

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

August 7, 1996

The City Council of the City of Grand Junction, Colorado, convened into regular session the 7th day of August, 1996, at 7:31 p.m. in the City/County Auditorium at City Hall. Those present were Jim Baughman, David Graham, R. T. Mantlo, Ron Maupin, Reford Theobald, and President of the Council Linda Afman. Janet Terry was absent.

Also present were City Manager Mark Achen, City Attorney Dan Wilson, and City Clerk Stephanie Nye.

President of the Council Afman called the meeting to order and Councilmember Maupin led in the Pledge of Allegiance. The audience remained standing during the invocation by Rev. Edward Ausborne, Mays Temple.

RECOGNITIONS

County Commissioner Kathy Hall presented The Governor's Award to Mesa County, Grand Junction, Fruita and Palisade for a Cooperative Planning Area Intergovernmental Agreement.

Mayor Afman expressed Council's gratitude for the efforts of the Growth Plan Steering Committee Members, and presented committee members with appreciation gifts.

CONSENT ITEMS

Upon motion by Councilmember Mantlo, seconded by Councilmember Baughman and carried by roll call vote, the following Consent Items #1-6 were approved:

1. **Minutes of Previous Meeting July 17, 1996**

Action: Approve the minutes of the Regular Meeting July 17, 1996

2. **Winters Avenue - 10th to 15th Street Overlay and Concrete Repair and Recycled Bituminous Pavement Overlays 1996**

The following bids were received on July 30, 1996:

Elam Construction, Inc., G.J.	\$203,780.50
G and G Paving, G.J.	\$275,109.25
Engineer's Estimate	\$216,840.25

Action: Award Contract for Winters Avenue - 10th to 15th Street Overlay and Concrete Repair and Recycled Bituminous Pavement Overlays 1996 to Elam Construction in the Amount of \$203,780.50, which includes Authorizing the City Manager to Execute a Change Order Reducing the Contract Amount by \$29,827.00_

3. **Rejuvenation of Recycled Asphalt Pavement Materials**

Four Paving Contractors were asked to submit bids to rejuvenate 6,000 tons of City furnished recycled asphalt materials. This material has been removed from City street reconstruction projects and had been crushed earlier this year. Of the four companies, only Brasier Asphalt of Montrose, Colorado submitted a proposal. Mr. Brasier's proposal to rejuvenate 6,000 tons of materials is \$37,200.

Action: Award Contract for Rejuvenation of Recycled Asphalt Pavement Materials to Brasier Asphalt of Montrose, Colorado in the Amount of \$37,200

4. **1996 Fire Protection Upgrades**

The following bids were received on July 26, 1996:

Continental Pipeline Construction, Mesa	\$125,400.00
Skyline Contracting, G.J.	\$170,872.00
R.W. Jones Construction, Fruita	\$172,178.00
Mountain Valley Construction, G.J.	\$178,311.00
MDY Consulting Engineer's Estimate	\$141,170.00

Action: Award Contract for 1996 Fire Protection Upgrades to Continental Pipeline Construction in the Amount of \$125,400

5. **Persigo Wastewater Treatment Plant 1996 Street Overlays**

The following bids were received on July 23, 1996:

<u>Contractor</u>	<u>Bid + \$/yard of Patching</u>
United Companies of Mesa County, G.J.	\$28,700 + \$ 9.70/yard
Elam Construction, G.J.	\$29,075 + \$15.00/yard
Precision Paving, G.J.	\$36,045 + \$62.10/yard
G and G Paving, G.J.	\$36,864 + \$52.65/yard

Action: Award Contract for Persigo Wastewater Treatment Plant 1996 Overlays to United Companies of Mesa County in the Amount of \$30,700_

6. **Unawep Avenue Improvements**

The City of Grand Junction has scheduled to utilize Intermodal Surface Transportation Efficiency Act (ISTEA) funds from the Grand Junction/Mesa County Metropolitan Planning Organization (MPO) as part of the City's reconstruction of Unawep Avenue. In order to utilize the funds, the Colorado Department of Transportation requires adoption of this resolution to meet the contract requirements and thereby enter into an agreement to construct the facilities.

