

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

May 16, 2012

The City Council of the City of Grand Junction convened into regular session on the 16th day of May, 2012 at 7:00 p.m. in the in the City Auditorium. Those present were Councilmembers Jim Doody, Tom Kenyon, Laura Luke, and Council President Bill Pitts. Absent were Councilmembers Bennett Boeschstein Teresa Coons, and Sam Susuras. Also present were Acting City Manager Rich Englehart, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Pitts called the meeting to order. He explained the changes to auditorium, the configuration, and set up. He explained that with the new podiums, one for Staff, and one for public speaking, set up on either side of the room, it eliminates the presenter having their back to the audience. Administration Staff sits by the Staff podium and no longer has their backs to the audience. The auditorium will also allow set up for meetings that were previously held in the Administration Conference Room and will allow more room for the public to sit.

Grand Junction Fire Department Honor Guard posted the Colors and led the Pledge of Allegiance, followed by an invocation by Earle Mullen, Unaffiliated. Mr. Mullen asked that his unaffiliated listing on the agenda be changed to being affiliated with the Western Colorado Atheists and Free Thinkers Organization. The organization supports a number of local initiatives and charities that promote improvements to life and economic well-being for all citizens in the community. They are pleased that Council no longer restricts the invocation to members of the clergy. Instead of asking a divine being to help Council during the meeting, he asked Council to provide greater help to the citizens of Grand Junction. All citizens of Grand Junction should feel treated equally by their fellow citizens and any employees of the City government. Mr. Mullen recited some sections of the City Charter that deals with human relations. He believes that the construction on Highway 6 and 50 should have been planned better so that it wouldn't have to be torn up again in such a short time frame, wasting taxpayer's dollars. He hoped that this invocation would be useful in encouraging Council to think anew about the responsibilities to the citizens of Grand Junction and to go about their duties with new dedication.

Presentation

Presentation of Appreciation Plaque to Outgoing President of the Council Tom Kenyon

Council President Pitts presented Outgoing President of the Council Tom Kenyon with a plaque in appreciation of his service as President of the Council from May 2, 2011 to May 2, 2012. He thanked him for his extremely well organized service to the City as Mayor.

Council President Kenyon thanked the Council and the citizens for the honor to serve and said he looks forward to the upcoming year.

Councilmember Doody thanked Councilmember Kenyon for his service and experience as Mayor.

Proclamations

Proclaiming the Week of June 2 through June 9, 2012, as "National Neighborworks® Week" and the Month of June 2012 to be "National Homeownership Month" in the City of Grand Junction

Councilmember Luke read the proclamation. Dan Whalen, Executive Director of Housing Resources of Western Colorado was present to receive the proclamation. Mr. Whalen advised that there are about 40 of the Energy Star self-help homes in the City of Grand Junction. He then invited the City Council to come to a cleanup event on Saturday, June 2, 2012 at 9:00 a.m. at the Big Salt Wash Trail in Fruita. They will be cleaning up the trail and also Hollow Creek which is a subdivision they will be building self-help housing in. That will be followed by a barbeque. The general public was also invited.

Proclaiming the Week of May 20 through May 26, 2012 as "Emergency Medical Services Week" in the City of Grand Junction

Councilmember Doody read the proclamation. Ken Watkins, Grand Junction Fire Chief, was present to receive the proclamation along with a number of his crew. Chief Watkins thanked the Council for recognizing EMS Week. He also thanked the Fire Department Honor Guard and the other department members present to recognize the week. He introduced the crew with him. He provided statistics for the number of calls the Fire Department responds to.

Council Comments

There were none.

Citizen Comments

There were none.

CONSENT CALENDAR

Councilmember Kenyon moved to adopt the Consent Calendar and then read the Consent Calendar items #1-4. Councilmember Doody seconded the motion. Motion carried by roll call vote.

1. **Minutes of Previous Meetings**

Action: Approve the Minutes of the April 30, 2012 Special Meeting and the May 2, 2012 Regular Meeting

2. **Setting a Hearing on Amending the Comprehensive Plan and Rezoning the Property Located at 3000 Patterson Road** [File #RZN-2012-193]

Request to amend Comprehensive Plan future land use designation from Residential Medium to Commercial and rezone property located at 3000 Patterson Road from R-O (Residential Office) to B-1 (Neighborhood Business).

