

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 4632

**AN ORDINANCE APPROVING THE OUTLINE DEVELOPMENT PLAN AS A
PLANNED DEVELOPMENT WITH A DEFAULT R-8 (RESIDENTIAL – 8 DU/AC)
ZONE DISTRICT FOR THE DEVELOPMENT OF 108 DWELLING UNITS TO BE
KNOWN AS THE BELLA DIMORA SUBDIVISION**

LOCATED AT 2850 GRAND FALLS DRIVE AND 598 SINATRA WAY

Recitals:

The applicant, Greedy Group LLC, wishes to develop a mixture of 108 single-family detached/attached dwelling units and four-unit townhomes for a proposed residential subdivision to be located south of Patterson Road and north of Grand Falls Drive between Legends Way on a total of 13.8 +/- acres. The total number of dwelling units proposed for the Bella Dimora subdivision is 108 and constructed in three (3) phases.

The request for an Outline Development Plan as a Planned Development with a default R-8, (Residential – 8 du/ac) zoning district, including deviations and conditions of approval, have been submitted in accordance with the Zoning and Development Code (Code).

This Planned Development zoning ordinance will establish the standards, default zoning (R-8), deviations and conditions of approval for the Outline Development Plan for Bella Dimora subdivision (Lot 1, Block 1, The Legends Filing Two and Lot 18, Block 3, Legends East Filing Three).

In public hearings, the Planning Commission and City Council reviewed the request for the proposed Outline Development Plan and determined that the Plan satisfied the criteria of the Code and is consistent with the purpose and intent of the Comprehensive Plan. Furthermore, it was determined that the proposed Plan has achieved "long-term community benefits" by proposing effective infrastructure design and in-fill project with higher density development that provides for better utilization of streets, water and sewer services, recreational amenities that include a network of off-street pedestrian trails, benches, gazebo and landscaped open spaces throughout the subdivision and provides a needed mix of housing types for the community (attached Exhibit A).

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE OUTLINE DEVELOPMENT PLAN AS A PLANNED DEVELOPMENT FOR THE BELLA DIMORA SUBDIVISION IS APPROVED WITH THE FOLLOWING STANDARDS, DEFAULT ZONE AND DEVIATIONS:

- A. This Ordinance applies to the following described properties: Lot 1, Block 1, The Legends Filing Two and Lot 18, Block 3, Legends East Filing Three

(Properties) Said parcels contain 13.87 +/- acres more or less.

- B. These Properties are zoned PD (Planned Development) with the following standards, deviations and requirements:

1. If the Planned Development approval expires or becomes invalid for any reason, the properties shall be fully subject to the default standards of the R-8 (Residential - 8 du/ac) Zoning District.

2. **Density:** The proposed density for Bella Dimora will be approximately 7.82 dwelling units per acre. The Future Land Use Map indicates this area to be Residential Medium High (8 - 16 du/ac). However, because the applicant previously developed single-family detached homes in The Vistas/Legends/Legends East Subdivisions at a density lower than the required densities required by the Growth Plan at the time, the applicant must now make-up for those lower densities in this "phase" of the Planned Development, more specifically to develop a minimum of 108 dwelling units. Currently there are 155 dwelling units (platted lots) within The Legends/Legends East ($108 + 155 = 263$ dwelling units divided by 47.81 acres (Legends/Legends East and Bella Dimora) = 5.50 dwelling units an acre). The minimum density requirement for the R-8 Zoning District is 5.5 dwelling units/acre.

3. **Access/Parking:** The proposed development has four (4) access points; Legends Way, Naples Drive, Grand Falls Drive and Verissimo Drive. All proposed streets, with the exception of Legends Way were approved as an Alternate Residential Streets right-of-way design per Chapter 15 of the TEDS Manual (Transportation Engineering Design Standards). For an alternate street design, no on-street parking will be allowed except in designated parking areas with the exception of Naples Drive which allows parking on both sides of the street from Ravenna/Teatro Court to Verissimo Drive. However, for streets that provide 23' of width from flowline to flowline, parking would be allowed on one-side of the street per Fire Department regulations (Milan Lane, Verissimo Drive and Ravenna Court, etc.). Parking spaces in the centers of cul-de-sacs are allowed, but they must be located within HOA tracts separate from public right-of-way and distinguished by vertical curbing and/or islands. Landscaping is not required in the islands; concrete surface of islands is allowed (See Parking Plan – Exhibit B).

