portions of the 23 Road and H Road Rights-of-Way

*Action: Adopt Resolution No. 84-07*

4. **Setting a Hearing on Zoning the Sutton Annexation, Located at 413 South Camp Road** [File #ANX-2007-057]

Request to zone the 53.69 acre Sutton Annexation, located at 413 South Camp Road, to R-2 (Residential, 2 units per acre). The subject property is located north of the Canyon View Subdivision on the west side of South Camp Road in the Redlands.

Proposed Ordinance Zoning the Sutton Annexation to R-2, (Residential, 2 units per acre) Located at 413 South Camp Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for July 18, 2007*

5. **Setting a Hearing on the Mesa Ayr Subdivision Annexation, Located at 3139 D ½ Road** [File #PP-2006-214]

Request to annex 5.03 acres, located at 3139 D ½ Road. The Mesa Ayr Subdivision Annexation consists of one parcel.

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

Resolution No. 85-07 – 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, Mesa Ayr Subdivision Annexation, Located at 3139 D ½ Road

*Action: Adopt Resolution No. 85-07*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Mesa Ayr Subdivision Annexation, Approximately 5.03 Acres, Located at 3139 D ½ Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for August 1, 2007*

6. **Setting a Hearing Vacating Portions of Texas Avenue, College Place and Alley Rights-of-Way Adjacent to Mesa State College Properties – 1020 Through 1040 Texas Avenue** [File #VR-2007-052]

The petitioner, Mesa State College, is requesting to vacate portions of Texas Avenue, College Place and alley rights-of-way located adjacent to their properties in anticipation of creating a simple subdivision plat to merge six properties into one to develop the area as a parking lot for the campus. The Planning Commission recommended approval of the proposed right-of-way vacations at their May 22, 2007 meeting.

Proposed Ordinance Vacating Portions of Texas Avenue, College Place and Alley Rights-of-Way Adjacent to Mesa State College Properties, Located at 1020 Through 1040 Texas Avenue

*Action: Introduction of Proposed Ordinance and Set a Hearing for July 18, 2007*

7. **Setting a Hearing on Rezoning Property Located at 675 23 Road** [File #FP-2007-133]

Request approval to rezone Lot 2 of the Taurus Subdivision from C-2 (General Commercial) to I-1 (Light Industrial)

Proposed Ordinance Rezoning a Portion of Lot 2 of the Taurus Subdivision from C-2 to I-1, Located at 675 23 Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for July 18, 2007*

8. **Construction Contract for the 2007 New Sidewalks**

The 2007 New Sidewalk project consists of installation of sidewalk in 5 locations. To be considered for this project, the areas must first have curb and gutter adjacent to the property. These selected areas were petitioned in 2005. The streets that received a majority vote are the ones that will have the new sidewalk installed.

*Action: Authorize the City Manager to Sign a Construction Contract for New Sidewalk Construction to Vista Paving Corporation in the Amount of \$144,816*

9. **Change Order No. 1 for 2007 Water Line Replacement Project**

The existing water line in Glenwood Avenue from 5<sup>th</sup> Street to 7<sup>th</sup> Street is being replaced because it is cast iron and has a break history. This line was not originally scheduled for replacement this year, but was moved up to the 2007 to be ahead of the scheduled overlaying of Glenwood Avenue from 5<sup>th</sup> to 6<sup>th</sup> Street.

*Action: Authorize the City Manager to Sign Change Order No. 1 to the 2007 Water Line Replacement Project to Sorter Construction, Inc. in the Amount of \$123,135*

10. **Amend the Fees and Charges to include a Charge for the Watershed Permit Application**

The City Council passed the Watershed Protection Ordinance No. 3961 in August, 2006. Provisions of the Ordinance allow the City to require and issue a watershed activity permit to applicants who want to perform certain activities within the City's watershed. The Ordinance and the implementing regulations further authorize the City to assess a fee to cover the costs incurred by the City for the application process and the enforcement of the requested permit. The

fee of \$250.00 will be assessed by the City to each applicant desiring a Watershed Activity Permit.

Resolution No. 86-07 – A Resolution Amending Resolution No. 03-07 to Add a New Fee Item for Watershed Activity Application Fee Use in the City of Grand Junction, Colorado

Action: Adopt Resolution No. 86-07

### **ITEMS NEEDING INDIVIDUAL CONSIDERATION**

#### **Contract to Purchase Property at 641 Struthers Avenue**

City Staff has been in negotiations with the Western Colorado Botanical Gardens for the purchase of the property located at 641 Struthers Avenue. A fair market value has been determined and a purchase contract has been signed by both parties.

