

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

May 5, 2008

The City Council of the City of Grand Junction convened into regular session on the 5th day of May 2008 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Teresa Coons, Bruce Hill, Gregg Palmer, Doug Thomason, Linda Romer Todd, and Council President Jim Doody. Councilmember Bonnie Beckstein was absent. 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 Coons led in the Pledge of Allegiance. Invocation was given by Chaplin Alan Kaiser, Good News Jail and Prison Ministry.

Proclamations/Recognitions

Annual Historic Preservation Award to Hospice and Palliative Care of Western Colorado

Proclaiming May 13, 2008 as "Livestrong Day" in the City of Grand Junction

Proclaiming May 10, 2008 as "Grand Junction Letter Carriers Stamp Out Hunger Day" in the City of Grand Junction

Election of Mayor and Mayor Pro Tem/Administer Oaths of Office

Councilmember Thomason nominated Gregg Palmer as Mayor for the City of Grand Junction. Councilmember Coons seconded the nomination. Councilmember Gregg Palmer was elected as President of the Council/Ex Officio Mayor by unanimous roll call vote.

Councilmember Palmer nominated Teresa Coons as Mayor Pro Tem for the City of Grand Junction. Councilmember Todd seconded the nomination. Councilmember Teresa Coons was elected as President of the Council Pro Tem/Ex Officio Mayor Pro Tem by unanimous roll call vote.

City Clerk Stephanie Tuin administered the oath of office to both Council President Palmer and Council President Pro Tem Coons and President of the Council Palmer took his seat at the dais.

Council President Palmer recognized the outgoing Mayor Doody and all of his time and effort, noting a formal recognition will take place at the next meeting

Council Comments

Councilmember Hill praised the DDA Annual Banquet held on May 1st, which Councilmember Todd and Doody in addition to City Staff Deputy City Manager Rich Englehart and City Attorney John Shaver being present. Councilmember Hill said there were lots of awards and recognitions given and it was topped off by the recognition of Harold and Nancy Stalf. Mr. Stalf gave his Board plenty of notice of his resignation and was determined to get the critical information for the TIF legislation for this community, even knowing he was leaving. Council President Palmer thanked Councilmember Hill for his part also in this legislation.

Councilmember Coons explained that she will be absent on Wednesday due to her commitment to attend an Air Quality Control Commission quarterly meeting which will be held at City Hall. She invited the public to come and participate.

The following week the Air Quality Control Commission's monthly meeting and retreat will also be hosted here in Grand Junction at the Courtyard Marriot.

Councilmember Todd recognized the Portner–Fife family with the success of their son and the Student of the Week recognition in the newspaper.

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 Hill, and carried by roll call vote to approve Consent Items #1 through 6.

1. **Minutes of Previous Meetings**

Action: Approve the Minutes of the April 14, 2008 and the April 16, 2008 Regular Meeting and the Joint Persigo Meeting Minutes of the February 13, 2008 Meeting

2. **Setting a Hearing on the Simon Annexation, Located at 3076 and 3080 F ½ Road** [File #ANX-2008-106]

Request to annex 6.30 acres, located at 3076 and 3080 F ½ Road. The Simon Annexation consists of two parcels.

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

Resolution No. 54-08—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, Simon Annexation, Located at 3076 and 3080 F ½ Road

Action: Adopt Resolution No. 54-08

b. Setting a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Simon Annexation No. 1, Approximately 1.62 Acres, Located at 3076 F ½ Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Simon Annexation No. 2, Approximately 4.68 Acres, Located at 3080 F ½ Road

Action: Introduction of Proposed Ordinances and Set a Hearing for June 16, 2008

3. **Setting a Hearing on the Burnett Annexation, Located at 2846 ½ C Road** [File #ANX-2088-099]

Request to annex 1.09 acres, located at 2846 ½ C Road and part of the C Road right-of-way. The Burnett Annexation consists of one parcel.

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

Resolution No. 55-08—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, Burnett Annexation, Located at 2846 ½ C Road and Parts of the C Road Right-of-Way

Action: Adopt Resolution No. 55-08

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Burnett Annexation, Approximately 1.09 Acres, Located at 2846 ½ C Road and Parts of the C Road Right-of-Way

Action: Introduction of a Proposed Ordinance and Set a Hearing for June 16, 2008

4. **Setting a Hearing on Zoning the Apple Glen Annexation, Located at 2366 H Road** [File #ANX-2007-306]

Request to zone the 16.24 acre Apple Glen Annexation, located at 2366 H Road, to R-4 (Residential 4-du/ac).

