

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

MAY 19, 1993

The City Council of the City of Grand Junction, Colorado, convened in regular session the 19th day of May, 1993, at 7:31 p.m. in the City/County Auditorium at City Hall. Those present were Linda Afman, Jim Baughman, Bill Bessinger, R.T. Mantlo, Ron Maupin, Dan Rosenthal, and President of the Council Reford Theobold. Also present were Assistant City Manager David Varley, City Attorney Dan Wilson, and City Clerk Stephanie Nye.

Council President Theobold called the meeting to order and Council-member Baughman led in the Pledge of Allegiance. The audience remained standing during the invocation by Rev. Chuck Jerome, Covenant Presbyterian Church.

PROCLAMATIONS / RECOGNITIONS

AWARD OF APPRECIATION PLAQUES TO ALLISON SARMO, MARY BUSS, AND JULIE SCHROEDER-WRIGHT FOR THEIR SERVICE ON THE COMMISSION ON THE ARTS AND CULTURAL AFFAIRS

CONSENT ITEMS

Upon motion by Councilmember Bessinger, seconded by Councilmember Baughman and carried by roll call vote, the following Consent Items 1-9 were approved:

1. **Approval** of the minutes of the Regular Meeting May 5, 1993
2. **Award of Contract** - 1993 Water Line Upgrades - M.A. Concrete
-\$177,258

The following bids were received on May 11, 1993:

M.A. Concrete	\$177,258.00 **
Reed Contractors	\$200,749.00
Lyle States Construction	\$201,693.93
Engineer's Estimate	\$207,366.00

** recommended award

3. **Proposed Ordinance** - Rezone from RSF-2 to PR-2, property located on the east side of 26-1/2 Road and approximately 660 feet North of G Road

The proposed Northcrest Village Subdivision is approximately 10 acres of vacant land proposed for 20 single-family residential units. Rezoning is requested to allow variation of lot sizes within the development. Total density is 2 units per acre. Planning Commission recommended approval of

the
rezone and approved the preliminary development plan.

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4. **Proposed Ordinance** - Rezone from RSF-4 to PR-21, property located at the southeast corner of 12th Street and F-1/2 Road

This property is approximately 10 acres of vacant land proposed for retirement and assisted care facilities at a density of 21 units per acre (The Atrium). Petitioner also requests that Council defer the requirement to provide a looped water line until Phase Two of the development and that Council also defer half-street improvement requirements for F-1/2 Road until Phase Two. Planning Commission has recommended approval of the rezoning and recommends denial of the request to defer waterline and street improvements.

City Attorney Dan Wilson advised that the request to defer the looped waterline and half-street improvements were deleted from this item.

5. **Proposed Ordinance** - Rezone from RSF-8 and B-3 to PB, property located at 1150 Hill Avenue

The Grand Junction Federal Credit Union proposes to expand its existing facility to the west and add a drive-up window. This expansion requires the rezoning of the adjacent property to the west. Both the existing facility and the proposed expansion are requested for rezoning to have the same zoning on both properties. Planning Commission recommends approval.

5. *** Resolution No. 31-93** - Designating the Old Spanish Trail and the Northern Branch of the Old Spanish Trail as an Historic Trail

James Robb is asking for the Council's support for designating the Old Spanish Trail and the Northern Branch of the Old Spanish Trail as an Historic Trail.

7. **Approval** of donation by the City to Feasibility Study for Veterans Memorial Park - \$2,500

The City of Grand Junction will pledge to contribute \$2,500 to this feasibility study.

8. **Approval** of a contract with Prime Sports Network to underwrite the 1993 broadcast of the National Junior College World Series championship

For the third year in a row, the VCB has the opportunity to promote Grand Junction nationally during the broadcast of the JUCO world series championship. The game will be televised on June 4 at 9:30 p.m. EST and, if required, the second game will be broadcast on June 5. This media purchase guarantees that one-half of the commercials shown during the game will be

Grand Junction promotional advertisements.