John Shaver, City Attorney, reviewed this item. He advised the breakdown of the offer made and how some of the proceeds will pay off the outstanding water charges. The closing is set for June 22, 2007. Once closed, the City has agreed to lease back the property to the Botanical Gardens and that property will be added to the Master Lease currently in place.

Council President Doody asked about the term of the lease. Mr. Shaver said it is a 99 year lease and thirteen years have elapsed.

Councilmember Coons asked if the additional property will result in an increase in the lease payment. Mr. Shaver advised that the lease payment is one dollar per year and it will not increase.

Councilmember Hill asked if the conveyance requires the Gardens to pay off their lien. Mr. Shaver said they are conveying the property free and clear, it is up to the Gardens as to how they handle their debt.

Councilmember Palmer lauded this decision to purchase this property as it will benefit both parties.

Resolution No. 87-07 – A Resolution Ratifying the Purchase Contract for the Property Located at 641 Struthers Avenue, Grand Junction, Colorado

Councilmember Palmer moved to adopt Resolution No. 87-07. Councilmember Coons seconded the motion. Motion carried by roll call vote.

**Las Colonias Park Master Plan**

Presentation of the Las Colonias Park Master Plan as prepared by EDAW, Inc. of Fort Collins, Colorado. The Master Plan provides a framework for future development of the park site, helps identify contemplated usage, and promotes and complements surrounding properties in a manner consistent with park uses. The Master Plan was revised because a portion of the site was necessary for Riverside Parkway alignment which significantly impacted the initial Master Plan.

Joe Stevens, Parks and Recreation Director, introduced this item and turned the presentation over to Shawn Cooper, Parks Planner.

Mr. Cooper reviewed the history of the Park. A Master Plan was developed in the late 1990's but the construction of the Riverside Parkway rendered that Master Plan as unusable as some of the property has been used for right-of-way. EDAW was hired to develop a new Master Plan.

Mr. Cooper then described the various elements and uses in the Master Plan for the Park, as well as the suggested phasing. In the third phase, there was an area designated for a civic facility and an amphitheater.

Councilmember Todd asked if a dog park was considered along the river. Parks and Recreation Director Stevens advised that due to the sensitivity of the environmental impacts and wildlife, the dog park was not located near the river.

Councilmember Palmer brought up the request for land to be donated on this site for a recreation center. Mr. Cooper said it would not adversely affect the Plan. Mr. Stevens said one objective of the Plan is to allow for flexibility to accommodate some type of public/private partnership opportunity.

Councilmember Coons stated that she had participated in one of the focus groups and she was very pleased with the public involvement and the process.

Councilmember Beckstein asked where the development of this park is in the CIP. Mr. Cooper said it is not currently in the CIP but, having a Master Plan, the City will be prepared if the opportunity to move forward arises.

Councilmember Beckstein asked if this area is on the Tamarisk Coalition's calendar. Mr. Stevens said that although it is not in their current calendar, that will be pursued.

Councilmember Palmer noted that everyone thinks it will be a great park but the total cost is \$20 million.

Councilmember Hill said part of Council's responsibility is to set a vision and this Plan will be a guide when an opportunity arises. Adoption of the Plan does not obligate the Council financially.

Councilmember Hill moved to adopt Resolution No. 88-07. Councilmember Coons seconded the motion. Motion carried.

**Swan Lane Revocable Permit, Located at the South End of Swan Lane on the Redlands** [File #RVP-2007-131]

Request for a Revocable Permit to allow a 6 foot cedar privacy fence within 72 square feet of newly dedicated right-of-way for Swan Lane.

Bob Smith, part of the Redlands Valley Subdivision, and the applicant, presented his request and explained the reasons for the need. He believes the installation of a fence will head off a multitude of problems.

Senta Costello, Associate Planner, reviewed this item. It is a request for a six foot privacy fence within the right-of-way of Swan Lane. She described the location. The property was annexed into the City in 2005. She described the surrounding uses and zoning. There are seven criteria for issuance of a revocable permit. Staff has found that the request does not meet the criteria. The request does not provide any benefit to the public, there is not a need for the fence, it will give a false impression to future property owners, the property is not suitable for the request, it is not compatible, it will negatively impact, it is not in conformance with the Growth Plan, and it does not comply with submittal requirements.

Councilmember Palmer pointed out that a six-foot fence already exists around the property. Ms. Costello concurred that the fence was existing but that it would not meet the current requirements either.