Proposed Ordinance Zoning the Apple Glen Annexation to R-4 (Residential, 4 du/ac), Located at 2366 H Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for May 19, 2008

5. **Setting a Hearing on Zoning the Thorson Annexation, Located at 2972 D Road** [File #ANX-2008-071]

Request to zone the 0.81 acre Thorson Annexation, located at 2972 D Road, to R-8 (Residential 8 du/ac).

Proposed Ordinance Zoning the Thorson Annexation to R-8 (Residential 8 du/ac), Located at 2972 D Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for May 19, 2008

6. **Setting a Hearing on Rezoning Property Known as the Cobble Creek Subdivision, Located at 2524 F ½ Road** [File #PP-2007-169]

A request for approval to rezone property located at 2524 F ½ Road from R-R (Residential Rural) to PD (Planned Development) with a default zone of R-8 and an overall density of 4.00 du/ac by approval of the Preliminary Development Plan to develop 12 dwelling units on approximately 3 acres as a Planned Development.

Proposed Ordinance Rezoning the Cobble Creek Subdivision from R-R (Residential Rural) to PD (Planned Development) Zone by Approving a Preliminary Development Plan with a Default R-8 (Residential – 8) Zone, with Deviations, for the Development of 12 Single-Family Detached Dwelling Units, Located at 2524 F ½ Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for May 19, 2008

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Public Hearing—Carter-Page Annexation and Zoning, Located at 2793 D Road [File #ANX-2008-046]

Request to annex and zone 6.29 acres, located at 2793 D Road, to I-2. The Carter-Page Annexation consists of 1 parcel and includes a portion of the D Road right-of-way.

The public hearing was opened at 7:35 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She described the site and the location. The site includes 6.29 acres and a portion of the D Road right-of-way. She described the surrounding uses and zoning, and the existing zone designation. The applicant is asking for I-2 zoning but Staff is recommending I-1 mostly due to the

proposals in the South Downtown Plan that will be coming before Council in the near future.

Councilmember Todd asked about the group Ms. Costello referred to that was discussing what the best zoning would be for properties in that area. Ms. Costello identified the people involved in the discussion groups including there being three members of Council. She was not sure if the applicants for this application were involved in those focus groups but they were invited as were all property owners in that area.

Councilmember Hill asked if I-2 should not go there, then where? The Plan being referred to has not been adopted. He asked if there is a supply of this type of zoning.

Ms. Costello said there is other I-2 available in the South Downtown area (not of this size) and on the west end of town.

Councilmember Todd inquired if those areas are already zoned I-2. Ms. Costello said in the west there are some and some areas that would need to be annexed and zoned. She pointed out the other I-2 zoned properties in area south of downtown on the map.

Robert Jones II, Vortex Engineering, 255 Vista Valley Drive, was present representing the applicant. He reviewed the request. He then addressed the zoning criteria and stated that the request is compatible with the neighborhood and that adequate services are available to the property. The current Growth Plan does call for this property to be industrial. The amount of industrially zoned property is dwindling due to the construction of the Riverside Parkway. He asked that Council approve the I-2 zoning.

There were no public comments.

The public hearing was closed at 7:45 p.m.

Councilmember Doody agreed with the applicant that the current Growth Plan is what needs to be considered. He supported the I-2.

Councilmember Hill said he is not sure that Riverside Parkway has caused the amount of industrial land to dwindle but it certainly consumed it. There is some I-2 zoning on the ground but it is not planned (designated) as such. The reference to the South Downtown Plan is property south of downtown and is not the same as LoDo; 9 out of 11 rail spurs in town are in that area. He supports the I-2 zoning.

Councilmember Todd agreed the Plan is not in place. Everybody needs predictability. The purpose of the Riverside Parkway was to get the truck traffic out of downtown; it is industrial through the whole area. She supports the I-2 zoning.

Councilmember Thomason was also supportive of an I-2 zone.

Councilmember Coons sat in on the focus groups and although the Plan has not been adopted, there was a lot of discussion and involvement of people that want a long term plan for the redevelopment of the area; to set this aside does not make sense. If that discussion is bypassed, then there is a question of adopting the South Downtown Plan. Council's job is to be forward-looking and see how this area should look in the future. She supports I-1. She added that the City is in the middle of Comprehensive Planning.