Resolution No. 78-96 - A Resolution Accepting a Grant for Federal-Aid Funds from the Intermodal Surface Transportation Efficiency Act of 1991 for the Project Identified as STM M555-007, 11447, Construction of a Storm Drainage System and Relocation of City Water Lines in Unawep Avenue

Action: Adopt Resolution No. 78-96

* * * END OF CONSENT CALENDAR * * *
* * * ITEMS NEEDING INDIVIDUAL CONSIDERATION * * *

SCHOOL DISTRICT BOND ISSUES ON THE NOVEMBER 5TH BALLOT -RESOLUTION NO. 80-96 SUPPORTING THE SCHOOL DISTRICT BOND ISSUE FOR 1996

The School District will have two questions on the November 5th ballot. The "Partnership to Reduce School Crowding" has asked for City Council's endorsement.

Each Councilmember voiced their personal opinion on endorsing the bond issue.

Upon motion by Councilmember Theobold, seconded by Councilmember Mantlo and carried by roll call vote with Councilmember **GRAHAM ABSTAINING**, Resolution No. 80-96 was adopted.

LEGAL DEFENSE OF POLICE EMPLOYEES IN CIVIL ACTION - RESOLUTION NO. 79-96 ACKNOWLEDGING DEFENSE OF POLICE EMPLOYEES IN CIVIL ACTION NO. 95 CV 171

By adopting the resolution the City Council will be indemnifying and defending the police officers named in the lawsuit which was filed July, 1996 by Bennett and Kathryn Boeschstein in Civil Action 95 CV 171.

City Attorney Dan Wilson explained without the resolution the individual officers involved in the case, as well as the Chief of Police and Captain Marty Currie, would be faced with individually paying for their own personal defense. The purpose of the resolution is to have the City's defense. The resolution makes the presumption that the officers acted lawfully. At the conclusion of a case, there could be a finding by a judge or jury that the officers had acted "willfully and wantonly", the legal term for "recklessly or deliberately" to injure. In that case, Council would have to reevaluate tonight's action. The reason the State Statute requires it to come to a public hearing is to make the community aware this resolution would stand for the proposition that the City stands behind its employees. The City's insurer has designated a counsel which has filed a motion to dismiss on various grounds, including the Governmental Immunity Act. Mr. Wilson said this has happened before and is routine in the sense that every time there have been officers who have allegedly acted improperly, other members of the Police Department have evaluated it to determine initially if there should be corrective action.

Councilmember Graham asked if the passage of this resolution would be merely to authorize the payment of the defense cost, and would not compromise the City's position as far as paying any damages or affecting any possible settlements? City Attorney Wilson said yes. Councilmember Graham asked if there is any potential for conflict of interest? Mr. Wilson said there is always a possibility, although the facts suggest there is an honest dispute, namely, the plaintiff has said certain things happened. The evidence from the internal investigation suggests the contrary. While the potential is there, Mr. Wilson did not see the possibility today.

Councilmember Graham asked, as fiduciaries of the City's funds, does Council have an obligation to make specific findings of fact as to whether the officers in question were acting within the scope of their duties? City Attorney Dan Wilson said no. Council may rely on the City Manager and City Attorney for such judgment.

Upon motion by Councilmember Mantlo, seconded by Councilmember Maupin and carried by roll call vote, Resolution No. 79-96 was adopted.

TRAILS WEST REQUEST TO DEDICATE LAND IN LIEU OF PARK AND OPEN SPACE FEE AT SOUTH CAMP ROAD AND SOUTH BROADWAY[FILE #FPP-96-110]

The developer of Trails West Village is requesting the City accept lands for trails in lieu of payment of Parks and Open Space fees.

This item was reviewed by Kathy Portner, Community Development Department. A proposal for Trails West, Filings #1 and #2, was approved a few months ago and included dedication of lands along both the active Redlands Canal and the abandoned canal. The applicant is requesting their dedication of the trail easements be considered as a credit to their parks and open space fees. The parks and open space fees for both Filings #1 and #2 would total \$9,450. Section 5-4-6(e) of the Zoning & Development Code states "The City Council may accept the dedication of public lands, parks, and/or open space in lieu of payment. The fair market value of dedicated land shall not be less than the payment that would be required under (b) above," which is the \$225/unit. The developer is proposing to dedicate approximately 1.86 acres for public trails, .75 acres of which consist of a 20 foot wide, nearly 2,000 foot long, trail along the abandoned canal, and the remainder being the land underlying the active Redlands Canal and the service road. The applicant has submitted their estimate of the value of the property which is significantly higher than the City Property Agent's estimate. The Parks & Recreation Board recommended Council consider giving the credit for the land being dedicated along the abandoned canal and the short connection which connects the active and the abandoned canals, and that no credit be given for dedication along the active Redlands Canal because it is land that is already encumbered by the easement for the canal company. Staff discussed considering an easement value rather than the fee simple value of \$6,150 for those lands. The City Property Agent estimates the easement value between 90% and 100% of the fee simple value. The 90% easement value for the trail along the abandoned canal and connecting trail would be \$5,535. City

Attorney Dan Wilson asked Ms. Portner if Staff and the developer all agree that the concept of dedicating the land in lieu of fees is agreed upon, and the only issue is how many dollars? Ms. Portner said yes.