Proposed Ordinance Amending the Comprehensive Plan Designation on One Parcel from Residential Medium to Commercial Located at 3000 Patterson Road

Proposed Ordinance Rezoning One Parcel from R-O (Residential Office) to B-1 (Neighborhood Business) Located at 3000 Patterson Road

Action: Introduction of Proposed Ordinances and Set a Hearing for June 6, 2012

3. **Outdoor Dining Leases for Boomers, LLC dba Boomers, Located at 436 Main Street, and Weside Delicatessen Inc., dba The Winery Restaurant, Located at 642 Main Street**

Both Boomers, LLC, and Weside Delicatessen Inc., are requesting first-time Outdoor Dining Leases for areas of the public way immediately adjoining their business premises.

Boomers, LLC, dba Boomers, located at 436 Main Street, is requesting an Outdoor Dining Lease for an area measuring 288 square feet directly in front of their building. The Outdoor Dining Lease would permit the business to have a revocable license from the City of Grand Junction to expand their licensed premise and allow alcohol sales in this area.

Weside Delicatessen, Inc., dba The Winery Restaurant, located at 642 Main Street, is requesting an Outdoor Dining Lease for an area measuring 320 square

feet that abuts their building along the pedestrian breezeway located immediately west of the restaurant. The design and placement of the outdoor dining area will leave a 4 foot clear pedestrian path through the breezeway that complies with ADA standards. The Outdoor Dining Lease would permit the business to have a revocable license from the City of Grand Junction to expand their licensed premise and allow alcohol sales in this area. The dining area will be on a raised platform.

Resolution No. 16-12—A Resolution Authorizing the Lease of Sidewalk Right-of-Way to Boomers, LLC dba Boomers

Resolution No. 17-12—A Resolution Authorizing the Lease of Sidewalk Right-of-Way to Weside Delicatessen, Inc. dba The Winery

Action: Adopt Resolution Nos. 16-12 and 17-12

4. **North River Subdivision Easement Vacation, Located Between Noland Avenue and Riverside Parkway** [File #VAC-2012-248]

The City is requesting the vacation of a portion of a multi-purpose easement in order to divest certain properties adjacent to the Riverside Parkway.

Resolution No. 18-12— A Resolution Vacating Portions of Multipurpose Easements Reserved and Retained by the City of Grand Junction in Ordinances No. 4412, 4413, and 4414

Action: Adopt Resolution No. 18-12

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Downtown Development Authority Update

The Grand Junction Downtown Development Authority (DDA) is requesting interim financing for the purchase of First Assembly of God property, 402 Grand Avenue. The DDA is also interested in participating in the acquisition of White Hall after the building has been demolished and the property remediated.

Harry Weiss, DDA Executive Director, presented this item. He stated the two items are completely separate and not related, they are just coming forward at the same time.

The first request relates to the Assembly of God Church property. He described the plan that they are calling the Catalyst Plan which described how the area from 4th Street to 6th

Street, Grand Avenue to Ouray Avenue might be developed in a mixed use development. It was put together but then the economic downturn stopped any progress. The City Council did not adopt the Catalyst Plan but the DDA is still using it as a guideline. The DDA would like to purchase the property in order to preserve it for the Catalyst Plan; the closing is set for June. The DDA will be issuing some bonds later in the year and can pay for the property out of those proceeds. However, they won't be able to issue those bonds until later so he asked the Council for a bridge loan of \$1 million to be repaid later in the year. The term will likely be 60 to 90 days.

Councilmember Kenyon thanked Mr. Weiss and noted DDA's outstanding work. He said this is a good project.

Councilmember Luke asked if there is a short term interest rate that would be tied to that loan.

Acting City Manager Englehart said typically on the longer term, interest is applied. However, he did not suggest it for a short term loan.

City Attorney Shaver said Council adopted a resolution several years that established a policy specifically for participating with the DDA for making loans. He believes that there would be little or no interest for this type of a short term loan.