Council President Palmer said the current Growth Plan designates it industrial and he agrees the Council should look to that adopted plan.

a. Accepting Petition

Resolution No. 56-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Carter-Page Annexation, Located at 2793 D Road Including a Portion of the D Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4215—An Ordinance Annexing Territory to the City of Grand Junction, the Carter-Page Annexation, Approximately 6.29 Acres, Located at 2793 D Road Including a Portion of the D Road Right-of-Way

c. Zoning Ordinance

Ordinance No. 4216—An Ordinance Zoning the Carter-Page Annexation to I-2 (General Industrial), Located at 2793 D Road

Councilmember Thomason moved to adopt Resolution No. 56-08, and adopt Ordinance Nos. 4215 and 4216, and ordered them published. Councilmember Hill seconded the motion. Motion carried by roll call vote with Councilmember Coons voting NO.

Public Hearing—Willow Wood Village Annexation and Zoning, Located at 3147 E Road [File #ANX-2008-033]

Request to annex and zone 7.94 acres, located at 3147 E Road, to R-8 (Residential 8 du/ac). The Willow Wood Village Annexation consists of 2 parcels, includes a portion of the E Road right-of-way, and is a two part serial annexation.

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

Senta L. Costello, Associate Planner, reviewed this item. She described the site and the location. She asked that the Staff report and the attachments be entered into the record. The annexation meets the criteria of the Zoning and Development Code and the Planning Commission recommended approval. The applicant was present to answer questions.

Mark Austin, Austin Civil Group, 336 Main Street, was present to answer questions. There were none.

There were no public comments.

The public hearing was closed at 7:55 p.m.

a. Accepting Petition

Resolution No. 57-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Willow Wood Village Annexation No. 1 and No. 2, Located at 3147 E Road Including a Portion of the E Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 4217—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Willow Wood Village Annexation No. 1, Approximately 4.45 Acres, Located at 3147 E Road

Ordinance No. 4218—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Willow Wood Village Annexation No. 2, Approximately 3.49 Acres, Located at 3147 E Road Including a Portion of the E Road Right-of-Way

c. Zoning Ordinance

Ordinance No. 4222—An Ordinance Zoning the Willow Wood Village Annexation to R-8 (Residential 8 du/ac), Located at 3147 E Road

Councilmember Todd moved to adopt Resolution No. 57-08, and adopt Ordinance Nos. 4217, 4218, and 4222 and ordered them published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Public Hearing—Summers Annexation and Zoning, Located at 2144 Broadway [File #ANX-2008-028]

Request to annex and zone 0.90 acres, located at 2144 Broadway, to B-1 (Neighborhood Business). The Summers Annexation consists of 1 parcel.

The public hearing was opened at 7:57 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She described the site and the location. She asked that the Staff report and the attachments be entered into the record. The annexation request meets the Zoning and Development Code criteria. The Planning Commission recommended approval as does Staff. The applicant was present to answer questions.

Mark Austin, Austin Civil Group, 336 Main Street, was present representing the applicant and was available to answer questions.

There were no public comments.

The public hearing was closed at 7:59 p.m.

a. Accepting Petition

Resolution No. 58-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Summers Annexation, Located at 2144 Broadway is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4223—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Summers Annexation, Approximately 0.90 Acres, Located at 2144 Broadway

c. Zoning Ordinance

Ordinance No. 4224—An Ordinance Zoning the Summers Annexation to B-1 (Neighborhood Business), Located at 2144 Broadway

Councilmember Coons moved to adopt Resolution No. 58-08, and adopt Ordinance Nos. 4223 and 4224 and ordered them published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

Public Hearing—Prather Annexation, Located at 243 29 Road [File #ANX-2008-048]

Request to annex and zone 0.55 acres, located at 243 29 Road, to R-4 (Residential 4 du/ac). The Prather Annexation consists of 1 parcel and is a 2 part serial annexation.

The public hearing was opened at 8:00 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She described the site and the location. She asked that the Staff report and the attachments be entered into the record. The annexation request meets the Zoning and Development Code criteria. The Planning Commission recommended approval as does Staff. The applicant was present to answer questions.

Larry Prather, 437 Rust Court, the property owner, was available for questions. There were none.

There were no public comments.

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

a. Accepting Petition

Resolution No. 59-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as Prather Annexations No. 1 and No. 2, Located at 243 29 Road is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 4225—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Prather Annexation No. 1, Approximately 0.47 Acres, Located at 243 29 Road

Ordinance No. 4226—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Prather Annexation No. 2, Approximately 0.08 Acres, Located at 243 29 Road

c. Zoning Ordinance

Ordinance No. 4227—An Ordinance Zoning the Prather Annexation to R-4, (Residential 4 du/ac), Located at 243 29 Road

Councilmember Doody moved to adopt Resolution No. 59-08, and adopt Ordinance Nos. 4225, 4226, and 4227 and ordered them published. Councilmember Todd seconded the motion. Motion carried by roll call vote.

