

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

**January 14, 2008**

The City Council of the City of Grand Junction convened into regular session on the 14<sup>th</sup> day of January 2008 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Teresa Coons, Bruce Hill, Gregg Palmer, Doug Thomason, Linda Romer Todd, and Council President Jim Doody. Absent was Councilmember Bonnie Beckstein. 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 Todd led in the Pledge of Allegiance. The audience remained standing for the invocation by Michael Torphy, Religious Science Spiritual Center.

**Proclamations/Recognitions**

Proclaiming January 14, 2008 as “National Mentoring Month” in the City of Grand Junction

Presentation of Good Neighbor Award to Ted and Kathy Jordan

Councilmember Coons read a statement describing the efforts by Ted and Kathy Jordan on behalf of the 7<sup>th</sup> Street Historic Neighborhood, and why they are being recognized as “Good Neighbors”.

Recognition of White Willows Subdivision Neighborhood Association

Senior Planner Kris Ashbeck, Neighborhood Services, presented a PowerPoint presentation on the White Willows neighborhood. The neighborhood wants to finish the landscaping along the Riverside Parkway frontage abutting their subdivision. She then introduced representatives. One of the representatives addressed the City Council and described the weed problem they had in the area last year. Councilmember Hill then presented the neighborhood with recognition for their efforts.

**Certificate of Appointments**

Horizon Drive Association Business Improvement District

Chuck Keller and Clark Atkinson were present to receive their Certificate of Appointments as members of the Horizon Drive Association Business Improvement District.

**Council Comments**

Councilmember Coons welcomed Bianca from the White Willows neighborhood group to the meeting.

**Citizen Comments**

There were none.

**CONSENT CALENDAR**

Councilmember Hill read the items on the Consent Calendar, and then moved to approve the Consent Calendar. It was seconded by Councilmember Coons, and carried by roll call vote to approve Consent Items #1 through #11.

1. **Minutes of Previous Meeting**

*Action: Approve the Minutes of the January 2, 2008, Regular Meeting*

2. **Intergovernmental Agreement with CDOT for Traffic Signal Maintenance**

Contract with Colorado Department of Transportation for (1) maintenance of traffic signs, signals, striping and markings on state highways within the City limits and (2) snow removal and pavement maintenance on state highways within the City limits.

*Action: Authorize the City Manager to Sign the Contract with Colorado Department of Transportation for Maintenance of Traffic Signs, Signals, Striping and Markings and for Snow Removal and Pavement Maintenance on State Highways with the City Limits*

3. **Contract for Hot Tub Replacement at Orchard Mesa Pool**

This approval request is for the award of a contract to provide and install a new hot tub at the Orchard Mesa Community Center Pool.

*Action: Authorize the City Purchasing Division to Enter into a Contract in the Amount of \$51,318.21 with Performance Pools and Spas*

4. **Contract for Microsoft Software and Licenses**

This approval request is to provide maintenance support and software assurance licensing for Microsoft software used by the City of Grand Junction employees in 2008.

*Action: Authorize the City Purchasing Division to Enter into a Contract in the Amount of \$51,010.62 with Software Spectrum, Inc. (a.k.a. Insight)*

5. **Comprehensive Plan Energy and Mineral Impact Assistance Grant**

A request to accept an Energy and Mineral Impact Assistance Grant, in the amount of \$270,000, as partial funding for the Comprehensive Plan and Sewer Basin Study.

*Action: Accept the Grant and Authorize the Mayor to Sign the Energy and Mineral Impact Assistance Grant Contract in the Amount of \$270,000 for the Comprehensive Plan*

6. **Public Safety Facility Energy and Mineral Impact Assistance Grant**

A request to accept an Energy and Mineral Impact Assistance Grant, in the amount of \$500,000, as partial funding for the design of the Public Safety Facility.

*Action: Accept the Grant and Authorize the Mayor to Sign the Energy and Mineral Impact Assistance Grant Contract in the Amount of \$500,000 to Plan and Design the Public Safety Facility*

7. **Setting a Hearing Zoning the Lochmiller Annexation, Located at 193 Shelley Drive** [File #ANX-2007-329]

Request to zone the 1.06 acre Lochmiller Annexation, located at 193 Shelley Drive, to R-4 (Residential, 4 units per acre).