Financial Operations Manager Valentine explained that the interest rate is whatever the pooled funds make in interest in order to keep the fund whole.

Councilmember Kenyon asked how that would be done. Is there a requirement that interest be charged and if so, must a written agreement be executed?

City Attorney Shaver explained that an agreement would be put in place, it would include the avoided interest.

Councilmember Doody asked about the current tenant. Mr. Weiss said the sale would include a lease back to the Assembly of God so that they could continue to lease it out. It helps with the use of the Tax Increment Financing (TIF) and helps the Church with cash flow.

Councilmember Doody asked if there is a time limit that the property can be held. Mr. Weiss said the TIF funds have to be applied within a three year period. The purchase does comply with that. The purchase will be for the full block including the vacated alley.

City Attorney Shaver noted that 85% of the TIF proceeds must be used for capital expenses. This purchase, being a cash purchase for property, is 100% capital expense.

Mr. Weiss described some of the discussions that have taken place regarding development noting DDA has been contacted by a couple of developers interested in housing. A decision on how that will be rolled out has not been made by the DDA Board.

The next issue is White Hall. Mr. Weiss said the DDA shares the Council's concern with the property. It is a poster child for blight. The DDA is ready to participate with the City Council to resolve the issue. They are open to suggestions as to how. If the eastern wing can be preserved it would make the property more attractive as that section was undamaged. Once cleaned up it could be an attractive property to a purchaser.

Councilmember Kenyon noted that some conversations are difficult to have as some parts are confidential. The City Council does want to get it cleaned up and the sooner the better. One possibility is to give the owner a time frame and if the property is not cleaned up the City does the work and places a lien on the property. That means the taxpayers pay. So he is looking for other alternatives. He would look for a commitment from DDA as to their seriousness so they can go forward.

Mr. Weiss said the DDA board voted unanimously in favor of being a part of the solution as it makes sense for the City and the DDA.

Councilmember Doody added that it is not only blight, it is a health and safety issue. He would like it to come down before it falls down and damages the wing that is still intact. He appreciated DDA coming forward to help get that block cleaned up and something else going there like workforce housing.

Councilmember Luke said Councilmember Kenyon brings up a good point. A lien might render it useless for a number of years but then somebody will come forward later wanting that lien reduced. She supported a different solution.

Council President Pitts said the property has been an issue for some time and he is pleased DDA is stepping up.

Councilmember Doody addressed another issue; the intersection of 7th and Grand. It does not function well. Mr. Weiss said he has spoken with the traffic engineers about the priority of that intersection so he would defer to them. There have been some discussions on what would be done with Grand Avenue on the entire length with the library project and any project that happens at the Assembly of God Church property.

Councilmember Kenyon asked about the procedure for approving a bridge loan and about proceeding quickly on White Hall.

City Attorney Shaver responded to the White Hall issue. An agreement has been structured with the owners and they are prepared to execute the agreement. It will

authorize the exchange of the property for remediation and payment of back taxes. Once that agreement is signed, Staff would bring a contract back to the City Council for ratification. That should happen in the next couple of weeks.

Acting City Manager Englehart asked when the DDA needs the loan. Mr. Weiss said the closing is not until the end of July. He asked for a commitment so the boxes can be checked on the closing documents that the money is in hand. Acting City Manager Englehart said the negotiations will be worked out and then brought back based on the Council's direction.

Councilmember Kenyon said he would be supportive of the bridge loan and is supportive of moving forward on the White Hall project.

City Attorney Shaver asked if each Councilmember could offer that same affirmation.

Councilmember Doody asked if a motion is needed. City Attorney Shaver replied that only general direction is needed, however, if Council prefers to make a motion, that would be fine.

Councilmember Kenyon moved to approve a \$1 million dollar cash bridge loan to DDA, term to be determined and ratified at a later date for a closing on 402 Grand Avenue and also to approve a working relationship with DDA given their vote regarding the acquisition and cleanup of White Hall. Councilmember Doody seconded the motion. Motion carried by roll call vote.