4. **Open Space / Park:** The applicant is proposing a series of 4' wide off-street pedestrian trails that will meander throughout the subdivision for the benefit of the residents and public (see Exhibit A) and constructed with each phase. Open space areas are proposed in each phase of development that

will include landscaping, pedestrian paths, park benches and a gazebo (6.35 +/- acres total of open space – minimum 1 tree per 2,500 sq. ft. and 1 shrub per 300 sq. ft. in accordance with Section 21.06.040 of the Zoning and Development Code). A Pedestrian Easement will be dedicated to the City of Grand Junction at the time of Final Plan approval for ingress and egress by the public on all pedestrian paths. The City's Attorney Office has reviewed the applicant's proposal to construct a 4' wide trail system and has found the proposed trail to be compliant with ADA (American with Disabilities Act) since the proposed surface of 4" compacted decomposed granite will be firm and stable.

5. **Lot Layout:** The proposed subdivision will contain a mixture of 108 single-family detached/attached dwelling units and four-unit townhomes. The building footprint for each dwelling unit would be the "lot" with the exception of some potential outside building expansion square footage. All areas outside of the building footprint would be designated as "Tracts" for maintenance responsibilities by the homeowner's association (upon recording of a plat, these tracts would become common elements or limited common elements).

6. **Phasing:** The proposed Bella Dimora subdivision is to be developed in five (5) phases. The proposed phasing schedule is as follows (see Exhibit A):

Phase 1: To be reviewed and approved by December 31, 2017.

Phase 2: To be reviewed and approved by December 31, 2018.

Phase 3: To be reviewed and approved by December 31, 2020.

Phase 4: To be reviewed and approved by December 31, 2021

Phase 5: To be reviewed and approved by December 31, 2023.

7. **Long-Term Community Benefit:** The intent and purpose of the PD zone is to provide flexibility not available through strict application and interpretation of the standards established in Section 21.03.040 of the Zoning and Development Code. The Zoning and Development Code also states that PD (Planned Development) zoning should be used only when long-term community benefits, which may be achieved through high quality planned development, will be derived. Long-term benefits include, but are not limited to:

1. More effective infrastructure;
2. Reduced traffic demands;
3. A greater quality and quantity of public and/or private open space;
4. Other recreational amenities;
5. Needed housing types and/or mix;
6. Innovative designs;
7. Protection and/or preservation of natural resources, habitat areas and natural features; and/or Public art.

The proposed development has met the following long-term community benefits:

1. Effective infrastructure design and in-fill project with higher density development that provides for better utilization of streets, water and sewer services.
2. Recreational amenities that include a network of off-street pedestrian trails, benches, a gazebo and landscaped park open spaces, throughout the subdivision.
3. A needed mix of housing types for the community.

8. **Default Zone:** The dimensional standard for the R-8 (Residential – 8 du/ac) zone, as indicated in Section 21.03.040 (g) of the Zoning and Development Code, are as follows:

Density: Maximum of 8 dwelling units to the acre. Minimum 5.5 du/ac.
Minimum lot area/width: 3,000 sq. ft./40'. (see deviation below)
Front yard setback (Principal/Accessory): 20/25' (see deviations below)
Side yard setback (Principal/Accessory): 5/3' (see deviations below)
Rear yard setback (Principal/Accessory): 10/5' (see deviations below)
Maximum building height: 40'

9. **Deviations:**

1. **Building Setbacks:**

- 20' Front Yard
 - 15' Adjacent Side Street (Corner Lot)
 - 10' Rear Yard
 - 14' Rear Yard Setback (Adjacent to Patterson Road)
 - 15' Rear Yard Setback (Adjacent to Legends Way)
- Standard setbacks apply unless otherwise noted.

