

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

**March 7, 2012**

The City Council of the City of Grand Junction convened into regular session on the 7<sup>th</sup> day of March, 2012 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Bennett Boeschstein, Teresa Coons, Jim Doody, Laura Luke, Bill Pitts, Sam Susuras, and Council President Tom Kenyon. Also present were Acting City Manager Rich Englehart, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Kenyon recognized the Girls Scouts, Troops 194 and 1108, and Boy Scouts Troop 388 who were in attendance.

Council President Kenyon called the meeting to order. Council President Kenyon asked Girl Scout Troops 194 and 1108 to post the colors and then lead the Pledge of Allegiance. That was followed by a Moment of Silence.

**Proclamations**

Proclaiming March 12, 2012 as "Girl Scout Day" in the City of Grand Junction

Proclaiming March 4 through March 12, 2012 as "Women in Construction Week" in the City of Grand Junction

Proclaiming March, 2012 as "Intellectual and Developmental Disabilities Awareness Month" in the City of Grand Junction

**Council Comments**

Councilmember Boeschstein said he would like to recognize the arts in the community. They went to Gershwin's production "Crazy for You" at Mesa University and it was outstanding. He also attended the symphony and it was outstanding. He said he was glad Grand Junction is an arts community.

There were no other Council comments.

**Citizen Comments**

Dr. David Shepard, 230 Red Sand Road, representing the Airport Users and Tenants Association, came forward and spoke regarding the airport. He said it was a courtesy update but that has changed. The Airport Board Chairman is angry with their organization. There was a meeting on Sunday. Those at the meeting came to the Council for help to transition the private organization to a non-profit. They opened membership to anybody, including Airport Board Members. They agreed on a Mission Statement with two missions which he read: 1) to promote the health of general aviation

for the benefit of all citizens of the Grand Valley and 2) to encourage Airport management and public officials responsible for the Airport to meet high standards of good governance with openness and transparency. He was surprised by the strong reaction from the Airport Board.

Dr. Shepard said that nothing has progressed in solving their problems. The Council has put the fence issue into the hands of three civic minded citizens, but that is all that has happened. The Airport Board continues to be the same Airport Board. They have spent thousands of dollars on a public relations campaign. An individual consultant was brought in but he turned out to be a biased consultant. Nothing has happened on the rewording of the leases. The Airport Authority continues to have executive sessions on the boundaries of the law. The Council has done nothing to help them. Businesses are leaving, people are hurting. Dr. Shepard said they are disappointed. They are not buying the fact that Council is paralyzed because of the Authority on one side and the duty on the other side. Council owns the problem with the Authority because they created it. Members of the Airport Users and Tenants Association expect Council to do something and that is their plea.

### **CONSENT CALENDAR**

Councilmember Doody read the Consent Calendar and then moved to approve the Consent Calendar items #1-16. Councilmembers Pitts and Boeschenstein seconded the motion. Motion carried.

1. **Minutes of Previous Meetings**

*Action: Approve the Minutes of the February 13, 2012 Regular Meeting and the Minutes of the February 27, 2012 Special Session*

2. **Setting a Hearing on North Seventh Street Historic Residential District Guidelines and Standards and Historic Preservation Board Responsibilities and Authority** [File #PLD-2012-80 and ZCA-2012-107]

A request by the North Seventh Street Historic Residential District neighborhood to establish a new Plan for the North Seventh Street Historic Residential District Planned Development, including the North Seventh Street Historic Residential District Guidelines and Standards, to maintain and enhance the historic character of those properties, and to amend the Zoning and Development Code ("Code") to authorize the Grand Junction Historic Preservation Board ("Board") to review and approve applications for construction/alteration to sites and/or structures located on North 7<sup>th</sup> Street between Hill Avenue and White Avenue.

Proposed Ordinance Amending Ordinance No. 4403 for the Planned Residential Development – North 7<sup>th</sup> Street Consisting of Guidelines, Standards and Review Process by which New Construction or Alterations within the Zone are Determined

Proposed Ordinance Amending Section 21.07.040 (Historic Preservation) of the Grand Junction Municipal Code Granting Authority to the Historic Preservation Board to Review and Decide Applications for Alteration or Construction within the North Seventh Street Historic Residential District According to the Guidelines and Standards of that District

*Action: Introduction of Proposed Ordinances and Set a Public Hearing for March 21, 2012*

3. **Setting a Hearing on Rezoning Eight Parcels, Located at 2608 and 2612 G Road; 719, 721, 725, 726 26 Road, and One Unaddressed Lot Directly North of 725 26 Road, from R-2 (Residential – 2 units per acre) to R-4 (Residential – 4 units per acre) Zone District** [File #RZN-2012-1219]

A City initiated request to rezone eight parcels totaling 42.79 acres, located at 2608 and 2612 G Road; 719, 721, 725, 726 26 Road; and one lot directly north of 725 26 Road from R-2 (Residential – 2 units per acre) to R-4 (Residential – 4 units per acre) zone district.