Public Hearing—Consider 2012 Funding Recommendations and Adoption of CDBG 2012 One Year Action Plan [File #2012-CDBG]

City Council will consider which activities and programs to fund for the Community Development Block Grant (CDBG) 2012 Program Year. The City will receive \$371,526 for the 2012 Program Year which begins September 1, 2012. With the \$34,824 remaining from the 2011 allocation, the total amount to be allocated for 2012 is \$406,350.

The public hearing was opened at 7:56 p.m.

Tim Moore, Public Works and Planning Director, introduced this item and Kristen Ashbeck, Senior Planner/CDBG Administrator.

Kristen Ashbeck, Senior Planner/CDBG Administrator, presented this item. She reviewed the history of the program which the City has been an entitlement community for seventeen years. She detailed the funds available for distribution to the various projects.

Nineteen applications were received and the recommendation is to fund fourteen of those projects.

The 2012 One Year Action Plan is proposed for adoption on June 20, 2012 with a public hearing.

Ms. Ashbeck then listed the programs recommended for funding:

1. Program Administration

The City allocated CDBG funds for general administration of the program and a portion of staff salary in 2009 (\$30,000), 2010 (\$60,000) and 2011 (\$30,000). All program administration funds will be expended by September 2012. Prior to 2009, staff salary was not funded by CDBG. Council can consider what level of CDBG funding they would like to use for Program Administration. **Recommended Funding: \$5,000**

2. St. Mary's Hospital Foster Grandparent Program

This program places low income senior volunteers in school, day care, Head Start, preschool, and safe house facilities to help children with special needs. Funding would reimburse 55 volunteers for gas and mileage to serve 1,650 children. The Foster Grandparent Program has received CDBG funding for this same purpose in 2003, 2004, 2007, 2010 and 2011. All funds have been expended and projects closed out except for the 2011 grant which has a 60% balance remaining. **Recommended Funding: \$10,000**

3. St. Mary's Hospital Senior Companion Program

The Senior Companion Program enables low to moderate income active seniors to assist other low income frail, elderly persons so that these persons can continue to live at home rather than in an assisted living facility. In 2011, services were provided to 308 clients, using 50 senior volunteers. CDBG funds would be used to reimburse volunteers for mileage expenses incurred for traveling to and from their client's home and for travel to provide other services to the client. The Senior Companion Program has received CDBG funding for this same purpose in 2003, 2004, 2007, 2009 and 2011. All funds have been expended and projects closed out. **Recommended Funding: \$8,000**

4. St. Mary's Hospital Gray Gourmet Program

This program delivers meals to homebound elderly residents. Funding is requested for both 1) travel reimbursement for delivery to over 100 low to moderate income, frail, homebound elderly residents within the City limits (services request); and 2) capital improvements to the meal preparation kitchen (refer to project 15). The program served a total of 1,419 persons in 2010-2011 and expects to serve 1,450 persons in the next year. CDBG funds were provided for the purchase of food in 2003 (\$5,050), 2004 (\$10,000), 2007 (\$20,500) and 2010 (\$20,500). All funds have been expended and projects closed out. **Recommended Services Funding: \$11,125**

5. Counseling and Education Center (CEC)

This program provides counseling services for low income citizens. Funds are requested to help pay for 140 counseling sessions for an estimated 28 more persons. The number of persons served is directly related to the amount of funding received. In 2010-2011, CEC served 410 low income clients and expects to provide services to 430 low income clients in the next year. CEC received CDBG funding in 2007 (\$7,181) and 2010 (\$6,682). All funds have been expended and the projects closed out. **Recommended Funding: \$7,000**

6. Karis Acquisition of The House – Shelter for Homeless Youth

Karis is in the process of establishing a homeless youth shelter in the St. Mary's Hospital area of the City. The facility is a former single family residence that will be remodeled to serve as a homeless shelter for youth to be known as The House. Hilltop Community Resources, Inc. acquired the facility and Karis is now raising funds to purchase it from Hilltop. This is a new organization in Grand Junction and has not received CDBG funding. **Recommended Funding: \$85,000**