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9. **Authorizing** \$55,707 in Council contingency funds to pay for emergency diking and jetty construction in the Riverside Park area and East of the 5th Street bridge

In response to anticipated high water conditions on the Colorado River and the issuance of an Army Corp of Engineers permit, city staff negotiated with Parkerson Construction to fortify a section of the existing dike and construct two (2) submerged 20-25 foot jetties into the Colorado River to deflect the channeling of the river away from the Riverside embankment. The negotiated scope of work will cost \$25,881; work began almost immediately.

The next step was to prepare specifications and invite bids for the construction of a 1,400 foot long, 6 foot high by 12 foot wide dike on Riverside Drive. Bids were distributed to six (6) contractors. The following bids were received:

United Companies	\$22,300 **
Parkerson Construction	\$46,980
M.A. Concrete	\$88,200

** recommended award

The next step is to purchase approximately 2,000 cubic yards of over-burden and small pit run to fortify the dike near the 5th Street bridge. Estimated material cost of \$7,526 city crews will do the work.

* * * END OF CONSENT CALENDAR * * *

* * * ITEMS

NEEDING INDIVIDUAL CONSIDERATION * * *

PROPOSED ORDINANCE AMENDING OR REPEALING VARIOUS SECTIONS (4-4-3, 4-7-1, 5-4-3, 5-6, 6-7-2, 6-8-1, 6-8-2, 7-5-4-B, 8-2, 9-3) OF THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE BY ADDITION OF VARIOUS STANDARDS AND REQUIRED INFORMATION FOR DEVELOPMENT SUBMITTALS AND REPEALING SOME REQUIREMENTS CONCERNING IRRIGATION SYSTEMS

The Community Development and Public Works Department's staffs, with input from the development community, have compiled the

Submittal Standards for Improvements and Development (SSID) manual which is a compilation of all the submittal requirements and standards for development within the City of Grand Junction. Adoption of the manual will assist the development process, removing much of current ambiguities.

Mr. Tom Logue, Chairman, Regulatory Committee, was present to speak in favor of the proposed ordinance. He also commended City staff for seeking his committee's involvement in the ordinance.

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Upon motion by Councilmember Bessinger, seconded by Councilmember Afman and carried, the proposed ordinance was passed for publication.

ORDINANCE NO. 2678 - AUTHORIZING THE ISSUANCE AND SALE OF THE CITY OF GRAND JUNCTION, COLORADO, HOSPITAL REVENUE REFUNDING AND IMPROVEMENT BONDS, SERIES 1993 (COMMUNITY HOSPITAL CORPORATION PROJECT), IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$5,000,000 TO FINANCE A PROJECT; RATIFYING CERTAIN ACTION HERETOFORE TAKEN; AUTHORIZING THE EXECUTION AND DELIVERY BY THE CITY OF A MORTGAGE AND LOAN AGREEMENT, TRUST INDENTURE, ESCROW AGREEMENT, BOND PURCHASE AGREEMENT, SUCH BONDS AND CLOSING DOCUMENTS IN CONNECTION THEREWITH; MAKING DETERMINATIONS AS TO THE SUFFICIENCY OF REVENUES AND AS TO OTHER MATTERS RELATED TO THE PROJECT; AND REPEALING ACTION HERETOFORE TAKEN IN CONFLICT HEREWITH.

A hearing was held after proper notice. Mr. Joe Boyle, Associated Administrator, Community Hospital, and Mr. John Buck, Hanifen, Imhoff, the Underwriter for this bond issue, were present. Mr. Boyle stated that the bonds are in the amount of \$4,605,000 with a maximum interest rate of 7%.

Upon motion by Councilmember Rosenthal, seconded by Councilmember Bessinger and carried by roll call vote with Councilmember **BAUGHMAN** voting **NO**, Ordinance No. 2678 was passed and adopted.