Proposed Ordinance Zoning the Lochmiller Annexation to R-4 (Residential 4 units per acre), Located at 193 Shelley Drive

*Action: Introduction of Proposed Ordinance and Set a Public Hearing for February 4, 2008*

8. **Setting a Hearing for the Pinson-Hergistad Annexation, Located at 644 ½ 29 ½ Road** [File #ANX-2007-352]

Request to annex 3.02 acres, located at 644 ½ 29 ½ Road. The Pinson-Hergistad Annexation consists of one parcel and is a 2 part serial annexation.

a. **Referral of Petition, Setting a Hearing and Exercising Land Use Jurisdiction**

Resolution No. 03-08—A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation and Exercising Land Use Control, Pinson-Hergistad Annexation, Located at 644 ½ 29 ½ Road

*Action: Adopt Resolution No. 03-08*

b. **Setting a Hearing on Proposed Ordinances**

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Pinson-Hergistad Annexation No. 1, Approximately 0.33 acres, Located at 644 ½ 29 ½ Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Pinson-Hergistad Annexation No. 2, Approximately 2.69 acres, Located at 644 ½ 29 ½ Road

*Action: Introduction of Proposed Ordinances and Set a Hearing for February 20, 2008*

9. **Setting a Hearing Zoning the Foster Industrial Annexation, Located at 381 27 ½ Road** [File #ANX-2007-330]

Request to zone the .41 acre Foster Industrial Annexation, located at 381 27 ½ Road, to I-1 (Light Industrial).

Proposed Ordinance Zoning the Foster Industrial Annexation to I-1 (Light Industrial), Located at 381 27 ½ Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for February 4, 2008*

10. **Setting a Hearing for the Mersman Annexation, Located at 3037 D Road** [File #ANX-2007-356]

Request to annex 1.45 acres, located at 3037 D Road. The Mersman Annexation consists of one parcel.

a. **Referral of Petition, Setting a Hearing and Exercising Land Use Jurisdiction**

Resolution No. 04-08—A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation and Exercising Land Use Control, Mersman Annexation, Located at 3037 D Road

*Action: Adopt Resolution No. 04-08*

b. **Setting a Hearing on Proposed Ordinance**

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Mersman Annexation, Approximately 1.45 acres, Located at 3037 D Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for February 20, 2008*

11. **Purchase of Property at 509 Ute Avenue**

Negotiations by City staff with the owners of 509 Ute Avenue have been completed and a contract to purchase the property has been signed by both parties. The City shall lease the property to the former owners for a period of four months after the purchase date.

Resolution No. 05-08—A Resolution Ratifying the Purchase Contract for the Property Located at 509 Ute Avenue, Grand Junction, Colorado

*Action: Adopt Resolution No. 05-08*

**ITEMS NEEDING INDIVIDUAL CONSIDERATION**

**Public Hearing—DeHerrera Annexation, Located at 359 29 <sup>5</sup>/<sub>8</sub> Road** [File #ANX-2007-300] **Request to Continue to January 16, 2008**

Request to annex 15.52 acres, located at 359 29 5/8 Road. The DeHerrera Annexation consists of 1 parcel.

Justin Kopfman, Associate Planner, explained the reason for the continuance, and advised that due to a family emergency Greg Moberg, rather than himself, will be presenting the item on January 16, 2008.

Councilmember Hill moved to continue the public hearing for the DeHerrera Annexation to January 16, 2008. Councilmember Thomason seconded the motion. Motion carried.

**Public Hearing—Sipes Annexation, Located at 416 ½ 30 Road, 413 and 415 30 ¼ Road [File #ANX-2007-313]Request to Continue to January 16, 2008**

Request to annex 3.54 acres, located at 416 ½ 30 Road, 413, and 415 30 ¼ Road. The Sipes Annexation consists of 3 parcels.

Justin Kopfman, Associate Planner, explained the reason for the continuance, and advised that due to a family emergency Greg Moberg, rather than himself, will be presenting the item on January 16, 2008.