7. HomewardBound of the Grand Valley Homeless Shelter Acquisition

Homeward Bound operates the Community Homeless Shelter at 2853 North Avenue. Since plans to expand the shelter at this location were withdrawn, HomewardBound has been looking for an appropriate building and location in order to relocate the facility. CDBG funds are requested to provide a portion of the funding to acquire the property/building located at 2727 Grand Avenue. HomewardBound has received CDBG funding in the past: 2002 - \$10,000 purchase bunk beds; 2007 - \$40,000 screen wall; 2009 - \$21,071 purchase van; 2010 - \$6,000 for health and safety repairs and improvements; and 2011 - \$30,000 bathroom remodel. All funds have been expended and projects closed out with the exception of the 2011 grant. Since HomewardBound decided to acquire a new facility, there was no need to upgrade the existing building. HomewardBound has relinquished the 2011 grant. **Recommended Funding: \$109,971**

8. Grand Valley Catholic Outreach (GVCO) Repair/Remodel T-House

The GVCO Emergency Housing project provides emergency, short-term housing for up to two homeless families with children at a time. The duplex gets heavy usage because families often number from 4 to 6 members living in a very small space. The purpose of emergency housing is to provide a safe and decent place for families to stay while at least one adult earns what is necessary to acquire their own permanent housing. Families stay from one to three months. CDBG funds are requested to repair and remodel the duplex including purchase of bathroom fixtures and kitchen appliances, new flooring, electrical work, construction of carports and new plaster/paint and flooring. GVCO has received CDBG funding in the past: 1996-1999 - \$73,131 lease assistance for the Day Center; 2000 – purchase of Day Center; 2001 – transitional housing services; 2002 – soup kitchen equipment; 2010 - \$88,725 new roof for soup kitchen; and 2011 – \$50,000

purchase appliances and site furnishings for St. Martin Place. All funds have been expended and the projects closed out. **Recommended Funding: \$12,638**

9. Mesa Developmental Services (MDS) Program Building HVAC

MDS operates five buildings that provide day program services to people with developmental disabilities that range from job training, supervised contract work crews, life skills and therapy programs for those with significant physical disabilities and medical issues. Many of these services are conducted at the main program office located at 950 Grand Avenue. MDS is requesting funds to replace the heating and cooling systems at the main program office. MDS has received CDBG funding in the past: 1998 - \$200,000 for group home rehabilitation; 2001 – \$40,000 accessibility features for a new group home; 2009 - \$40,000 energy efficiencies and upgrades for group homes; 2011 – \$9,924 additional energy upgrades for group homes. All funds have been expended and projects closed out. **Recommended Funding: \$25,000**

10. Strong Families, Safe Kids (SFSK) Parenting Place Energy Improvements

SFSK provides programs that serve low-income families with special needs, with prenatal education, parenting classes and information, and child abuse prevention. SFSK recently purchased the property at 1505 Chipeta Avenue for its program office. CDBG funds are requested for a new roof and siding on one of the buildings. SFSK received \$9,371 CDBG funds in 2011 for energy upgrades including a new heater, insulation and to replace windows. The project is underway and is expected to be completed by June 1st. **Recommended Funding: \$14,080**

11. St. Mary's Hospital Gray Gourmet Program

This program delivers meals to homebound elderly residents. Funding is requested for both 1) travel reimbursement for delivery to over 100 low to moderate income, frail, homebound elderly residents within the City limits of Grand Junction (refer to project 4); and 2) capital improvements to the meal preparation kitchen. CDBG funds for the capital improvements will be used towards the purchase of a food processor, electric tilt skillet and electric tilt kettle. **Recommended Capital Funds: \$5,500**

12. City of Grand Junction 6th Street Sewer Realignment

The existing sanitary sewer line in the 500 block of Grand Avenue will need to be realigned to allow for future development of the library property. The line currently runs under the library. If the line is relocated the library will have more design flexibility for a proposed building expansion and site redevelopment without having to design around the sanitary sewer line. **Recommended Funding: \$27,500**

13. City of Grand Junction 6th Street Improvements

As part of the library expansion/redevelopment project, improvements in the 6th Street right-of-way adjacent to the 500 block of Grand Avenue are proposed to improve

pedestrian safety and access, provide additional on-street parking and improve aesthetics with additional landscaping. **Recommended Funding: \$60,536**

14. City of Grand Junction North Avenue Accessibility Improvements

There are several intersection locations along North Avenue where either the existing accessible ramps do not meet ADA standards or they do not exist. This project would provide for replacement or construction of accessible ramps to improve pedestrian safety along North Avenue. **Recommended Funding: \$25,000**

The total allocation is \$406,350. Ms. Ashbeck listed the schedule for adoption.