PUBLIC HEARING - APPEAL OF A PLANNING COMMISSION DECISION ON A REQUEST TO CHANGE THE REAR YARD SETBACK IN A PLANNED ZONE FROM 20' TO 10' - DENIED

Kathy Portner, Community Development Department, reviewed this item. The request is that the 20' rear yard setback, as established with the approval of the Planned Zone, be reduced to 10' to accommodate a proposed new home. This type of appeal falls under Section 7-5-6 of the Zoning and Development Code - Amendments to the Final Plan. A minor change to the plan, such as a decrease in setbacks as long as those changes will not impact adjacent properties or uses, can be considered and approved

administratively. However, the adjoining property owner to the east has objected to the proposed change to the setback. The request for a minor change was therefore denied and was appealed to the Planning Commission by the lot owner.

The original proposal for Horizon Glen Subdivision included 20' rear yard setbacks for all lots except for 2 lots for which 10' was proposed. No specific reasons were given for requesting a lesser setback on those 2 lots; therefore, staff comments were that those 2 lots should continue the 20' rear yard setback as established for the rest of the lots. The developer agreed to that requirement without further discussion and recorded a site plan with the plat
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showing building envelopes for all lots with 20' rear yard setbacks. The covenants recorded with the plat (which are not enforceable by the City) indicate rear yard setbacks of 10'. The current owner of lot 10 believed the required setback was 10' instead of 20' based on those covenants and designed their house accordingly. The lot is constrained by a large preservation easement in the front and steep slopes resulting in a relatively small buildable area. As proposed, only a corner of the house, approximately 328 sq. ft., would extend into the 20' setback to within 10' of the property line. The visual impact to the adjacent property would be minimal.

Because of the constraints of the lot and the minimal encroachment into the setback, staff recommends approval of the request to revise the rear yard setback from 20' to 10' to accommodate the proposed house as shown on the diagram. Planning Commission denied the request at the May 4, 1993, hearing. The petitioner has appealed that decision.

Ms. Portner explained that the Planning Commission did not feel it should impose this burden onto the adjacent property owner simply because this lot owner, at this time, would like to encroach into that setback.

Mr. Tom Logue, 227 S. 9th Street, representing petitioner Ginger Rice, was present. He submitted drawings and photographs of the subject area. The requested change will allow the following:

1. Construction of the structure in a manner which is sensitive to the existing topography;
2. A flatter driveway grade at the intersection with the street;
3. Avoidance of the existing drainage course located along the northerly boundary of the lot;
4. Locating the dwelling in a manner which avoids a large

expanse of wall parallel to the lot line;

5. Less than a 10% change to the original setback requirement.

The petitioner would like to locate the driveway between the existing tree and the Public Service utility pedestal. Great effort has been taken to preserve the tree which is a focal point in the subdivision. The petitioner would also like to preserve the natural vegetation.

Mr. Logue restated that originally final plans were submitted through the review process with the 10' setback for Lots 10 and 11. Those lots are the two shallowest lots in terms of depth in the entire development. The reason that they are shallow is because of some other features on the property, particularly the wetlands.

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During the course of review a suggestion was made by the staff that the setback be increased to 20 feet to match the others within the subdivision. There was no specific plan submitted at that time.

Mr. Tim Foster spoke on behalf of the developer. He pointed out to Council that the allowable height is 35' above the average grade. The height of this roof is 21' above average grade, so moving it back, and the setback, is not creating a variance with respect to the height of the structure. It is not a view issue. It is a matter of whether this impacts the adjacent landowner to the rear of the property. Lot 8 was designed because staff did not want to exceed 10% grade on the driveway. Mr. Foster stated that the remaining homeowners all support the variance.

Mr. Rich Krohn, 900 Valley Federal Plaza, attorney representing Walt and Gertrude Dalby, owners of the adjacent property, was present. He submitted a letter dated 5-19-93 to the City Council from Mr. Dalby for the record regarding legal issues (copy attached). Mr. and Mrs. Dalby are concerned that there continues to be an erosion of the distance between a residence on Lot 10 and a residence on the portion of their property adjoining it. The letter makes the following points:

1. Closer houses make for a noisier neighborhood;
2. Closer houses reduce safety from fires or other casualties. Mr. Dalby's dwelling will be to the East of Lot 10 and in the flow of the prevailing winds in the Grand Valley.
3. The market value of Mr. Dalby's property will be substantially reduced by being the only property in the neighborhood that has the back of a house only 10 feet from the rear lot line.