Councilmember Palmer asked how the right-of-way will extend. Ms. Costello said if the property were ever to be developed, the property owner would have to dedicate the additional right-of-way.

Councilmember Beckstein asked what generated the request. Mr. Smith said he is concerned about trespassing. The fence can always be removed.

Councilmember Todd asked for further clarification on the location of the fence. Ms. Costello noted the aerial photo is not up-to-date. Councilmember Todd asked her for the probability of the development. Ms. Costello said she can't say but with development

currently booming, it is possible. It was pointed out that the property owners to the south could construct a fence on their property without being annexed.

Councilmember Hill asked Mr. Smith if he has spoken to those neighbors. Mr. Smith said he has and they are fine with it.

Council President Doody asked if the HOA will construct the fence. Mr. Smith said yes noting he is the HOA. He agreed the fence will be temporary.

Councilmember Hill said apart from the criteria, Mr. Smith could approach the two neighbors and build the fence on their property and avoid this issue but Mr. Smith is going about it the right way. He said he can find where some criteria are met, there is some benefit, etc., and so he is supportive. There have also been instances where right-of-way exists for extending a street and it is never extended.

Councilmember Thomason was supportive as long as it is revocable.

Councilmember Palmer noted that the false impression is already there due to the existing fence.

Councilmember Todd pointed out that a statement in the covenants would put new owners on notice and she supports that and the issuance of the permit.

Councilmember Coons questioned whether a problem actually exists or just a potential but she doesn't see a problem with the fence as long as it is revocable.

Councilmember Beckstein lauded the developer for being proactive to prevent a problem.

Resolution No. 89-07 – A Resolution Concerning the Issuance of a Revocable Permit to Redlands Valley Development Inc.

Councilmember Thomason moved to adopt Resolution No. 89-07. Councilmember Hill seconded the motion. Motion carried by roll call vote.

**Vacation of a 15 Foot Ingress/Egress Easement, Located at 603 Meander Drive** [File #VE-2007-056]

A request to vacate a 15 foot ingress/egress easement, located in the Tomkins Subdivision at 603 Meander Drive.

Ronnie Edwards, Associate Planner, presented this item. She reviewed the history of this easement going back to 1995. The easement was never meant to be a permanent easement. An adjacent property owner is objecting to the vacation as he would like to

continue to use the access. Both the Planning Commission and Staff recommend the vacation be approved and find that the request meets the criteria.

Joan Raser, representing the applicants, was available for questions. She had an overlay that displayed the different accesses and driveways. An easement will be retained for utilities.

Council President Doody asked the City Attorney to clarify. Mr. Shaver advised that the area is dedicated public right-of-way. The request is to make it private.

Resolution No. 90-07 – A Resolution Vacating a 15' Ingress/Egress Easement Located at 603 Meander Drive

Councilmember Hill moved to adopt Resolution No. 90-07. Councilmember Palmer seconded the motion. Motion carried by roll call vote.

**Vacation of 5 Feet of an Existing 10 Foot Drainage Easements, Located at 2560 and 2561 Civic Lane** [File #VE-2007-047]

A request to vacate 5 feet of existing 10 foot drainage easements, located adjacent to the west property line of 2560 and 2561 Civic Lane in the Beehive Estates Subdivision.

Ronnie Edwards, Associate Planner, reviewed this item. She described the location and the history of the easement. Only a portion of the easement is requested to be vacated to allow for a larger building envelope but the City will still retain a drainage easement.

The request is consistent with the Growth Plan and meets the criteria for the request. Planning Commission recommended approval.

Resolution No. 91-07 – A Resolution Vacating 5 Feet of Existing 10 Foot Drainage Easements Located at 2560 and 2561 Civic Lane in the Beehive Estate Subdivision

Councilmember Palmer moved to adopt Resolution No. 91-07. Councilmember Coons seconded the motion. Motion carried by roll call vote.

**Public Hearing – Young Court Rezone, Located at 2575 Young Court**  
[File #RZ-2007-089]

Request to rezone 2575 Young Court, comprised of 1.09 acres, from R-R (Residential – 5 ac/du) to R-2 (Residential -2 du/ac). Young Court is located off of Young Street, north of F ½ Road and west of 1<sup>st</sup> Street, in the north Grand Junction neighborhood area.

The public hearing was opened at 8:26 p.m.

Ronnie Edwards, Associate Planner, reviewed this item. She described the site. The property was annexed in 2000 and the applicants asked that the property be zoned RSF-R, which was the existing County zone. It was noted in the record that the zoning did not meet the Growth Plan's Future Land Use Map designation. It was anticipated that it would be rezoned and developed at a higher density. Development will require the extension of the sewer.

