

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

**August 17, 2009**

The City Council of the City of Grand Junction convened into regular session on the 17<sup>th</sup> day of August 2009 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Tom Kenyon, Gregg Palmer, Bill Pitts, Linda Romer Todd, and Council President Bruce Hill. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Hill called the meeting to order. Boy Scout Troop 357 led in the Pledge of Allegiance followed by a moment of silence. Council President Hill asked that Earl Payne's family be kept in everyone's thoughts as Mr. Payne recently passed away. He was a former Councilmember.

**Proclamation**

Proclaiming August 31, 2009 as "Total Force Recognition Day" in the City of Grand Junction

**Certificates of Appointment**

Gust Panos, Bennett Boeschstein, Dennis DeVore, and Brian Meinhart were present to receive their certificates of appointment to the Riverfront Commission. Mr. Boeschstein noted the videos he provided the City Council on the Colorado Riverfront called "Love that River".

Jocelyn Mullen was present to receive her certificate of appointment to the Urban Trails Committee.

**Citizen Comments**

Dennis Simpson, 2306 E. Piazza Place, addressed the City Council regarding the Public Safety Initiative on the Wednesday agenda. He stated his concerns as ten reasons it would be a mistake to pass the resolution as proposed. 1 – any amount could be borrowed, 2 – any interest could be accepted, 3 – it allows the City to borrow money before it is needed, 4 – resolution does not address bond issuance cost, 5 – resolution does not disclose a maximum interest rate, 6 – the issue does not limit the amount to be borrowed, 7 – doesn't address the issue if more revenue is generated, 8 – the issue does not disclose what would happen in the event of another economic downturn and the ¼% doesn't generate enough income to pay the debt, 9 – doesn't address what happens when the money is paid back, and 10 – doesn't say how long it will take to pay the bond back. He thought the issue was very vague. The consultant stated the citizens don't trust the City Council. These concerns should be taken to heart. If the

issue was more specific, there would be a better chance of getting it passed. The resolution is only as good as the current Council. The resolution attempts to de-bruce the tax increase. The last election said loud and clear that de-brucing is not something the citizens want. The need has been discussed but the financing piece has not been available to the public.

Sherry DeRose, 604 N. 7<sup>th</sup> Street, said the Council several weeks ago voted against a moratorium development in the 7<sup>th</sup> Street Historic District. Her application for a bed and breakfast was submitted to the Planning Department. She was told that her permit was ready to be issued but since then the Planner has been told not to issue the permit. She asked that this issue be addressed.

### **Council Comments**

Council President Hill addressed the fact that the City hosted the President of the United States. He was proud of the community. He appreciated the working relationships the City has with the Mesa County Sheriff's Department and the Colorado State Patrol and their relationship with the Grand Junction Police Department. He noted that the Health Plan in this valley is a template of the cooperativeness in the community.

Councilmember Palmer added the cooperation of the Airport staff and thanked them.

City Manager Laurie Kadrich noted many of the first speaker's questions under Citizen Comments will be addressed at the Wednesday Council meeting.

### **CONSENT CALENDAR**

Councilmember Kenyon read the Consent Calendar and then Councilmember Beckstein moved that Consent items #1 through #10 be adopted as written. Councilmember Pitts seconded but stated he will abstain from item #8.

Jodi Behrman, attorney representing the 7<sup>th</sup> Street Historic District, asked that the item #6 be removed from the Consent Calendar. She stated it would be a waste of time to adopt such a plan without the support of the neighborhood. Council President Hill asked if any Councilmember agreed that it be removed. No Councilmember asked for that action. The Consent Calendar stood as read.

Motion carried by roll call vote with Councilmember Pitts abstaining from Item #8.

#### **1. Minutes of Previous Meeting**

*Action: Approve the Minutes of the August 3, 2009 Regular Meeting*

2. **Vacation of Utility Easement, Located at 2421 Hidden Valley Drive** [File # VE-2009-134]

Request approval to vacate a 15 foot wide utility easement located at 2421 Hidden Valley Drive. The applicants would like to use the property and the easement is not needed.