Mr. Krohn stated that the petitioner has made much of the location and the topography. He questions whether the location is the best conceivable location for the house, or the only conceivable location. He felt it is clear that it is not the only conceivable location. The house could be oriented differently, the house could be twisted on an axis of approximately 7%, and it would be totally within the setback, or moved to the west and it would be totally within, or it could be reduced in size and not conflict with the covenants. The situation is that the petitioner wants to build the house she wants where she wants it, and for that reason, is asking Council to amend a final approved recorded plan.

Mr. Krohn stated that the developer did ask for 10' setback originally on this lot. Staff requested that the 10' be changed to 20' and the developer agreed. That was two years ago. Within the past 30 days this has become an issue. Mr. Krohn was concerned that staff is now recommending that City Council overrule a decision of the Planning Commission and that the final plan be modified.

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He stated that the adjoining property owner should not bear the burden of a problem that was caused by the developer's defective covenant. If the covenants were in error, it certainly is not the fault of the adjoining property owner. The adjoining property owner should not have to bear the burden of future detriment or potential detriment to his development rights or his property interests because the purchaser of the subject property may have been uninformed of the recorded document for the physical layout of the property. If the petitioner is trying to fit a square peg into a round hole by putting this house on this particular location, that should not cause Council to change the entire plan just for that reason. If the error was made by the purchaser in not recognizing what the legal recorded document says, that error should not rule now in Council's decision making process.

Mr. Krohn continued that Section 7-5-6-B of the Zoning and Development Code governs the amendment of a final plan. There are only three reasons for such an amendment:

1. A change in condition after the final plan was approved;

The 20' setback was fixed at the request of City staff with the agreement of the developer for the final plan approval. If there was a change in condition it was considered by the developer and the staff prior to final plan approval, and is not a new condition.

2. A change in development policy of the community;

No one has argued that there is a change in community

development policy. This is a one lot situation.

3. Conditions which were reasonably unforeseen at the time of final plan approval.

The petitioner knew, or should have known, or had a right to look at and be advised about the physical condition of the property, wherever the trees were, and whatever other restrictions there might be on the building. The legal documentation in the form of a final recorded plan was available. The petitioner had the obligation to be informed about it.

Mr. Krohn submitted for the record a letter dated May 19, 1993 from Mr. Krohn to City Attorney Dan Wilson (copy attached).

Others speaking in opposition were:

Dr. Thomas Burley, 3150 Lakeside Drive, owner of property immediately north and adjacent to the subject property.
Dorothy Espy, 249 Grand Avenue, owner of property to the north.

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Mr. Logue addressed the concerns of Mr. and Mrs. Dalby in his rebuttal.

It was moved by Councilmember Bessinger and seconded by Councilmember Maupin that the request to change the rear yard setback on Lot 10, Horizon Glen Subdivision, from 20' to 10' be approved. The motion was denied by unanimous vote.

RECESS

The President declared a five-minute recess. Upon reconvening all members of Council were present. City Attorney Wilson left the meeting at this time due to a family emergency. Assistant City Attorney John Shaver took over the duties of City Attorney in Mr. Wilson's absence.

PUBLIC HEARING - WAIVER OF OPEN SPACE FEES FOR WILSON RANCH, FILING #2 - DENIED

Dan Garrison, petitioner, is requesting a waiver of open space fees for Wilson Ranch Filing #2 which consists of 14 lots. Open space fees are required by the Zoning and Development Code for all new development at the rate of \$225 per residential lot which comes to \$3,150 for Filing #2. Wilson Ranch Filing #2 was approved by the Planning Commission at the February 10th Planning Commission hearing. Fees are paid at the time the plat is recorded.

This item was reviewed by Dave Thornton, Community Development

Department. Staff recommends that the open space fees not be waived. Planning Commission also recommended denial. The area proposed for Wilson Ranch Subdivision Filings #2 and #3 was annexed in 1992 and is subject to an annexation agreement. A preliminary plan was approved by Mesa County and was accepted by the City through this agreement with specified conditions.