Councilmember Maupin asked if this land is buildable. Ms. Portner said the trail along the abandoned canal and the connection is along a steep area of the property, and would not have building envelopes on it with further development of the property.

Councilmember Graham understood the applicant would receive no credit for the calculation of the value of an easement for the area along the active canal for Redlands Water and Power. Ms. Portner said Staff is recommending the applicant not be given such a credit. It was a recommendation of the Parks Board. The property is already encumbered. The applicant could not have done anything with the property with the encumbrance that currently exists. However, the property along the abandoned canal has no current encumbrance on it. Councilmember Graham said that even though it is an active canal, it could still be a potential benefit to the City. Ms. Portner agreed. Councilmember Graham asked if it would be wholly disproportionate to give some credit to the applicant for it? City Attorney Dan Wilson said it would be a policy call.

Petitioner Brian Stowell, 0090 Caballo Road, Carbondale, was present representing the developer, Camelot Investments. Mr. Stowell clarified the individual property boundaries would not actually abut the center line of the canal, but would back up against that tract. The individual lot owners will not have property encumbered by the easement. He is willing to work with the City in accommodating the City's overall plan to develop an extensive trails network. Since the developer had land that was going to be given to the City for that purpose, he felt it was important that the developer receive some credit for it. Mr. Stowell was willing to accept the values given by the City's property agent. He would like the 100% value of the easement property. He believed the active canal offers tremendous recreation potential. There are some problems associated with that, and Mr. Stowell felt a discount is appropriate. He noted there are 28 lots in Filing #1 and 14 lots in Filing #2.

City Manager Mark Achen asked if it is important for Council to make a determination regarding values? City Attorney Dan Wilson

said if Council is comfortable with either 90% or 100%, he didn't think any further rationale is needed.

Councilmember Graham said the benefit to the City is the same in either case, and felt there is sound policy not to give a discount since the City receives the same use of the property in either event. He recommended the undiscounted figure of \$6,150.

Ms. Terry Dixon, 423 Wildwood Drive, felt a precedent is being set for a way to buy, in the future, other parcels along canal banks to keep the trails connected. She also felt the City may find it is buying, through exchange of land use fees, parts of trails which may never be connected unless at some point, the City condemns those portions of proposed trails along ditch banks where the property owner does not wish to participate in this concept.

Mr. Bob Cron, 310 Dakota Drive, Co-Chairman of the Urban Trail Committee, said the committee supported what has been worked out.

Upon motion by Councilmember Graham seconded by Councilmember Baughman and carried by roll call vote, the dedication of the trail along the abandoned canal and connecting trail, which was appraised at \$6,150 for purposes of the resolution of this agenda item was approved, with the remainder to be made up in cash or its equivalent by the developer.

PUBLIC HEARING - VACATION OF EASEMENT AND DRAINAGE DITCH RIGHT-OF-WAY FOR JAMES PARK AT 28 1/4 ROAD AND GUNNISON AVENUE - ORDINANCE NO. 2940 VACATING A 15 FOOT UTILITY AND IRRIGATION EASEMENT AND A 50 FOOT DRAINAGE DITCH RIGHT-OF-WAY TO ACCOMMODATE CONSTRUCTION OF A MOBILE HOME PARK LOCATED ON LOT 2, DARWIN SUBDIVISION, AT THE NORTHEAST CORNER OF 28 1/4 ROAD AND GUNNISON AVENUE [FILE #VE-96-89]

The applicant requests to vacate three easements to accommodate the proposed James Park Mobile Home Park. The easements will be rededicated, as necessary, in alternate locations and drainage facilities relocated at the applicant's expense. Final plans for the relocation of the drain have been approved by the Grand Junction Drainage District.