Resolution No. 62-09—A Resolution Vacating a Utility Easement at 2421 Hidden Valley Drive

*Action: Adopt Resolution No. 62-09*

3. **Revocable Permit to Mesa State College for a Buried Conduit Line Across Blichmann Avenue** [File # RVP-2009-160]

Request for a Revocable Permit to allow a utility conduit to cross beneath Blichmann Avenue between 2508 Blichmann Avenue and 2510 Foresight Circle.

Resolution No. 65-09—A Resolution Concerning the Issuance of a Revocable Permit to Mesa State College

*Action: Adopt Resolution No. 65-09\**

4. **Setting a Hearing on the RQ Annexation, Located at 3131 D Road** [File # ANX-2009-144]

Request to annex 20.02 acres, located at 3131 D Road. The RQ Annexation consists of one parcel.

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

Resolution No. 66-09—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, RQ Annexation, Located at 3131 D Road

*Action: Adopt Resolution No. 66-09\**

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, RQ Annexation, Approximately 20.02 Acres, Located at 3131 D Road

*Action: Introduction of a Proposed Ordinance and Set a Hearing for October 5, 2009*

**5. Setting a Hearing on Zoning the Maverik Annexation, Located at 2948 F Road and 603 29 1/2 Road [File #ANX-2009-023]**

Request to zone the 2.28 acre Maverik Annexation, located at 2948 F Road and 603 29 ½ Road, to C-1 (Light Commercial) and R-4 (Residential 4 du/ac).

Proposed Ordinance Zoning the Maverik Annexation to C-1 (Light Commercial) and R-4 (Residential 4 Du/Ac), Located at 2948 F Road and 603 29 ½ Road

*Action: Introduction of a Proposed Ordinance and Set a Hearing for August 31, 2009*

**6. Setting a Hearing on the Strategic Downtown Master Plan, Overlay Zone, 7<sup>th</sup> Street Historic District PD Zone [File #PLN-2009-179]**

The Strategic Downtown Master Plan was developed through a public process involving a steering committee of interested downtown merchants, property owners, and policy makers during 2007-2008. Recognizing that a strong downtown core supports the economic and community development of an entire region, the goal of the plan was to quantify current conditions, identify opportunities, and recommend specific actions for the decision-makers of the Downtown Partnership and the City of Grand Junction. The primary implementation strategy is through an overlay zone and amending the 7<sup>th</sup> Street Historic District Planned Development Zoning Ordinance.

Proposed Ordinance Amending the Zoning and Development Code to add Section 7.7 Strategic Downtown Master Plan Zoning Overlay Design Standards and Guidelines

Proposed Ordinance Amending Ordinance No. 2211 by Adoption of the 7<sup>th</sup> Street Residential Historic District Zoning Overlay Design Standards and Guidelines, Amending the Zoning and Development Code to Add Section 7.7

*Action: Introduction of Proposed Ordinances and Set a Hearing for September 14, 2009*

7. **Petition for Exclusion from the Downtown Grand Junction Business Improvement District from Arvan Jeffry Leany for Property Located at 337 S. 1<sup>st</sup> Street**

The Downtown Grand Junction Business Improvement District was formed on August 17, 2005. The ballot question regarding a Special Assessment for said District was approved on November 1, 2005. The City Council then held a hearing on the assessments on December 7, 2005 and there were no objections voiced at the hearing. On August 4, 2009, Mr. Arvan J. Leany filed a letter and the required deposit to initiate consideration of the exclusion of his property from the Downtown Grand Junction Business Improvement District at 337 S. 1<sup>st</sup> Street (Pufferbelly Restaurant).

*Action: Refer to the DGJBID for a Hearing and a Recommendation*

8. **Airport Improvement Program Stimulus Grant for General Aviation Ramp Reconstruction Project at Grand Junction Regional Airport**

AIP-41 is a \$666,809.00 Stimulus Grant for additional funding of the General Aviation Ramp Reconstruction Project at the east end of the ramp. Total funding for this project with this grant is \$9,980,170.00. The airport is expecting one more grant of approximately \$1,111,000.00 to complete the funding of this project. The Supplement Co-sponsorship Agreement is required by the FAA as part of the grant acceptance by the City.