City Planning Commission approved Filing #2 plat/plan on February 10th but did not consider the waiver of Open Space fees. As a result of research into County files for Wilson Ranch, staff has found little information regarding the County waiving development impact fees for parks and open space and must only assume that if fees were not collected by the County, it applied only to Filing #1 and not for any future filings. The annexation agreement does not address the issue of open space fees. In the 1983 County files for Wilson Ranch, the petitioner states in their response to review agency comments that the County Parks Department was willing to waive development impact fees for parks in lieu of, yet the County Parks Department states in a review comment that was issued late, and after the petitioner had responded to other review agency comments, that \$9,000 was due for Filing #1. The County fees are \$225/lot and since Filing #1 has 40 lots, \$9,000 was due to County Parks. The 1983 County Files show no record of the \$9,000 being paid.

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The petitioner contends that since Mesa County approved the Preliminary Plan for Wilson Ranch accepting the open space as a park in lieu of paying fees and the annexation agreement between the developer and the City accepts the plan as approved by the County, that Wilson Ranch is exempt from the requirements of Section 5-4-6 of the Zoning and Development Code. Section 5-4-6 requires the developer to pay into a parks and open space escrow account \$225 per residential lot. The Annexation Agreement requires that the petitioner comply with all applicable City requirements.

Grand Junction Parks and Recreation Department stated in their review comments dated April 8, 1993, the following: "We cannot recommend the waiver of fees in lieu of a 1.8 developed site and 1.9 acre 'natural' area. These are too small for neighborhood use. Indications are that they will remain private and available only to those within the subdivision. Open space fees are intended to be used for public purposes as is any land that might be accepted instead."

Mr. Dan Garrison, owner and developer of Wilson Ranch, stated he intends to file Filing #3 before the Planning Commission on June 1, 1993. Filing #3 contains 36 lots. He owns an additional 7.5 acres. This filing has been zoned for multi-family housing. This subdivision was submitted to the County in February, 1980. It is a 42 acre subdivision that was zoned in its entirety and preliminary approved in its entirety. It was approved for 105

single-family residences and 76 multi-family units. As a part of that original submission, the developer at that time, Destination Properties, Inc., proposed a park site of 1.9 acres and a private open area of 1.8 acres. The intention was to provide close to 10% of the purchased property for Wilson Ranch as common open area for common use. The developer at that time planned this and negotiated with the County to obtain an exemption for open space fees. Within the planning process, the County had a final submission for Filing #1 with a hearing on April 5, 1983. The comments which were received prior to April 5, 1983, have no indication from the County that this plan was disapproved. There is one late comment on the 8th of April, which says \$9,000 park fee is due. No one seems to know who made the comment. Dave Thornton stated tonight that he assumed it was the County's intention to only waive Filing #1. There is no evidence that supports that fact. The County did waive Filing #1.

Mr. Garrison continued that he negotiated an annexation agreement with Mark Achen, City Manager, Dan Wilson, City Attorney, and staff. Part of that negotiation and part of his annexation agreement was that he would not be further subjected to City land use provisions. He stated that the County waived \$9,000 in open space fees for Filing #1 (40 lots). When he filed for Filing #2 he felt that it was an error by Community Development that they had subjected him to the \$3,150 open space fees. It was his full,

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complete, and honest understanding that the exemption which he had obtained from the County had been grandfathered into the City when he came to the City under his annexation agreement, and that he would continue to be exempt from the \$225/lot open space fees.

The original agreement was that the park property would be developed after 50% of the lots in Wilson Ranch were sold. It was developed after the first 15 lots were sold. That 1.4 acres could have been turned into six or seven residential lots under the zoning agreement. The developer did not forego six or seven residential lots in order to get a \$9,000 open space fee exemption. Regardless of what was done in 1980 and 1983, Mr. Garrison developed a park. He had the trees trimmed, privacy fenced the park from neighbors, installed a split rail fence and plantings along G-1/2 Road, etc. Mr. Garrison spent \$20,000 landscaping the park. This work was all done under the assumption that he had been grandfathered in and exempt from the open space fees.