The applicant was present but had nothing to add.

There were no public comments.

The public hearing was closed at 8:29 p.m.

Ordinance No. 4090 – An Ordinance Rezoning a Parcel of Land from Residential, One Unit per Five Acres (R-R) to Residential, Two Units per Acre (R-2), Located at 2575 Young Court

Councilmember Thomason moved to adopt Ordinance No. 4090 and ordered it published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

**Public Hearing – Right-of-Way Vacation, Located at 711 Niblic Drive and 718 Horizon Drive** [File #VR-2007-022]

A request to vacate public right-of-way adjacent to Niblic Drive, east of Horizon Drive located in the Partee Heights Subdivision. The proposed right-of-way vacation is a 50' wide unnamed stub street that was platted, but never built. A 14' multi-purpose easement will be reserved along Niblic Drive.

The public hearing was opened at 8:30 p.m.

Ronnie Edwards, Associate Planner, reviewed this item. She described the location and reviewed the history where through a variety of processes, a residential lot was created within a commercial subdivision where the right-of-way was an unnamed stub street that was never built.

The applicant was present but had nothing to add.

There were no public comments.

The public hearing was closed at 8:32 p.m.

Ordinance No. 4091 – An Ordinance Vacating Right-of-Way Adjacent to Niblic Drive, Located at 711 Niblic Drive and 718 Horizon Drive

Councilmember Palmer moved to adopt Ordinance No. 4091 and ordered it published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

Council President Doody called a recess at 8:33 p.m.

The meeting reconvened at 8:45 p.m.

**Infill/Redevelopment Request – Grand Valley Catholic Outreach** [File #INR-2007-093]

Grand Valley Catholic Outreach represented by Chamberlin Architects is requesting assistance from the Infill and Redevelopment Program for a building project to provide permanent housing for low-income and chronically homeless individuals. The project is to be located at 217 White Avenue.

Councilmember Palmer disclosed that he received a phone call on this matter and comments were made before he could stop them.

Ivy Williams, Development Services Supervisor, reviewed this item. She described the site and the request. She listed the items for financial incentives. Three items on the list were considered by the Review Team that boost infrastructure and provide high community benefit. The total being recommended by the Review Committee is not to exceed \$72,058.

Councilmember Palmer noted that there are no overhead utilities along the road, only in the alley. Ms. Williams agreed. Councilmember Palmer pointed out that there are fire hydrants in the area. Ms. Williams said not within the 100 feet as required.

Councilmember Palmer asked if the City typically undergrounds utilities in alleyways. Public Works and Planning Director Tim Moore said that has been the case in the past.

Councilmember Coons asked why the sewer manhole was being recommended but not the storm drain manhole. Ms Williams said it has been determined that the storm sewer manhole will not be needed.

Councilmember Hill asked about the handrails. Ms. Williams said that the handrails are on the private property, not on the public right-of-way. The projects were not selected just on the basis of need, but rather how they also benefit the public.

John Baskfield, Chamberlain Architects, accompanied by Sister Karen Bland, presented the reason for the request. He described the site and how the request meets the guidelines for infill development. He explained each item and the need. The building will have 22 low income units, a residential manager unit, and a counseling office on 7 lots. The current request is for \$215,869 in incentives.

Sister Karen urged the City Council to participate in the goal of reducing homelessness. She listed the ways Catholic Outreach helps to prevent homelessness annually and gave a number of real people examples. Catholic Outreach has already been awarded a three year grant for case management, furnishings and maintenance, and another grant for three years of operational funds. The request is only 4.5% of the project cost.

Councilmember Coons asked how this project as a whole is being funded. Sister Karen said community support and grants. The board is taking a leap of faith and going forward.

Councilmember Todd asked about the size of the units. Sister Karen answered 500 square feet, specifically for a single person, as persons with mental illness cannot live with others.

Councilmember Todd thought the cost per square foot to be high. Mr. Baskfield said they are breaking the project up into three smaller building for aesthetics purposes. Councilmember Todd pointed out that it is at \$200 per square feet.

Sister Karen said some of the costs have been an effort to reduce maintenance and utility costs. The sprinkler system is not even included in the construction costs.

Mr. Baskfield said they are working with tradesmen to try to get some or all of their services donated. The resident manager's apartment is 900 square feet.

