

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

December 15, 2008

The City Council of the City of Grand Junction convened into regular session on the 15th day of December 2008 at 7:02 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 City Clerk Stephanie Tuin.

Council President Palmer called the meeting to order.

The Pledge of Allegiance and Flag Ceremony was led by Bear Cub Pack 320. The City Council held a moment of silence.

Proclamations

Proclaiming December 15, 2008 as “Bill of Rights Day” in the City of Grand Junction

Proclaiming December 18, 2008 as “International Day of the Migrant” in the City of Grand Junction

Council Comments

Council President Palmer called Chief Watkins, Deputy Chief Smith, and Program Coordinator Terry Byrd forward who recognized the graduation of Councilmember Teresa Coons from the Citizens Academy.

Councilmember Coons commented that she was impressed with the Academy and it really demonstrated to her the level of skill held by the City’s firefighters and police officers.

Council President Palmer lauded the Academy and encouraged all citizens to take advantage of the opportunity to attend an upcoming Academy.

Council President Palmer then presented Fire Chief Ken Watkins with a letter from US Defense Secretary Robert Gates for his patriotic employment of National Guard troops. It also recognized his work with National Guard on their property.

Fire Chief Watkins thanked Council for the presentation but applauded the City for its support of National Guard employees recognizing the recently deployed Firefighter/Paramedic Matt Harmon who has recently been deployed for a fifteen month period to Iraq.

City Council/City Manager Meeting Schedule Review

City Manager Laurie Kadrich thanked the community for their feedback on the post election review of the Public Safety questions. The report has been released to the public and it is available electronically. She will be meeting with a number of community leaders on the information gathered in the report and how the City might go forward with public safety needs.

She then reviewed the upcoming meeting schedule. On Tuesday, there will be another meeting with City Council on the Comprehensive Plan policy development. In January, the 2009 Work Plan is scheduled. She then reviewed upcoming topics and asked if the discussion on board and commissions will be the next priority.

Council President Palmer asked Councilmember Beckstein if there is any urgency to meet with the Grand Valley Transit. She deferred to Ms. Kadrich who advised that the GVT budget won't be affected until 2010. Councilmember Beckstein advised that the City Council needs to meet with the other municipalities on this subject first.

Councilmember Coons asked about the Transportation Capacity Payments discussion being timely for the Comprehensive Plan discussion. Ms. Kadrich said the direction was to bring additional information back to the Council around the first of the year, specifically on the commercial rates. Any changes would likely not take effect immediately.

Council President Palmer stated that boards and commissions is the first priority.

Citizen Comments

There were none.

CONSENT CALENDAR

Councilmember Thomason read the Consent Calendar and then moved to approve items #1 through #7. Councilmember Todd seconded the motion. Councilmember Thomason amended his motion to include Consent Item #8. Councilmember Hill seconded the amended motion. Amended motion approved by roll call vote.

1. Minutes of Previous Meetings

Action: Approve the Minutes of the December 1, 2008 and the December 3, 2008, Regular Meeting and the Minutes of the December 1, 2008 and December 3, 2008 Special Sessions

2. **Setting a Hearing on the Colorado Army National Guard Campus Annexation, Located at 2800 Riverside Parkway** [File #ANX-2008-290]

Request to annex 57.95 acres, located at 2800 Riverside Parkway. Colorado Army National Guard Campus Annexation Consist of three (3) parcels.

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

Resolution No. 149-08—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, Colorado Army National Guard Campus Annexation, Located at 2800 Riverside Parkway

Action: Adopt Resolution No. 149-08

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Colorado Army National Guard Campus Annexation, Approximately 57.95 Acres, Located at 2800 Riverside Parkway

Action: Introduction of Proposed Ordinance and Set a Hearing for February 2, 2009

3. **Setting a Hearing on the Night Hawk Drive Right-of-Way Annexation, Located Approximately at 30 and B Roads** [File #ANX-2008-301]

Request to annex 1.45 acres, located approximately 660 feet west of 30 Road, adjoining B Road on the north and extending southerly approximately 2,060 feet. The Night Hawk Drive Annexation consists entirely of right-of-way.