2. Six foot (6') tall masonry screen wall required to be located a minimum five feet (5') from north property line adjacent to Patterson Road per Section 21.06.040 (g) (5) (v) of the Zoning and Development Code. Applicant is proposing to construct the masonry wall with a stucco finish on the property line in order to give the unit property owners a larger backyard area as the rear yard setback adjacent to Patterson Road is 14'. Applicant is also proposing to construct the masonry wall in 30' segments and shift from the property line two feet (2') along Patterson Road which gives the wall architectural relief rather than constructing a standard monolithic wall. A detached sidewalk also exists along Patterson Road with varying landscape buffer dimensions between the sidewalk and wall so that the proposed wall would not be constructed directly adjacent to the sidewalk.

3. There is no minimum lot area or width with this subdivision proposal since the building footprint would be the lot line and the amount of open space provided is providing the community benefit along with the off-street pedestrian trails.

4. The default zone district of R-8 specifies that for residential lots created after October 22, 2006, that garage doors cannot exceed 45% of the width of the street facing façade. In order to accommodate the required residential density for the project and maintain a 10' separation between each dwelling unit (5' Side Yard Setback) along with the Applicant proposing to construct a two-car garage for every dwelling unit to accommodate off-street parking ratios. Applicant is allowed to vary the percentage width of the garage door since the applicant is providing detached dwelling units between 1200 and 3035 +/- sq. ft. which is providing a needed product mix and also the applicant is meeting applicable minimum density requirements for The Legends area.

5. At the southeast corner of site located within Phase 3, applicant is requesting to utilize the side yard setback of the adjacent Tract B, Legends East, Filing 3 for one of the four-plex units in accordance with Section 21.03.30 (d) (5) (vii) of the Zoning and Development Code and construct the 4-plex unit on the property line. Required side yard setback with the default R-8 zone district is 5'. Existing tract width is 25'.

10. Condition of Approval:

All fire-hydrant locations and applicable fire hydrant "turnouts" must be approved by Grand Junction Fire Department. All lots must be located within 250' of a fire hydrant as measured along the road frontage.

Introduced for first reading on this 4th day of June, 2014 and ordered published in pamphlet form.

PASSED and ADOPTED this 18th day of June, 2014 and ordered published in pamphlet form.



