

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

September 21, 2011

The City Council of the City of Grand Junction convened into regular session on the 21st day of September, 2011 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Bennett Boeschstein, Teresa Coons, Jim Doody, Laura Luke, Bill Pitts, Sam Susuras, and Council President Tom Kenyon. Also present were Deputy City Manager Rich Englehart, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Kenyon called the meeting to order. Councilmember Doody led the Pledge of Allegiance, followed by an invocation from Pastor Ray Shirley, Monument Baptist Church.

Proclamations

Proclaiming October 1, 2011 as “Oktoberfest Day” in the City of Grand Junction

Proclaiming October as “Walk and Bike to School Month” and Wednesday, October 5, 2011 as “Walk and Bike to School Day” in the City of Grand Junction

Presentations

Yard of the Month for August

Tom Ziola, Parks and Recreation Department, introduced the winners Darrin and Tracey Heritage, 1740 Glenwood Avenue, and applauded them for their work and enthusiasm. Mrs. Heritage expressed her appreciation of the program and told the Council that they purchased the house for the yard and now there are several nice yards in the neighborhood.

Appointments

Councilmember Susuras moved to appoint Jodi Coleman Niernberg for a partial term expiring June 2014 and appoint Jason Farrington for a partial term expiring June 2012 to the Downtown Development Authority/Downtown Grand Junction Business Improvement District. Councilmember Doody seconded the motion. Motion carried.

Certificate of Appointment

Jody Motz was present to receive her Certificate of Appointment to the Historic Preservation Board.

Council Comments

Councilmember Boeschstein said he met with the Great Outdoors Colorado (GOCO) board and the Mesa Land Trust to tour the Three Sisters Site. The purpose was to discuss a grant that will help preserve the property.

Citizen Comments

Garr Roberts, 383 Cascada Drive, said he bought a property on Winters Avenue a few weeks ago. He is in the process of remodeling and beautifying the building and moving one of his companies into the establishment. His company is specialized auto services. He addressed the City Council on the Xcel Energy pole and the Qwest junction box in his driveway on Winters Avenue. He can't get equipment in and out. Qwest won't return his phone call and he has not received any relief from Xcel. He had a locator look at the Qwest box and there is no reason for the junction box to be there. The business address is 1103 Winters Avenue.

CONSENT CALENDAR

Councilmember Coons read the Consent Calendar Items #1 through #3 and then moved for approval. Councilmember Pitts seconded the motion. Motion carried by roll call vote.

1. Minutes of Previous Meetings

Action: Approve the Minutes of the September 7, 2011 Regular Meeting

2. CDBG Subrecipient Contracts for Funds and Projects within the Community Development Block Grant (CDBG) 2011 Program Year [File #CDBG 2011-07; 2011-09 and 2011-10]

The Subrecipient Contracts formalize the City's award of a total of \$48,475 to non-profit organizations allocated from the City's 2011 CDBG Program as previously approved by Council.

Action: Authorize the City Manager to Sign the Subrecipient Contracts with the Center for Independence, St. Mary's Senior Companion Program and St. Mary's Foster Grandparent Program for the City's 2011 Program Year Funds

3. **Fire Pumper Truck Purchase**

Purchase request for a new Fire Pumper Truck to replace an older unit currently in the City's fleet. The current truck has reached the end of its useful life and is in need of replacement.

Action: Authorize the City Purchasing Division to Award a Contract for the Purchase of a 2012 Smeal Freedom Custom Pumper Truck to Mile Hi Fire Apparatus of Commerce City, Colorado in the Amount of \$407,291.00

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Public Hearing – Amending the Ridges Planned Development for Casas de Luz Residential Development, Located Adjacent to West Ridges Boulevard and West of School Ridge Road in the Ridges Subdivision [File #PLD-2010-259]

Request for approval for an amendment to the Planned Development zoning ordinance for the Ridges Planned Development ("Ridges PD") for a portion of the property, Lots 34A-40A, Block Twenty-five of The Ridges Filing No. Five and Lots 41A-43A of the Replat of Lots 22A through 30A, Block Twenty Five The Ridges Filing No. Five, within the Ridges PD located adjacent to West Ridges Boulevard, across from the driving range for Redlands Mesa Golf Course. The applicant is also requesting approval for the vacation of a dedicated frontage road (right-of-way) and utility and drainage easements in conformance with the new plan.

The public hearing was opened at 7:22 p.m.

