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**CITY COUNCIL AGENDA  
WEDNESDAY, APRIL 19, 2017  
250 NORTH 5<sup>TH</sup> STREET  
5:15 PM – PRE-MEETING – ADMINISTRATION CONFERENCE ROOM  
6:00 PM – REGULAR MEETING – CITY HALL AUDITORIUM**

*To become the most livable community west of the Rockies by 2025*

**Call to Order, Pledge of Allegiance, Moment of Silence**

**Presentation**

Presentation of Plaque to Outgoing Councilmember and Mayor Pro Tem Chazen.

**Proclamations**

Proclaiming April 23-29, 2017 as "National Medical Laboratory Professionals Week" in the City of Grand Junction.

Proclaiming April 23-29, 2017 as "Days of Remembrance" in the City of Grand Junction.

Proclaiming April 28, 2017 as "Arbor Day" in the City of Grand Junction.

**Appointment**

To the Historic Preservation Board

**Certificate of Appointments**

To Newly Appointed Commission on Arts and Culture Members.

**Citizen Comments**

**Council Reports**

**Consent Agenda**

- 1. Approval of Minutes**

- a. Minutes of the March 29, 2017 Special Meeting
- b. Summary of the April 3, 2017 Workshop

## **2. Set Public Hearing**

- a. Legislative
  - i. Ordinance Amending Ordinance No. 4728 and Section 3.12.070 of Title 3 of the Grand Junction Municipal Code Deleting the Sunset Provision for the Exemption from Sales Tax of Seller Installed Aircraft Parts.
  - ii. Ordinance Amending Chapter 3, Section 3.12.100 of the Grand Junction Municipal Code Concerning the Sales Tax Vendor's Fee.
- b. Quasi-judicial
  - i. Ordinance Rezoning the Las Colonias Park Property to Planned Development (PD), Approval of an Outline Development Plan on 147 Acres, Located on the North Bank of the Colorado River Between Highway 50 and 27 1/2 Road, and Setting a Hearing for May 3, 2017.
  - ii. Ordinance Approving a Rezone to I-O (Industrial/Office Park) and a Comprehensive Plan Future Land Use Map Amendment to Commercial/Industrial for Lot 241, Heritage Heights, Filing One, Located at 637 25 Road and Set a Hearing for May 3, 2017.

## **3. Contracts**

- a. Persigo WWTP Incoming Electrical Switch Gear Replacement Project.

## **Regular Agenda**

*If any item is removed from the Consent Agenda, it will be heard here*

## **4. Contracts**

- a. Contract to Replace Synthetic Turf Surface at Stocker Stadium.

## **5. Public Hearing**

- a. Legislative



- i. Ordinance Amending Sections of the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) Regarding Nonconforming Signage.

**6. Resolution**

- a. Resolution Granting Conditional Approval of Private Streets and also Public Streets and Residential Lots Traversing Greater than 30% Slopes for the Proposed Pinnacle Ridge Subdivision in an existing R-2 (Residential - 2 du/ac) Zone District, Located East of Mariposa Drive in the Redlands.

**7. Other Action Item**

- a. Change in Use Incentive Grant Request in the Amount of \$2,714.50 for Thai Number Nine, Located at 126 N. 7th Street.

**8. Non-Scheduled Citizens & Visitors**

**9. Other Business**

**10. Adjournment**



**Grand Junction City Council**

**Regular Session**

**Item #**

---

**Meeting Date:** April 19, 2017

**Presented By:** City Council

**Department:** Admin - City Clerk

**Submitted By:** Stephanie Tuin, City Clerk

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**Information**

**SUBJECT:**

Presentation of Plaque to Outgoing Councilmember and Mayor Pro Tem Chazen.

**RECOMMENDATION:**

Present Plaque

**EXECUTIVE SUMMARY:**

This is Councilmember/Mayor Pro Tem's Chazen's last City Council meeting.

**BACKGROUND OR DETAILED INFORMATION:**

Mayor Pro Tem Chazen has served the community as a Councilmember and as Mayor Pro Tem for four years.

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

N/A

**Attachments**

None



**Grand Junction City Council**

**Regular Session**

**Item #**

---

**Meeting Date:** April 19, 2017

**Presented By:** City Council

**Department:** Admin - City Clerk

**Submitted By:** Stephanie Tuin, City Clerk

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**Information**

**SUBJECT:**

Proclaiming April 23-29, 2017 as "National Medical Laboratory Professionals Week" in the City of Grand Junction.

**RECOMMENDATION:**

Read and Present Proclamation

**EXECUTIVE SUMMARY:**

The Medical Director and the Chief Operating Officer from St. Mary's Hospital well accepting the proclamation.

**BACKGROUND OR DETAILED INFORMATION:**

N/A

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

N/A

**Attachments**

1. Proclamation National Medical Laboratory



# Grand Junction

State of Colorado

## PROCLAMATION

**WHEREAS,** *National Medical Laboratory Professionals Week is a time of recognition for the approximately 300,000 Clinical and Anatomic Pathology Laboratory Professionals who play a vital role in medical diagnoses, treatment, and prevention decisions through quality laboratory and pathology test results; and*

**WHEREAS,** *these professionals, which include pathologists, medical laboratory scientists, cytotechnologists, histotechnologists, medical laboratory technicians, phlebotomists, pathology assistants, laboratory assistants and pathology transcriptionists are well-educated and highly-trained health professionals who perform and evaluate tests that daily save countless lives and comprise an estimated 70 – 80% of the patient medical record; and*

**WHEREAS,** *with the public now demanding increased health care quality and professional accountability, organizations representing practitioners of this critical health science have a responsibility to ensure the public is well informed about clinical and anatomic pathology laboratory competency; and*

**WHEREAS,** *clinical and anatomic pathology laboratory medicine is a profession vital to sustaining a high standard of health care; and*

**WHEREAS,** *more than 12 billion laboratory tests are performed in the United States each year and greater than 15,000 new laboratory professionals are needed annually to meet the growing need of the world's population; and*

**WHEREAS,** *the citizens of Grand Junction, Colorado recognize that good health is a key component of a long, productive, and fulfilling life.*

**NOW, THEREFORE, I, Phyllis Norris, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim April 23 - 29, 2017 as**

**“NATIONAL MEDICAL LABORATORY PROFESSIONALS WEEK”**

**in the City of Grand Junction and encourage all citizens to join in this worthy observance of clinical and anatomic pathology laboratory medical professionals who provide vital high quality and life sustaining health care services.**

**IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 19<sup>th</sup> day of April, 2017.**

\_\_\_\_\_  
Mayor







**Grand Junction City Council**

**Regular Session**

**Item #**

---

**Meeting Date:** April 19, 2017

**Presented By:** City Council

**Department:** Admin - City Clerk

**Submitted By:** Stephanie Tuin, City Clerk

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**Information**

**SUBJECT:**

Proclaiming April 23-29, 2017 as "Days of Remembrance" in the City of Grand Junction.

**RECOMMENDATION:**

Read and Present Proclamation.

**EXECUTIVE SUMMARY:**

Annual request to recognize Days of Remembrance.

**BACKGROUND OR DETAILED INFORMATION:**

N/A

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

N/A

**Attachments**

1. Proclamation Days of Remembrance

# Grand Junction

State of Colorado

## PROCLAMATION

*WHEREAS, the Holocaust was the state-sponsored, systematic persecution and annihilation of European Jewry by Nazi Germany and its collaborators between 1933 and 1945 - six million were murdered; Roma (Gypsies), people with disabilities, and Poles were also targeted for destruction or decimation for racial, ethnic, or national reasons; and millions more, including homosexuals, Jehovah's Witnesses, Soviet prisoners of war, and political dissidents, also suffered grievous oppression and death under Nazi tyranny; and*

*WHEREAS, the history of the Holocaust offers an opportunity to reflect on the moral responsibilities of individuals, societies, and governments; and*

*WHEREAS, we the people of the City of Grand Junction, Colorado, should always remember the terrible events of the Holocaust and remain vigilant against hatred, persecution, and tyranny; and*

*WHEREAS, we the people of the City of Grand Junction, Colorado, should rededicate ourselves to the principles of individual freedom in a just society; and*

*WHEREAS, the Days of Remembrance have been set aside for the people of the City of Grand Junction, Colorado to remember the victims of the Holocaust as well as to reflect on the need for respect of all peoples; and*

*WHEREAS, pursuant to an Act of Congress (Public Law 96-388, October 7, 1980) the United States Holocaust Memorial Council designates the Days of Remembrance of the Victims of the Holocaust to be Sunday, April 23, through Sunday, April 30, 2017, including the Day of Remembrance known as Yom Hashoah, April 23, 2017.*

*NOW, THEREFORE, I, Phyllis Norris, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim the week of Sunday, April 23 through Sunday, April 30, 2017 as*

### *"Days of Remembrance"*

*in the City of Grand Junction, in memory of the victims of the Holocaust and in honor of the survivors as well as the rescuers and liberators, and further proclaim that we, as citizens of the City of Grand Junction, Colorado, should work to promote human dignity and confront hate whenever and wherever it occurs.*

*IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 19<sup>th</sup> day of April 2017.*



*Phyllis Norris*  
Mayor





**Grand Junction City Council**

**Regular Session**

**Item #**

---

**Meeting Date:** April 19, 2017

**Presented By:** City Council

**Department:** Admin - City Clerk

**Submitted By:** Stephanie Tuin, City Clerk

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**Information**

**SUBJECT:**

Proclaiming April 28, 2017 as "Arbor Day" in the City of Grand Junction.