Councilmember Todd moved to continue the public hearing for the Sipes Annexation to January 16, 2008. Councilmember Hill seconded the motion. Motion carried.

**Public Hearing—Zoning the Gummin Annexation, Located at 2215 Magnus Court [File #ANX-2006-100]**

Request to zone the 6.60 acre Gummin Annexation, located at 2215 Magnus Court, to R-2 (Residential, 2 units per acre).

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

Faye Hall, Associate Planner, reviewed this item. She described the request, the location, the site, the Future Land Use designation, and then noted the zoning request is consistent with the Future Land Use designation. The current County zoning is not consistent with the land use designation. The site has a lot of topography to it. The request meets the zoning criteria. Due to the topography, the Planner requested a site review. After the site review, the Engineer and the Planner thought R-1 would be appropriate. However, the applicant wanted a R-2 designation. The Engineer and the Planner agreed that R-2 could be a possibility, but a hillside requirement will need to be met for approval. The Planning Commission did recommend approval of R-2.

The applicant was not present.

There were no public comments.

The public hearing was closed at 7:28 p.m.

Ordinance No. 4162—An Ordinance Zoning the Gummin Annexation, to R-2 (Residential, 2 units per acre), Located at 2215 Magnus Court

Councilmember Palmer moved to adopt Ordinance No. 4162, and ordered it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

**Public Hearing—Ridges Mesa Planned Development (ODP) Outline Development Plan** [File #ODP-2006-358]

A request for approval of an Outline Development Plan (ODP) to develop 51 acres as a Planned Development in a currently zoned R-2 (Residential-2 dwelling units per acre) zone district; retaining the R-2 zoning as the default zoning designation.

The public hearing was opened at 7:30 p.m.

Lori Bowers, Senior Planner, reviewed this item. She described the request, and the location of the site of 51.4 acres. Due to the size of the parcel, a site analysis must be submitted. Also, an Outline Development Plan is not required, but is a recommended option for this size of site. Many concerns were raised about connections to and from the property, and the extension of utilities into the site. The Future Land Use Designation designated the property as Residential Medium Low – the ODP underlying zoning is consistent with that designation. Ms. Bowers read the requirements for a Planned Development zoning, including the types of benefits that must be derived from the development. The benefits from this plan are the trails, and the location of the dwellings leave more open space.

Ms. Bowers then pointed out the comments that have been received and provided to Council regarding connections to the subdivision. She then noted that the application met the requirements of the Zoning and Development Code.

Councilmember Coons asked if the traffic issues will be addressed at the time the site plans are being reviewed. Ms. Bowers said they will review in more depth, but at this time there is adequate ability to connect these subdivisions.

Councilmember Palmer asked if the existing street system can handle the additional traffic. Ms. Bowers said the street Bella Pago is a substandard street. To not connect would require a variance from the Zoning and Development Code, and a TEDs exception. She said they will look more closely at Phase III as to exactly where the connection will be. The neighbors were promised that the street would be for emergency access only; however, that will not be the case. The street will allow neighbors to exit the property in addition to it providing emergency vehicle access.

Councilmember Coons asked, if the street is substandard, is it possible to upgrade the street. Ms. Bowers deferred to Public Works and Planning Director Tim Moore. Mr. Moore said that currently the street is designated for potential use, and the street will be evaluated at Preliminary Plan review along with traffic and safety issues to determine what the number of units will be.

Councilmember Palmer asked, if traffic can't be accommodated, will the developer be restricted from building out to the full R-2. Mr. Moore said yes.

Council President Doody asked about the possibility of a pump station for the sewer, and could it be eliminated at a later date, or will the City have to maintain it. Mr. Moore replied that the City would have to maintain it; however, if further improvements are made it is possible the pump station can be eliminated later.

Councilmember Palmer commented regarding traffic, that interconnectivity should be looked at based upon the number of units that can be accommodated, and he asked if all roads are looked at, as he was not sure they can be widened. Mr. Moore said traffic safety is a concern, and that there are two additional roads to the west, Hidden Valley and Pinnacle Ridge, that will create three potential connections to disburse traffic.