Scott Peterson, Senior Planner, Public Works and Planning, presented this item. He described the request, the location and the site. The request is for an amendment to the Planned Development in the Ridges. The applicant, Dynamic Investments, Inc., requests to re-subdivide the existing ten platted lots and create new residential lots, tracts, and stacked condominium units. The total number of dwelling units (20) is the same number of allowed dwelling units that were originally planned for this site. The Project may be completed over four phases. The applicant is also requesting the vacation of a dedicated frontage road and utility and/or drainage easements that are not needed with the proposed development.

The current development is Planned Development (PD). This area was originally approved as a Planned Unit Development (PUD) by Mesa County in the late 1970's. The original developer formed the Ridges Metropolitan District in order to provide services to this development because it was unincorporated Mesa County. The PUD provided open space for parks and open trails. The PUD includes a mix of land use including a variety of housing types. In 1992 the developed and undeveloped areas of

the Ridges were annexed into the City. Upon annexation, the amended plan in the zoning ordinance was adopted zoning the development Planned Development (PD). The Casas de Luz properties were designated as "A" lots with a density of two family dwellings per lot, however, it was noted on the plat that it could also be developed as a multi-family area, although there are some limitations with a maximum of ten dwelling units.

Mr. Peterson displayed the proposed site plan which is divided into four phases. The proposed development will be subject to to the provisions of the Zoning and Development Code unless specifically exempted. There will be shared accesses and driveways. The proposed phasing schedule is Phase One by 2014, Phase Two by 2017, Phase Three by 2019, and Phase Four by 2021. The community benefit is the specific housing type is needed in the community and the minimum number of access points off of Ridges Boulevard. The default zone is R-8, eight units per acre. The applicant is also asking for a deviation in the set back requirements. For Filing One they are asking for 15 feet, 11 feet for Filing Two, 16 feet for Filing Four. There will be a trail in the development. Because there is an excess right-of-way for Ridges Boulevard there is justification of the lesser setback.

There will be clustering of buildings and the roofs of the development will be lower than the houses on the properties behind the development. Mr. Peterson demonstrated this with elevation drawings. The proposed structures are two stories.

The applicant is asking for the vacation of dedicated right-of-way for frontage road that is no longer needed. The City will retain a utility easement. The applicant is asking for the vacation of a utility easement which will not be needed for the development.

In conclusion, Mr. Peterson said the application does meet all the requirements of the Zoning and Development Code and the Comprehensive Plan.

There were two letters of opposition and those two citizens spoke at the Planning Commission meeting. The minutes from the Planning Commission meeting were included in the packet.

Councilmember Pitts asked who will maintain the vacated right-of-way. Mr. Peterson said once vacated, the property owner will be responsible for maintenance. It will be a landscaped area and will be used for drainage. Councilmember Pitts asked who will maintain the open space. Mr. Peterson said the Homeowner's Association (HOA) will be responsible for that.

Councilmember Coons asked about the Future Land Use Map and that part of the property goes into the Residential Medium (RM) low and Residential Low (RL). She

asked if that will require an amendment to the Comprehensive Plan. Mr. Peterson said the majority of the property is within the RM area so no amendment is required.

Councilmember Boeschstein asked if a drainage plan has been submitted. Mr. Peterson said yes and that plan was acceptable.

Councilmember Boeschstein expressed concern about drainage issues in the past and how that would be addressed. Mr. Peterson said the plans were sent to the State Geological Society for comments and the applicant did do core samples and studies. Councilmember Boeschstein asked about drainage along the foundations. Mr. Peterson deferred the question to the applicant's engineer who was present. It was noted that the landscaping is xeric type of landscaping. Councilmember Boeschstein asked if the Ridges Architectural Control Committee were able to review this. Mr. Peterson said the review comments were sent to the committee but he has not heard back from them.

Councilmember Boeschstein asked if this will block any of the solar to the passive solar houses that are to the north. Mr. Peterson said it should not affect them but there is no Code requirement to address that.

Councilmember Pitts asked about the line to the north. Mr. Peterson said that is a utility easement.

The applicant then presented their presentation. Rebecca Mendrop, representative for Casas de Luz, 215 Westwater Circle, Fruita, presented the proposal. She explained the community benefits and the applicant's vision for the proposal. They held a neighborhood meeting September 8, 2010 and the plan as discussed is not significantly different. The impact to neighbors was considered in this proposal.

