

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

**May 21, 2008**

The City Council of the City of Grand Junction convened into regular session on the 21<sup>st</sup> day of May 2008 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Jim Doody, Bruce Hill, Doug Thomason, Linda Romer Todd, and Council President Gregg Palmer. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and Deputy City Clerk Debbie Kemp.

Council President Palmer called the meeting to order. Councilmember Coons led in the Pledge of Allegiance.

**Citizen Comments**

There were none.

**CONSENT CALENDAR**

Councilmember Todd 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 5.

1. **Construction Contract for the 2008 Curb, Gutter, and Sidewalk Replacement**

The project consists of replacing sections of hazardous or deteriorating curb gutter and sidewalk in various locations throughout the City limits. The projects also repairs curb gutter and sidewalks that were damaged during water breaks.

*Action: Authorize the City Manager to Sign a Construction Contract for the 2008 Curb, Gutter, and Sidewalk Replacement Project to Reyes Construction, Inc. in the Amount of \$147,178.50*

2. **Construction Contract for the 2008 Waterline Replacements**

This project includes replacement of sixty year old cast iron lines that have an active break history. City crews have repaired four breaks in the project area in 2008, with more anticipated due to stress recently placed on this area of the water system.

*Action: Authorize the City Manager to Sign a Construction Contract for the 2008 Water Line Replacement Project to Sorter Construction, Inc. in the Amount of \$1,445,678.30*

3. **Change Order No. 2 for the Riverside Parkway, Phase 2**

Change Order #2 of the Riverside Parkway Phase 2 contract with SEMA Construction Company adds additional asphalt paving on SH 340 and SH 50. A portion of the cost will be reimbursed by CDOT.

*Action: Authorize the City Manager to Approve Change Order No. 2, Riverside Parkway Phase 2 with SEMA Construction in the Amount of \$167,641.70 for a Total Contract of \$32,036,080.55.*

4. **Setting a Hearing on Zoning Brady South Annexation, Located at 347 and 348 27 ½ Road and 2757 C ½ Road** [File #GPA-2007-051]

SLB Enterprises LLC, owners of the properties located at 347 and 348 27 ½ Road and 2757 C ½ Road are requesting zoning of the properties from County Heavy Industrial (I-2) to Light Industrial (I-1) and Industrial/Office Park (I-O). Planning Commission heard the request at its September 11, 2007 meeting and recommended approval of the Industrial/Office Park (I-O) zoning for all three parcels.

Proposed Ordinance Zoning the Brady South Annexation to Industrial/Office Park (I-O) Zone District, Located at 347 and 348 27 ½ Road and 2757 C ½ Road

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

5. **Setting a Hearing on Rezoning the Oral Health Partners, Located at 2552 F Road** [File #RZ-2008-082]

Request to rezone 2552 F Road, consisting of one parcel of .89 acres, from R-8 (Residential, 8 du/ac) zone district to RO (Residential Office) zone district.

Proposed Ordinance Rezoning a Parcel of Land from Residential – 8 Units Per Acre (R-8) to Residential Office (RO), Located at 2552 F Road

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

**\*\*\* END OF CONSENT CALENDAR \*\*\***

**ITEMS NEEDING INDIVIDUAL CONSIDERATION****South Downtown Neighborhood Plan and Setting a Hearing on Amendments to the Zoning and Developments Code and to the Zoning Map** [File #PLN-2007-292]

The City Planning Commission met in a public hearing on November 13, 2007 to consider adoption of the South Downtown Neighborhood Plan. The City Planning Commission recommended approval of the South Downtown Plan, including a Growth Plan Amendment to adopt the Plan, amendments to the Zoning Map and amendments to the Zoning and Development Code to include a Zoning Overlay.

Tim Moore, Public Works and Planning Director, advised Council that this item is being brought before them for an informal discussion on the South Downtown Plan. Kristen Ashbeck, Senior Planner, has a power point presentation on the Plan.