Proposed Ordinance Rezoning 8 Parcels from R-2 (Residential – 2 Units per Acre) to R-4 (Residential – 4 Units per Acre) Located at 2608 and 2612 G Road; 719, 720, 721, 725, 726 26 Road; and an Unaddressed Parcel, Number 2701-344-00-022 (Directly North of 725 26 Road)

*Action: Introduction of a Proposed Ordinance and Set a Public Hearing for April 4, 2012*

4. **Setting a Hearing on Rezoning One Parcel Located at 3015 D Road** [File # RZN-2011-1151]

A City initiated request to rezone approximately 4.952 acres, located at 3015 D Road, from an R-E (Residential Estate) to an R-8 (Residential 8 dwelling units/acre) zone district.

Proposed Ordinance Rezoning Property Located at 3015 D Road from an R-E (Residential Estate) to an R-8 (Residential 8 Dwelling Units/Acre) Zone District

*Action: Introduction of a Proposed Ordinance and Set a Public Hearing for April 4, 2012*

5. **Setting a Hearing on Rezoning 201 Properties Located Generally East of N. 22<sup>nd</sup> Street and West of 28 Road, Between Grand and Hill Avenues** [File # RZN-2011-1212]

A City initiated request to rezone 201 properties located generally east of N. 22<sup>nd</sup> Street and west of 28 Road, between Grand and Hill Avenues from R-8, (Residential – 8 du/ac) to R-12, (Residential – 12 du/ac).

Proposed Ordinance Rezoning 201 Properties from R-8, (Residential – 8 Du/Ac) to R-12, (Residential – 12 Du/Ac) Generally Located East of N. 22<sup>nd</sup> Street and West of 28 Road, Between Grand and Hill Avenues

*Action: Introduction of a Proposed Ordinance and Set a Public Hearing for April 4, 2012*

6. **Setting a Hearing on Rezoning Fourteen Properties Located South and West of the G Road and 24 ½ Road Intersection** [File #RZN-2011-1216]

A City initiated request to rezone approximately 64 acres, located south and west of the G Road and 24 ½ Road intersection, from R-12 (Residential 12 dwellings/acre) zone district to R-24 (Residential 24 dwellings/acre) zone district.

Proposed Ordinance Rezoning 14 Properties from R-12 (Residential 12 Dwellings/Acre) to R-24 (Residential 24 Dwellings/Acre) Located South and West of the G Road and 24 ½ Road Intersection

*Action: Introduction of a Proposed Ordinance and Set a Public Hearing for April 4, 2012*

7. **Setting a Hearing on Amending the Red Rocks Valley Planned Development, Outline Development Plan Phasing Schedule** [File #PP-2006-217]

The 139 acre Red Rocks Valley Planned Development consists of five phases located off of South Camp Road. The applicants received Preliminary Plan approval for a Planned Development on August 1, 2007. They request a ten year extension for the remaining Phases, all to be platted by March 1, 2022.

Proposed Ordinance Amending Ordinance No. 4109 which Zoned the Fletcher Annexation (Red Rocks Valley PD) to Planned Development Located

Approximately ½ Mile West of Monument Road on the North Side of South Camp Road

*Action: Introduction of a Proposed Ordinance and Set a Public Hearing for March 21, 2012*

8. **Purchase of Traffic Striping Paint for 2012**

The City's Transportation Engineering Division is responsible for applying 6600 gallons of white and yellow paint to the City's streets each year, striping centerlines on 400+ miles of streets and state highways. Utilizing the CDOT contract prices saves the City more than \$6,000 over the Multiple Assembly of Procurement Officials (MAPO) contract prices.

*Action: Authorize the City Purchasing Division to Enter into a Purchase Order with Ennis Paint, Dallas, TX for the 2012 Traffic Striping Paint in the Amount of \$57,651*

9. **Amending 2012 City Council Meeting Schedule**

The City Council has determined that changing the regular meeting dates of the City Council is necessary and appropriate. The City Council will meet generally on the first and third Wednesday of each month.