Bob Blanchard, 706 Jasmine Lane, representing the applicant, commented that it is a unique piece of property, and he has long been an advocate of Planned Development and particularly the Zoning and Development Code section that is specifically used for these unique properties. An Outline Development Plan allows the City to see how unique and constrained properties can be developed. It provides to the developer a general consensus on the development. The approval sets the number of units, the phasing, the general location of access points, the internal circulation system, and the general location of the trail system. He identified each phase or pod.

Mr. Blanchard went on to discuss the three access points as Hidden Valley Drive which has always been intended to be extended under this property, Pinnacle Ridge Subdivision, which recently received preliminary approval by the Planning Commission, and the third access point to Bella Pago that will be designed in more detail during the third phase.

Mr. Blanchard continued by generally identifying the trail system location. The review criteria is extensive, and is listed in detail in the staff report. The purpose of a Planned Development is to give the developer more balance and flexibility going through the design process. In this case, the additional benefits that go above and beyond code requirements that will be derived from the development are 30% more open space, and a new publicly accessible trail system.



Mr. Blanchard confirmed that the applicant did state at a neighborhood meeting that the access to Bella Pago would be emergency access only. That was how the application was submitted. During the planning review the City, however; citing the TEDs requirement, has negated that, and the access will be addressed in the second or third phase.

Mr. Blanchard stated there will not be any water issues; specifically adequate fire flow for specified lots. If sufficient flow cannot be provided, those lots will have to have individual fire suppression methods. Once Pinnacle Ridge is developed, the fire flow issue will be gone. The sewer issue is challenging and various alternatives have been discussed. They are looking at additional easements or using a pump station.

Councilmember Todd asked where the tie into Pinnacle Ridge connects. Mr. Blanchard said the site map does not show the current platting for Pinnacle Ridge, and he identified where the new road will go.

Councilmember Thomason asked for a response to the substandard road, specifically down Bella Pago. Mr. Blanchard said that there has been concern in the past with Pinnacle Ridge due to it being circuitous and its lack of width. He expects they will work with the City during the second or third phases by running an Origin and Destination Model to predict the travel patterns of the residents. Later they will determine the number of housing units that are feasible.

Councilmember Thomason was concerned with a large amount of traffic which includes truck traffic during the construction phase. Mr. Blanchard said he does not know the right-of-way situation, and would need to defer to later research. In addition, the road is in the County, and therefore it would require working with County Planning.

Councilmember Todd stated that the impact is really down on Country Club Park, and not Bella Pago. Mr. Blanchard said they would be willing to limit access off of Bella Pago to emergency, but the connection is the City requirement.

Councilmember Palmer asked if the internal roads are substandard or standard City width. Mr. Blanchard replied that there will be public roads with curb, gutter, and sidewalks, full collector width and residential width. Councilmember Palmer asked if the Fire Department expressed any concerns about getting emergency vehicles into the property. Mr. Blanchard said the Fire Department wants at least two points of access which has been addressed, so in terms of access, no.

Council President Doody asked if the roads in the Ridges are substandard. Mr. Blanchard replied that due to the lack of curb, gutter, and sidewalks, he feels they are. The majority of the streets do not have adequate right-of-way, and need to take into account the design features that enter into the classification.

Council President Doody then asked for public comments.

Richard Swerdfeger, 204 Country Club Park Road, is concerned with additional traffic impact on Country Club Park Road and access to Highway 340. There is limited site distance and narrow, blind curves on Country Club Park Road. He has lived here 27 ½ years and has found that everyone is driving faster. The neighborhood has 63 homes using that road, and it is not just car traffic, but truck and service vehicle traffic too.

As pointed out in earlier neighborhood meetings this issue was addressed and the solution was to provide an emergency access only. Now with the change in planning and Code revisions interconnectivity is mandated. Mr. Swerdfeger pointed out that one-size does not fit all, and this should be addressed on a case-by-case basis.

Mr. Swerdfeger stated that interconnectivity to a neighborhood is fine on an overall basis where the roadways and conditions are consistent; however, this is not the case here. Any future development should be serviced and accessed through the Ridges. Human nature being what it is, the residents living in the eastern half of the new homes in Phase II and III of Ridges Mesa will take the shorter route to town down Country Club Park which will create a lot of traffic problems.

