

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

June 15, 2020

Call to Order, Pledge of Allegiance, Moment of Silence

The City Council of the City of Grand Junction convened into special session on the 15th day of June 2020 at 6:01 p.m. Those present were Councilmembers Kraig Andrews, Chuck McDaniel, Phyllis Norris, Phillip Pe'a, Anna Stout, Rick Taggart and Council President Duke Wortmann.

Also present were City Manager Greg Caton, City Attorney John Shaver, City Clerk Wanda Winkelmann and Deputy City Clerk Janet Harrell.

Council President Wortmann called the meeting to order. Councilmember Andrews led the Pledge of Allegiance which was followed by a moment of silence.

REGULAR AGENDA

A Resolution Accepting the Petition for Annexation of 45.543-Acres of Land and Ordinances Annexing and Zoning the Magnus Court Annexation to PD (Planned Development) for Two (2) Properties and an Ordinance Rezoning Two (2) Properties from R-E (Residential Estate) and R-2 (Residential – 2 Dwelling Units Per Acre) to PD (Planned Development) with an Outline Development Plan Called Magnus Court to Develop 74 Single-Family Detached Lots with an R-2 (Residential – 2 du/ac) Default Zone District; the Properties Combined are 69.67 Acres and are Generally Located at the West End of Magnus Court and Include the Property Addressed as 2215 Magnus Court #A

The applicants CR Nevada Associates, LLC, JLC Magnus, LLC and Bonds, LLC represented by Mike Thomas requested a Zone of Annexation for two (2) properties to Planned Development. The proposed request also includes the rezone of two (2) properties that are currently located within City limits and zoned R-E (Residential Estate) and R-2 (Residential – 2 du/ac) and an Outline Development Plan (ODP) for all four (4) properties with a proposed zone of Planned Development (PD) with an R-2 (Residential – 2 du/ac) default zone district for Magnus Court ODP.

The proposed plan would develop 74 single-family detached lots with several areas being proposed to be dedicated to a homeowner's association or granted to the City as public open space on 69.67 acres. The ODP establishes specific performance standards the development will be required to meet and conform with throughout each development phase, consistent with Section 21.02.150 (b) of the Zoning and Development Code. The project is located at the west end of Magnus Court and includes the property addressed as 2215 Magnus Court #A.

The Planning Commission first reviewed this application on February 25, 2020 and

recommended denial of the request based largely on public comments regarding traffic impact, existing road infrastructure and pedestrian safety. The applicant resubmitted their application which included responses to a number of the concerns expressed at the February 25th public hearing and the Planning Commission reheard this item at their May 26th meeting recommending approval of the request.

Senior Planner Scott Peterson presented this item.

Ted Ciavonne of Ciavonne, Roberts and Associates, Inc. presented on behalf of the applicants.

Discussion included that the Planning Commission's vote to recommend approval was 6 - 1, in general the Broadway (Hwy 340) corridor is included in the 2035 Statewide Transportation Plan although improvement projects like this may be cause for review, the current sidewalks were included in the 2016 study, some City traffic improvements are warranted today (left turn off Broadway onto Reed Mesa would need to be completed before the first project's Certificate of Occupancy is issued) and many will be needed prior to the project's completion, drainage improvement will be accomplished by water being funneled into retention areas away from homes, Transportation Capacity Payments (TCP) go toward to "main line" system not specific projects, cost share discussions are in process with the developer and County (\$75,000 each) and will use a portion of City TCP (\$425,000), three alternate street requests for the project were reviewed and approved by the City's Development Review Team which includes the Fire Department (FD), there has been no further action on the two previously annexed properties and the ODP was never approved (a formal subdivision was not proposed), this project's ODP will expire the end of 2030, the FD requires wider streets and that each home be equipped with a fire sprinkler system due to the higher number of homes off this access, the project includes three shared drives, public parking is available at the bottom of Riggs Hill but other public parking has not been addressed, concern regarding the inadequate infrastructure surrounding the development, maximum allowable road grades ruled out consideration of alternate access points, this area is probably not suitable for underground storm detention due to grading issues, the property does not include water rights, access to main roads will be reviewed for best use of funds, concerns regarding the lack of upgrades to county roads, and that more City/County road upgrade projects are needed.