Councilmember Palmer noted since the undergrounding is not required, perhaps those funds would be better spent on things that are required, such as the fire hydrant, the concrete, and other items. Public Works and Planning Director Tim Moore said the undergrounding is required. Councilmember Palmer said it says differently in the report. Ms. Williams acknowledged that might be an error. Mr. Baskfield said without undergrounding the parking would have to be reconfigured and it would need additional City review, thus delaying the project.

Councilmember Hill said he focuses on what the barriers are for an infill project. He agreed that Staff has pointed out items that do address the barriers and provide community benefit. He supports Staff's recommendation.

Councilmember Coons asked for clarification on the on-site lighting. Mr. Baskfield said it is for safety, especially with the vulnerable population residing there. The light poles are about four feet high and light a twenty foot radius. They are for safety.

Councilmember Coons asked about the curb and gutter in the parking lot. Mr. Baskfield said the curb would be a parking stop and then there would be a sidewalk.

Councilmember Todd supported the Staff recommendation but is concerned at the cost of affordable housing being more than in the private sector.

Councilmember Palmer agreed with Councilmember Hill and supported the recommendation.

Councilmember Coons said she too would support the request but would also support the curb and gutter.

Council President Doody said he would support the three items being recommended by the Staff.

Councilmember Hill moved to approve the request to reimburse costs for the undergrounding of utilities, a fire hydrant, and the portion of the sanitary sewer work in the alley not to exceed \$72,058. Councilmember Palmer seconded the motion. Motion carried.

**Public Hearing – Niagara Village PD Amendment, Located West of 28 ¼ Road and South of K-Mart** [File # RZ-2007-049]

A request to amend the Niagara Village Planned Development Ordinance, to allow zero side and rear yard setbacks for accessory structures less than 200 square feet.

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

Adam Olsen, Associate Planner, reviewed this item. He described the site, the location, the request, the current zoning, and the surrounding zoning. The property was zoned PD in 1995. Setbacks for accessory structures were not addressed in that PD plan. The lots are not large enough to accommodate accessory structures without encroaching into the setback. The request still needs to meet criteria in the Zoning and Development Code. The Planning Commission did recommend approval.

Councilmember Palmer asked if the sheds required a building permit. Mr. Olsen said structures less than 200 square feet do not require a building permit. He is not sure all the structures are less than 200 square feet but the shed that brought this forward was

under 200 square feet. The applicant was going to apply for a variance but then the entire subdivision would have to apply or be out of compliance.

There were no public comments.

The public hearing was closed at 9:33 p.m.

Councilmember Hill said he has a concern but since the issue is throughout the subdivision and since it is surrounded by commercial, he would lean toward supporting it.

Councilmember Coons pointed out that since the PD did not address accessory structures, she can support it.

Ordinance No. 4092 – An Ordinance Amending Ordinance No. 2864 the Niagara Village Planned Development Zone Ordinance, Establishing Zero Side and Rear Yard Setbacks for Accessory Structures that are less than 200 Square Feet

Councilmember Coons moved to adopt Ordinance No. 4092 and ordered it published. Councilmember Todd seconded the motion. Motion carried by roll call vote.

**Public Hearing – Senatore Annexation and Zoning, Located at 2302 E Road** [File #ANX-2007-074]

Request to annex and zone 3.07 acres, located at 2302 E Road, to the R-2 zone district (Residential – two units per acre). The Senatore Annexation consists of one parcel of land and is a two part serial annexation containing portions of 23 Road and E Road Right-of-Way.

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

Lori V. Bowers, Senior Planner, reviewed this item. She described the location, the site, the surrounding zoning, and the Future Land Use designation as well as the current use. She mentioned there were objections to the requested zoning of R-4 by nearby property owners. The existing County zoning is RSF-4. Staff is recommending R-2

David Chase, Vista Engineering, was present representing the applicants. The applicant is asking for a slightly different zoning than Staff's recommendation. The water line extension that is required will be expensive, thus the reason for the additional density. The request would only slightly exceed the density allowed by R-2.

Willard Pease, Jr., 2307 E Road, across the street, described the character of the neighborhood and questioned the reason for annexation. He supported R-2 but not R-4.

Lila Lafferty, 2310 E Road, adjacent to the property, wants to preserve the rural yet urban feeling. There are larger properties not shown. The higher density does not fit. She described the wildlife. She opposed annexation due to the density being proposed.

Bruce Greenlee, 2315 E Road, 2.4 acres, said it is difficult for him to see a development that puts four houses on an acre just to make it economically feasible. He feels the market would allow them to make their money at two houses per acre.

Jen Greenlee, 2315 E Road, looked for two years for such a property and plans to retire there. She described her various house guests. It is safe for the kids. She opposed the development.