Resolution No. 11-12—A Resolution of the City of Grand Junction Amending the 2012 City Council Meeting Schedule

*Action: Adopt Resolution No. 11-12*

10. **Contract for the 2012 Asphalt Overlays Project**

This request is to award a construction contract for the asphalt resurfacing project at various locations throughout the City of Grand Junction with the most notable locations being; Patterson Road from 24 Road to 24 ½ Road, 25 Road to 26 Road and 7<sup>th</sup> Street to 27 ½ Road, G Road from 26 Road to 27 Road and Grand Avenue from 7<sup>th</sup> Street to 12<sup>th</sup> Street. In all, a total of 10 locations were selected.

*Action: Authorize the City Purchasing Division to Enter into a Contract with Elam Construction, Inc. of Grand Junction, CO for the 2012 Asphalt Overlay Project in the Amount of \$1,857,609*

11. **Contract for Canyon View Park Parking Lot Expansions**

Canyon View Park is the largest developed park within the park system, in City limits, in the Grand Valley, Mesa County, and on the Western Slope. The Park provides a multitude of different sports, drawing participants throughout the State as well as surrounding states. Parking has become a significant issue with multiple events occurring at the Park at the same time.

*Action: Authorize the Purchasing Division to Enter into a Contract with Vista Paving Corporation of Grand Junction, Colorado for the Construction of the Canyon View Park Parking Lot Expansion Project in the Amount of \$173,862*

12. **Contract for Canyon View Park Pump and Filtration Replacement Project**

Canyon View is a 110 acre regional park made up of mostly natural turf fields, accommodating soccer, baseball, softball, football, rugby, lacrosse, open space practice fields as well as thousands of square feet of planting beds and trees. Irrigation water is a key factor in the success of the playing fields, as well as all the plant materials that are essential in the makeup of a park.

*Action: Authorize the Purchasing Division to Enter into a Contract with Skyline Contracting of Grand Junction, Colorado for the Construction and Installation of the Canyon View Park Pump and Filtration System in the Amount of \$251,758*

13. **Purchase of a Front Load Refuse Truck**

This purchase request is a Mack Compressed Natural Gas (CNG) Refuse Truck to replace a diesel unit currently in the City's fleet. This truck chassis will be fitted with a 2012 Heil Body and purchased from Western Colorado Truck. The price reflected is net of a \$44,000 trade in allowance offered for the current truck. The Mack truck with Heil body was determined to be the best value when applying life cycle cost analysis.

*Action: Authorize the City Purchasing Division to Award a Contract to Purchase a 2013 Mack CNG Refuse Truck from Western Colorado Truck of Grand Junction, CO in the Amount of \$228,236*

14. **Purchase of Two Side Load Refuse Trucks**

This purchase request is for **two (2)** Mack Compressed Natural Gas (CNG) Refuse Trucks to replace two (2) diesel units currently in the City's fleet. These truck chassis will be fitted with a Labrie body and purchased from Faris Machinery.

The price reflected is net of a \$35,500 trade in offered for the current truck. The remaining replacement truck will be retained by Fleet for use as a reserve vehicle. The Mack truck with Labrie body was determined to be the best value when applying life cycle cost analysis.

*Action: Authorize the City Purchasing Division to Award a Contract to Purchase Two 2012 Mack CNG Refuse Trucks from Faris Machinery of Grand Junction, CO in the Amount of \$559,606*

15. **Contract for City Hall Auditorium Remodel Project**

This request is to award a construction contract for the remodel of the City Hall Auditorium. The project encompasses a reconfiguration of the room to allow for presenters to be seen by both the City Council and the audience (there will be a public presentation podium and a staff presentation podium) and a shifting of the fixed seating for better accessibility. The project includes installation of upgraded technology for improved audio and video presentation to the public in the audience and viewing the broadcast via television or web. While the auditorium is under construction, City Council and Planning Commission meetings will be held at the Mesa County Hearing Room in the Old Courthouse. If the contract is awarded, the time frame for construction will be March 19 through May 15, 2012.

*Action: Authorize the City Purchasing Division to Enter into a Contract with Asset Engineering Limited of Grand Junction, CO for the City Hall Auditorium Remodel Project in the Amount of \$325,000*

16. **Purchase Crime Scene Response/Evidence Collection Vehicle**

The 21<sup>st</sup> Judicial District Law Enforcement Forfeiture Board has awarded funding in the amount of \$136,334 to the Grand Junction Police Department for the purchase of a new Crime Scene Response and Evidence Collection Vehicle. The vehicle currently being used is a repurposed 1990 Chevy Van. The current vehicle does not provide the necessary platform to properly respond or process a crime scene and lacks basic safety equipment.