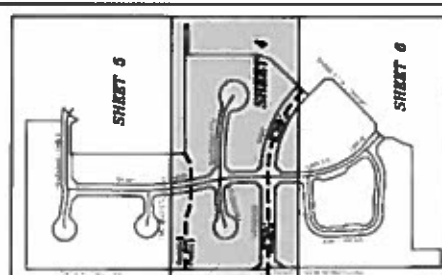
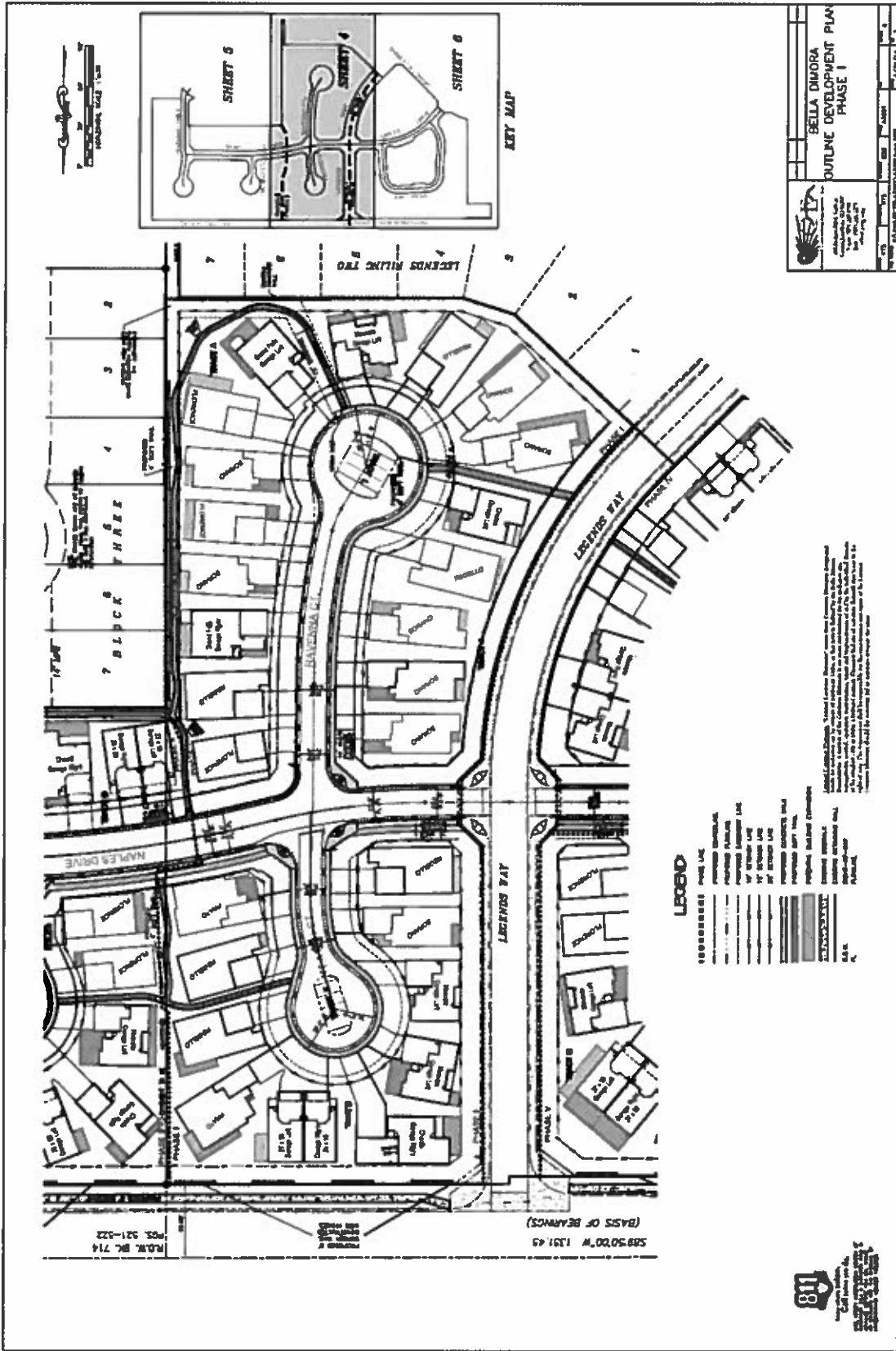


President of City Council



City Clerk

EXHIBIT A



KEY MAP

**Bella Dimora
OUTLINE DEVELOPMENT PLAN
PHASE 1**

10/20/2023
10/20/2023

LEGEND

- PHASE 1
- PHASE 2
- PHASE 3
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R.O.W. DC 714
RES. 521-023

508 5070' W 1391.49
(BASIS OF BEARINGS)

THIS PLAN IS FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE A CONTRACT. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

