

CITY OF GRAND JUNCTION

ORDINANCE NO. 3980

AN ORDINANCE AMENDING THE ESTABLISHED SETBACKS FOR THE  
FUOCO PROPERTY PLANNED DEVELOPMENT, LOCATED EAST OF  
DEWEY PLACE  
ALSO KNOWN AS BEEHIVE ESTATES (THE ORCHARDS)

Recitals:

Ordinance No. 3564 established the Planned Development (PD) zone district for the Fuoco property (later known as Beehive Estates). The Ordinance established RMF-8 as the default zone. The following public benefits were proposed and established as part of the ordinance:

1. Dedication of approximately 3.54 acres to the public for use as an Open Space park and regional stormwater detention facility.
2. Public improvements of the park area to include:
  - a. An 8' trail, constructed to City standards/specifications, around the park.
  - b. Approximately 25 trees to be planted in the park with plant selections and planting plan to be approved by the City prior to planting.
  - c. Turf, established according to the Parks and Recreation department's seeding and established specifications.
  - d. Benches with concrete pads as approved by the City.
  - e. Developer to escrow approximately \$900 for park signage.
  - f. Fencing along the rear lot lines of 11 residential lots that back up to the park site.
  - g. An underground, pressurized irrigation system designed to City specifications.
3. Fencing of the pedestrian path (Tract A) from the residential areas to the Open Space park.
4. Conveyance of irrigation water rights to the City of Grand Junction.

The developer has completed most of the required improvements and has entered into a Development Agreement for the completion. This request for an amendment to the PD is only to modify the required setbacks of the RMF-8 default zone. RMF-8 required setbacks are 20' front, 5' side and 10' rear for principal structures. The applicant is requesting to reduce the front yard setback to 14' for the house, with the garage setback remaining at 20', except for lots 6, 26 and 41 for which the garage setback would be reduced to 19'. The establishment of these setbacks will allow for any one of their four models of homes to fit on the lots. The developer has submitted a rendering of architectural features of the proposed homes.

All of the previously established public benefits will remain. In addition, the applicant is proposing to create a Home Owners' Association (HOA) to do the following:

- Maintain all the front, side, rear, and streetscapes that abut homes in the subdivision, assuring continuity and quality in the landscapes;
- Accept the maintenance of the "difficult" park area in the SW corner of the subdivision.
- Accept and maintain the pedestrian walkway between Saffron Way and Silverado Court;
- Maintain or require maintenance by homeowners, of all fencing that abuts public or common open space;
- Maintain subdivision entry/identification signs.

The City Council finds that the request meets the requirements of Sections 2.12.C.2 and 5.4 of the Zoning and Development Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

That Ordinance No. 3564 is hereby amended to allow for the following deviations from the default zone of RMF-8 (Residential Multifamily, 8 units per acre):

- Front yard setback shall be 14 feet, provided the garage is at least 20 feet from the front property line, except for lots 6, 26 and 41 for which the garage setback will be reduced to 19'.

Legal Description:

Beehive Estates Subdivision, as recorded in Plat Book 3845, Pages 25-25, Reception No. 2241066, Mesa County Clerk and Recorder.

INTRODUCED for FIRST READING and PUBLICATION this 4<sup>th</sup> day of October, 2006.

PASSED on SECOND READING this 18<sup>th</sup> day of October, 2006.

ATTEST:

/s/: Juanita Peterson  
Deputy City Clerk

/s/: James J. Doody  
President of City Council