**RECOMMENDATION:**

Read and Present Proclamation.

**EXECUTIVE SUMMARY:**

Annual request to recognize Arbor Day

**BACKGROUND OR DETAILED INFORMATION:**

N/A

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

N/A

**Attachments**

1. Proclamation Arbor Day



# Grand Junction

State of Colorado

## PROCLAMATION

*WHEREAS, trees are an important asset to the City of Grand Junction, State of Colorado, providing shade, shielding properties from wind and storms, reducing noise levels, acting as homes for wildlife, and providing oxygen for the air we breathe; and*

*WHEREAS, trees enhance the beauty of the City of Grand Junction, State of Colorado, with various forms, textures and colors; and*

*WHEREAS, all citizens of Grand Junction, now and in the future, will benefit from the planting of trees; and*

*WHEREAS, the State of Colorado has officially declared the 21<sup>st</sup> day of April as Arbor Day; and*

*WHEREAS, the City of Grand Junction will celebrate the 22<sup>nd</sup> day of April in our community with a fun and educational experience with kids to gain a greater understanding of the importance of trees; and*

*WHEREAS, the City of Grand Junction is a recipient of a Tree City USA Golf Leaf Award for its promotion of Arbor Day during 2016; and*

*WHEREAS, the City of Grand Junction has been recognized as a Tree City USA for thirty-three years by The National Arbor Day Foundation and desires to continue its tree-planting ways.*

*NOW, THEREFORE, I, Phyllis Norris, by the power vested in me as Mayor of the City of Grand Junction, do hereby proclaim April 22, 2017 as*

### "ARBOR DAY"

*in the City of Grand Junction and encourage all citizens to support our City's Urban Forestry Program and to participate in this effort by planting a tree for a better future.*

*IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official Seal of the City of Grand Junction this 19<sup>th</sup> day of April, 2017.*

\_\_\_\_\_  
Mayor







## Grand Junction City Council

### Regular Session

Item #

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**Meeting Date:** April 19, 2017

**Presented By:** Stephanie Tuin, City Clerk

**Department:** Admin - City Clerk

**Submitted By:** Stephanie Tuin, City Clerk

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#### **Information**

#### **SUBJECT:**

To the Historic Preservation Board

#### **RECOMMENDATION:**

Appoint the interview committee recommendation

#### **EXECUTIVE SUMMARY:**

The interview committee is recommending a candidate that was interviewed at the last round of interviews to fill a recent vacancy.

#### **BACKGROUND OR DETAILED INFORMATION:**

The Historic Preservation Board is a five to seven member board whose mission is the protection and preservation of the City's architectural, historic and cultural heritage. The HPB makes recommendations to the City Council for designation of historic structures, sites or districts, assists in public education programs and conduct surveys of historic site, properties and areas. Since 2012, the HPB also makes decisions on applications for a Certificate of Appropriateness for alternation to a site and/or structure in the North Seventh Street Historic Residential District.

#### **FISCAL IMPACT:**

None.

#### **SUGGESTED MOTION:**

I move to appoint the interview committee's recommendation to the Historic Preservation Board for an unexpired term ending December, 2017.

## **Attachments**

None



**Grand Junction City Council**

**Regular Session**

**Item #**

---

**Meeting Date:** April 19, 2017

**Presented By:** Stephanie Tuin, City Clerk

**Department:** Admin - City Clerk

**Submitted By:** Stephanie Tuin, City Clerk

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**Information**

**SUBJECT:**

To Newly Appointed Commission on Arts and Culture Members.

**RECOMMENDATION:**

Present Certificates of Appointment.

**EXECUTIVE SUMMARY:**

On April 5, 2017, the City Council appointed Andy Hamilton to the Commission on Arts and Culture for a partial term ending February 2019 and appointed Honora Thompson, Sarah Meredith-Dishong, Ellen Moore, and Merritt Kinsey to the Commission on Arts and Culture for terms ending February 2020.

**BACKGROUND OR DETAILED INFORMATION:**

None.

**FISCAL IMPACT:**

None.

**SUGGESTED MOTION:**

None.

**Attachments**

None

## **GRAND JUNCTION CITY COUNCIL**

### **MINUTES OF THE SPECIAL MEETING**

**MARCH 29, 2017**

The City Council of the City of Grand Junction convened into special session on the 29<sup>th</sup> day of March, 2017 at 7:00 p.m. Those present were Councilmembers Bennett Boeschstein, Chris Kennedy, Duncan McArthur, Rick Taggart, Barbara Traylor Smith, Martin Chazen, and Council President Phyllis Norris. Also present were City Manager Greg Caton, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Norris called the meeting to order. Councilmember Chazen led the Pledge of Allegiance followed by a moment of silence.

#### **Economic Development Incentive Agreement**

Greg Caton, City Manager, introduced this item to consider whether or not to authorize the City Manager to negotiate an incentive package for the retention and expansion of an existing business. The business would relocate its facility to City owned land to be improved for the purpose of establishing a business park on the riverfront at the east end of Las Colonias Park. This \$30 million economic development project would be a true public/private partnership. Along with the City, the Grand Junction Economic Partnership (GJEP) and the Downtown Development Authority (DDA) would also be partners in this project. City Manager Caton identified the project's economic development goals then asked Rob Schoeber, Director of Parks and Recreation, to describe the Las Colonias Park area and the process of its past, current, and future development. City Manager Caton described the concept of the Las Colonias Business Park which included details of long term leases with businesses that focus on the Outdoor Recreation Industry. City Manager Caton introduced David Thornton, Principal Planner with Community Development, to explain the vision from the planning aspect.

Mr. Thornton said a Planned Development zoning proposal for this project will be necessary for the entire City owned site and Community Development would develop guidelines for its existing and future development. Mr. Thornton displayed a map that included a draft of the Outline Development Plan showing the 10 to 15 acres designated as the Las Colonias Business Park with a network of roads and access points. He stated the rezone request will be considered by the Planning Commission as well as Council.

City Manager Caton emphasized that the eastern end of the park is mapped out conceptually only at this point and this would be the retention and expansion of an existing business that will serve as the anchor tenant. He provided details of the City incentive package and the financial commitment of its proposed recipient, Bonsai Design. He stated Bonsai Design would also be required to actively participate with GJEP to recruit other businesses to the Park.

Kristi Pollard, GJEP Director, reviewed the economic impact of this proposal stating Bonsai Design, a local company, is a world renown company in the Outdoor Recreation Industry. She provided details of Bonsai Design's manufacturing and warehouse usage, their commitment to expand to 50 employees, and the positive local economic impact this project would have. She said the State supports this project and urges a favorable vote. She introduced Thad Shrader, Bonsai Design owner.

Mr. Shrader provided a video showing Bonsai Design's history. He detailed some of the company's projects and the benefits of having an outdoor facility located beside their building. He showed options for the Las Colonias Business Park and said they are committed to act as the anchor tenant and will actively recruit other outdoor recreation companies to relocate to the area. Mr. Shrader said riverfront properties appeal to several companies and Bonsai Design wants a facility large enough for research and development along with the ability to offer space to start-up companies. He thanked Council for their consideration.

City Manager Caton reviewed the item and said the estimated timeframe for completion is six months, if Council passes this Economic Development Incentive Agreement.

Council President Norris asked for comments or questions.

Councilmember Boeschstein disclosed that Sarah Shrader and his daughter are friends but their relationship will not sway his vote. He then asked how much land will remain open space in the Las Colonias Park area. City Manager Caton said approximately 85% of the park will remain open space; of the 147 acres, 10 to 15 acres will be for the business park with 5 acres designated for infrastructure.

Councilmember Boeschstein said he is pleased to see original elements of the Master Plan included. He asked if this item will have to go to a vote of the people. City Attorney Shaver stated no because this is not for the sale of the Park. Councilmember Boeschstein stated the site has uranium mill tailings and there is possible underground water contamination and asked how this issue is being handled.

City Attorney Shaver said Bonsai Design is aware there are specific construction stipulations and that the City will comply with the regulatory aspects as legally required. Councilmember Boeschstein thanked Bonsai Design for expanding a local industry and he said is in favor of this item.

Councilmember McArthur asked for details of what is included in the \$600,000 for public improvement. Ms. Pollard said the \$600,000 is for the design and construction of the zip-line which will cross the Colorado River. Councilmember McArthur asked how the interactive improvements will be funded. City Manager Canton stated the cost of the interactive improvements is included in the \$10 million which also includes infrastructure, roadways, and development.

Councilmember McArthur asked who will own the zip-line once it is completed. Ms. Pollard said Bonsai Design will own the zip-line and will be used for their research, development, testing, and training of employees. Councilmember McArthur asked where the funding will come from for the \$1 million. City Manager Caton said it is a portion of the \$10 million. Councilmember McArthur asked if the DDA will front the money to be paid back by the City. City Manager Caton said yes, the DDA will issue debt for 15 years and the City will make the bulk of the annual payment. City Manager Caton stated a variety of financial sources have been researched with possible options for grant and dedicated funds (Parkland Expansion, Transportation Capacity Payments (TCP), and other restricted funds); one pro forma is very conservative with only one anchor tenant, and a less conservative model where lease rents anticipated with all pads are to be built out over a seven-year period. He stated that once built, the annual leases will total \$762,000. Councilmember McArthur commented that this is an example of incentive versus subsidy.

