

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

**August 1, 2007**

The City Council of the City of Grand Junction convened into regular session on the 1<sup>st</sup> day of August 2007, at 7:10 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Bruce Hill, Doug Thomason, Linda Romer Todd, and Council President Jim Doody. Councilmember Gregg Palmer was absent. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Doody called the meeting to order. Councilmember Coons led in the pledge of allegiance. The audience remained standing for the invocation by Retired Pastor Mark Harris, New Horizon Four Square Church.

**Certificates of Appointments**

To the Commission on Arts and Culture

Dr. Gisela Flanigan was present to receive her certificate of appointment as a member of the Commission on Arts and Culture.

To the Avalon Theatre Advisory Committee

Neither Andre van Schaften or Katherine Roy were present to receive their certificate of appointments to the Avalon Theatre Advisory Committee.

To the Airport Authority

Roger Little was present to receive his certificate of re-appointment as a member of the Airport Authority.

**Citizen Comments**

Peggy Rawlins, 519 Liberty Cap Court, and Nancy Terrell, 300 Cedar Court, signed up to speak to the City Council. Peggy Rawlins thanked the City Council for all the hours they dedicated to craft a thoughtful watershed plan. She said she hoped the County would follow suit, but thus far the County Energy Master Plan process has not welcomed ideas.

Nancy Terrell also thanked the City Council and the Staff for their work on the watershed ordinance and regulations. She said other cities will be looking at Grand Junction as a model. She voiced concerns that the users of Ute Water do not have the same protection and she would like the City to encourage Ute Water and the County to put in place the same protections.

**Consent Calendar**

Councilmember Todd asked that Item #1 be removed from the Consent Calendar and moved to continue it to the next meeting. Councilmember Hill seconded. Motion carried by roll call vote.

Council President Doody identified the one item left on the Consent Calendar.

Councilmember Hill moved to approve the Consent Calendar. It was seconded by Councilmember Beckstein and carried by roll call vote to approve Consent Item #2.

**1. City Manager's Contract**

*Action: Approve the Contract with the City Manager.*

Continued to August 15, 2007.

**2. Oaths of Office for members of Various City Boards, Committees, and Commissions**

In order to clarify the role and responsibility of City appointed board, committee and commission members, the City Council has determined that those members should swear or affirm that they will fully, faithfully and lawfully perform the duties of the board, committee or commission and that they will strive to serve the public and to protect the health, safety and welfare of the people of the City of Grand Junction.

Resolution No. 117-07 – A Resolution Adopting a Policy Whereby Members of City Boards and Commissions Accept an Oath of Office and Adopting the Form of the Oath

*Action: Adopt Resolution No. 117-07*

**ITEMS NEEDING INDIVIDUAL CONSIDERATION**

**Public Hearing – Mesa Ayr Subdivision Annexation and Zoning, Located at 3139 D ½ Road [File #PP-2006-214]**

Request to annex 5.03 acres, located at 3139 D ½ Road. The Mesa Ayr Subdivision Annexation consists of one parcel.

The public hearing was opened at 7:24 p.m.

Lisa Cox, Planning Manager, reviewed this item. She reviewed the request and entered the staff report into the record.

Traci Moore, River City Consultants, 744 Horizon Court, representing the applicant, was present and had nothing to add.

There were no public comments.

The public hearing was closed at 7:25 p.m.

**a. Accepting Petition**

Resolution No. 116-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Mesa Ayr Subdivision Annexation, Located at 3139 D ½ Road

**b. Annexation Ordinance**

Ordinance No. 4107 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Mesa Ayr Subdivision Annexation, Approximately 5.03 Acres, Located at 3139 D ½ Road

**c. Zoning Ordinance**

Ordinance No. 4108 – An Ordinance Zoning Mesa Ayr Annexation to R-5, Located at 3139 D ½ Road

Councilmember Coons moved to adopt Resolution No. 116-07 and adopt Ordinance Nos. 4107 and 4108 and ordered them published. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

**Public Hearing – Zoning the Fletcher Annexation, Located ½ Mile West of Monument Road on South Camp Road** [File #ANX-2006-108]

Request to zone 139 acre Fletcher Annexation, on South Camp Road ½ mile west of Monument Road, Planned Development 1.12 dwelling units per acre.

The public hearing was opened at 7:27 p.m.