*Action: Authorize the Mayor and City Attorney to Sign the Original FAA AIP-41 Grant Documents for General Aviation Ramp Reconstruction at the Grand Junction Regional Airport, and Authorize the City Manager to Sign the Supplemental Co-sponsorship Agreement for AIP-41*

9. **Purchase of a Baler for the Recycle Center**

Purchase of an Auto-Tie Baler for Grand Junction Curbside Recycling Indefinitely (GJ CRI) to expand their operation per the terms of a State Grant. The current baler does not have sufficient capacity to handle more volume. An additional baler is needed to process recyclable materials, such as cardboard, newspaper, aluminum, steel cans, office paper, and plastics.

*Action: Authorize the Purchasing Division to Award a Contract to Action Compaction Equipment of Midvale, UT in the Amount of \$152,022 for the Purchase of an Automatic Baler for Curbside Recycling Indefinitely*

**10. Great Outdoors Colorado Grant Revised Resolution**

In February of 2009, a Great Outdoors Colorado grant application was submitted for the Melrose Park redevelopment project. The grant was fully funded by the Great Outdoors Colorado Board; however, a new resolution reflecting the change in Mayors is required before the final agreement can be signed.

Resolution No. 67-09—A Resolution Supporting the Agreement Between the City of Grand Junction and the State Board of the Great Outdoors Colorado Trust Fund

*Action: Adopt Resolution No. 67-09\**

**ITEMS NEEDING INDIVIDUAL CONSIDERATION**

Council President Hill called for a brief recess due to technical difficulties at 7:35 p.m.

The meeting reconvened at 7:40 p.m.

**Public Hearing—Approving the Service Plan for the Proposed 29 and D Metropolitan District Nos. 1 and 2 (Mesa State College Foundation), Including an Intergovernmental Agreement**

Adoption of a resolution approving the Service Plan for the formation of two metropolitan districts, the 29 and D Metropolitan District No. 1 and No. 2 (“Districts”), for property owned by the Mesa State College Real Estate Foundation. The Districts are being created for financing public improvements on the land within the Districts.

The public hearing was opened at 7:40 p.m.

John Shaver, City Attorney, explained the request before them. This has been discussed at a previous work session. Consistent with the Statute, the City Council must find that certain criteria are met for the Districts to be formed as well as approve the Service Plan. The tax to be imposed will be an ad valorem tax upon the properties in order to fund the development of the property. The Districts will have to conform with the City’s planning process. The plans were found by Staff to be quite good. Their attorney, MaryAnn McGeady, is present to answer any questions.

Councilmember Kenyon inquired if the District can purchase land with the funds raised. City Attorney Shaver said the plan states the funds are for improvements not for acquisition of property.

MaryAnn McGeady, McGeady, Sisneros, P.C., was present but did not wish to speak.

There were no public comments.

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

Resolution No. 68-09—A Resolution Approving the Service Plan and Inter-governmental Agreement for the 29 and D Metropolitan District No. 1 and No. 2

Councilmember Coons moved to adopt Resolution No. 68-09\*. Councilmember Kenyon seconded the motion. Motion carried.

**Public Hearing—Fults Annexation and Zoning, Located at 3066 F Road** [File #ANX-2009-130]

Request to annex and zone 3.72 acres, located at 3066 F Road, to R-4 (Residential – 4 units per acre). The Fults Annexation consists of one parcel.

The public hearing was opened at 7:46 p.m.

Lori V. Bowers, Senior Planner, presented this item. She described the request, the site, and the location. She asked that the Staff Report and attachments be entered into the record. She advised the request does meet the Zoning and Development Code criteria and the Planning Commission recommended approval.

