

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

**December 17, 2007**

The City Council of the City of Grand Junction convened into regular session on the 17<sup>th</sup> day of December 2007 at 7:02 p.m. in the City Auditorium. Those present were, Councilmembers Bonnie Beckstein, Teresa Coons, Bruce Hill, Gregg Palmer, Doug Thomason, Linda Romer Todd, and Council President Jim Doody. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Doody called the meeting to order. Councilmember Palmer led in the Pledge of Allegiance. The audience remained standing for the invocation by Jim Hale, Spirit of Life Christian Fellowship.

**Proclamations/Recognitions**

Colorado Weed Management Association's "Weed Manager of the Year" Award

Utility and Street Systems Director Greg Trainor reviewed the history of weed management in the City as it went from the Fire Department to the Parks Department and is now split between Neighborhood Services/Code Enforcement and the Street Division.

Jude Sirota, Mesa County Pest Inspector, presented the "Weed Manager of the Year" award to Rick Alexander who graciously accepted the award and thanked the individuals that helped him succeed.

**Appointments**

To the Public Finance Corporation

Councilmember Hill moved to reappoint John Gormley to the Public Finance Corporation for a three year term expiring January 2011. Councilmember Coons seconded the motion. Motion carried.

Ratify Appointments to the Riverview Technology Corporation

Councilmember Palmer moved to appoint Susan Holappa, Jerome Gonzales, and Jim Fleming to the Riverview Technology Corporation for three year terms expiring February 2011. Councilmember Hill seconded the motion. Motion carried.

**Certificates of Appointments**

To the Grand Junction Housing Authority

Patti Hoff was present to receive her certificate of appointment as a member of the Grand Junction Housing Authority.

To the Grand Junction Forestry Board

Stephen Gerow and Mike Heinz were present to receive their certificates of appointment to the Grand Junction Forestry Board.

To the Visitor and Convention Bureau Board of Directors

Nathan Knoll was present to receive his certificate of appointment, and Brunella Gualerzi was present to receive her certificate of reappointment to the Visitor and Convention Bureau Board of Directors.

### **Council Comments**

Councilmember Gregg Palmer announced the selection of Jim Shanks as “Supervisor of the Year”, and Sam Rainguet as “Employee of the Year” at the City’s Award Banquet.

### **Citizen Comments**

There were none.

## **CONSENT CALENDAR**

Councilmember Beckstein read the items on the Consent Calendar. Councilmember Hill moved to approve the Consent Calendar. It was seconded by Councilmember Coons and carried by roll call vote to approve the Consent Items #1 through #11 with Councilmember Palmer voting NO on item #9.

### **1. Minutes of Previous Meetings**

Action: Approve the Minutes of the December 3, 2007 and the December 5, 2007, Regular Meeting and the Minutes of the December 5, 2007, Special Session

### **2. Setting a Hearing Rezoning the Pepper Ridge Townhomes, Located at the South End of W. Indian Creek Drive** [File #PP-2007-303]

A request for rezone 3.32 acres, located at the south end of W. Indian Creek Drive, from PD (Planned Development) to R-8 (Residential 8 du/ac).

Proposed Ordinance Rezoning the Property Known as the Pepper Ridge Townhomes to R-8 (Residential 8 du/ac), Located at the South end of W. Indian Creek Drive

Action: Introduction of a Proposed Ordinance and Set a Hearing for January 2, 2008

3. **Setting a Hearing Vacating Public Right-of-Way for Portions of Palmer Street and Dominquez Avenue, Alpine Bank Subdivision** [File #PP-2007-317]

The applicant, Alpine Bank, is proposing to subdivide this parcel into a major subdivision containing both commercial and residential lots. At the northwest corner of the property are the existing rights-of-way for Palmer Street and Dominquez Avenue. These rights-of-way are in excess of what is needed and required for access to the proposed subdivision. Therefore, a vacation request is proposed for these portions of right-of-way.

Proposed Ordinance Vacating Right-of-Way for Portions of Palmer Street and Dominquez Avenue, Located at 2675 Highway 50

Action: Introduction of a Proposed Ordinance and Set a Hearing for January 2, 2008

4. **Setting a Hearing on the Foster Industrial Annexation, Located at 381 27 3/8 Road** [File #ANX-2007-330]

Request to annex .41 acres, located at 381 27 3/8 Road. The Foster Industrial Annexation consists of one parcel and a portion of the 27 ½ Road right-of-way.