*Action: Authorize the City Purchasing Division to Purchase and Equip a Crime Scene Response and Processing Vehicle for the Grand Junction Police Department in an Amount not to exceed \$136,334*

**ITEMS NEEDING INDIVIDUAL CONSIDERATION****Ratify a Contract for Food and Beverage Services at City-owned Golf Courses**

This approval would support the contract for PAT Services, LLC to operate the grill at Lincoln Park Golf Course and the restaurant at Tiara Rado Golf Course. The previous contract was terminated in December 2011 at the request of the previous vendor. Following a formal RFP process PAT, LLC, was interviewed by a panel of City staff and community members who unanimously supported their proposal.

Rob Schoeber, Parks and Recreation Director, presented this item. He explained the process and how the selection was conducted. The two owners of the company have a lot of experience with the two golf courses. He asked the two owners, Lonnie Miller and Jack Sommers, to come forward. They introduced themselves and expressed their excitement in taking over the operations. The City Council thanked them.

Councilmember Coons moved to ratify the contract between City of Grand Junction and PAT Services, LLC to provide food and beverages services for Lincoln Park and Tiara Rado Golf Courses. Councilmember Pitts seconded the motion. Motion carried by roll call vote.

**Contract for Architectural Services for the Avalon Theatre Addition and Renovation**

This request is to award an architectural services contract for the Avalon Theatre Addition and Renovation. The services will reorder the proposed phases from the 2010 Avalon Theatre Master Plan and prepare bid documents for a large addition on the east side of the theatre that will help transform the 91 year old theatre into a full service performing arts center. The DDA requests that the City fund \$110,476 of the contract to cover a portion of the schematic design as its share of the project.

Debbie Kovalik, Economic, Convention, and Visitor Services Director, introduced this item. She lauded the events and the use of the facility and how it has improved. She then described the history leading up to this point. The proposal is a public-private partnership with the City, Downtown Development Authority, and the Symphony. She introduced the representatives in attendance and asked Downtown Development Authority Director Harry Weiss to come forward.

Harry Weiss, Downtown Development Authority Director, then expressed his excitement and the momentum building for this project. He asked the City Council to support the advancement to the next stage. This next phase is very challenging as it is the phase where the budget will be determined. The primary partners will be leading the next phase and how the project can best be phased will be determined. Schematic design is the first



phase. Then it will go to architectural design and the overall scheme will be refined. That refined plan will be ratified again before construction documents are developed. He presented the time frame with the bid package being ready by mid to late August with a fall construction schedule. From the DDA's perspective this type of facility will anchor revitalization of the downtown. The request is that the City Council also financially support the project. It is important to the community for all the partners to have an ownership in the success.

Council President Kenyon asked what the DDA's long term commitment is. Mr. Weiss said the DDA is committing \$3 million through their future bonding capacity.

Councilmember Doody said the Mayor had said the City should invest in this project as the City owns the building and he is happy to see it happening.

Council President Kenyon concurred and said they are excited to see these improvements and the success of the foundation, the philanthropy, the fund raising, the schematics, and designs; they are all exciting concepts for the community. The development of the City's arts and performances meets the goal to become the most livable community west of the Rockies. He is glad to see these improvements which are needed and should have been done a long time ago.

Councilmember Boeschstein said he is pleased to serve on the DDA board and is pleased to be a part of the board funding some of the improvements. The DDA is saying this is what it can do. It is a wonderful theatre. People love it and it is a treasure in the downtown.

Council President Kenyon applauded the accomplishments of Director Debbie Kovalik, her work has proved that the community is interested in these activities and people are convinced it will get much better. Her creative ideas have made the Avalon Theatre a successful venture.

Councilmember Coons agreed and commended all the partners involved, noting it has been a long time coming. She is pleased to see it going forward.

Council President Kenyon clarified where the funding is coming from. The Downtown Development Authority is a community that came together and taxes themselves to make these improvements.

Councilmember Boeschstein moved to authorize the City Purchasing Division to enter into a contract with Westlake, Reed, Leskosky of Cleveland, OH for architectural services in the amount of \$481,029. Councilmember Pitts seconded the motion. Motion carried by roll call vote.

**Public Hearing—Suncor Annexation and Zoning, Located at 2200 Railroad Avenue**  
[File #ANX-2011-1328]

A request to annex 45.43 acres of property, known as the Suncor Annexation, located at 2200 Railroad Avenue and to zone the annexation, consisting of one (1) parcel of approximately 27.56 acres, along with 6.53 acres of railroad property, less 11.34 acres of public right-of-way, to an I-1 (Light Industrial) zone district.

The public hearing was opened at 7:50 p.m.

Tim Moore, Public Works and Planning Director, introduced this item.