There were no further comments.

The public hearing was closed at 9:55 p.m.

David Chase said they want three lots at about ½ acre each. Developments pay their own way and the City gets the benefit. The benefit to the neighborhood would be additional fire flow. Without three lots, it probably won't be developed without a variance from the Fire Department. He clarified the acreage at 1.419.

Councilmember Hill thanked those that came forward. He stated that Mr. Chase made a good argument. The risk is that if his development does not go forward, yet it is zoned R-4, then more units could be built. Therefore he will have to support Planning Commission's recommendation of R-2.

Councilmember Todd agreed with Councilmember Hill that things could change but she has a deep conviction that when a property is zoned one way, then the property owner relies on that zoning.

Councilmember Palmer explained the requirement for annexation when development is desired under the Persigo Agreement. He agreed with the existing County zoning of R-4, and it is surrounded by R-4 so he would support that.

Councilmember Coons generally believes in zoning at a higher density, but in this instance she agrees with Councilmember Hill that there is no way to guarantee that it will not be built at the higher density so she supports R-2.

Councilmember Thomason agreed that R-2 makes more sense for that area.

Councilmember Beckstein was sure that four units per acre would not fit but since the zoning is the action being taken, she thinks R-2 would fit better.

Council President Doody stated he also supports R-2.

**a. Accepting Petition**

Resolution No. 92-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Senatore Annexation, Located at 2302 E Road is Eligible for Annexation

**b. Annexation Ordinances**

Ordinance No. 4093 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Senatore Annexation No. 1, Approximately 0.72 Acres of 23 Road Right-of-Way, Located at 2302 E Road

Ordinance No. 4094 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Senatore Annexation No. 2, Approximately 2.35 Acres, Located at 2302 E Road Including Portions of 23 Road and E Road Rights-of-Way

**c. Zoning Ordinance**

Ordinance No. 4095 – An Ordinance Zoning the Senatore Annexation to R-2, Located at 2302 E Road

Councilmember Hill moved to adopt Resolution No. 92-07 and adopt Ordinance Nos. 4093, 4094, and 4095 and ordered them published. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

**Public Hearing – Jones Annexation and Zoning, Located at 2858 C ½ Road**  
[File #ANX-2007-087]

Request to annex and zone 3.42 acres, located at 2858 C ½ Road, to R-4 (Residential, 4 units per acre). The Jones Annexation consists of one parcel and is located in the Pear Park area.

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

Faye Hall, Associate Planner, reviewed this item noting that the request meets the criteria of the State Statutes and the Zoning and Development Code. She entered the staff report and attachments into the record. The applicants were present but did not need to make a presentation.

There were no public comments.

The public hearing was closed at 10:13 p.m.

**a. Acceptance Petition**

Resolution No. 93-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Jones Annexation, Located at 2858 C ½ Road and a portion of the Florida Street Right-of-Way is Eligible for Annexation

**b. Annexation Ordinance**

Ordinance No. 4096 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Jones Annexation, Approximately 3.42 Acres, Located at 2858 C ½ Road and a portion of the Florida Street Right-of-Way

**c. Zoning Ordinance**

Ordinance No. 4097 – An Ordinance Zoning the Jones Annexation to R-4 (Residential, 4 Units Per Acre), Located at 2858 C ½ Road

Councilmember Beckstein moved to adopt Resolution No. 93-07 and adopt Ordinance Nos. 4096 and 4097 and ordered them published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

**Public Hearing – Sky View Annexation and Zoning, Located at 2881 D Road**

[File #ANX-2007-085]

Request to annex and zone 13.89 acres, located at 2881 D Road, to R-4 (Residential, 4 units per acre). The Sky View Annexation consists of two parcels and is located in the Pear Park Area, to the east of the Skyler Subdivision and west of 29 Road.

The public hearing was opened at 10:14 p.m.

Faye Hall, Associate Planner, reviewed this item. She described the location and the request and asked that the staff report and attachments be entered into the record. She said the request meets all requirements and Staff recommends approval.

There were no public comments.

The public hearing was closed at 10:15 p.m.

**a. Accepting Petition**

Resolution No. 94-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Sky View Annexation, Located at 2881 D Road and Also Includes a Portion of the D Road and Florida Street Rights-of-Way is Eligible for Annexation

**b. Annexation Ordinance**

Ordinance No. 4098 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Sky View Annexation, Approximately 13.89 Acres, Located at 2881 D Road and Also Includes a Portion of the D Road and Florida Street Rights-of-Way

**c. Zoning Ordinance**

Ordinance No. 4099 – An Ordinance Zoning the Sky View Annexation to R-4, (Residential, 4 units per acre) Located at 2881 D Road

Councilmember Coons moved to adopt Resolution No. 94-07 and adopt Ordinance Nos. 4098 and 4099 and ordered them published. Councilmember Palmer seconded the motion. Motion carried by roll call vote.