A hearing was held after proper notice. Bill Nebeker, Community Development Department, reviewed this item. Mr. Nebeker said the petitioner is represented tonight by Mr. Ward Scott. This item was heard earlier this year and the developer was required to put

in a noise wall adjacent to Cahoot's Crossin'. The southwest corner of the site is encumbered with the 50 foot wide Goodwill drain, and with a 50 foot utility and irrigation easement to the north. The applicant is working closely with the Grand Junction Drainage District and has received support from the adjacent Niagara Village which is helping to pay for the Goodwill 18" drain to be put underground. The drain will be in the right-of-way of 28 1/4 Road. Grand Junction Drainage is working at having the drain relocated to flow south, then to the east, which is a more direct route and has a better fall. The utility and irrigation easements are vacated. They are rededicating a utility easement over the entire site as requested by Public Service. Planning Commis-sion recommended approval with two conditions:

1. Applicant submit plans for the relocation of the Goodwill Drain. The plans have been submitted and approved.
2. Applicant submit the conveyance for relocating the easements. They will be recorded after the vacation has been recorded.

Councilmember Mantlo asked if the drain will eventually connect with Indian Wash? Mr. Nebeker said it will when it no longer goes east along Gunnison. Public Works Manager Mark Relph said it drains to the east and south and eventually crosses I-70 B underneath the railroad tracks and works its way back towards Indian Wash, a very long route.

Mr. Ward Scott, 253 W. Fallen Rock Road, was present to answer questions of Council. He was aware of no objections to the vacation and relocation.

There were no other comments. The hearing was closed.

Upon motion by Councilmember Baughman, seconded by Councilmember Maupin and carried by roll call vote, Ordinance No. 2940 was adopted on final reading and ordered published.

APPEAL OF PLANNING COMMISSION DENIAL OF THE KNOLLS PRELIMINARY PLAN LOCATED AT 27 1/2 ROAD AND CORTLAND AVENUE [FILE #PP-96-111]

The applicant proposes an 82 lot subdivision with 81 homes and 1 lot for a church on a 33.9 acre site, previously known and approved as Onion Hill. The approved Onion Hill plan has lapsed but the Planned Residential zoning remains. The new proposal

calls for the relocation of the church site from the interior of the development to the southeast corner of 27 1/2 Road and Cortland Avenue. Staff recommends denial of this preliminary plan because it fails to provide desired roadway connections, including the connection of Ridge Drive and the provision of a stub street to the vacant developable parcel to the south.

Mr. Bill Nebeker, Community Development Department, reviewed this item. The 82-lot development is in a Planned Residential zone, PR-7.2. This site received a change of zoning in the 80's and later the plan lapsed, leaving a zoning of PR-7.2 for most of the site. The southern portion of the site is zoned RSF-4. The applicant is proposing a density of 2.4 units/acre. A large part of the area is in the Airport Critical Zone which does not allow densities higher than 4 units/acre. If approved, the application will require a special use permit which is required for any residential developments in the Airport Critical Zone. There are three issues which have not been resolved to Staff's satisfaction which is the reason for recommending denial. The main issue is whether Ridge Drive goes through or not, which will change the configuration of the subdivision. The other issue is private open space. The applicant is showing some private open space to preserve an existing drainage area, but no active recreation area. The applicant should be required to demonstrate how the present subdivision design provides for active open space.

Staff is requesting that Ridge Drive, which is a designated collector street, continue on through the subdivision. It currently comes from the east in Spring Valley and deadends to the north. The applicant does not want it to go through, although Staff desires it go through because it is an important connection in this area. Councilmember Graham asked if, apart from what Staff desires, there is legal basis for imposing that as a requirement for acceptance? City Attorney Dan Wilson said the nature of the planned zone allows Staff such a request. He was not concerned that the City would be accused of "taking" or acting improperly if following Staff's recommendation. Ridge Drive provides access from this parcel to the neighbors to the east and west, and the Matchett property located at 28 1/4 Road and Monument where a future park and school are planned. It is not intended that Ridge Drive be a full thoroughfare where a lot of traffic is directed, but would provide neighborhood trips to help alleviate traffic from Patterson Road.