City Manager Caton stated the anchor tenant is key to jump-starting the business park and partnering with Bonsai Design takes the project to the next level in becoming a regional destination. He said this is an economic development opportunity with a greater return to the DDA district. Councilmember McArthur said he has concerns in the long term of this deal at the City's expense. City Manager Caton stated \$500,000 of the City's investment of \$1 million is to be paid back over 25 years with the lease payments plus the zip-line and related amenities.

Councilmember Kennedy asked what the liability would be if the City owned the zip-line. City Attorney Shaver said it would be the same as any other park amenity; the City and Bonsai Design will be protected. He said this would be subject to the lease agreement with regard to safety and the certification of operators.

Mr. Shrader stated this is a well developed pro forma; aerial adventure parks lost \$150,000 to \$200,000 per year for insurance premiums. He said Bonsai Designs holds those policies with millions of dollars of umbrella policies while retaining employees hired annually, of which 15 to 20 must go through an extensive six-day training of both written and practical testing to operate the facilities.

Councilmember Kennedy asked what the ongoing maintenance cost is regarding the operational side. Mr. Shrader replied \$50,000 every four years, however Bonsai Design wants to financially relieve the City and assume those operational costs.

Councilmember Kennedy said this is the second project before Council to change the dynamics of what the Grand Valley can be. He said this is a fantastic out of the box opportunity with exceptional business/City partnerships. Councilmember Kennedy said the Economic Incentive Agreement has an economic and direct labor impact. He stated Bonsai Design, as an anchor tenant, is making a commitment to the community and that will be invaluable.

Mr. Shrader said the outdoor coalition has put them in touch with other companies within the outdoor sporting industry. He said they are receiving many interested inquiries from several sources such as Luis Benitez (Director of Colorado Outdoor Recreation Industry Office) and a variety of non-profits. Ms. Pollard said there will be a retail component in the Las Colonias Business Park but the majority will be manufacturing like Bonsai Design.

Councilmember Kennedy said the first project was the amphitheater and the second is the business park. He stated Bonsai Design would be taking a risk not owning the land, however he is excited about the potential of this growing industry and growing the community. Councilmember Kennedy said he hopes his peers will also see the great potential and unanimously vote for the Economic Development Incentive Agreement which is recommended by the Parks and Recreation Advisory Board.

Councilmember Traylor Smith agreed with Councilmember Kennedy's comments. She said Council challenged GJEP and the Grand Junction Regional Area Chamber of Commerce (GJRACC) for a vision which came from the North Star Study. Ms. Pollard said she sees optimism with several outdoor recreational companies while at least six Colorado companies are waiting for the Economic Development Incentive Agreement to pass. The City of Golden, Colorado is working on a similar project while many recreational companies in the Boulder area would like to move their manufacturing to Grand Junction. She stated there are also companies in Utah that want to relocate east and she is encouraged that the sites in the Las Colonias Business Park will fill quickly.

Councilmember Chazen asked if by authorizing the negotiations, will the request come back to Council for ratification. City Manager Caton answered yes. Councilmember Chazen said he looks forward to the community growing with this type of industry and reviewing the public disclosure for the financing and operating model with details of the cost to maintain the amenities. City Manager Caton said this is part of the plan and anticipates more action items that will come back to Council.

Councilmember Chazen asked what Bonsai Design's role would be in marketing. Mr. Shrader said Bonsai Design is planning to partner with GJEP to pool resources and

contact several companies within the outdoor recreation industry. He said they want to make a bigger community impact and press their goal to make a difference in the community.

Councilmember Chazen said he represents Council on the DDA which passed a resolution unanimously to take the next step which is more than developing a park, it is a vision that potentially can impact the whole lower downtown area. He said he is very much in favor of taking this next step.

Council President Norris asked where the light manufacturing building will be located. Mr. Shrader indicated on the proposed diagram and said the warehouse is to be overbuilt to provide additional space for established companies and act as a type of business incubator. Council President Norris stated that private property might also see additional development. She expressed appreciation to the DDA, the Economic Development (ED) partners, and Thad and Sarah Shrader. Council President Norris said she will vote for this initiative and stated it is a wonderful project.

Councilmember McArthur asked how property tax is handled on leased property. City Attorney Shaver stated this is possessory interest, therefore, the private purposes will be subject to taxation, however, he will confirm this with the County Assessor. Councilmember McArthur asked if the current master plan offers a zip-line. Mr. Schoeber answered yes. Councilmember McArthur said he still questions the million-dollar subsidy.

Councilmember Kennedy made a motion to authorize the City Manager to negotiate an economic incentive agreement consistent with the terms presented. Councilmember Taggart seconded the motion. Motion carried by roll call vote with Councilmember McArthur voting NO.

### **Other Business**

Council President Norris stated regular Council meetings will begin at 6:00 p.m. starting on April 5, 2017.

Councilmember Boeschstein said there is a group in the City that wants to start an arts and cultural district and he will bring more information at a later date.

There was no other business.

### **Adjournment**

The meeting adjourned at 8:28 p.m.



Stephanie Tuin, MMC  
City Clerk

**GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY**  
**April 3, 2017 – Noticed Agenda Attached**

Meeting Convened: 5:30 p.m. in the City Hall Auditorium

Meeting Adjourned: 6:39 p.m.

City Council Members present: All Councilmembers

Staff present: Caton, Shaver, Schoeber, Wieland, Prall, Portner, Hockins, and Tuin

Also: Allison Blevins (DGJBID), Jesse Daniels, Rob Bleiberg (Mesa Land Trust), Libby Collins (Mesa Land Trust) Terry Harper (Colorado Discover Ability), Amy Hamilton (Daily Sentinel).

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Agenda Topic 1. Presentation on the New Parking Meter Application

City Manager Caton introduced this item and talked about the partnership with the downtown on parking meters where the City does enforcement. DGJBID Director Allison Blevins reviewed the revenue numbers, the use, and described the report from the parking app for the first month. There were 614 parking meter transactions. Once the app is installed on your smart phone it only takes seconds to pay for the parking. The service fee of \$0.35 goes directly to Pass Port so there is no cost to the City.

Agenda Topic 2. Riverfront/Trails Update

City Manager Caton said there is a lot of activity along the riverfront, in addition to the direction given by City Council last week.

Rob Schoeber, Director, Parks and Recreation Director provided an update on the activity and projects associated with the riverfront, along with Traci Wieland, Recreation Superintendent and Trent Prall, Engineering Manager.

**Las Colonias Park**

- The Amphitheater building is 90% complete; a tour for Council will be scheduled.
- On May 6<sup>th</sup> there will be a community tree planting in Las Colonias; May and June will finish up the landscaping; and a ribbon cutting is scheduled for July 6<sup>th</sup>.
- Looking at a partnership with Pinnacle for larger events to increase revenues.
- There are four different grants received for different amenities; Ms. Wieland described the area to be revegetated, and the historical signage to be installed.
- The Colorado Discover Ability (CDA) lease; site for their headquarters, and alternate location.

**RIO (Recreation Inspired by the Outdoors)**

- This is a level 2 planning grant to come up with new ways to connect underserved kids with nature.
- Focus groups have met and put forth ideas. The two targeted communities are Riverside and Orchard Mesa.

- The Riverside neighborhood focus group has suggested closure of Riverside Park Drive, dedicated parking (inside the alley), safety fencing, a larger basketball court, a larger shelter, and moving the existing shelter closer to the basketball court.
- Other RIO plans include creating a space on the Jarvis Property for a linear park along the trail (bicycle playground).
- Total cost of the RIO project is \$1.25 million. Grant funding from Great Outdoors Colorado (GOCO) requires matching funds. \$50,000 has been secured, \$103,000 will be applied for through the Community Development Block Grant (CDBG) program. The bigger the match, the better chance for receiving the grant.

### **Lunch Loop Trail**

- Mesa Land Trust (MLT) received a river-trail conservation assistance grant to extend D Road to Lunch Loop and they need a letter of support from Council by April 14<sup>th</sup>, \$2.1 million needed to connect the trails.
- There was general discussion about alleviating congestion, flash floods, guard rails, and crossing at two locations at higher bridges.
- There needs to be discussion regarding motorized vs. non-motorized biking on trails; Yeulin Willett working at the State level for statewide consistency.

All the projects complement each other and Council's vision for Las Colonias Park.

### **Agenda Topic 3. Next Workshop Topics**

City Manager Caton talked about the upcoming workshops; April 17<sup>th</sup> will be the north area fire station feasibility study and municipal court operations; May 1<sup>st</sup> CDBG; May 15<sup>th</sup> City fees; and June 1<sup>st</sup> Broadband.

Fire Chief Watkins talked about the Fire Department's Annual Report and passed out copies, it has been presented in the past but this is the first time in a newsprint format.

City Manager Caton updated the Council on the burn season so far in their briefing and will bring forward an analysis after a year under the new guidelines.

With no further business the meeting was adjourned.