Mr. Swerdfeger suggested that an exemption be made to that interconnectivity requirement of the development and transportation standards, as he does not feel that it applies to this case. He stated that the emergency access would be the solution to having access when needed, but not for daily traffic. He would like the City Council to put language into the approval now so that it does not come up again during the next phases under review.

There were no other public comments.

The public hearing was closed at 8:07 p.m.

Councilmember Coons addressed Public Works and Planning Director Moore asking if it would be possible to look at the TEDs exception at this phase, rather than phase III.

Public Works and Planning Director Moore replied that TEDs exceptions are based on specific conditions, and so it will require that the third phase be designed and laid out first. He would like to at least have an engineering analysis to start with to determine the amount of units accessing the roadways.

Councilmember Todd said that for this to be successful the Pinnacle Ridge Subdivision has to be developed in order to have the connectivity to Mariposa. Mr. Moore said they can go forward assuming that there will be a connection with up to 100 units during the first phase.

Councilmember Palmer asked for clarification from the City Attorney if the City can, in fact, limit that access since it is the City that has recommended the third access point at Bella Pago.

City Attorney Shaver said the Staff through the TEDs exception process can, but the City Council cannot tonight; there has to be that degree of engineering analysis with a reasonable alternative. It isn't for the Council tonight, but can be determined in the future as the project proceeds, and the engineering analysis is developed.

Councilmember Palmer continued that he does not see that the problem is with Bella Pago, as much as it is the roadways below Bella Pago. He said approving this without the assurance of what might happen is uncomfortable. City Attorney Shaver said that all the factors will be taken into consideration during the engineering analysis.

Councilmember Hill asked how many units there were per phase. Ms. Bowers said that in Phase I the maximum number of residential units is 28 on 14.16 acres, Phase II is a maximum of 45 units on 22.58 acres, and Phase III is 28 units on 14.3 acres.

Councilmember Palmer asked if that number could be reduced based on traffic and other findings as the project goes forward. Ms. Bowers said the minimum number of dwelling units per acre is 1 per .5 acres.

Councilmember Todd asked since the project is being developed in three phases and the City is relying on another subdivision to give the City access down to Mariposa, can the City Council restrict the timing of when they could do the second or third filing if the Pinnacle Ridge road is not yet accessible. City Attorney Shaver said that the Council could restrict the time based on the number of lots, or could require a development schedule for phasing of the lots.

Councilmember Hill said it was his understanding that with an ODP they are addressing conformance, compatibility and coordination. When Pinnacle Ridge was developed they knew they already had an approved connection to Bella Pago, but it was that connection that was eliminated when the plan went forward. He found it curious that there was no connectivity to the project.

Councilmember Hill said he has been on Country Club Park Road, and has found it to be treacherous. Country Club Park is not one of the options he would choose first to commute, choosing instead Monument Road. This subdivision gives other people options as well. He would encourage a TEDs exception process to see if that is an appropriate thing to do with the traffic pattern. He would approve the plan based on a TEDs exception process review.

Councilmember Coons said she agrees with Councilmember Hill to take a careful look at traffic patterns, and look at all possible ways to make the road safer. She stated that she was concerned about Bella Pago as an entrance and exit, and she would encourage a TEDs exception process also. She does not see that; however, as a reason not to go forward.

There were no other Council comments.

Ordinance No. 4163—An Ordinance Rezoning the Approximately 51.04 Acres from R-2 to PD (Planned Development) The Ridges Mesa Planned Development, Located East of Hidden Valley Drive and High Ridge Drive

Councilmember Hill moved to adopt Ordinance No. 4163, and recommended the applicant submit a TEDs exception for the connection to Bella Pago to determine if appropriate, and ordered it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

City Attorney Shaver stated that the motion affirms the issues and puts the question to the TEDs exception process.

### **Non-Scheduled Citizens & Visitors**

There were none.

### **Other Business**

There was none.

### **Adjournment**

The meeting adjourned at 8:25 p.m.

Stephanie Tuin, MMC