Mr. Garrison requested that Council respect the integrity of an agreement that he made with the City relative to annexation. Mr. Garrison submitted documents supporting his contention that the open space fees should be waived (copies attached). He felt these documents do not refer to Filing #1 only, and give evidence that

it was the County's intent to waive the open space fees for Filing #2 and #3 as well.

Mr. Garrison stated that if the open space fees are waived for Filings #2 and #3 he will not ask for a waiver of open space fees on Filing #4.

Upon motion by Councilmember Maupin, seconded by Councilmember Mantlo, and carried by roll call vote with Councilmembers **ROSENTHAL, BAUGHMAN, and THEOBOLD** voting **NO**, the request to waive the open space fees on Filing #2 for Garrison Ranch was denied.

PUBLIC HEARING - APPEAL OF PLANNING COMMISSION DECISION OF DENIAL FOR THE FINAL PLAN AND PLAT FOR PTARMIGAN RIDGE SUBDIVISION, FILING #6 - APPROVED

Ptarmigan Investments is appealing a Planning Commission decision of denial for the final plat and plan of Ptarmigan Ridge Subdivision Filing #6. Planning Commission heard the item at the May 4th Planning Commission meeting and denied the proposal because of inadequate front and rear yard setbacks for the proposed townhomes.

This item was reviewed by Dave Thornton, City Community Development Department. This proposal went before Planning Commission on May 4, 1993 and was denied by Planning Commission because of "inadequate setbacks both in front and in the rear of the townhome section of the proposal." The petitioner is now appealing this decision to City Council.

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Planning Commission was opposed to the reduction from 20 feet to 14 feet for the front yard setback and discussion also occurred regarding the appropriateness of the proposed 5 foot rear yard setback. In their approval of the preliminary plan, Planning Commission specified a 20 foot front yard setback would be required. At both the preliminary and final plan submittals, staff has recommended that the 14 foot front yard setback would be appropriate as long as eaves are not allowed to overhang into the setback and that for front entry garages a 20 foot setback be the minimum to allow for the parking of a vehicle in the driveway. Staff supports the request for a 5 foot rear yard setback with the condition that a 6 foot privacy fence be provided along the rear property line of those townhomes that are adjacent to the Brown property at 681 27-1/2 Road and currently zoned Residential Single Family - 4 units per acre. Further discussion of the Planning Commission hearing suggested single level townhomes would also be appropriate along this section. The petitioner has agreed to this as a condition.

Through the review process the petitioner has addressed the

various review agency comments adequately. In staff's recommendation of approval for this project, additional issues and comments are listed as conditions of approval and the petitioner has stated that they will comply with all those conditions. Conditions are as follows:

1. That notation be required on the plat which includes restrictions of the drainage facilities on Lots 10 and 11 including the following statements:
 - a. No structures, fences shall be constructed within this drainage easement.
 - b. No activity shall occur that would divert or change the City approved drainage facility.
 - c. The Ptarmigan Ridge Filing #6 Homeowners Association shall be responsible for maintenance of the drainage facility.
2. The setback requirement for the multi-family dwellings be the following:
 - a. Rear yard setback for all townhouses be 5 feet. The rear property line of the townhouses adjacent to the west property line of the existing house on 27-1/2 Road shall be required to have a 6 foot privacy fence.
 - b. Front yard setbacks measured from property line for all townhouses shall be 14 feet measured from the eaves except for front entry garages which shall be 20 feet

measured from the eaves. Garages with a side entry shall be allowed to be built with a 14 foot setback measured from the eaves so long as there is adequate driveway length to accommodate a parked vehicle or vehicles on site.