GRAND JUNCTION CITY COUNCIL  
MONDAY, APRIL 3, 2017

PRE-MEETING (DINNER) 5:00 P.M. ADMINISTRATION CONFERENCE ROOM  
WORKSHOP, 5:30 P.M.  
CITY HALL AUDITORIUM  
250 N. 5<sup>TH</sup> STREET

*To become the most livable community west of the Rockies by 2025*

1. **Presentation**
  - a. Demonstration of the New Parking Meter Application
2. **Discussion Topics**
  - a. Riverfront / Trails Update
3. **Next Workshop Topics**
4. **Other Business**



## Grand Junction City Council

### Regular Session

Item #2.a.i.

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**Meeting Date:** April 19, 2017

**Presented By:** Jodi Romero, Finance Director

**Department:** Admin - Finance

**Submitted By:** Greg Caton, City Manager, Jodi Romero, Finance Director

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### **Information**

#### **SUBJECT:**

Ordinance Amending Ordinance No. 4728 and Section 3.12.070 of Title 3 of the Grand Junction Municipal Code Deleting the Sunset Provision for the Exemption from Sales Tax of Seller Installed Aircraft Parts.

#### **RECOMMENDATION:**

Staff recommends setting a public hearing for May 3rd for the Ordinance Amending Ordinance No. 4728 and Section 3.12.070 of Title 3 of the Grand Junction Municipal Code Deleting the Sunset Provision for the Exemption from Sales Tax of Seller Installed Aircraft Parts.

#### **EXECUTIVE SUMMARY:**

This is an amendment to Ordinance No. 4728 deleting the sunset provision for the exemption of sales tax of seller installed aircraft parts and making the exemption permanent. In December of last year City Council approved the extension of this exemption for another three year period as an economic development incentive in an ever increasing competitive industry for aircraft work.

This exemption has been in place since July of 2010 on a temporary basis. When adopting the extension, Council heard about the importance of the exemption from industry experts and the Grand Junction Economic Partnership and how it has enhanced Grand Junction's competitive position within the aviation industry and allowed for expansion of business and creation of jobs. At that time Council discussed the potential of making the exemption permanent and therefore staff is bringing forward that option.

## **BACKGROUND OR DETAILED INFORMATION:**

In July of 2010 the Council adopted a temporary exemption for seller installed aircraft parts and extended the exemption again in August of 2013. and again in December of 2016. Since 2010, Grand Junction has enhanced its competitive position within the aviation industry with this exemption. In fact, this exemption has encouraged companies like West Star Aviation to increase from 35 employees to 160 employees equaling over \$9M in annual salaries. In addition, they have continually selected Grand Junction for expansion opportunities which have equaled over \$14.9M since 2010. Companies like West Star invest in Grand Junction over other locations, because Grand Junction is invested in them and is a partner to the success of their business.

The Grand Junction Regional Airport is an economic centerpiece for the City of Grand Junction and the region and is home to a number of businesses within the aviation industry. The varied operations range from aircraft repair, restoration, and refurbishment services and more. The airport is located within the City limits, and under the sales tax ordinance (prior to the exemption), aircraft parts for private aircraft were subject to City sales tax. The State of Colorado exempted aircraft parts for private aircraft from State (and County) sales tax in the early 1980's, and many states across the nation have a similar exemption.

The aircraft repair, restoration, and refurbishment services industry is unique because the customers of this industry (owners and operators of aircraft) have a high degree of mobility and flexibility in choosing where to have their aircraft maintained, serviced, and/or refurbished. The Grand Junction aviation industry is world renowned in providing services, however recently a number of firms in other states have become more aggressive in soliciting business that may otherwise come to Grand Junction.

The City is committed to a fair and responsible tax code and the principles of economic development and local prosperity. The City, as a home rule municipality, and the City Council as the elected representatives of the citizens of Grand Junction have the authority to enact tax policy that can help sustain and grow the local economy. From time to time amendments have been made to the sales tax code for the betterment of the community.

## **FISCAL IMPACT:**

This exemption has been in place since July of 2010, therefore the sales tax revenue from this exemption has not been budgeted since 2011.

## **SUGGESTED MOTION:**

I move to introduce a Proposed Ordinance for Amending Ordinance No. 4728 and Section 3.12.070 of Title 3 of the Grand Junction Municipal Code Deleting the Sunset

Provision for the Exemption from Sales Tax of Seller Installed Aircraft Parts and Set a Hearing for May 3rd, 2017.

**Attachments**

1. Ordinance Aircraft Parts Exemption - Sunset Provision

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE AMENDING ORDINANCE NO. 4728 AND SECTION 3.12.070 OF TITLE 3 OF THE GRAND JUNCTION MUNICIPAL CODE DELETING THE SUNSET PROVISION THEREOF**

RECITALS:

On December 7, 2016, the City Council adopted Ordinance No. 4728 exempting from City sales and use tax parts that are permanently affixed to or attached, by the seller, as a component part of an aircraft for a second three-year term. The Ordinance was contemplated as an economic development incentive; the City Council heard testimony that the incentive is necessary because of the ever-increasing competition for aircraft work and should continue and also discussed that the sunset provision thereof may be unnecessary in light of the public policy that is advanced with the adoption of Ordinance No. 4728.

With this amendment the City Council makes the exemption permanent.

The City Council finds that this ordinance and the amendment of Ordinance No. 4728/Title 3, Section 3.12.070 as provided herein is consistent with its policy and purposes and is protective of and advances the City's health and general welfare.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

That Section 3.12.070 of the Grand Junction Municipal Code is amended by the deletion of the Sunset Clause (shown in ~~strikethrough~~) as follows:

3.12.070 Exemptions from sales tax.

The tax levied by GJMC 3.12.030(a) shall not apply to the following:

(LL) THE SALE OF TANGIBLE PERSONAL PROPERTY THAT IS TO BE PERMANENTLY AFFIXED OR ATTACHED BY THE SELLER, AS A COMPONENT PART OF AN AIRCRAFT. PARTS SOLD TO AND TO BE PERMANENTLY AFFIXED OR ATTACHED BY THE PURCHASER OR SOMEONE ON BEHALF OF THE PURCHASER, OTHER THAN THE ORIGINAL SELLER ARE NOT EXEMPT FROM TAX.

THE EXEMPTION INCLUDES BUT IS NOT LIMITED TO, PARTS FOR THE AIRCRAFT'S ENGINE(S), FUSELAGE, LANDING GEAR, INSTRUMENTATION, INTERIOR (SEATS, INTERIOR FIXTURES, FINISHES AND TRIM) AND PAINT.

~~Sunset Clause. Within sixty days of the third anniversary of the adoption of this ordinance the City Council shall consider the effectiveness of the ordinance at achieving its stated purposes. Without further action by the City Council, the terms and provisions of this ordinance shall expire on the third anniversary of the effective date hereof.~~

Introduced on first reading the \_\_\_\_\_ day of \_\_\_\_\_ 2017 and ordered published in pamphlet form.

Passed and Adopted on second reading the \_\_\_\_ day of \_\_\_\_\_ 2017 and ordered published in pamphlet form.



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Phyllis Norris  
President of the City Council

ATTEST:

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Stephanie Tuin  
City Clerk



## Grand Junction City Council

### Regular Session

Item #2.a.ii.

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**Meeting Date:** April 19, 2017

**Presented By:** Greg Caton, City Manager, Jodi Romero, Finance Director

**Department:** Admin - City Manager

**Submitted By:** Greg Caton, City Manager, Jodi Romero, Finance Director

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### **Information**

#### **SUBJECT:**

Ordinance Amending Chapter 3, Section 3.12.100 of the Grand Junction Municipal Code Concerning the Sales Tax Vendor's Fee.

#### **RECOMMENDATION:**

Staff recommends setting a public hearing for May 3rd for the Ordinance Amending Section 3.12.100 of Chapter 3 of the Grand Junction Municipal Code concerning the Sales Tax Vendor's Fee.

#### **EXECUTIVE SUMMARY:**

This is an amendment to the Grand Junction Municipal Code concerning the limitation of the vendor's fee credit and if approved will be effective January 1, 2018. The option of limiting the vendor's fee (Fee) has been discussed in several meetings over the course of the last two years with City Council, the Grand Junction Area Chamber of Commerce (Chamber), Grand Junction Economic Partnership (GJEP), and the Chamber Local Economic Development Committee. The Fee is a credit that the City allows a retailer to take against sales tax collected on behalf of the City to offset the administrative expense of collecting and reporting the tax. The Fee was established prior to the introduction of automated systems and accordingly was more aligned with the cost. Now because of the prevalence of point of sales systems, automated bookkeeping and computerized tax preparation programs, the Fee is proposed to be capped to \$500 per month per sales tax account. The Fee is an expense to the City and if it is reduced, then it is proposed that those resources are reserved as a sustainable source for Economic Development. Both the Chamber and GJEP support the proposed cap.