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

Resolution No. 150-08—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, Night Hawk Drive Annexation, Located at Approximately 660 feet West of 30 Road and Adjoining B Road on the North and Extending Southerly for Approximately 2,060 Feet

Action: Adopt Resolution No. 150-08

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Night Hawk Drive Annexation, Approximately 1.45 Acres, Located Approximately 660 feet West of 30 Road and Adjoining B Road on the North and Extending Southerly for Approximately 2,060 Feet

Action: Introduction of Proposed Ordinance and Set a Hearing for January 21, 2009

4. **Setting a Hearing on the Riverside Parkway and Overpass Annexation, Located at 29 Road and North Avenue and at 29 Road and I-70 B** [File #ANX-2008-307]

Request to annex approximately 15.0 acres, located at five locations on Riverside Parkway, a portion of 29 Road adjoining North Avenue on the north and extending southerly to I-70 Business Loop and a portion of I-70 Business Loop beginning at 29 Road northeasterly approximately 2,400 feet. The Riverside Parkway and Overpass Annexation consists only of right-of-way.

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

Resolution No. 151-08—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, Riverside Parkway and Overpass Annexation, Approximately 15.0 Acres, Located at Five Sections of Riverside Parkway Right-of-Way, 29 Road From 29 Road Southerly to I-70 Business Loop and I-70 Business Loop from 29 Road Northeasterly, Approximately 2,400 feet

Action: Adopt Resolution No. 151-08

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Riverside Parkway and Overpass Annexation, Approximately 15.0 Acres, Located at Five Sections of Riverside Parkway Right-of-Way, 29 Road From 29 Road Southerly to I-70 Business Loop and I-70 Business Loop from 29 Road Northeasterly, Approximately 2,400 feet

Action: Introduction of Proposed Ordinance and Set a Hearing for January 21, 2009

5. **Purchase of Motorola Equipment for the Grand Junction Regional Communications Center**

Request is being made by the Grand Junction Regional Communications Center (GJRCC) to purchase only Motorola radio console hardware and software in order for the emergency system to communicate with public safety personnel statewide.

Action: Authorize the Purchasing Division to Purchase the Equipment from Motorola in the Amount of \$223,057

6. **First Responder Training Campus Design Services**

A request is being made to award Blythe Design Group of Grand Junction, Colorado, the design services contract for First Responder Training Campus.

Action: Authorize the City Purchasing Division to Issue a Design Services Contract with Blythe Design Group in the Amount of \$228,000

7. **Contract for Change Order #3 for Riverside Parkway Phases 2 and 3**

Although the total cost of the Riverside Parkway was less than the budgeted amount, change order #3 is needed to adjusted the contract amount for Phases 2 and 3 which amends the contract from \$54,550,804.99 to \$54,764,027.66 for an increase of \$213,222.67 (+0.39%).

Action: Approve Change Order #3 of the Riverside Parkway Phase 2 and 3 Contract in the Amount of \$213,222.67 for a Total Project Cost of \$54,764,027.66

8. **2009 Utility and Parking Rates**

Proposed 2009 Utility Rates and Parking Rates as presented and discussed during budget workshops.

Resolution No. 152-08—A Resolution Adopting Rates for Water, Irrigation, Wastewater, Solid Waste, and Parking

Action: Adopt Resolution No. 152-08

ITEMS NEEDING INDIVIDUAL CONSIDERATION**Public Hearing - Freedom Meadows Annexation and Zoning, Located at 3118 E Road** [File #ANX-2008-290]

Request to annex and zone 7.02 acres located at 3118 E Road to R-8 (Residential 8 DU/ac). The Freedom Meadows Annexation consists of 2 parcels.

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

Michelle Hoshide, Associate Planner, presented this item. She described the request, the location and the site, and asked that the Staff Report and attachments be entered into the record.

Council President Palmer asked Ms. Hoshide if the annexation creates an enclave. Ms. Hoshide said it does.

The applicants were present but had nothing to add.

There were no public comments.

The public hearing was closed at 7:36 p.m.

a. Accepting Petition

Resolution No. 153-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Freedom Meadows Annexation, Located at 3118 E Road is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4312—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Freedom Meadows Annexation, Approximately 7.02 Acres, Located at 3118 E Road

c. Zoning Ordinance

Ordinance No. 4313—An Ordinance Zoning the Freedom Meadows Annexation to R-8 (Residential 8 DU/ac), Located at 3118 E Road

Councilmember Todd moved to adopt Resolution No. 153-08 and Ordinance Nos. 4312 and 4313 and ordered them published. Councilmember Doody seconded the motion. Motion carried by roll call vote.

Public Hearing - Mesa State Outline Development Plan, Located at 2899 D ½ Road
[File #ODP-2008-154]

A request for approval to zone property located at 2899 D ½ Road to PD (Planned Development) with a default zone of M-U (Mixed Use) by approval of the Outline Development Plan as a Planned Development.

The public hearing was opened at 7:38 p.m.

Greg Moberg, Planning Services Supervisor, presented this item. He described the request, the location, and the site. The property was annexed in June but was not zoned as there was a request for a Growth Plan Amendment which was granted.