Public Works Manager Mark Relph gave a computer model visual presentation with additional information on the need for F 1/2 Road and the plans that have been adopted supporting Ridge Drive going through. Years of development have created a "patchwork" of infrastructure. In recent years areas have become more infilled. Isolated neighborhoods existed in the past years with streets deadending. The City is working with Mesa County on a Major Street Plan with the intent of establishing routes that need to be connected for traffic purposes, both vehicle and pedestrian. The connection from Ridge Drive to 27 1/2 Road is on the draft of the Major Street Plan. Public Works Staff is recommending that Ridge Drive connect from the existing end back to the west to 27 1/2 Road. The Crestview homeowners have a concern on 15th Street. Some traffic counts and speed surveys have been conducted to address their concern. It has been determined that 85% of the traffic is exceeding the current speed limit of 30 mph on 15th Street by 7 mph. Staff has discussed the possibility of creating a connection between 15th Street and Ridge Drive back toward 12th Street which would then create Ridge Drive all the way from 12th Street through the Ptarmigan area and through a development and back toward the Matchett property. Inner connections are important for this project because Public Works is looking for ways to move traffic internally to a subdivision rather than having to rely exclusively on the surrounding collector network. Staff is also interested in the intersection at 12th and Patterson. By making the connection, traffic on 15th Street toward Patterson Road is being dropped by 40%. The existing traffic today is also being dropped by 50% on Ridge Drive when making the connection back to 12th. Mr. Relph noted that with or without the connection, the actual traffic on Cortland Avenue does not change. He believed Cortland will be unaffected by the extension of Ridge Drive and the traffic volumes are well within the residential design of the street width being considered. Traffic count is projected at less than 500 trips/day. This is a residential collector street. There are typical urban residential streets, then a residential collector which carries from 1,000 to 3,000 trips/day, and beyond that is the standard collector. Cortland Avenue, 27 1/2 Road and 28 Road are standard collector sections. Residential collectors would be Ridge Drive and Hawthorne. The residential collector section has an asphalt width of approximately 36' while the standard collector section would have a 44' width.

City Manager Mark Achen asked for the existing traffic count east and west on Ridge Drive? Mr. Relph said approximately 350

trips/day in the Spring Valley side and 525 trips/day on the Crestview side.

Mr. Relph explained the use of the Traffic Model. He said the traffic count which was projected by the Traffic Model (Menu TP) was compared to actual counts, and resulted in a close comparison.

City Manager Mark Achen asked what happens if Ridge Drive is not connected? Mr. Relph said if the connections do not take place, there will be an increase in traffic on Hawthorne which is a fairly wide street. Increased traffic on it could result in a speeding issue along that corridor. Mr. Relph was also concerned with Ridge Drive as it connects back toward the Matchett property.

One day it will be developed into a park site and school site. Mr. Relph hoped there would be internal routes in this neighborhood that allow direct access toward the Matchett site. He was also concerned with keeping additional traffic off of Patterson Road. Staff is considering some traffic calming measures at the intersection of 15th Street and Ridge, possibly a "traffic circle." The traffic circle is a way to maintain slower speeds, minimize accident rates, and, at the same time, keep corridors open as connections between neighborhoods, maintaining not only vehicles, but pedestrian and bicycle access as well. Other cities have reduced accidents by as much as 90% by including traffic circles. Staff is recommending the developer be responsible for creating some kind of concept that slows down the traffic.

Mr. Relph answered several questions of Council. He said Ridge Drive was designated as a residential collector street in the 70's. Connections are also important in the larger scheme of things because some day this community will have a public transportation system. In order to make it viable, there will need to be connections that make access to any proposed bus stop realistic and easy. If there are no interconnections within the neighborhood then the use of public transportation will be minimized in the future.

Mr. Nebeker said Staff recommends denial of the application. Should Council choose to approve the application without Ridge Drive connecting, Staff recommends conditions #1-7 which allow the applicant to continue with the first phase.

Applicant Mr. Bob Knapple, 2421 Applewood Circle, felt the only issue is Ridge Drive. He will have to go back through the

planning process with a new preliminary plan no matter what Council decides. The issue is about cars and trucks. It is not an issue about pedestrians and bicycles. Pedestrian and bicycle routes are planned from 27 1/2 Road all the way through, whether or not Ridge Drive goes all the way through.