Gi Moon with Homeward Bound came forward to thank the City Council for supporting their request. She talked about the goal to end homelessness in the valley.

Barbara Mahoney, Catholic Outreach, came forward to thank the City Council for supporting the T-House project. She said the funds will be put to very good use.

No one else came forward to speak.

The public hearing was closed at 8:12 p.m.

Councilmember Doody said the CDBG is a great opportunity for a lot of non-profits to leverage money in the community and interest in their charter. He said about a year ago one of the big issues was the homeless issue but he sees over \$200,000 in projects that help that population in this year's allocation. He listed other ways the City has participated in trying to address the homeless issue.

Councilmember Kenyon agreed with Councilmember Doody that they have made a lot of progress and he wished Mr. Mullen had stayed as he would have seen an example of how the Council is helping those less fortunate.

Councilmember Doody moved to approve the CDBG City Council Workshop recommendations of funding for the 2012 Program Year and set a public hearing for adoption of the 2012 One-Year Action Plan for June 20, 2012. Councilmember Luke seconded the motion. Motion carried by roll call vote.

Public Hearing—Rezoning Two Parcels Located at 2173 and 2175 River Road [File #RZN-2012-11]

A City initiated request to rezone two parcels totaling 11.515 acres from a C-2 (General Commercial) to an I-1 (Light Industrial) zone district.

The public hearing was opened at 8:16 p.m.

Public Works and Planning Director Tm Moore introduced this item and the following four items on the agenda. All five projects come forward with a recommendation of approval from the Planning Commission. He introduced Senior Planner Brian Rusche.

Brian Rusche, Senior Planner, presented this item. He described the site, the location, and the request. He also described the current use and ownership. Mr. Rusche described the surrounding uses and zone districts. The area is designated as industrial. The current zoning is in conflict with the Comprehensive Plan. The owner did address the Planning Commission and had some concerns about removing the commercial designation, however, the property does not have access to I-70. The change will not affect the current operation. The request does meet the criteria of the Grand Junction Municipal Code and the goals and policies of the Comprehensive Plan. The Planning Commission forwarded a recommendation of approval.

Councilmember Doody said the Council was briefed on the diverging diamond access to the highway. He asked if that configuration will then provide access. Mr. Moore said that is the plan long term, they are looking at a signalized at grade crossing but it has to go through Rio Grande Railroad approval.

There were no public comments.

The public hearing was closed at 8:23 p.m.

Ordinance No. 4529—An Ordinance Rezoning Properties at 2173 and 2175 River Road from C-2 (General Commercial) to an I-1 (Light Industrial) Zone District

Councilmember Doody moved to adopt Ordinance No. 4529. Councilmember Luke seconded the motion.

Councilmember Kenyon asked if final publication in pamphlet form should be included in the motion.

City Attorney Shaver said that is preferred. It could be considered amended if the motion maker and the Councilmember who seconded the motion approves.

Councilmember Doody amended his motion to include publication in pamphlet form. Councilmember Luke seconded. Motion carried by roll call vote.

Public Hearing—Rezoning Property Located at 763 23 ½ Road [File #RZN-2012-28]

A City initiated request to rezone one property totaling 1.89 +/- acres located at 763 23 ½ Road from R-E (Residential-Estate) to R-O (Residential Office).

The public hearing was opened at 8:25 p.m.