Councilmember Palmer asked if it is one or two parcels. Ms. Bowers answered it is one parcel. Councilmember Palmer asked where is the access. Ms. Bowers answered it is off of F Road, but when future development takes place, that access will go away.

Larry Beckner, attorney representing the Fults, stated the parcel will be split into two parcels. The new parcel will access off Orange Grove Way. He complimented Staff for their help with this project.

There were no public comments.

The public hearing was closed at 7:49 p.m.

**a. Accepting Petition**

Resolution No. 69-09—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Fults Annexation, Located at 3066 F Road is Eligible for Annexation

**b. Annexation Ordinance**

Ordinance No. 4371—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Fults Annexation, Approximately 3.72 Acres, Located at 3066 F Road

**c. Zoning Ordinance**

Ordinance No. 4372—An Ordinance Zoning the Fults Annexation to R-4 (Residential – 4 Units Per Acre), Located at 3066 F Road

Councilmember Todd moved to adopt Resolution No. 69-09\* and Ordinance Nos. 4371 and 4372 and ordered them published. Councilmember Pitts seconded the motion. Motion carried by roll call vote.

**Public Hearing—The Redlands Vista Planned Development Rezone and Amendment to the Preliminary Development Plan, Located at West Ridges Blvd., School Ridge Rd., and Ridge Circle Drive** [File #PFP-2009-092]

Amend the existing Ordinance for Redlands Vista in the Ridges Preliminary Development Plan (PDP) to increase the density from 3.8 dwelling units per acre to 6.7 dwelling units per acre. The redesign includes private streets. 2) Approval of a resolution to vacate a pedestrian and equestrian easement. 3) Approval of a resolution to reduce the size of a utility, irrigation, and drainage easement.

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

Lori V. Bowers, Senior Planner, presented this item. She described the three requests, the site, and the location. Ms. Bowers described the surrounding zoning and land use as well as the history of the Planned Development on the property. The new plan has a different housing type with more density. Access will be off of West Ridges Drive and School Ridge Road. There is a pedestrian trail that will have to be improved as well as other trails in the development. The new density will be 6.7 units per acre and will include private streets. There will be parking pods to account for the lack of on-street parking. Deviations are being requested (the underlying zone will be R-8). Staff is asking that a maximum height be stated for the duplexes with walk-out basements as 34 feet 7-<sup>3</sup>/<sub>4</sub> inches, and the other units as 41 feet 9 inches. Ms. Bowers pointed out the two areas to be vacated including the equestrian trail easement. She advised the request does meet the Zoning and Development Code criteria and the Planning Commission recommended approval.

Councilmember Pitts asked where the horses are going to be. Ms. Bowers said it would not be appropriate for horses to go through this area which is why the equestrian trail is up for vacation.

Councilmember Todd asked about the easement crossing the other easement. Ms. Bowers thought that to be an error previously.

Councilmember Palmer asked about the other trails in the development. Ms. Bowers said those will still exist.

Councilmember Palmer asked what a zero lot line is. Ms. Bowers said the lot line goes through the dividing walls in the structures.

Otto Burden, Colorado Civil Engineering, representing the applicant, stated he is asking for approval. He described the proposal which he categorized as an infill project. They will not be eliminating the trail; they will move it into the right-of-way. He reviewed the history of the project and how it has changed from high end luxury homes to the multifamily project being presented. The new plan reduces the number of access points to the public streets. The new design is fewer buildings and will retain more vegetation. It will be a gated community for vehicles. The covenants will require parking in the garages. Counting the garage as half full, it has 209 parking spaces. There will be no on-street parking even though the streets are wide enough for on-street parking on one side. He listed the additional elements over the City standards. He reviewed the phased construction proposal.

Councilmember Todd asked about when people have an event, where folks will park, on the street? She noted a 19 foot width garage is narrow so that no one can park two cars in that width of garage. Mr. Burden said he was not the architect.

Councilmember Beckstein asked what the Fire Department says about these streets. Mr. Burden said they allow parking on one side but the developer has decided not to allow on-street parking. Even with only one car in the garage, there are still over 200 spaces. The Fire Department did not have an issue.