Mr. David Chase, Banner & Associates, 2777 Crossroads Blvd., discussed engineering and safety in the area. There are site distance concerns on 27 1/2 Road. Surveyors have profiled from Cortland Avenue south to the crest which is approximately the entire frontage of this subdivision, plus approximately 150' to 250' south of the south property line. The distance between the two intersections of Ridge Drive and Cortland Avenue is 895'. A private driveway services a single family parcel that continues south on 27 1/2 Road approximately 450'. Mr. Chase reviewed reaction and stopping times determined by the Colorado Department of Transportation. The results of the survey have determined there are two areas of concern in this area: (1) a site distance is limited to approximately 260' spanning the intersection, and (2) further south a site distance that is less of a concern. CDOT gives desirable stopping site distances based upon running speed as follows: 36 mph/325' distance, 40 mph/400' distance. The current posted speed for 27 1/2 Road is 35 mph. The site distance in the area is inadequate and becomes a traffic concern. Mr. Chase agreed there should be east/west corridors. However, he felt the corridor should be approximately 895' north of Ridge Drive which is Cortland Avenue. He said if Mr. Relph's numbers are correct, and Ridge Drive is connected to 12th Street, the traffic numbers at 27 1/2 Road would decrease by 50%, and would have little impact on the internal traffic along Ridge Drive if it was continued through the Knolls Subdivision. He also felt public transportation would not be using Ridge Drive through the subdivision. It would probably make stops on collector streets or other side streets. The public transportation could be reached along 27 1/2 Road by pedestrians with the pedestrian/bicycle access. With Cortland Avenue being only 900' away and the safety issues that have been pointed out, he felt there is good engineering and safety arguments for not having Ridge Drive go all the way through.

Mr. Knapple said it was his responsibility to pay a certain number of dollars per lot. City Manager Mark Achen said there are two aspects of responsibility. The first being, when is the improvement needed, and Mr. Knapple's engineer feels 27 1/2 Road needs to be improved now, in which case the City would generally

require the developer to bear a substantial portion of that burden for road improvements that are needed immediately to serve the new development. The second aspect would be the cost sharing, which is normally a flat fee per lot if the improvement is not needed immediately. If it is immediately needed, the developer must bear the burden of improving the roadway, or the development must wait until the roadway is improved. Mr. Knapple said he does not want to access 27 1/2 Road because no matter how it is accessed, it is unsafe. He prefers a design that funnels all the traffic onto Cortland Avenue which is a major collector street.

Mr. Knapple noted that during the beginning of the application process, he asked Staff what was the purpose of Ridge Drive? Staff said the purpose was not to alleviate traffic on Cortland Avenue. Staff had abandoned any effort to extend G Road east of 27 1/2 Road because of Cortland Avenue. He was told the purpose of Ridge Drive was not to alleviate traffic on Patterson Road. He was told by Staff the purpose of Ridge Drive is inter-neighborhood movement. He said this is an infill project with developed neighborhoods on three sides of the property. The fourth side has access on 27 1/2 Road frontage of 900' to 1000'. The beneficiaries of this inter-neighborhood connector have said they don't want it. Several members of the audience stood representing their desire to not have Ridge Drive go through.

Mr. Knapple said there is a questionable intersection at Ridge Drive and 27 1/2 Road with safety considerations. The City Standards encourage the limitation of intersections on major collectors. Mr. Knapple felt 27 1/2 Road is a major collector. He asked Council to overturn the Planning Commission's recommendation that Ridge Drive be put through. Every other issue will have to be decided in the future and how those issues are solved will depend solely on the Ridge Drive issue.

Councilmember Graham asked Mr. Knapple if he had any objection to Staff's conditions #1-7? Mr. Knapple said they will be addressed when he goes back through the planning process. Councilmember Graham asked if the issue can be resolved by a compromise for a cost allocation, or was Mr. Knapple emphatically opposed to it? Mr. Knapple said it is best not to put Ridge Drive through. He was willing to pay the cost of the street in his subdivision. He was not willing to pay the cost of a special traffic slowing system that he has never seen in operation.

City Manager Mark Achen asked if Ridge Drive does not go through, will the petitioner change the access with a primary focus on Cortland, which it does not right now. If Ridge Drive does go through, the design will have to be changed. Mr. Knapple said if Council decides Ridge Drive does not need to go through, he will go back with the submission of a new plan to the Planning Department, which will be submitted before August 31, 1996.

RECESS

Before taking public comments, Mayor Afman declared a ten-minute recess at 9:30 p.m.. Upon reconvening at 9:33 p.m., all six members of Council were present.

Public Comment:

Mr. John Forbes, 3410 Ponderosa Court, spoke representing the 11 children who live in the Ponderosa Court cul-de-sac. If Ridge Drive were to come through, there would be site distance problems at the bottom of the hill. There is already a dangerous intersection between Ponderosa Court and Ponderosa Way. He would like to see the cap on Ridge Drive sealed preventing through traffic.