Scott D. Peterson, Senior Planner, presented this item. He described the site, the location, and the request, which is a request from the City. The Planning Commission recommended approval at their March 27, 2012 meeting. The City adopted the Comprehensive Plan in 2010 and that resulted in this property not being in conformance with the Future Land Use Designation. The request will bring the zoning into conformance with the Zoning Code and the Future Land Use designation. The rezone will not affect the existing residential uses and will allow future development. The property has a complicated history. It has had two land use designations changes in the past. There were conditions placed on the property to establish a transition between the industrial use and the residential uses. Another tenant then came in and used the property slightly different so the zoning was changed from Planned Development to the straight zone. Notification to the owner and surrounding property owners were accomplished and an open house was held. Mr. Peterson did not hear from the property owner. The neighbors would like the transition from the industrial uses to the residential area to be maintained. Two comments were received to that affect and those were included in the materials provided to Council. The proposed R-E zone district will allow more uses than the current R-O zone district. The requested rezone meets goals 3, 5, 7, and 12 of the Comprehensive Plan and the review criteria of the Grand Junction Municipal Code. The rezone will allow multifamily and office use.

Council President Pitts asked if multifamily could be placed on the property without a lot split. Mr. Peterson said multifamily could be built as long as parking requirements are met. Council President Pitts asked if the structure would have to be taken down for multifamily. Mr. Peterson stated that technically, the property could have both.

There were no public comments.

The public hearing was closed at 8:34 p.m.

Ordinance No. 4530—An Ordinance Rezoning One Property from R-E (Residential Estate) to R-O (Residential Office) Located at 763 23 ½ Road

Councilmember Kenyon moved to adopt Ordinance No. 4530 and ordered it published in pamphlet form. Councilmember Luke seconded the motion. Motion carried by roll call vote.

Public Hearing—Rezoning Property Located at 483 30 Road [File #RZN-2012-29]

A City initiated request to rezone one property totaling 6.22 +/- acres located at 483 30 Road from C-1 (Light Commercial) to C-2 (General Commercial).

The public hearing was opened at 8:35 p.m.

Scott D. Peterson, Senior Planner, presented this item. He described the site, the location, and the request, which is a request from the City. The Planning Commission recommended approval at their March 27, 2012 meeting. He showed a map of the rezones being processed in this round of rezones. The City adopted the Comprehensive Plan in 2010 and that resulted in this property not being in conformance with the Future Land Use Designation. The recommendation is to change the zoning for it to be in conformance. The change will not affect the current use of the property. Spiritual Assemblies would be an allowed use. Mr. Peterson listed other uses that would not be allowed in the current C-1 zone district. The request will bring the zoning into conformance with the Zoning Code and the Future Land Use designation. Notification of owner and surrounding property owners were accomplished. The requested rezone meets goals 3, 6, and 12 of the Comprehensive Plan and the review criteria of the Grand Junction Municipal Code. The proposed rezone will resolve the conflict between the zone district and the land use designation of the Comprehensive Plan.

Councilmember Luke asked about the changes that will be allowed with the change. Mr. Peterson said C-2 allows more light industrial uses like oil and gas support services with outdoor storage. Councilmember Luke asked if anyone in the neighborhood objected. Mr. Peterson said no one attended the Open House. One person attended the Planning Commission just for information about the church ownership.

There were no public comments.

The public hearing was closed at 8:40 p.m.

Councilmember Doody asked about enclaves. Mr. Peterson said the property is currently in City limits. Councilmember Doody was curious about other nearby properties. Mr. Peterson said for it to be enclaved, the area would have to be completely surrounded by City limits.

Ordinance No. 4531—An Ordinance Rezoning One Property from C-1 (Light Commercial) to C-2 (General Commercial) Located at 483 30 Road

Councilmember Doody moved to adopt Ordinance No. 4531 and ordered it published in pamphlet form. Councilmember Kenyon seconded the motion. Motion carried by roll call vote.

Public Hearing—Rezoning One Property Located at 510 29 ½ Road [File #RZN-2012-8]

A City initiated request to rezone one property totaling 6.36 +/- acres, located at 510 29 ½ Road, from C-2 (General Commercial) to C-1 (Light Commercial) zone district. This property is currently the Mesa County Community Services site.

The public hearing was opened at 8:44 p.m.