Mr. Burden said the developer would have to give the City permission to enforce the on-street parking prohibition.

Councilmember Todd asked where guests will park. Mr. Burden said there are small parking lots around the development in combination with the driveway parking.

Scott Freidman, 1341 Rawhide Circle, Elizabeth, Colorado, the developer, said he wanted to show there is ample parking, more than what is required. The Homeowners Association (HOA) documents are structured to require parking in the garages or in the driveway. Parking should be a minimal issue.

Councilmember Palmer asked what standard width is for streets. Ms. Bowers advised that 26 feet is standard, so the proposal is one foot less. Councilmember Palmer

expressed his concerns with private streets and asked if the additional units changed it to private streets.

Tim Moore, Public Works and Planning Director, noted that the previous proposal with the lower density was also private streets. Mr. Moore added that since this is to be a gated community, Staff requires the streets to be private due to the lack of access.

Mark Fenn, 350 Cliff View Drive, lives in Shadow Run, which had the same developers. He has resided there for two years and supports the project. It is appropriate in terms of the surrounding properties and is more appropriate for the current market and future market. His development has similar size garages, yet not as deep, and several people use the garage for both cars and still store things in them. When Shadow Run was originally designed it had 23 foot wide streets, and because Council objected to the width, the width was increased and two units were lost. People in Shadow Run do have gatherings and there is not a problem with parking. Housing units do not allow for huge gatherings. It is more than adequate in design features with street width and adequate parking. Mr. Fenn lauded the developer.

Nick Paulson, 413 30 Road, said there has been subdivisions approved over the last eight years, and it is starting to feel crowded. Grand Junction is becoming a huge town and that is not a good thing in some ways. Growth leads to a higher crime rate and more traffic.

Bryan Sims, 160 Dee Vee Drive, said he did not see accommodations for RVs and other types of vehicles and equipment in the proposal.

Richard Schoenrad, 2585 F ½ Road, is the listing agent for Shadow Run and has had a lot of success marketing those units. He gets feedback on the wonderful layout. This proposal is even nicer. He believes in this product.

There were no other public comments.

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

Mr. Burden stated the Homeowners Association covenants will prohibit the outside storage of RVs and boats. Small items like All Terrain Vehicles could be stored in the garage, but nothing will be allowed outside.

Council President Hill asked if the City has the covenants. Ms. Bowers replied those are not submitted until Final Plat. Council President Hill said those items need to be tracked as the Council may rely on the statements as to what is in the covenants for their decision.

City Attorney Shaver suggested that any approval could be conditioned on those items being included.

Mr. Burden added that they comply with the Code for required driveway parking.

Councilmember Pitts said he would like to have the opportunity to review the Homeowners Association documents.

Councilmember Kenyon disagreed as he did not feel it was appropriate to stray from the ordinance and resolutions proposed.

Councilmember Coons agreed.

Councilmember Todd thanked Mr. Burden for addressing the parking issue and she is comfortable with the parking allowed and disagreed with being involved with the HOA.

Councilmember Beckstein agreed, as Staff has heard the Council's concerns. She noted her concern was the prohibition of parking of boats and RV's outside and they want assurance that will be in the written agreement.

Councilmember Coons expressed that she was pleased to see this type of housing unit, multifamily, and such high quality.

Council President Hill agreed.

Councilmember Palmer was comfortable with the development in general but still has concerns with the street width and will not support the ordinance but will support the vacations.