Brian Rusche, Senior Planner, presented this item. He described the site, the location, and the request. The property is currently used as a bulk fuel products loading/transfer terminal. Mr. Rusche described a catwalk that crosses the railway that will be required for safety reasons. He said the applicants are in attendance. It is designated as Commercial/Industrial by the Comprehensive Plan - Future Land Use Map. There is a rail spur which is currently only being used by Suncor. The request does meet the criteria of the annexation and zoning regulations. The Planning Commission forwarded a recommendation of approval.

Council President Kenyon asked if there were any public comments of concern at the Planning Commission. Mr. Rusche said it was on Consent and approved unanimously.

There were no public comments.

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

Councilmember Doody asked if the railroad crossing work was completed that was approved last summer. Mr. Moore said it has been completed.

Council President Kenyon noted that is the most dangerous crossing in the City. Mr. Moore concurred noting the River Road crossing is the spur.

Councilmember Susuras asked if the railroad was agreeable to their property being annexed. City Attorney Shaver said that the railroad was not contacted because there is one linear parcel that exists throughout the City and it has historically not been treated as an annexable property because, for one thing, it is a right-of-way. As long as the principal property was identified through a petition, it is legally sufficient.

**a. Accepting Petition**

Resolution No. 12-12—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Suncor Annexation, Located at 2200 Railroad Avenue, and Including a Portion of the Railroad Avenue and US Highway 6 & 50 Right-of-Way, is Eligible for Annexation

**b. Annexation Ordinance**

Ordinance No. 4501—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Suncor Annexation, Approximately 45.43 Acres, Located at 2200 Railroad Avenue and Including a Portion of the Railroad Avenue, River Road, and Highway 6 & 50 Right-of-Way

**c. Zoning Ordinance**

Ordinance No. 4502—An Ordinance Zoning the Suncor Annexation to I-1 (Light Industrial) Located at 2200 Railroad Avenue

Councilmember Coons moved to adopt Resolution No. 12-12 and Ordinance Nos. 4501 and 4502 and ordered them published in pamphlet form. Councilmember Luke seconded the motion. Motion carried by roll call vote.

**Public Hearing—Grand Junction Comprehensive Plan Future Land Use Map Amendments** [File #CPA-2011-1324]

Proposed amendments to the Grand Junction Comprehensive Plan Future Land Use Map to eliminate the conflict between the land use designation and the current zoning of certain properties in the urban areas of Grand Junction.

The proposed amendments contain 142 parcels and are generally located as follows:

Area 1 – 41 parcels located north of Highway 6 and 50 and west of 24 Road;  
Area 2 – 25 parcels located north of Highway 6 and 50 and west of 25 Road;  
Area 3 – 18 parcels located north of Broadway and west of Riverside Parkway;  
Area 4 – 56 parcels located north of Franklin Avenue and west of N. 1<sup>st</sup> Street;  
Area 20 – 2 parcels located south of Fire Station #3 and east of 25 ½ Road.

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

Tim Moore, Public Works and Planning Director, introduced this item and the next three items. He explained why all these items are coming before the Council. During the

adoption of the Comprehensive Plan, a number of properties were identified that the zoning on the ground did not match the Comprehensive Plan. This first item is to change the Comprehensive Plan to meet what is on the ground. The next items will be rezoned to align the zoning with the Comprehensive Plan. This has been a very public process with neighborhood meetings, open houses, and hearings before the Planning Commission. The next item was moved up as requested by Councilmember Susuras as there were some pending sales.

Councilmember Susuras thanked Mr. Moore and his Staff for doing that.

Council President Kenyon asked Mr. Moore to elaborate on how the process has occurred. Mr. Moore described in detail more of the process noting that the property owners and the adjacent property owners all had the opportunity to comment on the proposals.

Council President Kenyon echoed Councilmember Susuras's thanks. Mr. Moore thanked the Council for their support in this process as it is good to get these taken care of now so when the development picks back up they will be ready to go.

Greg Moberg, Planning Supervisor, presented this item. He first applauded the City Council for supporting the process that allowed the property owners to have input. This first item demonstrates properties that were originally going to be rezoned but, after the public process, the recommendation is to change the Comprehensive Plan instead.