Ms. Mendrop displayed some conceptual drawings for the buildings. She then stated the density does not change, the drainage plan has been completed by a licensed engineer and there is sufficient sight distance for the access points. The views will be less impacted with the new plan than with the old plan. Colorado Geological Survey (CGS) did suggest perimeter drains around the foundations and the engineer will take that into consideration. The setbacks were addressed by the applicant's representative noting there is plenty of space between the proposed buildings and the roadway. There is at least twenty feet between buildings and ten feet from the rear property line. She then introduced Mike Stubbs.

Mike Stubbs, the developer, said he was here to answer questions. He has been involved in the Ridges for twenty-five years.

Councilmember Pitts noted the area is prone to torrential rains and he is concerned with the drainage. There is also a concern over soil shifting.

Mr. Stubbs noted that things have changed since the original development thirty years ago. They are using good science for development currently and will also be addressing drainage from the properties above.

Councilmember Susuras said the Staff Report indicates the proposed development meets Comprehensive Goal #5, it provides a broader mix of housing. He asked for that to be clarified.

Mr. Stubbs said there will be eight townhomes and some duplexes. They also will have some transitional architecture between the Ridges and Redlands Mesa. They are developing a new neighborhood in that area and he wants to set the tone. He thinks there will be broad appeal but the target market is the 50+ age group. There will be elevators. The condos are two bedroom units. The townhomes will have two bedroom units with options for more (2-4 more bedrooms).

Councilmember Boeschstein asked about the steep slope, how will it be stabilized. Mr. Stubbs said Engineer Mike Berry analyzed the slope, there may be some stabilization needed but it will be addressed.

Tim Moore, Public Works and Planning Director, said Eric Hahn is the development engineer and he is comfortable that they have a good design.

Councilmember Luke asked about the size of the garage. Mr. Stubbs said it will be a two car garage with the same size behind the garage for storage.

There were no public comments.

The public hearing was closed at 8:05 p.m.

Councilmember Doody asked City Attorney Shaver about the Ridges and their covenants. Are there several homeowner associations? City Attorney Shaver said there were many different covenants filed with the various developments. The subsequent Homeowners Association (HOA) morphed into the Ridges Architectural Control Committee which has not been active. The purpose of the association is the maintenance of the landscaping improvements and must be in compliance with the other covenant filings.

Council President Kenyon asked about access with the shared driveways. It appeared the access widens. Mr. Peterson said that is part of the review process, both the Fire Department, the traffic engineer and the development engineer looked at the plan. The

accesses are wide enough to accommodate a fire apparatus. TEDS requires some off-street parking spaces in multifamily developments.

Council President Kenyon asked about the phased development, if the ordinance fails will the old ordinance go back into effect? City Attorney Shaver said it is a conditional amendment of the amended plan and there are certain milestones that must be accomplished through the development. It does not compromise the plan, it allows it to progress. The amended plan is not being released, the ordinance allows the amendment.

Councilmember Boeschstein asked where the fire hydrants are located.

Steve Sharpe, the engineer for the development, pointed out the location of three fire hydrants. The locations were approved by the Fire Department.

Ordinance No. 4482—An Ordinance Amending the Amended Planned Development Zoning Ordinance for the Ridges PD for Lots 34A-40A, Block Twenty-five of the Ridges Filing No. Five and Lots 41A-43A of the Replat of Lots 22A through 30A, Block Twenty Five the Ridges Filing No. Five within the Ridges PD "Casas de Luz Property" with a Default R-8 (Residential – 8 du/ac) Zone District for the Development of 20 Dwelling Units Located Adjacent to West Ridges Boulevard and West of School Ridge Road

Ordinance No. 4483—An Ordinance Vacating Right-of-Way (Frontage Road) Abutting Lots 34A through 40A, Inclusive, Block Twenty Five of the Ridges, Filing No. Five, Located Adjacent to West Ridges Boulevard and West of School Ridge Road

Councilmember Susuras moved to approve Ordinance No. 4482 and Ordinance No. 4483 and ordered them published in pamphlet form. Councilmember Pitts seconded the motion. Motion carried by roll call vote.

Resolution No. 45-11—A Resolution Vacating a 10' and 20' Drainage and Utility Easement for Lots 41A, 42A and 43A of the Replat of Lots 22A through 30A, Block Twenty Five the Ridges Filing No. Five Property Located Adjacent to West Ridges Boulevard and West of School Ridge Road

Councilmember Susuras moved to adopt Resolution No. 45-11. Councilmember Pitts seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting was adjourned at 8:17 p.m.

Stephanie Tuin, MMC
City Clerk