Lori V. Bowers, Senior Planner, reviewed this item. She described the request as being a zoning request and needing approval as a Planned Development. She identified the site and some of the geological and topographical elements of the site. Ms. Bowers then described the site's Land Use Designation and described the Land Use and Zoning Designations for the surrounding properties.

A neighborhood meeting was held on May 18, 2006, at Wingate Elementary School where 25 people showed up. A Preliminary Plan was presented at that time. Concerns were brought up including, sewer, drainage, road capacity for South Camp Road, flooding, and the geological issues. Density was also of major concern, as well as lighting. Ms. Bowers stated that the Preliminary Plan that was presented at that meeting is considerably different than the Plan before the Council tonight. A site analysis was required and after review it was highly recommended that the site lend itself to Planned Development zoning; Ms. Bowers feels the result is a reasonable and workable plan.

Councilmember Hill asked about the black dashed line on the map. Ms. Bowers identified it as the boundary of the Colorado National Monument.

Ms. Bowers listed a number of restrictions on the development. The Final Plat will require identified building envelopes for geotechnical reasons, mitigation of rockfall, and drainage areas which to be constructed with small berms and boulder barriers in some instances. The features are to be site inspected by a City Engineer. Engineered foundations will be required. There are terrible soils in the development but there are areas where building is feasible. These restrictions are to protect the safety and welfare of the community and the proposed development of the property.

The underlying zone is R-2 for the Planned Development. The benefits of the Planned Development would include more open space, (33.6%) a mix of needed housing types and there will be no-build zones to protect the natural habitat. The washes on the site are prone to flash flooding which is the reason for "low tech" berms.

Wright Water Engineers has submitted a plan to the Corps of Engineers to determine wetlands disturbance. The Colorado Geological Survey commented that the rock swales and features should be inspected but they thought the plan to be a good plan.

The Department of Wildlife (DOW) stated it was unfortunate to lose open space but they had no major concerns. The Transportation Engineering Design Standard (TEDS) exception for lighting as applied for and granted was reduced to 9 from the 54 street lights required. The overall density is .53 units per acre on 7% of the site. There will be sidewalks and trails. The Plan includes private streets that will require approval from the City Council. The parking analysis showed there is adequate on-street parking on the perimeter. The alternate street standards are being proposed.

In order to consider a Planned Development, City Council should consider whether or not the City is getting equal to or better than a straight zone for streets and trails with a subdivision. There are some areas where there will be shared sidewalks. Although Staff recommended sidewalks along the cul-de-sacs, the applicant did not feel that it was necessary. The requirement for the sidewalks is in the proposed Ordinance.

A second access to the property to the east will be required once the 100<sup>th</sup> home is built (known as the 100+ rule).

The Planning Commission recommends approval and recommends the condition on the sidewalks in the cul-de-sacs. Ms. Bowers listed the criteria and policies of the Growth Plan being met and she listed the phasing being proposed. Staff supports a TEDS exception for the reduced lighting. City Council approval is required for the private streets. Staff is recommending a trail easement dedication in the north-east section of the site to connect with the adjacent City property.

Councilmember Todd asked for clarification on the shared driveways. Ms. Bowers said that it is due to the crossings of drainage areas.

Sid Squirrel, 289 W. Morrison Court, was the applicant's representative. He clarified that the trails alongside the drainages will go all the way around the site. The site was designed being sensitive to the topography. The building envelopes are outside of the drainages. They left all the hillsides in place. They have created a nice feel. The reduced lighting was at the request of the neighbors.

Mr. Squirrel detailed all the preliminary studies they did prior to even purchasing the property and how they have adjusted the Plan to accommodate concerns. They are townhomes and patio homes, a rarity in the Redlands. He described how they addressed other concerns and what groups they met with. The first plan was for 268 units, the current plan is for 155 units. The lots are smaller and there is more open space. They will be providing drainage for the subdivision and the property will be maintained by the HOA.

Mr. Squirrel cited the community benefits such as providing residential lots and providing patio lots (a demand not currently being met in the Redlands). The other benefits include clustering that will provide greater density, quantity, and the tax revenue to the City. He stated that the project is similar to the Seasons. He said they have met all of the Zoning and Code requirements.

Sharon Gartner, 535 Tiara Drive, stated she has lived in Grand Junction for 27 years, and would like to see more downsized housing opportunities on the Redlands. She is in support of the project.