Public Hearing—Vacation of Public Right-of-Way, South 6' of Second Avenue West of South 9th Street [File #VR-2007-316]

Request to vacate the south 6' of the Second Avenue right-of-way west of S. 9th Street. The applicant is requesting the vacation in order to improve the on-site circulation of the property to the south when it's redeveloped in the near future.

The public hearing was opened at 8:05 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She described the site and the location. She asked that the Staff report and the attachments be entered into the record. The request meets the Zoning and Development Code criteria. The Planning Commission recommended approval. The applicant was present to answer questions.

Councilmember Todd asked why the applicant is asking for the six foot vacation. Ms. Costello explained how the right-of-way for an industrial street is 48 feet. There is sixty feet of right-of-way so vacating six feet on one side allows this property owner to acquire that additional footage. The owner on the other side could do the same and it would still leave adequate right-of-way.

Mark Austin, Austin Civil Group, 336 Main Street, was present representing the applicant, and was in agreement with the Staff presentation.

There were no public comments.

The public hearing was closed at 8:08 p.m.

Councilmember Doody moved to adopt Ordinance No. 4228 and ordered it published. Councilmember Todd seconded the motion. Motion carried by roll call vote.

Public Hearing—Lambert Annexation and Zoning, Located at 2813 C $\frac{3}{4}$ Road [File #ANX-2008-045]

Request to annex and zone 10.14 acres, located at 2813 C $\frac{3}{4}$ Road, to I-1 (Light Industrial). The Lambert Annexation consists of one parcel.

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

Justin T. Kopfman, Associate Planner, reviewed this item. He described the site and the location. He asked that the Staff report and the attachments be entered into the record. The annexation request meets the Zoning and Development Code criteria. The Planning Commission recommended approval as does Staff. This property is just next to the Carter –Page property reviewed earlier. The applicant was present to answer questions.

Brook Bray, representing Kevin Bray, the applicant, was available for questions. There were none.

There were no public comments.

The public hearing was closed at 8:11 p.m.

Councilmember Hill said he was concerned about the industrial being next to residential medium designation but after looking at the bigger GIS map his question was resolved.

a. Accepting Petition

Resolution No. 60-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as Lambert Annexation, Located at 2813 C $\frac{3}{4}$ Road and a Portion of the C $\frac{3}{4}$ Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4229—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Lambert Annexation, Approximately 10.14 acres, Located at 2813 C $\frac{3}{4}$ Road and a Portion of the C $\frac{3}{4}$ Road Right-of-Way

c. Zoning Ordinance

Ordinance No. 4230—An Ordinance Zoning the Lambert Annexation to I-1 (Light Industrial), Located at 2813 C ³/₄ Road

Councilmember Hill moved to adopt Resolution No. 60-08, and adopt Ordinance Nos. 4229 and 4230 and ordered them published. Councilmember Doody seconded the motion. Motion carried by roll call vote.

Public Hearing—Rezone the Trail Side Subdivision, Located at 381 31 ⁵/₈ Road [File #PP-2007-321] **Attach 14**

A request to rezone 9.15 acres, located at 381 31 ⁵/₈ Road, from R-4 (Residential 4 du/ac) to R-5 (Residential 5 du/ac).

The public hearing was opened at 8:15 p.m.

Brian Rusche, Senior Planner, reviewed this item. He described the site and the location. He asked that the Staff report and the attachments be entered into the record. The request meets the Zoning and Development Code criteria. The Planning Commission recommended approval as does Staff. The applicant was present to answer questions.

Jeffrey Fleming, the land planner for this project, was representing the applicant. He explained the reason for the zone change. It was annexed and zoned about one year ago. It was originally looked at for affordable housing through Housing Resources. The plan is to incorporate additional land for additional housing.

There were no public comments.

The public hearing was closed at 8:17 p.m.

Ordinance No. 4231—An Ordinance Rezoning the Property Known as the Trail Side Subdivision to R-5, Residential 5 Units Per Acre, Located at 381 31 ⁵/₈ Road

Councilmember Thomason moved to adopt Ordinance No. 4231 and ordered it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting adjourned at 8:20 p.m.

Stephanie Tuin, MMC
City Clerk