Ordinance No. 4373—An Ordinance Rezoning and Amending the Preliminary Development Plan for Redlands Vista Planned Development, Lot 1 and Lot 2, Block Twenty-One, the Ridges Filing No. Four, Located at West Ridges Blvd., School Ridge Road, and Ridge Circle Drive

Resolution No. 70-09—A Resolution Vacating a 10-Foot Pedestrian and Equestrian Easement on Lots 1 and 2, the Ridges Filing No. Four, Located Along West Ridges Boulevard and School Ridge Road as Part of the Redlands Vista Planned Development

Resolution No. 71-09—A Resolution Vacating a Portion of a Utility, Irrigation, and Drainage Easement Located on Lot 1, the Ridges Filing No. Four Subdivision, Located Near West Ridges Boulevard as Part of the Redlands Vista Planned Development

Councilmember Kenyon moved to adopt Ordinance No. 4373 and ordered it published. Councilmember Coons seconded. Motion carried by roll call vote 6 to 1 with Councilmember Palmer voting NO.

Councilmember Kenyon moved to adopt Resolution No. 70-09\*. Councilmember Coons seconded. Motion carried by roll call vote.

Councilmember Kenyon moved to adopt Resolution No. 71-09\*. Councilmember Coons seconded. Motion carried by roll call vote.

Council President Hill called a recess at 8:41 p.m.

The meeting reconvened at 8:47 p.m.

**Public Hearing—Fiesta Guadalajara Rezone, Preliminary Development Plan, and Vacation of Right-of-Way, Located at 710 and 748 North Avenue and 705 and 727 Glenwood Avenue** [File # RZ-2009-037]

Requests for: 1) zone property located at 710 and 748 North Avenue and 705 and 727 Glenwood Avenue to PD (Planned Development) with default zones of C-1(Light Commercial) and R-8 (Residential 8 du/ac), 2) approval of a Preliminary Development Plan, and 3) vacation of the west 7.5' of the north/south alley located east of North 7<sup>th</sup> Street and south of Glenwood Avenue.

The public hearing was opened at 8:47 p.m.

Senta L. Costello, Senior Planner, presented this item. She described the request, the site and the location. She described the current uses on the property. The property is surrounded by other commercial properties and a mix of residential and commercial to the north. The existing land use is commercial and the existing zoning is commercial and residential. The proposal is to zone all parcels Planned Development. Ms. Costello advised that Neighborhood Services played a key role in the development of a plan for these parcels in order to integrate a mix of uses. The Preliminary Development Plan has many different components. The development will have consistent architectural styles throughout (southwestern). The residential units will be compatible with surrounding residential properties. A minimum of three dwelling units and a maximum of 30 would be allowed on the site. Signage will be limited to monument signage along the road frontage.

Shared parking will be utilized as the uses have different use hours. There are three specific substantial community benefits; more effective use of infrastructure; reduced traffic demands; and innovative designs including increased landscaping and street interactive buildings along North Avenue and Seventh Street allowing more pedestrian interaction. Although outside the current North Avenue Corridor Plan, Ms. Costello did compare the plan to the goals and policies of the North Avenue Corridor Plan and

described how the plan conforms to the corridor plan. She reviewed how the project meets the criteria of the Zoning and Development Code.

Councilmember Palmer asked about the setbacks on the various streets. Ms. Costello stated the setbacks will be at the property lines which is behind the sidewalk. Councilmember Palmer asked if that affects sight distance. Ms. Costello said that landscaping will be reviewed at Final Plat to ensure it does not.

Councilmember Todd asked about additional housing. Ms. Costello said potentially in the future the northern parking lot could be redeveloped as a multi-story residential building. Councilmember Todd asked if that will cause a parking issue as it may be underestimated. Ms. Costello offered that underground parking could be one option, the full potential of 34 units may not be possible but more units are possible.

Councilmember Todd voiced concern about additional landscaping as this is a desert area. Ms. Costello said that some of the additional landscaping is already existing on the property.

Councilmember Kenyon asked more about the density. He asked if the approval will allow the higher number of units. Ms. Costello said this approval is for three but they would have to come back for any additional.

Councilmember Pitts lauded the project but his concern is the signage, he would like it to be reduced.

Derrick Draper, Chief Financial Officer (CFO) of Fiesta Guadalajara, stated his appreciation of the Staff including Senta Costello and Kathy Portner. One of the beauties of this plan is there will be a higher level for private parties. They have leased the old bar to two women who will make it a high end bar. The residential use will make it a multi-purpose development.