Councilmember Hill requested to have general discussion prior to the presentation. He believes, because the South Downtown Plan affects a number of properties, in light of changing or reducing 160 acres, he would like to see all the affected property owners notified by direct mail of the public hearing. However, with a public hearing in only two weeks, that doesn't allow much time. Property owners down the road may not be aware of the changes with such short notice. He would like property owners in the room for the presentation so it appears that this plan is straight forward.

Council President Palmer asked about how much input property owners actually had. Mr. Moore stated that there were open houses held to notify affected people. He understands the importance of sending notice out by direct mail.

Councilmember Coons has no objection in sending a direct mailing out to affected neighbors; however, she felt the original public outreach was much broader than the typical open house. Councilmember Coons did sit in on a day long focus group and a lot of people who owned property or had interest in the area were present.

Councilmember Todd asked how were the affected properties owners notified. Mr. Moore said that they did a general announcement to the community and a mail out to the affected properties.

Councilmember Todd said she is concerned about appraisals of properties if they become non-conforming. She is hesitant about pushing forward in doing this, and asked with the Comprehensive Plan, how can they draw the big picture when they have to work around the little pieces. Mr. Moore commented that a more focused analysis of this Plan

is more appropriate in putting the Comprehensive Plan together. Mr. Moore is comfortable in moving forward. There are four scenarios coming forward for Council next week which will identify areas for commercial and industrial uses.

Councilmember Todd advised that she is still uncomfortable in moving forward. She's concerned in changing zonings and tenants use.

Councilmember Hill asked if anyone objected to a direct mailing. The rest of Council said they are not in opposed to a mailing.

Councilmember Hill has concerns with an estimated 2000 workers in the affected area, even though the Plan doesn't address that it could equate to less jobs because of the zoning change. When a business owner attends meetings and has 200 or 300 employees, his vote is just one. He feels this isn't fair because all of the workers should have a say also. He questioned what is status quo. Sometimes the plans are looked at as status quo. There could be current industrial zoned pieces that may not be allowed. He doesn't want to argue the Plan, he wants to debate the changes. There are good elements, but it shouldn't all be at the expense of the industrial area. He has so many concerns on the proposed Plan at this time; he isn't sure where he wants to go with it right now.

Councilmember Coons stated that she would like to see the presentation more for the public to see what is being discussed.

Councilmember Todd said she would like to see the presentation because it may be helpful to put some of the conversation in context.

Councilmember Doody is agreeable in seeing the presentation.

Councilmember Beckstein said she is not in favor of seeing the presentation.

City Council decided to watch the presentation because of the majority wanting to see the presentation.

Kristen Ashbeck, Senior Planner, showed a condensed presentation to summarize what is in the Plan. She advised that the planning process took 14 months. There were 15 meetings with small interest groups. They held 3 public open houses. Invitations to the open houses and a newsletter went to every property owner in the affected area. For the notification of the public hearing, not only are they going to send it out to the property owners but also to people within 500 feet of the area. The results of the planning process showed strong support for a lot of the ideas that were translated into the goals of the Plan. They tried to balance respecting what is there and improving what is there now and in the future. The Plan includes the Future Land Use Map, circulation and trails plan, and