Mr. Moberg then noted the current use of the property as a utility lineman training facility and an animal diagnostic facility. He described the surrounding zoning.

The proposal is to allow multifamily residential, commercial, and industrial uses within four pods. Pod A would be developed as industrial. Pods B, C, and D would allow a mix of uses both residential and commercial with commercial uses being the principal uses of Pods B and C and residential use being the principal use of Pod D.

The overall proposed residential density of the development is 1,124 dwelling units. These multifamily units can be located within Pods B, C, and D. Pod B allows a maximum of 371 dwelling units and Pod D allows a maximum of 754 dwelling units. A maximum density for Pod C has not been established, therefore any units located in Pod C would be subject to the maximum overall density and would have to be subtracted from the total 1,124 units. The maximum density of Pods B, C, and D is 10.90 dwelling units per acre which is consistent with the density allowed in the M-U zone.

Mr. Moberg described the maximum square footage per pod but noted that a traffic study has not been done yet so the maximum square footage will be based on that study. There will be four accesses to the site.

The west side of the site abuts the Veterans Cemetery. The developer met with the cemetery management and an agreement was reached to mitigate the development's impact to the cemetery. A maximum noise level was also agreed upon. During construction, the contractors will work with the cemetery at the times when a funeral is taking place to protect that service.

The developer is proposing mixed use within the same buildings. That will make the area active at more times during the day. The development will help the community with the vacancy rate for rentals.

The proposed development does meet a number of community benefits: more effective infrastructure; needed housing types and/or mix; and innovative designs.

The applicant has asked for a number of variations to the Code as listed in the Staff Report including an increase in the floor area ratio, an increase in the maximum square footage and setback adjustments.

Councilmember Coons questioned the residential pod being adjacent to the commercial pod; usually there is a transition. She also questioned the entrances and the mix of industrial and residential traffic.

Mr. Moberg responded that the discussion took place and he deferred the answer to the developer. Mr. Moberg noted that many of the residents will be working in the commercial and industrial areas of the development. The uses allowed are light and clean industrial uses. The traffic engineer did look at that situation and did not see a problem but a traffic study will look at traffic movements too.

Council President Palmer asked what level of industrial will be allowed. Mr. Moberg advised that the allowed uses are specified in the ordinance so the heavier uses will not be allowed. Council President Palmer asked if the housing is all rentals. Mr. Moberg deferred to the applicant. Council President Palmer asked if the street widths are standard or deviated. Mr. Moberg said no deviations are being requested from the street standards.

Joe Carter, Ciavonne, Roberts, and Associates, confirmed that the heavy outdoor industrial uses won't be allowed. It results in lighter traffic than commercial uses.

Councilmember Todd lauded having a development that allows people to live where they work.

Mr. Carter noted it will probably be a mix of owned and rental property.

There were no public comments.

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

Ordinance No. 4314—An Ordinance to Zone the Mesa State Development to PD (Planned Development) Zone, by Approving an Outline Development Plan with a Default

M-U (Mixed Use) Zone for the Development of a Mixed Use Development, Located at 2899 D ½ Road

Councilmember Thomason moved to adopt Ordinance No. 4314 and ordered it published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

Public Hearing - Zoning the Merkel Annexation and the Thraikill Property, Located at 769 24 ½ Road and 766 24 Road [File #ANX-2006-126]

Request to zone 27.49 acres from County AFT (Agricultural) to a City C-1 (Light Commercial); and request to rezone 14.79 acres from R-R (Residential Rural) to C-1 (Light Commercial) zone district.

The public hearing was opened at 7:58 p.m.

Lori V. Bowers, Senior Planner, presented this item. She described the request, the location and the site, and asked that the Staff Report and attachments be entered into the record. She noted that the Planning Commission has recommended approval. The applicant was not present.

There were no public comments.

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

Ordinance No. 4315—An Ordinance Zoning the Merkel Annexation to C-1 (Light Commercial), Located at 769 24 ½ Road

Ordinance No. 4316—An Ordinance Rezoning the Property Known as the Thraikill Rezone, from R-R (Residential Rural) to C-1 (Light Commercial), Located at 766 24 Road

Councilmember Coons moved to approve Ordinance Nos. 4315 and 4316 and ordered them published. Councilmember Hill seconded the motion.

Councilmember Hill pointed out that this zoning has been in the works for some time and he detailed the process these properties have gone through including being brought into the 201 Persigo Boundary.

Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting was adjourned at 8:02 p.m.

Stephanie Tuin, MMC
City Clerk