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

Resolution No. 178-07—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, Foster Industrial Annexation, Located at 381 27 3/8 Road and a Portion of the 27 ½ Road Right-of-Way

*Action: Adopt Resolution No. 178-07*

b. Setting a Hearing of Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Foster Industrial Annexation, Approximately .41 acres, Located at 381 27 3/8 Road and a Portion of the 27 1/2 Road Right-of-Way

*Action: Introduction of Proposed Ordinance and Set a Hearing for February 4, 2008*

5. **Setting a Hearing on the Garden Grove – Turley Annexation, Located at 2962 A 1/2 Road** [File #ANX-2007-338]

Request to annex 19.77 acres, located at 2962 A 1/2 Road. The Garden Grove – Turley Annexation consists of four parcels and is a two part serial annexation.

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

Resolution No. 179-07—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, Garden Grove-Turley Annexation No. 1 and 2, Located at 2962 A 1/2 Road

Action: Adopt Resolution No. 179-07

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Garden Grove-Turley Annexation No. 1, Approximately 14.93 acres, Located at 2962 A 1/2 Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Garden Grove-Turley Annexation No. 2, Approximately 4.94 Acres, Located at 2962 A 1/2 Road

*Action: Introduction of Proposed Ordinances and Set a Hearing for February 4, 2008*

6. **Setting a Hearing Zoning the Gummin Annexation, Located at 2215 Magnus Court** [File #ANX-2006-100]

Request to zone the 6.60 acre Gummin Annexation, located at 2215 Magnus Court, to R-2 (Residential, 2 units per acre).

Proposed Ordinance Zoning the Gummin Annexation, to R-2 (Residential, 2 units per acre), Located at 2215 Magnus Court

Action: *Introduction of Proposed Ordinance and Set a Hearing for January 14, 2008*

7. **Setting a Hearing on the Lochmiller Annexation, Located at 193 Shelley Drive**  
[File #ANX-2007-329]

Request to annex 1.06 acres, located at 193 Shelley Drive. The Lochmiller Annexation consists of one parcel and includes a portion of the B Road and Shelley Drive rights-of-way. This property is located on the south side of B Road and east of 29 Road on Orchard Mesa.

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

Resolution No. 180-07—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, Lochmiller Annexation, Located at 193 Shelley Drive and also Includes a Portion of the B Road and Shelley Drive Rights-of-Way

Action: *Adopt Resolution No. 180-07*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Lochmiller Annexation, Approximately 1.06 acres, Located at 193 Shelley Drive and also Includes a Portion of the B Road and Shelley Drive Rights-of-Way

Action: *Introduction of Proposed Ordinance and Set a Hearing for February 4, 2008*

8. **Setting a Hearing for the Ridges Mesa Planned Development (ODP) Outline Development Plan** [File #ODP-2006-358]

A request for approval of an Outline Development Plan (ODP) to develop 51 acres as a Planned Development in a currently zoned R-2 (Residential-2 dwelling units per acre) zone district; retaining the R-2 zoning as the default zoning designation.

Proposed Ordinance Rezoning the Approximately 51.04 Acres from R-2 to PD (Planned Development) The Ridges Mesa Planned Development, Located East of Hidden Valley Drive and High Ridge Drive

*Action: Introduction of Proposed Ordinance and Set a Hearing for January 14, 2008*

9. **Reimbursement Agreement for the Corner Square Project at the Southwest Corner of Patterson Road and North 1<sup>st</sup> Street** [File# INR-2007-246]

This is a request for approval of an agreement for repayment of infill/redevelopment incentives awarded for reimbursement for the cost of undergrounding utilities along Ranchman's Ditch on Patterson Road. The infill grant was awarded at the September 19, 2007 City Council meeting. The award is associated with a project known as Corner Square at the southwest corner of N. 1<sup>st</sup> Street and Patterson Road.

*Action: Ratify the Agreement for Reimbursement of Awarded Infill Monies*

10. **Contract Renewal for Visitor and Convention Bureau Advertising Services**

This is the third year of a 5-year annually renewable contract with Hill & Company Integrated Marketing and Advertising to provide advertising services to the VCB.