EXHIBIT A CONTINUED

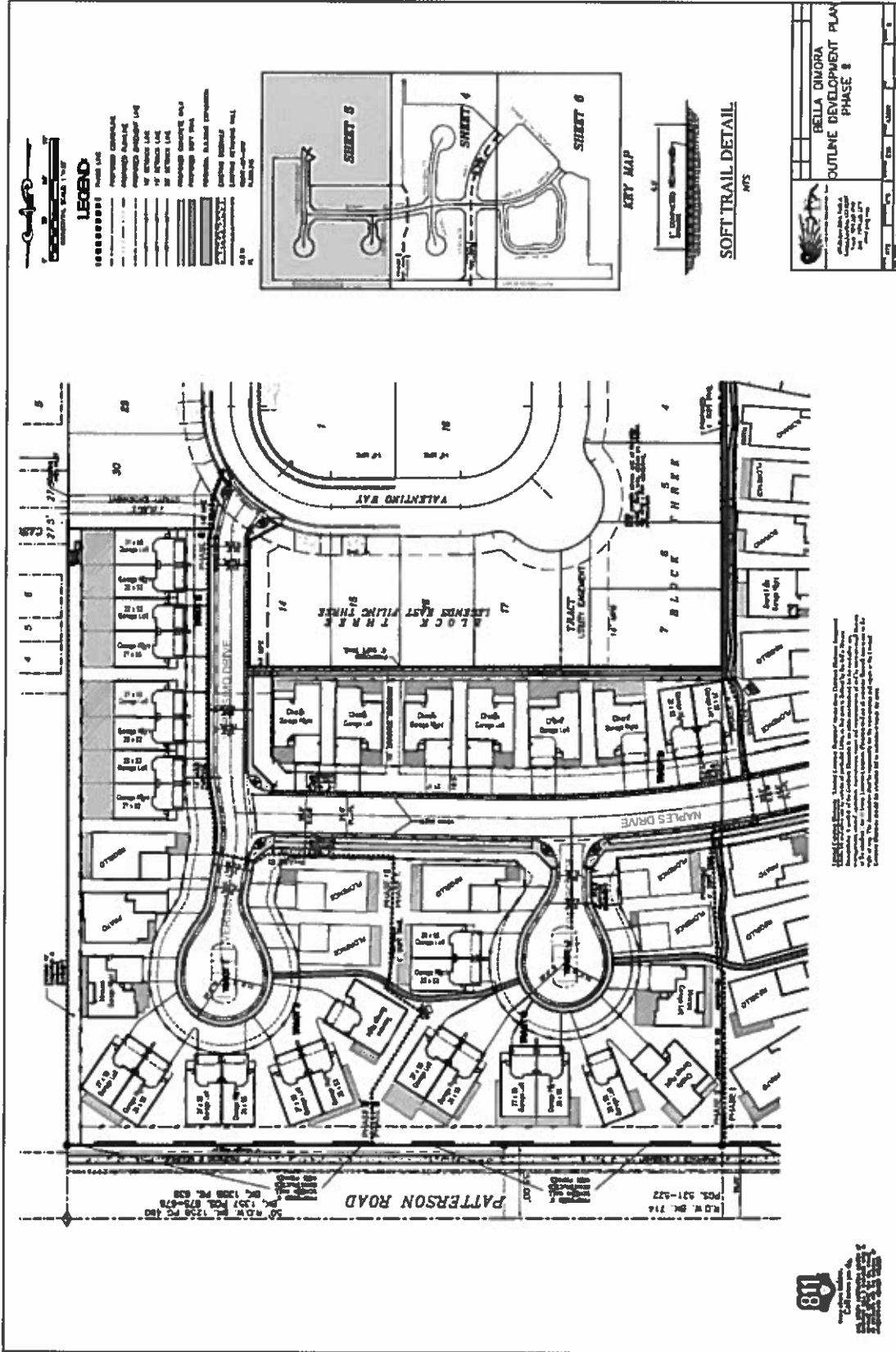
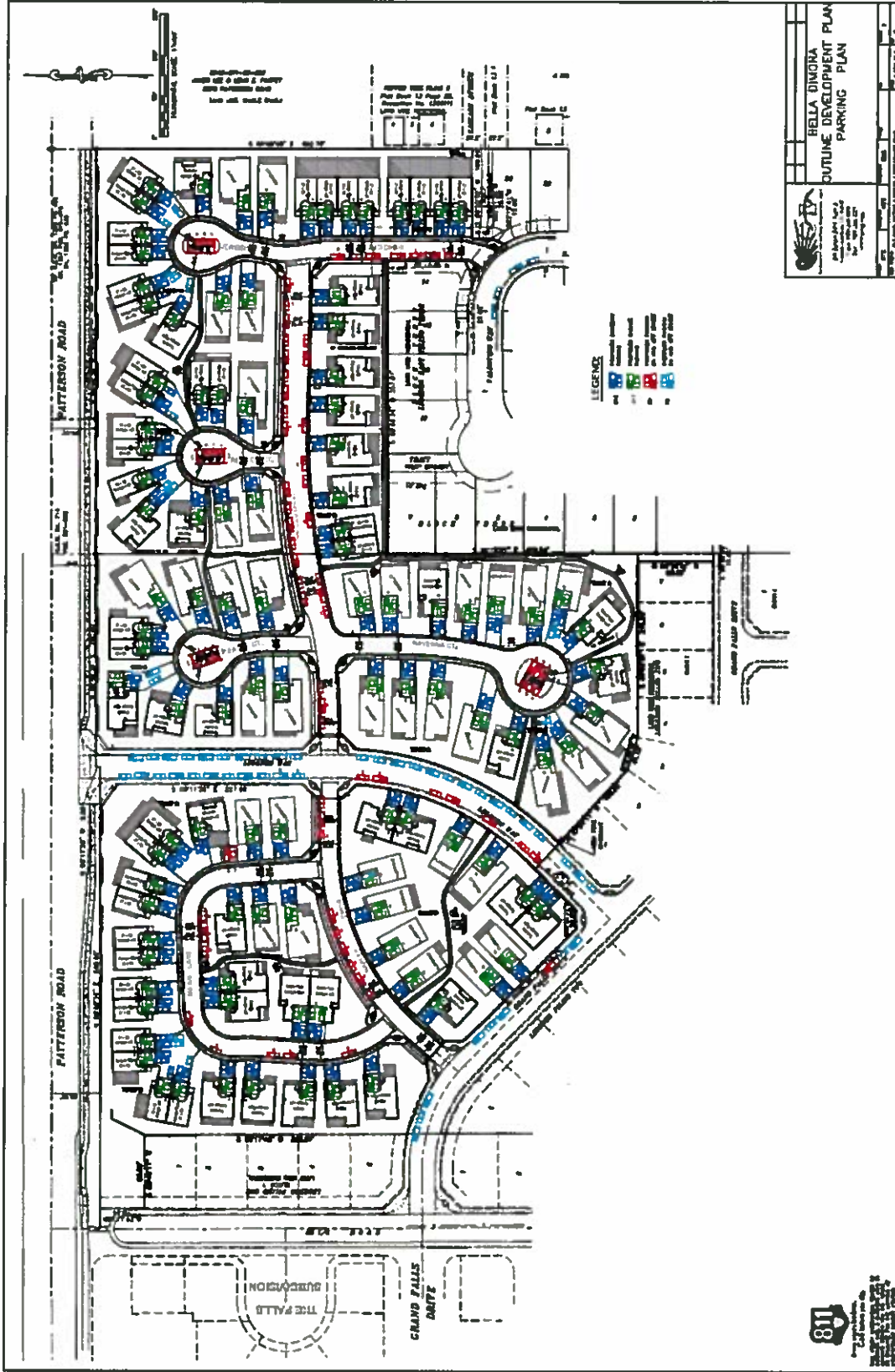


EXHIBIT B



I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 4632 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 4th day of June, 2014 and that the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, in pamphlet form, at least ten days before its final passage.

I FURTHER CERTIFY THAT a Public Hearing was held on the 18th day of June, 2014, at which Ordinance No. 4632 was read, considered, adopted and ordered published in pamphlet form by the Grand Junction City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 23rd day of June, 2014.

Stephanie Tuin

Stephanie Tuin, MMC
City Clerk

Published: June 6, 2014
Published: June 20, 2014
Effective: July 20, 2014