- c. The distance between buildings shall be 10 feet measured from the foundation.
3. All technical requirements by the review agencies be completed or adequately addressed prior to recording the final plat which includes the escrow or guarantee of 1/2 street improvements for 27-1/2 Road adjacent to Ptarmigan Ridge Subdivision.
4. That notation be required on the final plan which includes restrictions of the 44 foot utility/irrigation/drainage/pedestrian easement located between North 15th Street Court and Cortland Court including the following statements:

- a. No structures, fences shall be constructed nor the planting of trees and shrubs shall be allowed within this easement.
 - b. Drainage within this easement shall be constructed and maintained so that all run-off within the easement is contained within the easement.
 - c. Pedestrian access along the 5' pedestrian path shall be maintained. General maintenance of the pedestrian path such as snow removal, sidewalk sweeping and keeping the path clear of obstructions and debris shall be the responsibility of the property owner.
 - d. Maintenance within the entire 44 foot easement shall be the responsibility of the property owner.
5. That the pedestrian path construction be concrete, meet current City construction standards and be a minimum of 5 feet in width.
 6. Dedication language on the plat for easements must coincide with the easement shown on the plat. For example, easements for irrigation ditches, pipes and ponds should not be dedicated to the City, but to the homeowners association. An irrigation easement shall be dedicated along the west side of Lot 1, Block 3.
 7. The existing 15" corrugated steel drainage pipe crossing Cortland Court does not meet City specifications and will need to be replaced with a pipe that meets City specifications.

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8. The petitioner shall provide a profile and details for the gravity overflow pipe between the irrigation pond and storm detention basin prior to recording the plat.
9. Handicap curb ramps are required and should be shown at all street intersections. Horizontal curve data, including the beginning and ending stations and offsets (or coordinates), are required on the plans for all curves along the perimeter of the streets, including cul-de-sacs and intersection radii. This information is needed for layout and staking of the street improvements.
10. Vertical P.I.s and other points shown on the street profiles need to be labeled or otherwise identified. Gutter grades on Ren Court and Cortland Court should be increased above 0.5%. The south half of the drainage cross-pan at station 9+11.19

is shown to be flat on the street profile (flowline elev. 4719.74) and will not drain and therefore must be modified.

11. On the drainage plans, the inlet grate and frame specified is incorrect. The number should be Castings IFG-3246-CI. The type and class of PVC drainage pipe must be specified. The sidewalk thickness shall be shown on section A-A. Provide details/literature for "Kerf" grating specified on top of drainage structure. The concrete box must be notched to hold grating in place.
12. The outlet pipe from the storm water detention pond discharges to the north into an existing channel. The pipe outlet shall be designed so that flows and velocities do not exceed historic conditions.

Councilmember Bessinger questioned the type of drainage cover used in this area. Public Works Manager Mark Relph addressed this concern.

Lewis Hoffman, Box 9008, Grand Junction and Bently Hamilton were present representing the petitioner John Siegfried. Mr. Hoffman explained that a builder approached Mr. Siegfried late in 1992 and wanted to build large attached patio home units in the duplex form. He wanted large townhomes with very minimal yard. The property was rezoned to Planned Development so Mr. Siegfried could propose his own setbacks. Originally they were proposing 14 foot frontyards for garage and the building, and zero on the rear. The preliminary plan was approved with the 5 foot rear setback, and 20 foot across the whole front of the building. When he came back with the Final Plan to the Planning Commission he was asked what he would do if the Planning Commission were to impose the 20 foot front setback and the 10 foot rear setback (which had never been discussed until that night). He said he would have to appeal to the City Council. It would have a negative impact on the entire concept.

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Mr. Hoffman stated that the large units are needed to be consistent with the balance of Ptarmigan Ridge. The proposed units will be 1400 to 1800 square feet with 400 sq ft attached garages. He stated that some units may be multi-level.

There were no others speaking for or against the appeal.

Upon motion by Councilmember Maupin, seconded by Councilmember Mantlo and carried with Councilmember **BESSINGER** voting **NO**, the Final Plan and Plat for Ptarmigan Ridge Subdivision, Filing #6 was approved subject to the revised 5-18-93 staff recommendations.

ADJOURNMENT

Upon motion by Councilmember Afman, seconded by Councilmember Rosenthal and carried, the meeting was adjourned at 10:45 p.m.

Stephanie Nye, CMC
City Clerk