The public hearing opened at 7:06 p.m.

The following spoke against the item: Denis Guenther, Wayne Smith, Mike Mahoney, Linda Jones, Nuala Whitcomb, Sharon Sigrist, Angela Shoberg, Jill Nadel, Lisa Smith, Susan Stanton, Lisa LeFever and Naomi Rintoul.

The public hearing closed at 7:41 p.m.

Mr. Ciavonne responded to public hearing comments regarding how the project will improve the area's drainage issues, the hill that creates the blind turn onto Magnus Court will be "shaved", City Code encourages "clustering", the Museum of Western Colorado agreed to help with any dinosaur bone excavation needs and said the developer provided copious information to the City and improved upon the original plan which the City and County support and which meets

City Code and multiple City plans and policies.

Scott May from Mesa County noted the different rate structures for City and County project financing and spoke to the County's policy of requiring developers to provide most of the cost for a project's roads and any needed improvements to surrounding roads (access points and turn lanes). Mr. May also noted the County is reviewing storm water drainage and the need for wider roadways in this area and said the needed road improvements are more of a City issue.

Councilmember Andrews moved to adopt Resolution No. 33-20, a resolution accepting a petition for the annexation of lands to the City of Grand Junction, Colorado, making certain findings, and determining that property known as the Magnus Court Annexation, located at the west end of Magnus Court is eligible for annexation, Ordinance No. 4938, an ordinance annexing territory to the City of Grand Junction, Colorado, Magnus Court Annexation, approximately 45.543 Acres, located at the west end of Magnus Court on final passage and ordered final publication in pamphlet form, Ordinance No. 4939, an ordinance zoning the Magnus Court Annexation to PD (Planned Development) with an R-2 (Residential – du/ac) default zone district, located at the west end of Magnus Court on final passage and ordered final publication in pamphlet form, and Ordinance No. 4940, an ordinance zoning the Magnus Court Subdivision to PD (Planned Development) with a Default Zone of R-2 (Residential – 2 du/ac) and an Outline Development Plan (ODP) for 74 residential units on 69.67 acres, located at Magus Court and 2215 Magus Court #A, on final passage and ordered final publication in pamphlet form. Councilmember Stout seconded the motion. Motion carried by roll call vote with Councilmembers Pe'a, Taggart and Council President Wortmann voting NO.

City Council Communication

Councilmembers Taggart and Stout reported a meeting was held with City representatives and RAW (Right and Wrong) members to get a better idea of what steps need to be made to move forward to create an integrated committee including identifying people/agency participation and sub-committees for specific issues. A vigil with a committee update announcement is being organized by Black Citizens and Friends Group, Black Lives Matter and RAW for Juneteenth; they also requested local municipalities read formal statements of support.

Councilmember McDaniel requested Council 1) discuss the Persigo Agreement and 2) issue a formal policy statement expressing Council's position regarding current issues.

Councilmember Pe'a agreed to read the Inclusivity Proclamation at the Juneteenth event. He also stated he was not aware of the changes to the June 3rd pre-meeting location and attendees. Councilmember Norris requested that any formal statement from Council be cohesive and inclusive before being issued to the public. City Council discussion ensued about Council notification, the format and purpose of this pre-meeting, and citizen comments made at the June 3rd meeting. Councilmember Stout stated that pre-meetings are open to the public.

Councilmember McDaniel discussed the Persigo Agreement and that it be reviewed for the purpose of presenting possible amendments to the County specifically regarding annexation

requirements; he volunteered to review the Agreement.

Councilmember Norris explained Transdev, who employs bus drivers for Grand Valley Transit (GVT), is currently in employment negotiations with the bus driver's union which is sending out letters to garner support; she clarified the drivers are not GVT employees.

Adjournment

The meeting adjourned at 9:05 p.m.

Wanda Winkelmann, MMC
City Clerk