Mr. Moberg then reviewed the location and the request for each one of the areas. Area 1 – 41 parcels located north of Highway 6 and 50 and west of 24 Road will change the map from Village Center to Commercial; Area 2 – 25 parcels located north of Highway 6 and 50 and west of 25 Road would also change from Village Center back to Commercial; Area 3 – 18 parcels located north of Broadway and west of Riverside Parkway, the area around the shop, the proposal is to change the Map to Commercial Industrial; Area 4 – 56 parcels located north of Franklin Avenue and west of N. 1<sup>st</sup> Street is mostly single family homes and currently zoned R-8 and there is a mixed of what is built and the Comprehensive Plan would be inconsistent with the R-8 zoning so the proposal is to change a portion of the area on the Future Land Use Map to Residential Medium; and Area 20 – 2 parcels located south of Fire Station #3 and east of 25 ½ Road, there is a mix of zonings and the Future Land Use is Residential Medium High and the proposal is to change two properties to Park. An area will come forward for a rezone for recreational because it is used by the Little league.

The requests are consistent with the Comprehensive Plan and they meet the criteria of the Zoning and Development Code. The Planning Commission recommended approval unanimously on February 14, 2012 and there was no public input.

Councilmember Pitts had questions about Areas 1 and 2. He asked if the proposed F ½ Road is to the north. He asked about the boundary. Mr. Moberg said the line was drawn parallel to the road and it is not property specific.

Councilmember Boeschstein asked if Residential will still be allowed when changing Village Center to Commercial because it was his understanding that Village Center was a mix between Commercial and Residential. Mr. Moberg said C-1 does allow up to 24 units per acre of residential.

Councilmember Luke asked, for clarification on the shops area, if the old designation conflicted with the uses there. Mr. Moberg said that it could.

There were no public comments.

The public hearing was closed at 8:19 p.m.

Councilmember Susuras said amending the Comprehensive Plan meets Goals 6 and 12, with 12 being the City and County will provide appropriate commercial and industrial development opportunities, which he said this request certainly does this. He also noted that the Planning Commission recommended approval.

Ordinance No. 4503—An Ordinance Amending the Grand Junction Comprehensive Plan Future Land Use Map

Councilmember Susuras moved to adopt Ordinance No. 4503 and ordered it published in pamphlet form. Councilmember Luke seconded the motion. Motion carried by roll call vote.

**Public Hearing—Rezone of Two Parcels, Located at 355 29 Road and 2892 River Street** [File #RZN-2011-1148]

A City initiated request to rezone approximately 5.939 acres, located at 355 29 Road and 2892 River Street, from R-2 (Residential 2 dwelling units/acre) zone district to R-4 (Residential 4 dwelling units/acre) zone district.

The public hearing was opened at 8:22 p.m.

Brian Rusche, Senior Planner, presented this item. He described the sites, the locations, and the request. The property was annexed and subdivided in 1979. The 1996 Growth Plan designated the properties as residential medium low. The new Comprehensive Plan changed them to residential medium. The Pear Park Plan did designate this area for higher density. The rezone supports a long range vision for the Pear Park area.

The requested rezone of Lot 1 and Lot 4 from R-2 to R-4 will bring these two properties into conformance with the Future Land Use designation of Residential Medium and is the lowest zoning that meets that designation and bridges them with surrounding areas. The properties outside the City limits will have to be zoned when brought into the City. It was noted by a neighbor citizen that the property is transversed by high voltage power lines. The Planning Commission forwarded a recommendation of approval. The Planning Commission forwarded a recommendation of approval. The request does meet the criteria of the Grand Junction Municipal Code and the goals and policies of the Comprehensive Plan.

Councilmember Boeschstein asked if building houses would be allowed under the high voltage lines. Mr. Rusche said they would not.

Councilmember Susuras asked if the owners of the property had any objections. Mr. Rusche said the church that owns the property is not concerned nor are any adjacent owners.

There were no public comments.

The public hearing was closed at 8:27 p.m.

Ordinance No. 4504—An Ordinance Rezoning Properties, Located at 355 29 Road and 2892 River Street, from an R-2 (Residential 2 Dwelling Units/Acre) to an R-4 (Residential 4 Dwelling Units/Acre) Zone District

Councilmember Pitts moved to adopt Ordinance No. 4504 and ordered it published in pamphlet form. Councilmember Luke seconded the motion. Motion carried by roll call vote.

**Public Hearing—Request to Rezone Approximately 4.753 Acres, Located at 3032 N. 15<sup>th</sup> Street** [File #RZN-2011-1157]

A City initiated request to rezone 4.753 acres, located at 3032 N 15<sup>th</sup> Street, also known as the Nellie Bechtel Apartments, from R-8 (Residential – 8 units per acre) to R-24 (Residential – 24 units per acre). The rezone will bring into conformance what is actually built on the ground to an appropriate zoning district; and the proposed rezone will bring the zoning into conformance with the City's Comprehensive Plan.