## **BACKGROUND OR DETAILED INFORMATION:**

This is an amendment to the Grand Junction Municipal Code concerning the limitation of the vendor's fee credit and if approved will be effective January 1, 2018. The option of limiting the vendor's fee (Fee) has been discussed in several meetings over the course of the last two years with City Council, the Grand Junction Area Chamber of Commerce (Chamber), Grand Junction Economic Partnership (GJEP), and the Chamber. This is an amendment to the Grand Junction Municipal Code concerning the limitation of the vendor's fee credit. The option of limiting the vendor's fee (Fee) has been discussed in several meetings over the course of the last two years with City Council, the Grand Junction Area Chamber of Commerce (Chamber), Grand Junction Economic Partnership (GJEP), and the Chamber Local Economic Development Committee. The Fee is a credit that the City allows a retailer to take against sales tax collected on behalf of the City to offset the administrative expense of collecting and reporting the tax. The Fee was established prior to the introduction of automated systems and accordingly was more aligned with the cost. Now because of the prevalence of point of sales systems, automated bookkeeping and computerized tax preparation programs, the Fee is proposed to be capped to \$500 per month per sales tax account. The Fee is an expense to the City and if it is reduced, then it is proposed that those resources are reserved as sustainable funding for Economic Development. The estimated amount that would be made available by the \$500 cap is between \$365,000 and \$375,000 per year and would increase or decrease correspondingly with sales tax revenues. Both the Chamber and GJEP support the proposed cap.

During the discussions, several levels of caps were reviewed in order to evaluate the impact on local businesses and City expense reduction that could be allocated to economic development efforts. For example, a cap of \$200 per month would provide funding of approximately \$550,000 per year and impact an estimated 18 local businesses and a cap of \$1,200 per month would provide funding of \$210,000 per year and impact no local businesses. Most cities around the State have limited or eliminated the vendor's fee. Out of the 72 Home Rule Municipalities in Colorado that administer and collect their local sales taxes 30 allow no vendor's fee credit at all and 22 have a cap that averages \$170 per account. A retailer that would be subject to the proposed cap of \$500 per month would have taxable sales in excess of \$500,000 per month and \$6 million annually so the proposed cap will primarily impact very large, non-locally owned businesses who are keeping between \$16,000 and \$97,000 in vendor's fee each year per business.

The proposed amendment and cap on the vendor's fee will be effective January 1, 2018.

## **FISCAL IMPACT:**

The proposed cap on vendor's fee will provide approximately \$365,000 in resources

available to be reserved to support economic development efforts beginning in 2018. The amount provided will increase or decrease correspondingly with the sales tax revenue for each year.

**SUGGESTED MOTION:**

I move to introduce a Proposed Ordinance for Amending Chapter 3, Section 3.12.100 of the Grand Junction Municipal Code Concerning the Sales Tax Vendor's Fee and Set a Hearing for May 3rd, 2017.

**Attachments**

1. Chamber Letter of Support
2. GJEP Letter of Support
3. Vendor's Fee Ordinance



March 22, 2017

Mr. Greg Caton  
City Manager  
Grand Junction City Government  
250 North 5<sup>th</sup> Street  
Grand Junction, CO 81501

Re: Sales Tax Vendor Fee Cap for Economic Development Funding

Dear Greg:

On behalf of the Grand Junction Area Chamber of Commerce, I want to thank you and your staff for the time spent working with the Chamber on the issue of capping the City of Grand Junction's sales tax vendor fee as a means of providing sustainable economic development funding. As you know, the Chamber has previously expressed concern about the potential impact of a cap on area businesses only now emerging from a long recession. Yet thanks in part to thoughtful input from our economic development partners, including the City, we see great merit in using these funds for economic development and believe it will yield substantial returns benefitting both the business community and the community as a whole.

At its March 16 meeting, the Chamber board of directors carefully evaluated the information you and your staff provided—including vendor fee cap thresholds and concomitant revenues—in light of the economic development programming and priorities contained in the 2015–16 *North Star Study*. After considerable discussion, the Chamber board ultimately voted to:

1. Support the City's adoption of a \$500 monthly vendor fee cap for the purpose of providing a reliable stream of economic development funding; and
2. Request that the Chamber join the City and other economic development partners in periodically discussing this economic development investment so as to ensure maximum collaboration, coordination, and impact.

You and I have discussed the special relationship between the business community and the City, and how the success of each requires the success of the other. We hope that the Chamber's decision on this matter reaffirms our commitment to that relationship. Please share this letter with the City Council, along with our willingness to provide any additional information.

Sincerely,

A handwritten signature in blue ink that reads 'Jeff Hurd'.

Jeffrey S. Hurd  
Chairman of the Board

April 7, 2017

Mayor Phyllis Norris  
Grand Junction City Council  
250 N. 5<sup>th</sup> Street  
Grand Junction, CO 81501

**Re: Vendor Fees**

Dear Mayor Norris and Grand Junction City Council:

Thank you for your leadership in growing the economy of Colorado's Grand Valley. Your vision is profound, and the Grand Junction Economic Partnership appreciates your support and partnership in our efforts.

As City Council continues to seek sustainable funding for job creation, retention and expansion efforts, the Grand Junction Economic Partnership would like to offer its support for reducing the vendor fee compensation. Specifically, the Board of Directors supports a cap of \$500 per month.

We know that it is important to be accountable to our businesses and elected officials with the monies that are being provided to these economic development efforts. We look forward to working with the City and the other Economic Development Partners as we communicate the importance of these efforts, as well as the success of these efforts.

Thank you again for your vision and support.

Sincerely,

A handwritten signature in black ink that reads "Kristi Pollard".

Kristi Pollard  
Executive Director

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 3, SECTION 3.12.100 OF THE GRAND JUNCTION MUNICIPAL CODE (GJMC) CONCERNING THE SALES TAX VENDOR'S FEE**

RECITALS:

The Grand Junction Municipal Code regulates the taxation, collection, reporting and remittance of sales and use taxes in the City. To alleviate some of the burden of those requirements the City has for many years provided to retailers that collect and remit the tax a credit of three and one-third percent of the sum of the sales tax collected to offset the expense to the retailers for the collection and remittance effort, provided that no credit is allowed for any sales tax that is not properly and timely reported and paid by the due date.

The credit is a vendor's compensation expense to the City and is known as a "vendor's fee", (hereinafter "Fee") and was established prior to the introduction of automated systems and accordingly the Fee was then more aligned with the cost of collecting, preparing and filing the tax returns and remitting the tax. Now, because of the prevalence of point of sale systems, automated bookkeeping and computerized tax preparation programs, the Fee is proposed to be capped as more particularly described below.

It is proposed to reduce to the vendor's compensation expense to the City by limiting the Fee to \$500 per month per sales tax account. It is estimated that this limit (hereinafter "Cap") would reduce the expense to the City between \$365,000 and \$375,000 annually. This amount of annual expense reduction will increase or decrease correspondingly with the increase or decrease with sales tax revenue. Each business is required to file and remit sales taxes collected either on a monthly, quarterly, or annual basis depending on the amount of their taxable sales. Generally speaking, a retailer that would be subject to the proposed Cap would have taxable sales in excess of \$500,000 per month which would require them to file monthly. Therefore, the CAP will likely only impact retailers filing monthly, however for the sake of consistency the amendment to section 3.12.100(b)(1) specifies limits by filing frequency.

With and following adoption of this Ordinance, the City Council will annually reserve a portion of the Fee that is no longer credited to the retailers to support economic development in the City. These funds will be held in reserve in a separate account for this purpose. The economic development support will specifically be in the form of: a) the implementation of the Grand Junction and Mesa County BrandPrint recommendations commonly referred to as the *North Star Report*, incorporated by this reference as if fully set forth; and b) the continued backing by the City Council of

economic development organizations and their programs, which include but are not limited to the Business Incubator Center (BIC), the Grand Junction Area Chamber of Commerce (GJACC) and the Grand Junction Economic Partnership (GJEP) and their individual and collective efforts to start new businesses, retain existing businesses and attract new business and industry. To assist the City with its annual budgeting for economic development, the economic development organizations may submit to the City Manager by August 1 each year a joint recommendation for the expenditure of the Fund. The recommendation is non-binding but shall be considered by the City Manager and City Council in the course of the preparation, deliberation and approval of the City's annual budget.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO EFFECTIVE JANUARY 1, 2018:

Title 3, Section 12, Part 100(b)(1) of the Grand Junction Municipal Code is amended as follows. (Amendments to the relevant parts of the Code are shown in strikethrough and *ALL CAPS BOLD ITALIC* typeface

3.12.100(b)(1) Vendor's Fee. A retailer's collection and remittance expense equal to three and one-third percent of the sum of the sales tax collected and any excess tax collected may be taken as a credit against sales tax paid on or before the due date. *THE CREDIT SHALL NOT EXCEED \$500.00 (FIVE HUNDRED DOLLARS) PER MONTH FOR TAXPAYERS FILING MONTHLY; \$1,500 FOR DOLLARS PER MONTH FOR TAXPAYERS FILING QUARTERLY; AND, \$6,000 DOLLARS PER YEAR FOR TAXPAYERS FILING ANNUALLY.* However, no such credit shall be allowed for any sales tax that is not timely reported and paid by the due date. Forfeiture of the vendor's fee shall be prima facie evidence that the taxpayer was in violation of this chapter.

ALL OTHER PROVISIONS OF TITLE 3, SECTION 12 PART 100 ARE UNCHANGED AND SHALL REMAIN IN FULL FORCE AND EFFECT.

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INTRODUCED ON FIRST READING AND ORDERED PUBLISHED in pamphlet form this \_\_\_\_\_ day of \_\_\_\_\_ 2017.

PASSED, ADOPTED, and ordered published in pamphlet form this \_\_\_\_ day of \_\_\_\_\_ 2017.

\_\_\_\_\_  
Phyllis Norris, President of the Council

ATTEST:

\_\_\_\_\_  
Stephanie Tuin, City Clerk





## Grand Junction City Council

### Regular Session

Item #2.b.i.