Marjorie Genova, 2234 Rimrock Road, stated she lives across the road in a home built in 1982 and is in support of the project. She said she sees the project as a great asset, with the small portion of the patio homes section as a compliment to the neighborhood. David Rowe, a neighbor of the project at 2291 Rimrock, supports the project stating it includes all the right stuff. Mr. Rowe stated that he also is the project's architectural designer, and through the design team, owners, and himself, they have shown their dedication by doing some good design work and are trying to develop a nice community for the City.

There were no other public comments.

The public hearing was closed at 8:01 p.m.

Councilmember Hill asked about the acquisition of land dedication to connect the City property. Ms. Bowers said that it is in negotiations. Another connection to the Monument Valley Subdivision is also being discussed. An easement is another option.

Councilmember Hill brought up the requirement for the sidewalks along the cul-de-sac. Ms. Bowers said the TEDS standards say the improvements must be equal to or better than for an exception to be granted. She asked if "no sidewalks" would be better than the required sidewalks. Councilmember Hill said with the willingness of the developer to blend in, maybe no sidewalks are better.

Councilmember Coons asked with regard to the 33% open space on the site, how is open space defined. Ms. Bowers said slopes greater than 30% are unbuildable and can be considered open space. Some areas of the Code require active open space and the definition of active can be broad. Councilmember Hill asked if the trails are open space. Ms. Bowers said that is not calculated into the equation.

Councilmember Coons inquired if in order for open space to be dedicated as part of the development, if it has to be property that could be built on or is it a "gift" of open space. Unbuildable may have value as a view shed, but should it be valued as dedicated open space? Ms. Bowers did not have a clear cut answer, as it is different in a higher density, flat land subdivision.

Councilmember Thomason voiced concern about the flash flooding and asked Ms. Bowers to describe "low tech" berms. Ms. Bowers replied that boulders are placed to direct the flow of water after a storm or snowmelt. Councilmember Thomason asked if the Corps of Engineers have determined their requirements. Ms. Bowers replied that their final determination will be required prior to Final Plat and that there could be some detention ponds in the drainage areas.

Council President Doody asked if decel lanes will be required. Ms. Bowers answered that the traffic study revealed decel/accel lanes would not be needed.

Tim Moore, Public Works and Planning Director, explained that the 100+ house rule, that is the requirement for a second access, is related to the Fire Code. Councilmember Thomason asked if there will be connectivity back to the main part of the subdivision. Mr. Moore responded no.

Councilmember Hill asked for legal advice on where the sidewalk requirements are in the approvals. City Attorney John Shaver said that the requirement goes back to the TEDS requirements. If the Council ultimately decides that the lack of sidewalks is better than or equivalent, then they can make that determination.

Councilmember Todd commended the applicants for addressing the concerns, adjusting the plans and for the additional benefits being proposed in the Planned Development. She liked the rural aesthetics implication. She felt the applicant has met most of the criteria.

Councilmember Coons stated that she sees a nice development and appreciates the work they have done with the neighbors. She felt the development satisfies the needs and she supports it.

Councilmember Thomason stated that he trusts the process and the checks and balances in place. He thinks it will be a wonderful addition to the area and it meets a demand that is lacking.

Councilmember Beckstein said a lot of thought went into the process with consideration of both the area and the environment.

Councilmember Hill said a straight R-2 zone would be much smaller lots, and usually Council does not get to see the plan but with a Planned Development they do. Ensuring the sufficient drainage due to the proximity to the Monument is important. He is okay with not having the additional sidewalks and appreciates the feel of what they are trying to create with the adjacent subdivisions.

Council President Doody stated that it was a well thought-out project. He is concerned about the lack of sidewalks because without sidewalks there is no place for the kids to walk, thus forcing kids into the street to get to a trail. However, he is in support.

Councilmember Todd said that the only area lacking sidewalks is in the cul-de-sac and it adds to the rural appeal.

Ordinance No. 4109 – An Ordinance Zoning the Fletcher Annexation to Planned Development 1.12 (PD), Located Approximately ½ Mile West of Monument Road on the North Side of South Camp Road

Councilmember Hill moved to adopt Ordinance No. 4109, accepting the applicant's request to forego sidewalks in the cul-de-sacs and ordered it published. Councilmember Todd seconded the motion. The motion carried by roll call vote.

**Non-Scheduled Citizens & Visitors**

There were none.

**Other Business**

Councilmember Thomason congratulated Mr. Squirrel on the arrival of his new baby.

**Adjournment**

The meeting adjourned at 8:32 p.m.

Stephanie Tuin, MMC  
City Clerk