Action: Authorize the City Manager to Sign a Contract with Hill & Company Integrated Marketing and Advertising in the Amount of \$425,000 for the Period January 1 – December 31, 2008

11. **Contract Renewal for Visitor and Convention Bureau Website Marketing Services**

This is the third year of a 5 year annually renewable contract with Miles Media Group to provide website maintenance and advertising services to the VCB.

Action: Authorize the City Manager to Sign a Contract with Miles Media Group, Sarasota, Florida, in the Amount of \$125,000 for the Period January 1, 2008 – December 31, 2008

**ITEMS NEEDING INDIVIDUAL CONSIDERATION**

**Public Hearing—Davis Annexation and Zoning, Located at 488 23 Road** [File #ANX-2007-297]

Request to annex and zone 1.55 acres, located at 488 23 Road, to R-2 (Residential 2 du/ac). The Davis Annexation consists of 1 parcel and includes a portion of the 23 Road right-of-way. The owners have requested annexation in order to subdivide the property.

The public hearing was opened at 7:20 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She described the location and the request and then asked that the staff report and attachments be entered into the record. She advised that the Planning Commission recommended approval. Ms. Costello said the annexation and zoning request meets the criteria of the Zoning and Development Code. She noted the applicant was present.

The applicant did not wish to speak.

There were no public comments.

The public hearing was closed at 7:22 p.m.

**a. Acceptance Petition**

Resolution No. 181-07—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Davis Annexation, Located at 488 23 Road, Including a Portion of the 23 Road Right-of-Way is Eligible for Annexation

**b. Annexation Ordinance**

Ordinance No. 4154—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Davis Annexation, Approximately 1.55 Acres, Located at 488 23 Road, Including a Portion of the 23 Road Right-of-Way

**c. Zoning Ordinance**

Ordinance No. 4155—An Ordinance Zoning the Davis Annexation to R-2, Located at 488 23 Road

Councilmember Thomason moved to adopt Resolution No. 181-07, and Ordinance Nos. 4154 and 4155, and ordered them published. Councilmember Palmer seconded the motion. Motion carried by roll call vote.

**Public Hearing—Krummel Annexation and Zoning, Located at 2953 Highway 50** [File #ANX-2007-294]

Request to annex and zone 1.74 acres, located at 2953 Highway 50, to R-4 (Residential, 4 units per acre). The Krummel Annexation consists of one parcel and is located on the south side of Highway 50 directly west of Buena Vista Drive on Orchard Mesa.

The public hearing opened at 7:23 p.m.

Senta L Costello, Associate Planner, reviewed this item. She described the location and the request and then asked that the staff report and attachments be entered into the record. She advised that the Planning Commission recommended approval. Ms. Costello said the annexation and zoning request meets the criteria of the Zoning and Development Code. She noted the applicant was present.

The applicant did not wish to speak.

There were no public comments.

The public hearing was closed at 7:24 p.m.

**a. Accepting Petition**

Resolution No. 182-07—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Krummel Annexation, Located at 2953 Highway 50 is Eligible for Annexation

**b. Annexation Ordinance**

Ordinance No. 4156—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Krummel Annexation, Approximately 1.74 Acres, Located at 2953 Highway 50

**c. Zoning Ordinance**

Ordinance No. 4157—An Ordinance Zoning the Krummel Annexation to R-4 (Residential, 4 units per acre), Located at 2953 Highway 50

Councilmember Coons moved to adopt Resolution No. 182-07, and Ordinance Nos. 4156 and 4157, and ordered them published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

**Public Hearing—Cooper-Tucker Annexation and Zoning, Located at 2825 D Road**  
[File #ANX-2007-289]

Request to annex and zone 11.47 acres, located at 2825 D Road, to I-1 (Light Industrial). The Cooper-Tucker Annexation consists of one parcel and includes a portion of the D Road right-of-way. This property is located on the south side of D Road, east of 28 Road in the Pear Park area.

The public hearing was opened at 7:25 p.m.



Senta L. Costello, Associate Planner, reviewed this item. She described the location and the request and then asked that the staff report and attachments be entered into the record. Ms. Costello said the annexation and zoning request meets the criteria of the Zoning and Development Code. She advised that the Planning Commission recommended approval. Ms. Costello said the applicant is present.