Dave Thornton, Principal Planner, presented this item. He described the site, the location, and the request, which is a request from the City. The property is located in Area 13. An open house was held in March. The property is owned by Mesa County and houses the Mesa County Community Services facility. There is a cemetery to the east. There are two designations on the property, a Village Center Mixed Use and Residential Medium. Either is valid but with a Village Center Mixed Use, it accommodates the Commercial zoning. Mr. Thornton described the uses that would be allowed in the C-2. The 2007 North Avenue Corridor Plan supports the mixed use. The Planning Commission recommended approval at their March 27, 2012 meeting. The City adopted the Comprehensive Plan in 2010 and that resulted in this property not being in conformance with the Future Land Use Designation. The request will bring the zoning into conformance with the Zoning Code and the Future Land Use designation. He entered the Staff Report into the record which details how the proposal meets goals 3, 6, and 12 of the Comprehensive Plan and the review criteria of the Grand Junction Municipal Code.

Councilmember Luke asked about the zoning of the parcel to the north. Mr. Thornton said it is zoned Rural in Mesa County. It is compared to the City's residential rural. It is vacant and owned by the County for possible future expansion of the Mesa County campus.

There were no public comments.

The public hearing was closed at 8:50 p.m.

Ordinance No. 4532—An Ordinance Rezoning One Property from C-2 (General Commercial) to C-1 (Light Commercial) Located at 510 29 ½ Road

Councilmember Doody moved to adopt Ordinance No. 4532 and ordered it published in pamphlet form. Councilmember Kenyon seconded the motion. Motion carried by roll call vote.

Public Hearing—Rezoning Two Properties Located East of the Monument Little League Ball Fields, Southeast of the 25 ½ Road and Patterson Road Intersection
[File #RZN-2012-26]

A City initiated request to rezone 4.18 acres from R-12 (Residential 12 du/ac) to CSR (Community Services and Recreation) and 1.87 acres from CSR (Community Services and Recreation) to R-4 (Residential 4 du/ac), located east of the Monument Little League ball fields, southeast of the 25 ½ Road and Patterson Road intersection.

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

Senta Costello, Senior Planner, presented this item. It is a City initiated rezone request. She described the sites, the location, and the request. She described the surrounding uses as well as other uses in the vicinity. The property to the east had the Comprehensive Plan designation changed last year. The request will bring the zoning into conformance with the Future Land Use designations. The current zonings do not meet those designations. The Monument Little League property is R-12 and the eastern property is CSR. There are issues with the topography. There is also a deed restriction to limit any future buyers on that property because there are development issues due to topography and there is no legal access to the property. There was an open house on January 25, 2012. The property owners were notified. The calls she received were mostly curious. They had no concerns. No one attended the neighborhood meeting. The Planning Commission forwarded a recommendation of approval at its March 27, 2012 meeting.

Councilmember Luke asked why rezone the smaller property with the topography issue from CSR to R-4? Ms. Costello said the proposal is more for eliminating the conflict and to comply with the Comprehensive Plan and would allow any future buyer to develop the property with a single family house, which currently would not be allowed.

Councilmember Doody asked if the property on the north is owned by the Baughmans. Ms. Costello said yes.

Councilmember Luke asked why the zoning is not just kept as CSR. Ms. Costello said that R-4 would allow some development and, with creative design, would allow more than one home. CSR is designed for parks and open space and the property does not lend itself for that as it cannot be accessed. Councilmember Luke asked if it is a sloped

parcel. Ms. Costello said yes, the west side has a significant slope. There is a flat area that could be developed. The owner would have to gain legal access.

There were no public comments.

The public hearing was closed at 9:02 p.m.

Ordinance No. 4533—An Ordinance Rezoning 4.18 Acres from R-12 (Residential 12 Du/Ac) to CSR (Community Services and Recreation) and 1.87 Acres from CSR (Community Services and Recreation) to R-4 (Residential 4 Du/Ac) Located East of the Monument Little League Ball Fields, Southeast of the 25 ½ Road and Patterson Road Intersection

Councilmember Luke moved to adopt Ordinance No. 4533 and ordered it published in pamphlet form. Councilmember Kenyon seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

Councilmember Doody said the Staff did a great job on the Auditorium renovations. He asked that the Council chairs be replaced. Acting City Manager Englehart said that is in process.

Adjournment

The meeting was adjourned at 9:05 p.m.

Stephanie Tuin, MMC
City Clerk