overlay standards for the area. The proposed Plan keeps the heavy industrial core. It sets the stage along the major public corridor for 7<sup>th</sup> Street and the Riverside Parkway creating mixed uses for retail and service uses and will support the employee base. Minor changes were made since Planning Commission reviewed it. Major changes in Land Use Map are tiers of transitional uses, going towards more commercial/industrial uses. The Jarvis property will change to a mixed use. The eastern area will change to commercial/industrial. With the adoption of this Plan, some properties would be rezoned as the proposed zoning map shows. There is an increase in I-2 zoning. Commercial zoning is the greatest change, going from 37 acres to 96 acres. If the proposed Plan is adopted, there will be an issue with the Carter Page annexation which was recently zoned I-2. The proposal is to zone it to I-1. The circulation element was looked at for transportation; streets, trails, sidewalks, and other forms of transportation. Three main goals of the Circulation Plan is to improve the existing street grid, establish a new grid in the eastern area, and try to encourage traffic from the industrial areas to go north and east instead of directly east. The Urban Trails Plan is not greatly different. There may be a need for a pedestrian overpass in the future over the Parkway. Zoning overlay of the South Downtown Plan is intended to help improve the type of development in the commercial corridor. The overlay will hope to introduce and produce a wide variety of uses. The new C-1 zoning proposed is designed specifically to address goals of the Plan for a variety and mix of uses on 7<sup>th</sup> Street, to create a feel similar to Main Street. Along the Parkway, it shows much larger buildings and how they could be placed to create a higher quality look to the Parkway corridor. Ms. Ashbeck stated that it would be useful for Council to know that several property owners have contacted her over the last 6 months and are waiting for this to be adopted even though there are some that are not in the greatest favor of it. She asked that City Council set the hearing for June 4, 2008.

Councilmember Hill asked Ms. Ashbeck about her comment on the east end where the greatest amount of change occurred having greater flexibility. He disagrees because with heavy industrial, there wouldn't be flexibility. Ms. Ashbeck agreed, but stated the current trend there is more toward light industrial, not heavy industrial. They tried to keep I-2 to where it is needed more for the rail. Councilmember Hill stated that he feels that the Plan goes counter to the land use analysis that the consultant did.

Councilmember Todd is concerned about the Plan taking into consideration the core area of what the proposed changes are because anyone coming into a building won't be able to because of the change and having to meet the overlay standards. Ms. Ashbeck stated that some of the properties are vacant or underutilized and she has found that there is a greater desire for commercial zoning and the I-2.

Councilmember Beckstein asked, if the Plan is implemented, how many properties will become noncompliant with the change. Ms. Ashbeck said she did not know.

Councilmember Beckstein said they need to know the impact the Plan will have on the existing businesses.

Tim Moore, Public Works and Planning Director, recommended moving the public hearing out further so they could look into that and look more at the east end going from Industrial to Heavy Commercial.

Councilmember Beckstein stated that she doesn't want to see another situation where people in the area are angry or upset because they felt left out. She doesn't want 5 or 10 years from now people coming back because their desires were not included in this Plan. Industrial zoning is a concern, and people don't want it in certain areas. The City Council needs to be conscientious of people's concerns.

Councilmember Coons agreed that they need to hear from land owners in the affected area.

Councilmember Doody agrees that everyone in the affected area needs to be invited to the public hearing but what about the Parkway and the Jarvis Plan. Putting something off too long isn't good. The saying "build it, they will come", he asked who is they? It will be a good open dialogue with the whole community. He will be interested in seeing the Comprehensive Plan and the additional industrial areas that were mentioned.

Councilmember Coons stated that the City Council and Staff needs to think about the community.

Councilmember Palmer said he attended many of the 15 meetings. What the committee did was to look at the area and its historic past uses and whether it needed to continue to be the historic uses or not. Around the railroad spur, the conclusion was yes. Along the Riverfront, they felt there is a higher and better use for redevelopment and create a cultural community. Council needs to err on the side of caution when approving this. City Council needs to give it a great deal of discussion and consideration.

Councilmember Todd said she has a problem when someone has a vision that affects someone else. She asked why a Comprehensive Plan is being created when all the neighborhood plans are pillars or barriers that they have to work around. She believes the big picture needs to be created first and that is why she feels this Plan should be held off.

Councilmember Hill is concerned with conflict and barriers. There are existing barriers preventing property to be kept up because of the redevelopment guidelines. He likes the mixed use in the downtown core, not necessarily in the South Downtown Plan. He would like to hear from property owners.

Mr. Moore asked City Council what direction they would like to see. Would June 16<sup>th</sup> or 18<sup>th</sup> work for a public hearing?

Councilmember Palmer said that he would like to have adequate time for discussion and also to have all of City Council present. He asked City Attorney Shaver if a motion is necessary. City Attorney Shaver said yes but you can make the motion to include a later date.