The applicant's representative stated that there is no need for them to present unless there are questions.

There were no public comments.

The public hearing was closed at 7:28 p.m.

**a. Acceptance Petition**

Resolution No. 183-07—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as Cooper-Tucker Annexation, Located at 2825 D Road and also Includes a Portion of the D Road Right-of-Way is Eligible for Annexation

**b. Annexation Ordinance**

Ordinance No. 4158—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Cooper-Tucker Annexation, Approximately 11.47 Acres, Located at 2825 D Road and also Includes a Portion of the D Road Right-of-Way

**c. Zoning Ordinance**

Ordinance No. 4159—An Ordinance Zoning the Cooper-Tucker Annexation to I-1 (Light Industrial), Located at 2825 D Road

Councilmember Todd moved to adopt Resolution No. 183-07, and Ordinance Nos. 4158 and 4159, and ordered them published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

**Request for Rehearing on Growth Plan Amendment, Located at 2510 N. 12<sup>th</sup> Street, 1212, 1228, 1238, 1308, 1310, 1314, and 1324 Wellington Avenue** [File #GPA-2006-241]

The City received one (1) letter from a neighborhood citizen regarding the City Council's decision to approve a Growth Plan Amendment request to amend the Future Land Use Map from Residential Medium (4—8 DU/Ac.) to Commercial for the properties located at

2510 N. 12<sup>th</sup> Street, 1212, 1228, 1238, 1308, 1310, 1314 and 1324 Wellington Avenue. The letter requested a rehearing in accordance with Section 2.18 D. of the Zoning and Development Code.

John Shaver, City Attorney, reviewed this item. He explained the process and referred to a letter from Dick Fulton requesting the rehearing, and a letter from the applicant responding to the request for a rehearing. Mr. Shaver then explained the criteria for considering the request, and what questions the City Council should consider. He read 2.18 D 3g which states the Council can allow the requestor to make statements explaining his request. He cannot present any new evidence, but he may characterize it or describe it, but not actually offer the evidence until a rehearing, if such a rehearing is granted.

Council President Doody asked if there is a motion to hear Dr. Fulton.

Councilmember Todd moved to deny the request for a rehearing. The motion died due to lack of a second.

Councilmember Coons moved to have a discussion as to whether or not to rehear the issues. Councilmember Beckstein seconded the motion. Motion carried by roll call vote with Councilmember Todd voting NO.

Councilmember Coons asked to hear from Dr. Fulton as to the nature of the additional evidence.

Councilmember Beckstein advised she has heard that the City Council did not explain themselves sufficiently at the last hearing.

Councilmember Hill was open to hearing from Dr. Fulton, as well as Councilmember Todd.

Dr. Richard Fulton, 1556 Wellington Avenue, the requestor for the rehearing, stated that either Criteria A must be met, or else all the other criteria must be met. He did not feel there was evidence presented as such.

Councilmember Coons said she felt the criteria were addressed in her comments at the first hearing.

Councilmember Todd said she specifically addressed Criteria A in her comments.

Councilmember Thomason said he felt there had been a change in the area so Criteria A was addressed.

Councilmember Hill said the focus of the City Council questions at the hearing was not on the criteria since the City Council did not have questions relative to the criteria. The part of Staff's presentation that was critical was that there was an error in the Land Use Designation with the lots being residential, and extending up into the commercial area.

Councilmember Palmer said he too thought the criteria was met, specifically Criteria A, the area has changed.

Councilmember Beckstein said the Staff presentation was concise, they listened to both sides, but the conclusion to change the Growth Plan designation was correct. The zoning is still to be considered.

Council President Doody did not have much to add as he did not feel that either the Planning Commission or the City Council was in error. He felt Councilmember Thomason's comment that the Growth Plan is a living document was appropriate at the last hearing.

Councilmember Thomason moved to deny the request for rehearing on the Growth Plan Amendment. Councilmember Todd seconded. Motion carried by roll call vote.

**Non-Scheduled Citizens & Visitors**

There were none.

**Other Business**

There was none.

**Adjournment**

The meeting adjourned at 7:54 p.m.

Stephanie Tuin, MMC  
City Clerk