Milton "Tony" Long, 237 White Avenue, Apt. B, questioned the access with the access points being removed.

There were no other public comments.

The public hearing was closed at 9:13 p.m.

Council President Hill asked Ms. Costello to clarify the access. Ms. Costello said it won't look any different. The alley will still be maintained; only a portion is being vacated.

Councilmember Todd said she likes signs. She too is excited about the change to the corner.

Ordinance No. 4374—An Ordinance Rezoning Property Known as the Fiesta Guadalajara Rezone, Located at 710 and 748 North Avenue and 705 and 727 Glenwood Avenue to a PD (Planned Development) Zone

Ordinance No. 4375—An Ordinance Vacating a Portion of North-South Alley Right-of-Way Located West of North 7<sup>th</sup> Street and South of Glenwood Avenue

Councilmember Palmer moved to adopt Ordinance Nos. 4374 and 4375 and ordered them published. Councilmember Todd seconded the motion noting it the alley is to the east of 7<sup>th</sup> Street. Motion carried by roll call vote with the correction noted.

**Public Hearing—Rezoning Property Located Between Ute Avenue and Pitkin Avenue, Between S. 5<sup>th</sup> and S. 6<sup>th</sup> Street and Between Ute Avenue and Pitkin Avenue from S. 7<sup>th</sup> Street, East 230 Feet** [File #RZ-2008-342]

A request to rezone property located between Ute Avenue and Pitkin Avenue between S. 5<sup>th</sup> and S. 6<sup>th</sup> Street and between Ute Avenue and Pitkin Avenue from S. 7<sup>th</sup> Street east 230 feet in Block 139, consisting of 2.52 acres more or less, and a portion of Block 137, consisting of 1.45 acres more or less, from C-1 (Light Commercial) to B-2 (Downtown Business) for the purposes of facilitating a new fire station and police building on City owned property.

The public hearing was opened at 9:17 p.m.

Brian Rusche, Senior Planner, presented this item. He described the request, the site and the location. He asked that the Staff Report and attachments be entered into the record. The request is to provide a uniform zone district for the properties. The B-2 zoning is consistent with the draft Comprehensive Plan Goals and Policies. He advised the request does meet the Zoning and Development Code criteria and the Planning Commission recommended approval.

There were no public comments.

The public hearing was closed at 9:20 p.m.

Councilmember Palmer asked the City Manager if this is the best zoning for this property regardless of what happens in the future. Ms. Kadrich said this is a recommendation of Staff and Staff has been working on developing that site for a public safety facility at some point in the future. Grant applications have also been made and the site would need to be ready if that grant were to be awarded.

Ordinance No. 4376—An Ordinance Rezoning Parcels of Land from C-1 (Light Commercial) To B-2 (Downtown Business), Located Between Ute and Pitkin Avenues from S. 5<sup>th</sup> Street to S. 6<sup>th</sup> Street and from S. 7<sup>th</sup> Street East Approximately 230 Feet

Councilmember Beckstein moved to adopt Ordinance No. 4376 and ordered it published. Councilmember Todd seconded the motion. Motion carried by roll call vote.

**Public Hearing—Vacating the North/South Alley Between Ute Avenue and Pitkin Avenue, East of South 7<sup>th</sup> Street and a Portion of the East/West Alley Between South 7<sup>th</sup> and South 8<sup>th</sup> Street South of Ute Avenue** [File #VR-2008-342]

Request to vacate the North/South Alley between Ute Avenue and Pitkin Avenue, East of South 7<sup>th</sup> Street and a portion of the East/West alley between South 7<sup>th</sup> and South 8<sup>th</sup> Street South of Ute Avenue within Block 137 of the Original Town Site of Grand Junction for the purposes of consolidating City-owned parcels and the construction of a new Fire Station.

The public hearing was opened at 9:24 p.m.