Ms. Judy West, 2015 Hawthorne, originally wanted Ridge Drive to go through, but now believes a 4-way stop on 27 1/2 Road would not be appropriate. She felt Cortland needs to be widened from Applewood westward to 27 1/2 Road. She said 27 1/2 Road is extremely dangerous, it is heavily trafficked, cars are often backed up all the way to Hawthorne. This street has been proposed for widening over the past years, but it keeps getting moved back. Now 81 homes will be additionally impacting 27 1/2 Road. She felt the dangerous traffic problem on 27 1/2 Road needs to be addressed before a new subdivision is built in the area.

Mr. John Bennett, 1515 Ptarmigan Ridge, did not feel Ridge Drive should go through because there are so many subdivisions in the area that have no access from one subdivision to another. He said funds were in the budget many years ago for the widening of 27 1/2 Road. It is a dangerous road. Installing a 4-way stop will still result in problems. He urged Council to deny the request to extend Ridge Drive.

Mr. Doug Aden, 1523 Crestview Court, believed there is a serious speed enforcement problem on N. 15th Street. By opening Ridge

Drive, the traffic will be increased on 15th Street. There is currently pedestrian and bicycle traffic and on-street parking there. He did not see a benefit in designing residential streets to provide for through traffic on Ridge Drive into surrounding neighborhoods. The developer and neighbors on both sides do not want Ridge Drive to go through. He urged Council to deny the request (grant the appeal).

Ms. Lorraine Jensen, 1523 Crestview Court, Secretary of the Crestview Homeowners Association, said no City Staff member has met with the Association's Board of Directors regarding this issue, although individuals in the neighborhood may have been contacted by the City. She said the speed limit on 15th Street is 25 mph rather than 30 mph which was reported earlier in the meeting. She felt drivers are exceeding the speed limit on 15th Street by 20 mph.

Mr. James Braden, 2420 N. 1st Street, was concerned with traffic problems on 12th Street near The Atrium (elderly housing). He said the site distance is bad.

Mr. Clete Carlisle, 658 East Cliff Drive, was concerned that if Ridge Drive cuts through to F 1/2 Road next door to The Atrium, it will open it into 12th Street where traffic is loaded now. He suggested the possibility of opening 15th Street north into Horizon Drive as an alternate north/south route as opposed to funneling traffic into 12th Street.

Mr. Robert Blum, 3526 Ridge Drive, was concerned with the quality of life. Those living in the area will be impacted by the continuing through of Ridge Drive: (1) safety - those backing onto Ridge Drive will have difficult access which would become dangerous if Ridge Drive began to carry up to 3,000 cars per day as a collector; (2) the curve on Ridge Drive cannot be driven safely at a speed in excess of 20-25 mph; (3) a traffic calming device at the intersection of Beechwood and Ridge Drive will encroach upon private property. There is no room for a circled drive or a speed reducing device without taking large chunks of private property. It will lower property values. He did not want to be inter-connected with neighboring subdivisions.

Ms. Florence Balbier, 2020 Barberry Avenue, felt consideration should be given to the traffic impact when the future park and school are built.

There were no other public comments. The hearing was closed.

The petitioner passed on rebuttal.

Mr. Nebeker said upholding the Planning Commission's recommendation denies the entire plat, and the developer must begin again with another proposal. If Council approves it with the conditions of Staff, it is approving the preliminary plan for that area, and the applicant will submit a revised preliminary plan for the remaining area.

Mayor Afman asked Mr. Relph to address the 4-way intersection, and the site distance. Mr. Relph said if the developer's consultant is saying there is an unacceptable site distance, Public Works would be recommending the site distance be corrected as a requirement of this development. Public Works is very confident it can come close to eliminating all the driveway and site distance problems on 27 1/2 Road. The Street Standard figure of average daily traffic allowed for a street section the width of Hawthorne (a residential collector) is 1,000 to 3,000 trips. Anything higher than that figure requires a larger width (44' pavement width for a major collector). Mr. Relph said the City currently has right-of-way for Ridge Drive, and there are no homes that must be removed. He stated he would like to discuss specific concerns with the residents of Crestview Subdivision.

Councilmember Maupin said Staff attempts to plan street systems to benefit the City overall. More and more neighborhoods are isolated from each other.

Councilmember Theobald agreed with Councilmember Maupin. He said he likes the downtown area because there are so many ways to get from one point to another - it is inter-connected. He is attracted by simplicity in design and ways to get from one place to another without finding a cul-de-sac every three blocks and having to backtrack to find another through street. He was also concerned with Ridge Drive becoming a major thoroughfare as a result of growth. He felt people need to be able to depend on the knowledge of what is going to happen in their neighborhood. He felt as infill occurs on 27 1/2 Road, the timing on improvements on 27 1/2 Road may need to be reconsidered. He also felt developments on 27 1/2 Road need to help with the cure regardless of access.