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**Meeting Date:** April 19, 2017

**Presented By:** Kathy Portner, Planning Manager

**Department:** Admin - Community Development

**Submitted By:** Kathy Portner, Planning Manager

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### **Information**

#### **SUBJECT:**

Ordinance Rezoning the Las Colonias Park Property to Planned Development (PD), Approval of an Outline Development Plan on 147 Acres, Located on the North Bank of the Colorado River Between Highway 50 and 27 1/2 Road, and Setting a Hearing for May 3, 2017.

#### **RECOMMENDATION:**

The Planning Commission will hear this request at the April 25, 2017 hearing and forward a recommendation.

#### **EXECUTIVE SUMMARY:**

The requested Planned Development (PD) zoning and Outline Development Plan will establish the uses, standards and general configuration of the proposed Business Park to be integrated into the existing and proposed Recreational Park land uses and amenities.

#### **BACKGROUND OR DETAILED INFORMATION:**

The proposed rezone encompasses 147 acres of city-owned land along the Colorado River located in the central portion of the River District established in the Greater Downtown Plan. Various facilities and park amenities have been constructed to date including the Botanic Gardens, hard and soft surface trails, disc golf course, shelter and play area and the amphitheater complex. The Las Colonias Park Master Plan, adopted in June 2013, identified open space and amenities for the remaining area.

The proposed PD zone will set the vision, provide guidance and establish appropriate

land uses for future development. This includes a proposed Business Park, as well as recreation park land uses and amenities established in the Las Colonias Park Master Plan.

Conceptual design of the business park includes the development of approximately 10% of the entire Las Colonias Park for the location of several businesses in a campus setting combined with public park amenities consistent with the Las Colonias Park Master Plan. The purpose for this request is to better plan for and develop standards for a mix of land uses where design flexibility is desired and is not available through strict application of the standards established and specific to current zoning of CSR and C-2 zone districts.

### Guiding Principles

The Guiding Principles for the proposed Planned Development (PD) zone district are to:

- Establish a business park within a recreational park in a location near the Colorado River.
- Protect the Colorado River and its floodplain and habitat.
- Plan for future development in the business park using principles of compact development, appropriate architectural standards, and good site design.
- Establish appropriate uses of the open space, relying on the list of amenities established in the Las Colonias Park Master Plan.

Planned Development (PD) zoning is best used when long-term community benefits will be derived and the vision, goals, and policies of the Comprehensive Plan can be achieved. This proposal address both and clearly benefits the Grand Junction community.

### Default Zone District

The current zoning of the site is Community Services and Recreation (CSR) with one parcel zoned General Commercial (C-2). The proposed default zone district is CSR for purposes of defining the bulk standards. Proposed land use categories allowed include all those listed in CSR as well as Retail and light industrial type uses to accommodate the business park. The proposed additional uses are compatible with the City's Comprehensive Plan as to type and intensity and are consistent with surrounding properties located in the River and Rail District of the Greater Downtown Plan. Additional development standards proposed in the PD zone will meet or exceed standards found in the CSR zone.

### **FISCAL IMPACT:**

This is a land use action only at this time. In the future, development would generate

sales and use tax revenues and/or property tax revenues as applicable.

**SUGGESTED MOTION:**

I move to introduce a Proposed Ordinance Approving a Rezone to PD (Planned Development) and an Outline Development Plan for Las Colonias Park and Set a Hearing for May 3, 2017.

**Attachments**

1. Planning Commission Staff Report
2. Ordinance



Date: April 10, 2017  
Author: Kathy Portner  
Title/ Phone Ext: Community Services Manager/1420  
Proposed Schedule: April 25, 2017  
File #: PLD-2017-158

## PLANNING COMMISSION AGENDA ITEM

**Subject:** Las Colonias Park, PD Zoning Ordinance and Outline Development Plan

**Action Requested/Recommendation:** Forward a Recommendation to City Council for a Rezone to PD (Planned Development) and an Outline Development Plan for the properties located on the north bank of the Colorado River between Highway 50 and 27 ½ Road.

**Presenters Name & Title:** Kathy Portner, Community Service Manager

### Executive Summary:

The requested Planned Development (PD) zoning and Outline Development Plan will establish the uses, standards and general configuration of the proposed Business Park to be integrated into the existing and proposed Recreational Park land uses and amenities on the 147 acre Las Colonias Park property, located on the north bank of the Colorado River between Highway 50 and 27 ½ Road.

### Background, Analysis and Options:

The proposed rezone encompasses 147 acres of city-owned land along the Colorado River located in the central portion of the River District established in the Greater Downtown Plan. Various facilities and park amenities have been constructed to date including the Botanic Gardens, hard and soft surface trails, disc golf course, shelter and play area and the amphitheater complex. The Las Colonias Park Master Plan, adopted in June 2013, identified open space and amenities for the remaining area.

The proposed PD zone will set the vision, provide guidance and establish appropriate land uses for future development. This includes a proposed Business Park, as well as recreation park land uses and amenities established in the Las Colonias Park Master Plan.

Conceptual design of the business park includes the development of approximately 10% of the entire Las Colonias Park for the location of several businesses in a campus setting combined with public park amenities consistent with the Las Colonias Park Master Plan. The purpose for this request is to better plan for and develop standards for a mix of land uses where design flexibility is desired and is not available through strict application of the standards established and specific to current zoning of CSR and C-2 zone districts.

### Guiding Principles

The Guiding Principles for the proposed Planned Development (PD) zone district are to:

- Establish a business park within a recreational park in a location near the Colorado River.
- Protect the Colorado River and its floodplain and habitat.
- Plan for future development in the business park using principles of compact development, appropriate architectural standards and good site design.
- Establish appropriate uses of the open space, relying on the list of amenities established in the Las Colonias Park Master Plan.

Planned Development (PD) zoning is best used when long-term community benefits will be derived and the vision, goals and policies of the Comprehensive Plan can be achieved. This proposal address both and clearly benefits the Grand Junction community.

### **Default Zone District**

The current zoning of the site is Community Services and Recreation (CSR) with one parcel zoned General Commercial (C-2). The proposed default zone district is CSR for purposes of defining the bulk standards. Proposed land use categories allowed include all those listed in CSR as well as Retail and light industrial type uses to accommodate the business park. The proposed additional uses are compatible with the City's Comprehensive Plan as to type and intensity and are consistent with surrounding properties located in the River and Rail District of the Greater Downtown Plan. Additional development standards proposed in the PD zone will meet or exceed standards found in the CSR zone.

### **Neighborhood Meeting:**

A neighborhood meeting will be held on April 18, 2017.

### **How this item relates to the Comprehensive Plan Goals and Policies:**

The requested Outline Development Plan for Las Colonias Park meets the following goals and policies from the Comprehensive Plan:

**Goal 4:** Support the continued development of the downtown area of the City Center into a vibrant and growing area with jobs, housing and tourist attractions.

**Goal 8:** Create attractive public spaces and enhance the visual appeal of the community through quality development.

**Goal 10:** Develop a system of regional, neighborhood and community parks protecting open space corridors for recreation, transportation and environmental purposes.

**Goal 12:** Being a regional provider of goods and services the City and County will sustain, develop and enhance a healthy, diverse economy.

**Board or Committee Recommendation:**

The Grand Junction Parks and Recreation Board will make a recommendation to the City Council specific to the amendments to the Las Colonias Park Master Plan.

**Financial Impact/Budget:**

The proposed PD zone will provide opportunities for the future business park development.

**Other issues:**

There are no other issues identified.

**Previously presented or discussed:**

This has not been previously discussed by the Planning Commission.

**Attachments:**

1. Staff Report/Background Information
2. Site Location Map
3. Aerial Photo Map
4. Comprehensive Plan Future Land Use Map
5. Existing Zoning Map
6. Outline Development Plan
7. Planned Development and Rezone Ordinance

BACKGROUND INFORMATION			
<b>Location:</b>		North bank of the Colorado River between Highway 50 and 27 ½ Road	
<b>Applicant:</b>		City of Grand Junction	
<b>Existing Land Use:</b>		Park and vacant	
<b>Proposed Land Use:</b>		Business Park and Recreation Park	
<b>Surrounding Land Use:</b>	<b>North</b>	Single-family detached	
	<b>South</b>	Commercial properties along North Avenue	
	<b>East</b>	Commercial properties along 28 ¾ Road and Grand Mesa Little League ball fields.	
	<b>West</b>	Manufactured home park and single-family detached	
<b>Existing Zoning:</b>		C-2 (General Commercial) & CSR (Community Services and Recreation)	
<b>Proposed Zoning:</b>		PD (Planned Development)	
<b>Surrounding Zoning:</b>	<b>North</b>	C-2 (General Commercial)	
	<b>South</b>	R-8 (Residential, 8 du/ac)	
	<b>East</b>	I-1 (Light Industrial)	
	<b>West</b>	C-2 (General Commercial) & CSR (Community Services and Recreation)	
<b>Future Land Use Designation:</b>		Park	
<b>Zoning within density range?</b>			
<b>NA</b>		<b>Yes</b>	<b>No</b>

**Density/Intensity:** The proposed Outline Development Plan includes the already developed west end of the property, including the Botanical Gardens, picnic shelter/restroom, play area, disc golf course and nature trail, as well as the amphitheater, which is close to completion, and the proposed Colorado Discover Ability facility to be located west of the Botanical Gardens. The proposal for the east end of the property includes approximately 15 acres for the business park to be incorporated into recreational facilities and amenities, including a dog park, boat ramp, nature trails, water features, and open play and festival areas.

