

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

January 7, 2009

The City Council of the City of Grand Junction convened into regular session on the 7th day of January 2009 at 7:04 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Jim Doody, Bruce Hill, Doug Thomason, Linda Romer Todd, and Council President Gregg Palmer. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and City Clerk Stephanie Tuin.

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

Report on Volunteer Board Openings

City Clerk Stephanie Tuin gave a report on Volunteer Board Openings. She advised Council that there is a lack of applicants for two of the volunteer boards that have been advertised, which are the Downtown Development Authority and the Planning Commission /Zoning Board of Appeals.

The Downtown Development Authority is a seven member board which also serves as the Downtown Grand Junction Business Improvement District. There is currently one opening. One new application has been received, and there are two on file. Ms. Tuin stated that one must own property in the DDA, own a business, or live within the DDA boundaries to apply for this particular board.

The Planning Commission/Zoning Board of Appeals currently has two alternate openings, one application has been received. This board reviews the appeals and other applications for variances to the Zoning and Development Code. As an alternate to the Planning Commission they also review development applications. Applicants for this board must be City residents.

Both of these boards are four year terms. Existing members will serve on the board until the open positions are filled. Anyone interested in these particular boards can contact City Clerk Stephanie Tuin. The City Clerk would like to have all applications by January 19, 2009 but will keep the positions open until there are enough applicants. City Clerk Tuin encouraged anyone who is interested and eligible to apply.

Citizen Comments

There were none.

CONSENT CALENDAR

Councilmember Beckstein read the Consent Calendar and then moved to approve items #1 through #5. Councilmember Thomason seconded the motion. Motion carried by roll call vote with Councilmember Coons recusing herself from voting on item #2.

1. Highway 50 Access Control Plan IGA

Request to enter into an intergovernmental agreement with Colorado Department of Transportation and Mesa County for an Access Control Plan for Highway 50 from the Colorado River to Highway 141 in Whitewater.

Resolution No. 04-09—A Resolution an Intergovernmental Agreement between the City of Grand, Mesa County and the Colorado Department of Transportation (CDOT) Regarding US-50 Access Control Plan

Action: Adopt Resolution No. 04-09

2. Setting a Hearing for the Outline Development Plan and Rezone for St. Mary's Rose Hill Hospitality House Expansion, Located at 609 26 ½ Road [File #RZ-2008-227]

A request for approval to zone property located at 609 26 ½ Road known as St. Mary's Rose Hill Hospitality House to PD (Planned Development) with a default zone of B-1, (Neighborhood Business) by approval of the Outline Development Plan.

Proposed Ordinance Rezoning Property Located at 609 26 ½ Road known as St. Mary's Rose Hill Hospitality House to PD (Planned Development) by Amending Ordinance No. 3992 to Include this Property

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

3. Setting a Hearing on the Kapushion Annexation No. 1, 2, and 3, Located at 860 21 Road [File #ANX-2008-305]

Request to annex 35.12 acres, located at 860 21 Road. The Kapushion Annexation consists of one parcel. No road right-of-way is included in this annexation area. This is a three part serial annexation.

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

Resolution No. 05-09—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, Kapushion Annexation No. 1, 2, and 3, Located at 860 21 Road

Action: Adopt Resolution No. 05-09

b. Setting a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Kapushion Annexation No. 1, Approximately 0.89 Acres, Located at 860 21 Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Kapushion Annexation No. 2, Approximately 16.67 Acres, Located at 860 21 Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Kapushion Annexation No. 3, Approximately 17.56 Acres, Located at 860 21 Road

Action: Introduction of Proposed Ordinances and Set a Hearing for March 4, 2009

4. Setting a Hearing for the Northwest GJ Annexation, No. 1 and 2, Located East of 860 21 Road [File # ANX-2008-305]

Request to annex 65.61 acres, located east of 860 21 Road, along 21 ½ Road. The Northwest GJ Annexation consists of two parcels including 6,200.87 square feet of 21 ½ Road Right-of-Way.

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

Resolution No. 06-09—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, Northwest GJ Annexation No. 1 and 2, Located East 860 21 Road, along 21 ½ Road

Action: Adopt Resolution No. 06-09

b. Setting a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Northwest GJ Annexation No. 1, Approximately 45.52 Acres, Located East of 860 21 Road, Along 21 ½ Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Northwest GJ Annexation No. 2, Approximately 20.09 Acres, Located East of 860 21 Road, Along 21 ½ Road

Action: Introduction of Proposed Ordinances and Set a Hearing for March 4, 2009

5. **Setting a Hearing on the Appeal of the Planning Commission's Decision Regarding a Conditional Use Permit for a Bar/Nightclub** [File #CUP-2008-158]

An appeal has been filed regarding the Planning Commission's decision to deny a Conditional Use Permit for a Bar/Nightclub, located at 2256 and 2258 Colex Drive. The project sits on 1 lot in an I-1 (Light Industrial) zone district. (The project will include leased parking spaces from the lot immediately to the north.) This appeal is pursuant to Section 2.18.E of the Zoning and Development Code, which specifies that the City Council is the appellate body of the Planning Commission. According to Section 2.18.E.4.h, no new evidence or testimony may be presented, except City staff may be asked to interpret materials contained in the record.

Action: Set a Hearing for January 21, 2009

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Public Hearing to Create Alley Improvement District 2009, Phase A

Successful petitions have been submitted requesting an Alley Improvement District be created to reconstruct three alleys:

- East/West Alley from 3rd to 4th, between Glenwood Avenue and Kennedy Avenue
- East/West Alley from 9th to 10th, between Main Street and Rood Avenue
- East/West T Alley from 17th to 18th, between North Avenue and Glenwood Avenue

The public hearing was opened at 7:13 p.m.

Councilmember Coons disclosed that her husband is an owner in one of the businesses on one of the alleys being considered. In discussions with the City Attorney it was determined that there was no conflict of interest. No one disagreed.

Tim Moore, Public Works and Planning Director, presented this item. He described the project which includes three alleys and noted that once the project is bid out, if there are funds remaining, they will bid out a fourth alley for improvement. Public Works and Planning Director Moore detailed the cost share allocations between the property owners and the City.

Council President Palmer inquired about the percentages of the City funding versus property owners. Mr. Moore said generally the split is 75% City to 25% property owner. That is due to a recent adjustment that specified the City's allocation by percentage rather than by amount. Previously with a flat rate and increased costs, the City's allocation had increased. Using percentages, the City's cost share will stay by percentage regardless of costs increasing or decreasing.

Councilmember Hill agreed noting that costs could be less with the economic conditions, but the City's percentage will stay the same.

Council President Palmer asked about how the projects are scheduled. Mr. Moore indicated it is "first come first serve" based on petitions submitted. There is a waiting list.

There were no public comments.

The public hearing closed at 7:19 p.m.

Resolution No. 07-09—A Resolution Creating and Establishing Alley Improvement District No. ST-09, Phase A within the Corporate Limits of the City of Grand Junction, Colorado, Authorizing the Reconstruction of Certain Alleys, Adopting Details, Plans and Specifications for the Paving Thereon and Providing for the Payment Thereof

Councilmember Todd moved to adopt Resolution No. 07-09. Councilmember Thomason 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 7:20 p.m.

Stephanie Tuin, MMC
City Clerk