Brian Rusche, Senior Planner, presented this item. He described the request, site, and location. He asked that the Staff Report and attachments be entered into the record. The sites have been acquired and cleared in anticipation of future development. Any utilities that need to be relocated will be relocated. The proposal meets the criteria of the Zoning and Development Code. The Planning Commission recommends approval.

Councilmember Pitts asked about the alley being vacated only partway through the block. Mr. Rusche said the alley is being vacated only along the city-owned parcels. One private residence uses the alley and accommodations have been worked out for trash collection.

There were no public comments.

The public hearing was closed at 9:28 p.m.

Ordinance No. 4377—An Ordinance Vacating Alley Rights-of-Way Located Between Ute and Pitkin Avenues, East of South 7<sup>th</sup> Street

Councilmember Coons moved to adopt Ordinance No. 4377 and ordered it published. Councilmember Palmer seconded the motion. Motion carried by roll call vote.

**Public Hearing—The Issuance of Downtown Development Authority (DDA) Tax Increment Revenue Bonds and Pledge the Tax Increment Revenues of the City for Payment of the Bonds – Series 2009**

On April 3, 2007, a majority of qualified voters within the boundaries of the Grand Junction, Colorado Downtown Development Authority (DDA) authorized the City to issue bonds or other indebtedness for the purpose of financing certain capital improvements within the DDA's "Plan of Development" area. The voters also authorized the pledge of tax increment funds for payment of the bonds. The City Council is authorized by the City Charter to authorize the issuance of such tax increment revenue bonds and now desires to cause the bonds to be issued, to authorize and direct the application of the proceeds and to provide security for the payment.

The public hearing was opened at 9:29 p.m.

John Shaver, City Attorney, presented this item. The purpose of the bonds is for continued financing and operation of the Downtown Development Association (DDA). The City of Grand Junction authorizes such bonds on behalf of the DDA. The Executive Director of the DDA, Heidi Hoffman Ham, is present if there are any questions as to the proposed uses of the bond proceeds. The ordinance allows the use of the funding for any lawful purpose. A listing of capital improvement needs have been identified by the DDA board.

Councilmember Coons suggested it may be helpful to the public to know how the funds will be used.

Heidi Hoffman Ham, DDA Executive Director, referred to the most recent CIP and operations listing prepared by the DDA. These monies are only to be used for capital projects. The Main Street project is the biggest and most important project for the DDA and highest priority. Other projects are street furniture, way finding program (signage), façade grant program, (helping property owners improve their street frontage), and occasionally land acquisition.

There were no public comments.

The public hearing was closed at 9:35 p.m.

Ordinance No. 4378—An Ordinance Authorizing the Issuance of the City of Grand Junction, Colorado, Downtown Development Authority Tax Increment Revenue Bonds, Series 2009; Pledging the Tax Increment Revenues of the City for the Payment of the Bonds; and Related Matters

Councilmember Beckstein moved to adopt Ordinance No. 4378 and ordered it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

**Public Hearing—Cross Referencing Old Municipal Code Numbering with New Numbering System to Allow the Transition Between the Two Systems**

Staff has been working on reorganizing and renumbering of the Municipal Code and other reference documents such as the Zoning and Development Code, the various manuals (SSID, TEDS, and SWMM), the various neighborhood and corridor plans and other important previously approved documents in order to have them on the internet for easy public access. At this point, the work is close enough to completion that a transition ordinance is in order to allow any reference to the current Code (soon to be Old Code) to apply to the newly numbered Code (soon to be New Code).

The public hearing was opened at 9:35 p.m.

John Shaver, City Attorney, explained the request which will allow the City, during the Code recodification, to reference both the old Code and new Code numbering. This will allow enforcement officers to use either numbering system during the transition.

There were no public comments.

The public hearing was closed at 9:37 p.m.

Ordinance No. 4379—An Ordinance Providing for a Cross Reference Between the 1994 Code of Ordinances Old Numbering System and the New Numbering System

Councilmember Kenyon moved to adopt Ordinance No. 4379 and ordered it published. Councilmember Beckstein 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 9:39 p.m.

Stephanie Tuin, MMC  
City Clerk