**Access/Parking:** Access to Las Colonias Park is proposed at several locations along Riverside Parkway. There 2 existing access points to Struthers Avenue that provide full access to the Parkway at 7<sup>th</sup> Street, which is signalized, and 9<sup>th</sup> Street. Two restricted access points are proposed east of 9<sup>th</sup> Street in conjunction with the amphitheater development. Full access is proposed at Winters Avenue that will loop through the property, connecting to C ½ Road at 27 ½ Road.

**Open Space:** The vast majority of the 147 acres will be developed as recreational facilities and amenities, with approximately 15 acres for the business park development.

**Lot Layout:** Due to the covenants and restrictions on the property related to its prior use as a uranium mill site, the property must stay in public ownership. The business park pad sites will be leased.

**Phasing:** Phasing and buildout of the property will depend on funding opportunities and interest in the business park. It's anticipated that full buildout would be within 5 years.

**Long-Term Community Benefit:** The intent and purpose of the PD zone is to provide flexibility not available through strict application and interpretation of the standards established in Section 21.03.070 of the Zoning and Development Code. The Zoning and Development Code also states that PD (Planned Development) zoning should be used only when long-term community benefits, which may be achieved through high quality planned development, will be derived. Long-term benefits include, but are not limited to:

1. More effective infrastructure;
2. Reduced traffic demands;
3. A greater quality and quantity of public and/or private open space;
4. Other recreational amenities;
5. Needed housing types and/or mix;
6. Innovative designs;
7. Protection and/or preservation of natural resources, habitat areas and natural features; and/or Public art.

The proposed Las Colonias Planned Development provides the following long-term community benefits:

1. Effective infrastructure design by the integration and sharing roads, drainage facilities, parking and amenities for all users.
2. Reduced traffic demands by providing a mixed-use development.
3. Greater quality and quantity of public open space with the vast majority of the 147 acres devoted to public open space and the opportunity for a public/private partnership on the development of many of the amenities.
4. Innovative design by incorporating the business park in with the public amenities.
5. The Las Colonias Park plan preserves and enhances the riparian area along the River.

**Default Zone/Allowed Uses:** The proposed default zone is CSR with the following modifications to uses allowed in the PD zoning compared to uses allowed in CSR. The proposed land uses are compatible with the Comprehensive Plan and consistent with uses in the surrounding River and Rail Districts.

Use Category	Principal Use	PD	CSR	Std.
Community Service – uses providing a local service to the community	Community Activity Building	A	A	21.04.020(e)
	Community Service	A	A	21.04.020(e)
Cultural – establishments that document the social and religious structures and intellectual and artistic manifestations that characterize a	Museums, Art Galleries, Opera Houses, Libraries	A	A	



society				
<b>Hospital/Clinic</b> – uses providing medical treatment care to patients	Physical Rehabilitation	A	C	21.04.020(g)
<b>Parks and Open Space</b> – natural areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, etc.	Parks, Lakes, Reservoirs, Other Open Space	A	A	21.04.020(h)
<b>Safety Services</b> – public safety and emergency response services	All	A	A	21.04.020(j)
<b>Utility, Basic</b> – Infrastructure services that need to be located in or near the area where the service is provided	Utility Service Facilities (Underground)	A	A	21.04.020(l)
	All Other Utility, Basic	A	A	21.04.020(l)
<b>Utility, Corridors</b> – passageways for bulk transmitting or transporting of electricity, gas, oil, communication signals, or other similar services	Transmission Lines (Above Ground)	A	C	21.04.020(m)
	Transmission Lines (Underground)	A	A	21.04.020(m)
<b>Entertainment Event, Major</b> – activities and structures that draw large numbers of people to specific events or shows	Indoor Facilities	A	A	21.04.020(n)
	Outdoor Facilities	A	C	21.04.020(n)
<b>Office</b> – activities conducted in an office setting and generally focusing on business, government, professional, or financial services	General Offices	A	A	21.04.020(o)
<b>Parking, Commercial</b> – parking that is not necessary to serve a specific use and for which fees may be charged	All	A	A	21.06.050(b) & 21.04.020(p)
<b>Recreation and Entertainment, Outdoor</b> – large, generally commercial uses that provide continuous recreation or entertainment-oriented activities	Amusement Park	A	C	21.04.020(q)
	All Other Outdoor Recreation per definition	A	C	
<b>Recreation and Entertainment, Indoor</b> – large, generally commercial uses that provide indoor recreation or entertainment-oriented activities including skating rinks, arcades	Health Club	A	A	
	Skating Rink, Arcade	A	A	
	All Other Indoor Recreation per definition	A	A	
<b>Retail Sales and Service*</b> – firms involved in the sale, lease or rental of new or used products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer and business goods.	Bar/Nightclub	A		21.04.020(r)
	Food Service, Catering	A		21.04.020(r)
	Food Service, Restaurant (Including Alcohol Sales)	A	A	21.04.020(r)
	Farmers' Market	A		21.04.020(r)
	General Retail Sales, Indoor Operations, Display and Storage	A		21.04.030(l) & 21.04.020(r)
	General Retail Sales, Outdoor Operations, Display or Storage	A		21.04.040(h) & 21.04.020(r)
	Rental Service, Indoor Display/Storage	A		21.04.020(r)

	Rental Service, Outdoor Display	A		21.04.040(h) & 21.04.020(r)
<b>Manufacturing and Production</b> – firms involved in the manufacturing, processing, fabrication, packaging, or assembly of goods	Assembly – Indoor operations and storage	A		21.04.020(w)
	Food Products – Indoor operations and storage	A		21.04.020(w)
	Manufacturing/Processing – Indoor operations and storage	A		21.04.020(w)
	Assembly – Indoor operations with outdoor storage	A		21.04.040(h) & 21.04.020(w)
	Food Products – Indoor operations with outdoor storage	A		21.04.040(h) & 21.04.020(w)
	Manufacturing/Processing – Indoor operations with outdoor storage	A		21.04.040(h) & 21.04.020(w)
<b>Warehouse and Freight</b> – firms involved in the storage or movement of freight	Indoor Operations, Storage and Loading with or without Outdoor Loading Docks	A		21.04.020(x)
<b>Surface Passenger Terminal</b> – stations for ground-based vehicles, including loading and unloading areas	Bus/Commuter Stops	A	A	21.04.020(bb)
<b>Telecommunications Facilities</b> – devices and supporting elements necessary to produce nonionizing electromagnetic radiation operating to produce a signal	Facilities on Wireless Master Plan Priority Site When Developed in Accordance with Wireless Master Plan Site-Specific Requirements	A	A	21.04.030(q) & 21.04.020(ee)
	Temporary PWSF (e.g., COW)	A	A	21.04.030(q)
	Co-Location	A	A	21.04.030(q)
	Tower Replacement	A	A	21.04.030(q)
	Dual Purpose Facility	A	A	21.04.030(q)
	DAS and Small Cell Facilities	A	A	21.04.030(q)
	Base Station with Concealed Attached Antennas	A	A	21.04.030(q)

**Deviations:** No deviations to the dimensional standards of the CSR zone district are proposed. All other applicable requirements will apply with the following additions:

1. Shared parking and landscaping will be provided throughout the site.
2. A 30-inch tall decorative screen wall may be substituted for the required parking lot screening/landscaping between parking lots and the street.

**Minimum District Size:** A minimum of 5 acres is recommended for a planned development according to the Zoning and Development Code. This property is 147 acres in size and therefore meets with district size requirements for the Planned Development zone.

## **Planned Development**

### **Sections 21.02.150 of the Grand Junction Zoning and Development Code:**

Requests for an Outline Development Plan (ODP) shall demonstrate conformance with all of the following:

- a) The Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies;

#### **Comprehensive Plan:**

The Comprehensive Plan's Guiding Principle of "A Grand Green System of Connected Recreational Opportunities" will be realized with the proposed development of Las Colonias by taking advantage of the exceptional open space assets along the Colorado River. Specifically, the proposal meets the following goals and policies:

**Goal 4:** Support the continued development of the downtown area of the City Center into a vibrant and growing area with jobs, housing and tourist attractions.

**Policy:**

A. The City will support the vision and implement the goals and actions of the Strategic Downtown Master Plan.

**Goal 8:** Create attractive public spaces and enhance the visual appeal of the community through quality development.

**Policies:**

- A. Design streets and walkways as attractive public spaces;
- B. Construct streets in the City Center, Village Centers, and Neighborhood Centers to include enhanced pedestrian amenities;
- D. Use outdoor lighting that reduces glare and light spillage, without compromising safety;
- E. Encourage the use of xeriscape landscaping;

**Goal 10:** Develop a system of regional, neighborhood and community parks protecting open space corridors for recreation, transportation and environmental purposes.

**Policies:**

B. Preserve areas of scenic and/or natural beauty and, where possible, include these areas in a permanent open space system.

**Goal 12:** Being a regional provider of goods and services the City and County will sustain, develop and enhance a healthy, diverse economy.