**Public Hearing – Street Property Annexation and Zoning, Located at 623 29 ½ Road**  
[File #ANX-2007-107]

Request to annex and zone 1.49 acres, located at 623 29 ½ Road to R-4 (Residential, 4 units per acre). Staff is recommending the R-5 (Residential, 5 units per acre) zone district. The Street Property Annexation consists of one parcel and is located directly east of the Forrest Run Subdivision in the Fruitvale area.

The public hearing was opened at 10:16 p.m.

Faye Hall, Associate Planner, reviewed this item. She described the location, the site, the surrounding zoning, and the requested zoning. However, Staff is recommending R-5 zoning rather than the R-4 being requested. The applicant was present and would like to speak.

Richard Mason, Rolland Engineering, representing the Streets, 405 Ridges Blvd., said the intent was to split the property into two lots. The split will require a fire line upgrade or a sprinkler system, both very expensive. The owners did not want to actually develop the additional lot until the future. They are not able to meet those financial requirements so

they asked to withdraw the request for annexation. There are some personal circumstances adding to the situation.

City Attorney John Shaver said that since the petition has not been accepted, the Council can reject accepting the petition and thus cancel the annexation process.

Councilmember Thomason noted that it will not preclude the Streets from going forward at another time.

Council President Doody asked if they still need to go forward with the public hearing. City Attorney Shaver said they do not, based on the testimony.

Public testimony was not solicited.

**a. Accepting Petition**

Resolution No. 95-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Street Property Annexation, Located at 623 29 ½ Road and a Portion of the 29 ½ Road Right-of-Way is Eligible for Annexation

**b. Annexation Ordinance**

Ordinance No. 4100 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Street Property Annexation, Approximately 1.49 Acres, Located at 623 29 ½ Road and a Portion of the 29 ½ Road Right-of-Way

**c. Zoning Ordinance**

Ordinance No. 4101 – An Ordinance Zoning the Street Property Annexation to R-5 (Residential, 5 Units Per Acre), Located at 623 29 ½ Road

Councilmember Hill moved to adopt Resolution No. 95-07. Councilmember Palmer seconded the motion. Motion failed by roll call vote.

**Public Hearing – Younger Annexation and Zoning, Located at 2172 and 2176 H Road** [File #GPA-2007-054]

Request to annex and zone the 44.87 acre Younger Annexation, located at 2172 and 2176 H Road, to I-1 (Light Industrial). The Younger Annexation consists of 2 parcels inside the H Road/Northwest Area Plan boundary area that was recently changed on the Future Land Use Map from a Rural 5-35 ac/du to Commercial/Industrial designation.

The public hearing was opened at 10:25 p.m.

David Thornton, Principal Planner, reviewed this item. He described the request and the location and asked that the staff report and attachments be entered into the record. He advised that the applicant was present to answer questions.

There were no public comments.

The public hearing was closed at 10:27 p.m.

**a. Accepting Petition**

Resolution No. 96-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Younger Annexation, Located at 2172 and 2176 H Road Including a Portion of the H Road Right-of-Way is Eligible for Annexation

**b. Annexation Ordinance**

Ordinance No. 4102 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Younger Annexation, Approximately 44.87 Acres, Located at 2172 and 2176 H Road Including a Portion of the H Road Right-of-Way

**c. Zoning Ordinance**

Ordinance No. 4103 – An Ordinance Zoning the Younger Annexation to I-1 (Light Industrial), Located at 2172 and 2176 H Road

Councilmember Palmer moved to adopt Resolution No. 96-07 and adopt Ordinance Nos. 4102 and 4103 and ordered them published. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

**Public Hearing – Vacating a Portion of Public Right-of-Way, Located at 2397 and 2399 Mariposa Drive** [File #VR-2006-284]

The property owners at 2397 and 2399 Mariposa Drive are requesting that Hilltop Court located between 2397 and 2399 Mariposa Drive on the Redlands be reduced from 50 feet to 20 feet in width with approximately 15 feet of right-of-way being vacated from each side. Within the vacated right-of-way a multi-purpose easement will be reserved as a perpetual easement for City approved public utilities and appurtenances.

The public hearing was opened at 10:28 p.m.