Councilmember Theobold noted people can have an honest disagreement on an issue. The way to make a decision on an issue is not to count how many people attend a hearing and choose up sides. Packing a hearing room does not make the best decisions. Councilmember Theobold said he is persuaded by the quality of the arguments and comments made.

Councilmember Graham questioned the fairness of forcing developers to correct the inadequacies of the past.

Councilmember Mantlo said Spring Valley was built with deadends and cul-de-sacs, and was then brought into the City. There is a Ridge Drive in this area and a Ridge Drive in The Redlands. As a past Fire Chief, he was concerned with conflicting addresses when providing emergency services (police and fire). He did not feel opening another drive from 12th Street to the Matchett property will solve anything.

Councilmember Baughman could not agree with the connection through this development. He wished to focus on the City's intent to improve 27 1/2 Road.

Mayor Afman felt there was a need for inter-connecting neighborhoods in any community, and encouraged other developers to give credence to bike trails and walkways. She could see the validity of getting people out of cars and on the sidewalks and trails. She felt connecting subdivisions is very important.

Upon motion by Councilmember Theobold, seconded by Councilmember Mantlo and carried by roll call vote, the Knolls preliminary plan located at 27 1/2 Road and Cortland Avenue was approved with Staff recommendations #1-7, with the understanding that Staff conditions #2 and #3 (stub street to the south, and the design and function of open space) will be addressed in the resubmittal of the plan.

PUBLIC HEARING - BOOKCLIFF TECHNOLOGICAL PARK ANNEXATION LOCATED AT H ROAD AND 27 1/4 ROAD - ORDINANCE NO. 2941 ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO - BOOKCLIFF TECHNOLOGICAL PARK ANNEXATION, APPROXIMATELY 55 ACRES, LOCATED AT THE NORTHEAST CORNER OF H ROAD AND 27 1/4 ROAD [FILE #ANX-96-128]

Colorado West Improvements, Inc. (property owners) have requested to join their property to the City of Grand Junction. Staff

requests City Council approve on second reading the 55 acre Bookcliff Technological Park Annexation.

A hearing was held after proper notice. Mike Pelletier, Community Development Department, was present to answer questions of Council.

There were no questions or comments. The hearing was closed.

Upon motion by Councilmember Mantlo, seconded by Councilmember Maupin and carried by roll call vote, Ordinance No. 2941 was adopted on final reading and ordered published.

NON-SCHEDULED CITIZENS & VISITORS

Mr. James Braden, 2420 N. 1st Street, requested Council consider having the City's billing for utilities paid automatically from bank accounts. He felt various residents are going to find they need more containers than anticipated for the automatic trash collection, and will be frustrated with the increased fee. The City could offer the option of having the bill paid automatically by the banks.

Administrative Services Director Ron Lappi said this issue has come up in the past year. He supports this as well as other changes in the billing process. He felt it is feasible as other utility companies are doing it. It takes some special programming to process those types of payments. The entire utilities systems is in the process of converting to the new Banner system, a relational data business system which was purchased a year and a half ago. The credit card payment system as well as the direct bank payment system will be part of the new utility system. There is not a high demand for the service, but Mr. Lappi supports it. Some customers prepay the utility bill when they plan to be out of town for a long period of time.

OTHER BUSINESS

Councilmember Mantlo said when Fire Station #3 was built on 25 1/2 road south of Pomona Elementary School, an agreement was made with School District #51 that the City would put a park there. The arrangement has worked well over the years. Considering the upcoming annexation election in November, he wished to direct Staff, if the annexation passes, to see that there be plans in

place to work with the School District again and build a park at the new Central High School building.

Councilmember Graham said he has been approached by his neighbors with complaints of large numbers of unrelated people living together in a residential area, 8 to 12 people per household, in rental situations. He asked if that is permissible under the Zoning Code. Ms. Portner, Community Development Department, said the Zoning & Development Code identifies a single-family zone as no more than four unrelated people can live in a single-family dwelling unit within that zone. Code Enforcement has had to deal with some of these situations and it is difficult. Assistant City Attorney John Shaver said his office will entertain complaints regarding this issue.

ADJOURNMENT

Upon motion by Councilmember Baughman, seconded by Councilmember Maupin and carried, the meeting was adjourned at 10:33 p.m.

Stephanie Nye, CMC/AAE
City Clerk