Proposed Ordinance Adopting a New Zoning Map for the South Downtown Neighborhood Generally Located Between the Riverside Neighborhood to the Northwest, to 28 Road on the East and from the Railroad Tracks on the North, to the Colorado River on the South

Proposed Ordinance Amending the Zoning and Development Code to Add Section 7.7 South Downtown Neighborhood Plan Zoning Overlay

Councilmember Todd moved to defer setting a public hearing on the two ordinances and have the City Manager check City Council's calendars for a meeting sometime after June 16<sup>th</sup>. Councilmember Hill seconded the motion. Motion carried.

**Public Hearing—2008 CDBG Program Year Funding for the 2008 Action Plan, a Part of the 2006 Five-Year Consolidated Plan**

City Council will consider which activities and programs to fund and will prioritize and recommend levels of funding for Community Development Block Grant (CDBG) projects for the 2008 Program Year.

The public hearing was opened at 7:58

Kristen Ashbeck, Senior Planner, reviewed this item. She presented the 2008 CDBG Action Plan and explained the process; noting that \$584,101 is to be allocated for 2008 projects. She also identified the criteria for projects to be funded under CDBG as well as the City's established priorities for funding. Ms. Ashbeck listed the CDBG committee recommendations for funding.

Councilmember Coons asked if the amount allocated is going down each year. Ms. Ashbeck said yes, it was about a \$10,000 reduction this year.

Councilmember Todd thanked Ms. Ashbeck for the information provided at the workshop and providing all the explanations and spreading the moneys between the projects.

Linda Taylor, Executive Director for the Center for Independence, thanked Council and the Neighborhood Services department for their assistance with the difficult process and keeping them in the loop and in the process. The capital investment is a human investment also. They have 20 people a month coming through program and have placed 11 of those people in a job. She thanked City Council for their support.

Councilmember Doody commented that Kathy Portner, Neighborhood Services Manager, supported their application.

Joe Higgins, Director of the Partners Program, also asked to speak on behalf of the Western Colorado Conservation Corps, stated that Council helped them several years ago. At that time, there were 35 youths a year. The program has grown a lot. He explained some of the jobs that the youth do. Their 2,400 square foot location on South Avenue is inadequate with 100 kids in the program this year. They need to find another location. A great property owner is willing to work well with them on property located at 2818 ½ North Avenue. The current owner will allow them to move in at no cost prior to closing. They are working on several things to raise the money to get the building. He thanked City Staff as they have been helpful to them to get through this process, and they are willing to comply with all the rules.

Councilmember Todd commented on what a great location they are looking at and how the computer lab is already wired up.

There were no other public comments.

The public hearing was closed at 8:14p.m.

Councilmember Coons moved to approve the CDBG City Council subcommittee recommendations for funding eight projects for the City's 2008 CDBG Program Year Action Plan and set a Public Hearing for Adoption of the CDBG 2008 Action Plan for June 18, 2008. Councilmember Hill seconded the motion. Motion carried.

Councilmember Palmer thanked Ms. Ashbeck for all her work.

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

There were none.

### **Other Business**

Laurie Kadrich, City Manager, announced that today is a special day for one of the elected Councilmembers and wished Councilmember Hill a Happy Birthday on behalf of the City Staff and thanked him for all that he does on behalf of the community. Councilmember Hill advised that his birthday was actually the previous month, but thanked Staff anyway.



Councilmember Todd stated that she has received comments from the public that the audio during meeting is difficult for the public to hear. Council President Palmer advised that they are televising on Mondays as well as Wednesdays. If equipment is difficult to hear, he would like to see the effort made to make it a workable and good production.

### **Executive Session**

There was not a continuance of the executive session for discussion of personnel matters under section 402 (4)(f)(I) of the Open Meetings Law relative to City Council employees specifically the City Manager.

### **Adjournment**

The meeting adjourned at 8:18 p.m.

Debbie Kemp, CMC  
Deputy City Clerk