David Thornton, Principal Planner, reviewed this item. He described the request, the location, the original purpose of the dedication, and what has occurred since that dedication. He described the surrounding area including the Painted Bowl public area. The two property owners on either side of the right-of-way are petitioning for the vacation. A multi-purpose easement will be maintained. Both Planning Commission and Staff recommend approval. One of the applicants was present.

Councilmember Palmer asked for confirmation that the stub street will never be constructed. Mr. Thornton confirmed that.

Toby Axelson, son of the owners, who are out of town, explained the request and described the topography and the driveway issue.

There were no public comments.

The public hearing was closed at 10:44 p.m.

Ordinance No. 4104 – An Ordinance Vacating Right-of-Way for Hilltop Court, Located between 2397 and 2399 Mariposa Drive

Councilmember Thomason moved to adopt Ordinance No. 4104 and ordered it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Council President Doody called a recess at 10:35 p.m.

Councilmember Coons left the meeting.

The meeting reconvened at 10:45 p.m.

**Public Hearing – Adoption of the CDBG 2007 Action Plan, Year 2 of the 2006 Five-year Consolidated Plan**

A request to adopt the 2007 CDBG Program Year Action Plan as a part of the City of Grand Junction's 2006 Five-Year Consolidated Plan for the Grand Junction Community Development Block Grant (CDBG) Program.

The public hearing was opened at 10:45 p.m.

Kathy Portner, Neighborhood Services Manager, reviewed this item. She advised that the Center for Independence that did not get funded has been assisted by the CDBG staff and found some savings in their administration costs.

Ms. Portner then reviewed each one of the recommended programs for funding and gave a brief description of each. The total funding being provided is \$412,043 which will leverage over \$2 million.

There were no public comments.

The public hearing was closed at 10:53 p.m.

Resolution No. 97-07 – A Resolution Adopting the 2007 Program Year Action Plan as a Part of the City of Grand Junction's 2006 Five-Year Consolidated Plan for the Grand Junction Community Development Block Grant (CDBG) Program

Councilmember Hill moved to adopt Resolution No. 97-07. Councilmember Todd seconded the motion. Motion carried by roll call vote.

### **Purchase of Street Lights for 7<sup>th</sup> Street and Rood Avenue Parking Structure**

Xcel Energy has approved the use of City/DDA selected pedestrian and street lights for 7<sup>th</sup> Street and the Rood Avenue Parking Structure. Xcel has requested that the City purchase the lights since they are not Xcel standard fixtures.

Tim Moore, Public Works and Planning Director, reviewed this item. He advised the lights are for 7<sup>th</sup> Street and for the Rood Avenue Parking Structure.

Councilmember Palmer asked about the temporary reference. Mr. Moore said the temporary lights will be used at another location once the aforementioned projects are complete.

Councilmember Palmer moved to authorize the City Manager to execute a contract for the purchase of the union metal's lighting fixtures for 7<sup>th</sup> Street and the Rood Avenue Parking Structure from Illumination Systems in the amount of \$307,568. Councilmember Beckstein seconded the motion. Motion carried.

### **Contract to Purchase Property at 524 Pitkin Avenue**

Negotiations by City staff with the owners of 524 Pitkin Avenue, also known as Claire's Auto, have been completed and a purchase contract has been signed by both parties.

John Shaver, City Attorney, reviewed this item. He stated the resolution will be corrected to identify the correct address as 524 Pitkin. He had a variety of photos of the property and advised there may be some environmental clean-up needed. The contract price is \$590,000.

Mr. Shaver noted there may be an opportunity to use this property as a future Safety Services building and it may be leased until that time. Acting City Manager Laurie Kadrach said an evaluator will determine if this is the best site for a Safety Services facility. If it is not determined to be the best site, it can be resold to the private sector.

Councilmember Palmer asked how the current Police Department property would be used. Acting City Manager Kadrach said the discussions include looking at that land twenty years out for future City use. Mr. Shaver noted that the City is currently negotiating a lease for storage of two large vehicles so it could be used for those purposes at some point.

Resolution No. 98-07 – A Resolution Ratifying the Purchase Contract for the Property Located at 524 Pitkin Avenue, Grand Junction, Colorado

Councilmember Palmer moved to adopt Resolution No. 98-07. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

### **Non-Scheduled Citizens & Visitors**

There were none.

### **Other Business**

Council President Doody reminded the audience about the upcoming 125<sup>th</sup> Anniversary Celebration.

### **Adjournment**

The meeting adjourned at 11:06 p.m.

Stephanie Tuin, MMC  
City Clerk