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

Lori V. Bowers, Senior Planner, presented this item. She described the site, the location, and the request. The property is the Nellie Bechtel apartments. It was annexed into

the City in 1982 with the apartments constructed in 1983. The proposal meets Goal 1 and Goal 6 of the Comprehensive Plan. The request will bring the zoning into conformance with the zoning and the Future Land Use designation. The Blended Map also shows this property as residential high. The density exceeds the current zoning. All the affected property owners were notified and an open house was held on November 9, 2011. There was concern that Hilltop would buy the property and build higher density units and traffic would be increased. The Planning Commission forwarded a recommendation of approval. The requested zone is consistent with the goals and policies of the Comprehensive Plan and it meets the criteria of the Grand Junction Municipal Code.

Councilmember Susuras asked how the density was built with the existing zoning to begin with. Ms. Bowers noted that it was a County project originally. Councilmember Boeschstein concurred and said it was built as affordable senior housing.

Councilmember Luke asked if there would be traffic concerns if it was expanded to maximum capacity. Ms. Bowers said that would be looked at if a new development came forward.

John Ballagh came forward representing the owners of the Nellie Bechtel apartments. They received all the notices and Staff was very congenial with the concerns expressed. He felt the citizen's concerns were really centered around the possibility of a very vertical building such as the Commons. The owners are in support of the rezone.

There were no other public comments.

The public hearing was closed at 8:38 p.m.

Ordinance No. 4505—An Ordinance Rezoning the Nellie Bechtel Apartments from R-8 (Residential – 8 Units per Acre) to R-24 (Residential – 24 Units per Acre), Located at 3032 N. 15<sup>th</sup> Street

Councilmember Pitts moved to adopt Ordinance No. 4505 and ordered it published in pamphlet form. Councilmember Coons seconded the motion. Motion carried by roll call vote.

**Public Hearing—Rezone Three Properties Located at 708 25 ½ Road, 2543 G Road, and 2522 F ½ Road** [File #RZN-2011-1188]

A City initiated request to rezone three properties located at 708 25 ½ Road, 2543 G Road, and 2522 F ½ Road from R-R, (Residential – Rural) to R-4, (Residential – 4 du/ac) and R-5, (Residential – 5 du/ac).

The public hearing was opened at 8:39 p.m.

Scott Peterson, Senior Planner, presented this item. He described the sites, the locations, and the request. The Comprehensive Plan was adopted in 2010. All property owners were invited to an open house on November 9, 2011. Two owners did submit support. Two adjacent property owners objected to the rezone and those letters were included in the Staff report. Other comments from adjacent property owners were no opinion, some traffic concerns on G Road, and increased density that they were not in favor of. The request will be compatible with the area. Originally Staff recommended R-8 but the Planning Commission thought R-5 was more appropriate. One person testified about the proposed increase. Staff does agree that R-5 is more appropriate.

The request will bring the zoning into conformance with the zoning and the Future Land Use designation. Mr. Peterson and the Planning Commission forwarded a recommendation of approval.

Councilmember Pitts asked for clarification on the zoning changes. Mr. Peterson explained the requested changes for each property.

Councilmember Susuras noted that Mr. Peterson explained why the two letters of opposition were opposed to R-8 and then asked if the change will have any effect on the property taxes. Mr. Peterson said it would change if it went to something other than residential.

Councilmember Doody commented on the mention of traffic by adjacent property owners and noted that G Road is an arterial through that particular area and needs some improvement.

There were no public comments.

The public hearing was closed at 8:49 p.m.

Councilmember Susuras said it matches surrounding zoning and meets Comprehensive Plan Goals 5 and 6.

Ordinance No. 4506—An Ordinance Rezoning Three Properties from R-R, (Residential Rural) to R-4, (Residential – 4 du/ac) and R-5, (Residential – 5 du/ac), Located at 708 25 ½ Road, 2543 G Road, and 2522 F ½ Road

Councilmember Susuras moved to adopt Ordinance No. 4506 and ordered it published in pamphlet form. Councilmember Pitts seconded the motion.



Council President Kenyon asked the City Attorney if the motion was clear on which properties were being zoned what. City Attorney Shaver answered it was.

Motion carried by roll call vote.

**Public Hearing—Rezone 281 Properties, Located South and East of North 12<sup>th</sup> Street and Orchard Avenue** [File# RZN-2011-1156]

A City initiated request to rezone approximately 65 acres, located south and east of North 12<sup>th</sup> Street and Orchard Avenue from R-8 (Residential 8 dwellings/acre) to R-12 (Residential 12 dwellings/acre).

The public hearing was opened at 8:52 p.m.

Tim Moore, Public Works and Planning Director, introduced this item. He explained how this was coming forward which included changing the Comprehensive Plan last fall to a density of around 12 units per acre. The unique thing is that the Planning Commission did not recommend approval of the rezone request to R-12. If the Council approves this item, it will take a super majority to approve.

Councilmember Susuras asked if there is interest in building a high rise there. Mr. Moore said not right now but that may be due to the economy.

Councilmember Boeschstein asked if it would take a high rise to meet that density. Mr. Moore said the density could be achieved with a three story building.

There were questions on why they would want higher density in a single family area. Mr. Moore said the discussion last fall was what is envisioned for the area long term.

Councilmember Pitts asked Mr. Moore to describe the thoughts of the Planning Commission. Mr. Moore deferred the question to Senior Planner Senta Costello to provide that insight.

Senta L. Costello, Senior Planner, presented this item. She described the sites, the locations, and the request. There is a large population of single family homes, some businesses, some multi-family homes, a church, and a park. She described the current zoning and the surrounding zoning. The total area is about 65 acres. She described the history of zoning in the area. The original Comprehensive Plan designation was too intense and that was changed to a lower density. The area is very walkable with a number of services nearby. It seemed to be a safe environment and she does not believe additional density would change that. It is a compact neighborhood. The request will bring the zoning into conformance with the Future Land Use designation

without a lot of impact on the neighborhood. The Planning Commission forwarded a recommendation of denial of the R-12 zone district as they saw a larger potential negative impact than a potential gain. Through the neighborhood open houses, Ms. Costello spoke to eighteen residents with six in favor, six opposed, and six with no opinion. Her observations showed that there are already units with additional density with minimal impact. That indicates a desire to increase the density without taking down existing homes.

Councilmember Coons asked if the full density proposed would be required for the increased number of units. Ms. Costello said there are lots that are large enough that additional units could be built under the R-12 zoning. It would not make the single family units non-conforming.

Councilmember Pitts asked for clarification that only 18 people commented out of 281 properties. Ms. Costello concurred.

James Barker, who owns one of the properties, was supportive of the change. Many conversions take place and this change will allow those conversions to take place legally. The University in that area is already building multiple units and housing is needed. There is an apartment complex at 12<sup>th</sup> and Elm. He has spoken to others that support it.

Michael Hines, from Steamboat Springs, owns two properties in the area. After he bought the two properties, he went to the Planning Department to see if he could add more units because the lots were so large. At that time, adding units was not allowed on his properties. As soon as he heard about the change he was all for it. The rental industry in the City needs to be in this area. He knows he can add to these properties. He could add really nice units that would help the whole situation. The University is going to keep growing.

Councilmember Susuras asked what he would build. He said he would likely build a small duplex.

There were no other public comments.

The public hearing was closed at 9:16 p.m.

Councilmember Pitts said as the University continues to grow and it is true there are large lots and small houses and some lots could be combined. He doesn't like overriding the Planning Commission, however, with the 18 public comments, the numbers, and the comments he just heard, he thinks it is a logical change so he is in favor.

Councilmember Susuras asked Ms. Costello why Mr. Hines could not build previously. Ms. Costello said the Code was different then, but now the owner can count half of the adjacent right-of-way when calculating the density.

Councilmember Boeschstein said he had previously suggested that architect students be used to draw good and bad increases in density to have as examples to avoid creating a ghetto. He agrees the area can stand more density. He asked about the maximum height. Ms. Costello said in R-8, it is three stories and in R-12, it is five stories. He would support reasonable increased density. Ms. Costello added that there is also a difference in lot coverage under the two zones; 70% in R-8 versus 75% in R-12.

Councilmember Coons said she is usually not in favor of changing density in neighborhoods but this is close the University. In the short term, not much will likely change, but they do need to take the long term view. She will support the change.

Councilmember Luke said she received a letter in favor. However, when demand goes up and supply stays the same, rents go up. From a development standpoint, the request makes sense and it sounds like something very do-able.

Councilmember Doody said this is a great neighborhood with big lots. It has services and businesses and is within a walkable distance plus the area is safe. With Colorado Mesa University expanding there is a great opportunity for the homeowner to take advantage of their properties. He will support the request.

Council President Kenyon thanked the Planning Staff and he does think R-12 makes sense. He will support it too.

Ordinance No. 4507—An Ordinance Rezoning 281 Properties from R-8 (Residential 8 Dwellings/Acre) to R-12 (Residential 12 Dwellings/Acre), Located South and East of N. 12<sup>th</sup> Street and Orchard Avenue

Councilmember Pitts moved to adopt Ordinance No. 4507 and ordered it published in pamphlet form. 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 was adjourned at 9:29 p.m.

Stephanie Tuin, MMC  
City Clerk