**Policies:**

A. Through the Comprehensive Plan's policies the City and County will improve as a regional center of commerce, culture and tourism.

### Greater Downtown Plan:

The following goals and policies found in the Greater Downtown plan (Zoning and Development Code Section 36.12.050), specific to the River District that encompasses the Los Colonias site, are supportive of the proposed ODP.

**Goal 1.** Create/maintain/enhance a green waterfront.

Policy 1a. Take advantage of and create opportunities and partnerships to enhance the riverfront trail system.

Policy 1b. Take advantage of and create opportunities and partnerships to develop Las Colonias Park and open space areas within the Jarvis property.

**Goal 2.** Create retail, general commercial and mixed use opportunities that complement the uses along the riverfront.

Policy 2a. Utilize zoning, overlay districts and incentives for development and redevelopment of complementary uses.

**Goal 3.** Create/enhance redevelopment opportunities and partnerships.

Policy 3b. The City will consider implementation of incentive strategies for redevelopment.

- b) The rezoning criteria provided in Section 21.02.140 of the Zoning and Development Code.

In order to maintain internal consistency between the Zoning Code and the zoning maps, map amendments must only occur if:

- (1) Subsequent events have invalidated the original premises and findings; and/or

Response: The opportunity to integrate a business park into the Las Colonias Park area simply broadens the uses allowed, while maintaining the original intent of the property as a recreational and natural amenity for the community. This criterion has been met.

- (2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or

Response: The character and condition of the Las Colonias area has changed substantially with the completion of the park amenities and amphitheater, all consistent with the Plan. This criterion has been met.

- (3) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or

Response: The proposal is to rezone 147 acres from CSR and C-2 to Planned Development (PD) with an associated Outline Development Plan (ODP). Public and community facilities are adequate to provide access and utilities to serve the proposed business and recreational park. This criterion has been met.

(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and/or

Response: This 147-acre site is a prime location, due its proximity along the Colorado River, to establish a combined recreation park with a business park. This is something that is not available anywhere else in Grand Junction. This criterion has been met.

(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

Response: Establishing a business park and land uses that will complement the recreational park's existing (Botanical Gardens, Amphitheatre, etc.) and future amenities (festival grounds, boat launch, dog park, etc.) is not only an economic development advantage to the community, but will enhance the overall experience for all users of Las Colonias Park. This criterion has been met.

c) The planned development requirements of Section 21.05.040 (f) of the Zoning and Development Code;

Response: These requirements have been met. The following community benefits will be derived as part of this rezone. They meet the criteria of Section 21.05 in the Zoning Code and conform to the purpose of planned developments as found in section 21.02.150. This PD will:

- Provide more effective infrastructure as the pods for business park development will cluster uses.
- Reduce traffic demands by providing new opportunities for business to locate within the Greater Downtown area and not have to locate in outer areas of the City. The Riverside Parkway provides great access to the site.
- Provide a greater quality and quantity of public and/or private open space as a result of the public/private partnerships that will be entered into for this development.
- Provide for other recreational amenities provided by private development that will be open to public use;
- Allow for innovative design creating a "google like" campus for the business park where like business can collaborate.
- Provide protection and/or preservation of natural resources, habitat areas and natural features especially along the Colorado River as the river habitat is protected and enhanced through restoration.
- Provide for public art and educational opportunities about the river environment.

d) The applicable corridor guidelines and other overlay districts in Chapter 21.07.

Response: There are no other applicable corridor guidelines. All future development within the ODP will be required to adhere to the Greater Downtown Overlay as it pertains to design, site planning and/or landscaping/buffering requirements

- e) Adequate public services and facilities shall be provided concurrent with the projected impacts of the development.

Response: The City will complete the necessary infrastructure.

- f) Adequate circulation and access shall be provided to serve all development pods/areas to be developed.

Response: Access will be provided to all business lots and park amenities.

- g) Appropriate screening and buffering of adjacent property and uses shall be provided;

Response: The business park uses will blend in with the open space areas, creating an open feel and compatible park-like setting.

- h) An appropriate range of density for the entire property or for each development pod/area to be developed;

Response: Not Applicable.

- i) An appropriate set of "default" or minimum standards for the entire property or for each development pod/area to be developed.

Response: The ODP addresses this and reinforces the underlying zone district or default zone of CSR.

- j) An appropriate phasing or development schedule for the entire property or for each development pod/area to be developed.

Response: A phasing plan is proposed.

### **FINDINGS OF FACT/CONCLUSIONS AND CONDITIONS:**

After reviewing the Las Colonias Park application, PLD-2017-158, request for approval of a rezone to Planned Development (PD) and Outline Development Plan (ODP), I make the following findings of fact/conclusions and conditions of approval:

1. The requested Planned Development, Outline Development Plan is consistent with the goals and polices of the Comprehensive Plan.
2. The review criteria in Sections 21.02.130 and 21.02.150 of the Grand Junction Zoning and Development Code have all been met or addressed.

### **STAFF RECOMMENDATION:**

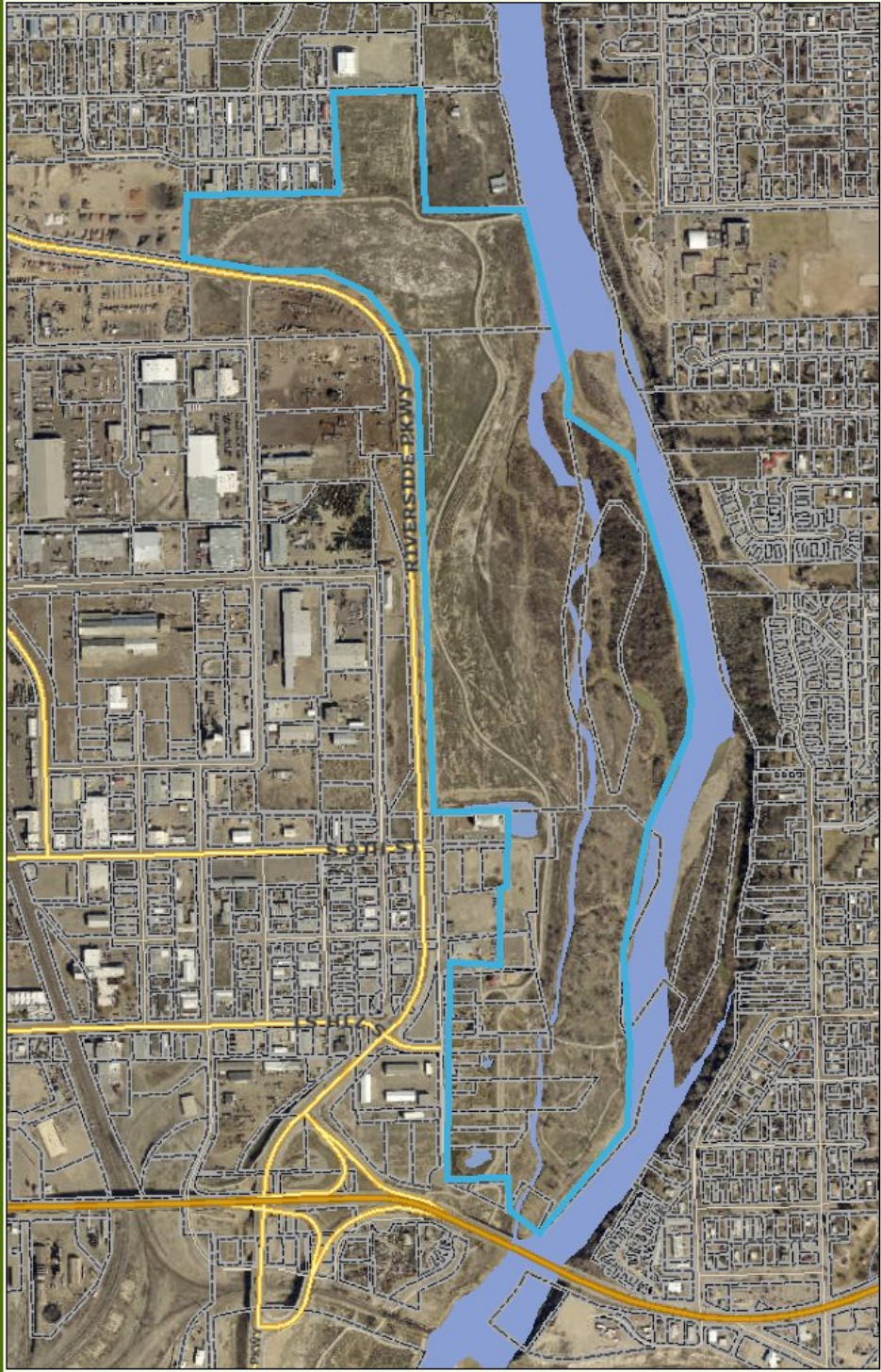
I recommend that the Planning Commission forward a recommendation of approval of the requested rezone to PD and Outline Development Plan, PLD-2017-158, to the City Council with findings of fact/conclusions and conditions as stated in the staff report.

**RECOMMENDED PLANNING COMMISSION MOTION:**

Madam Chairman, on item PLD-2017-158, I move that the Planning Commission forward a recommendation of approval of the requested rezone to PD and Outline Development Plan, PLD-2017-158, to the City Council with findings of fact/conclusions and conditions as stated in the staff report.



City of Grand Junction



Printed: 4/12/2017



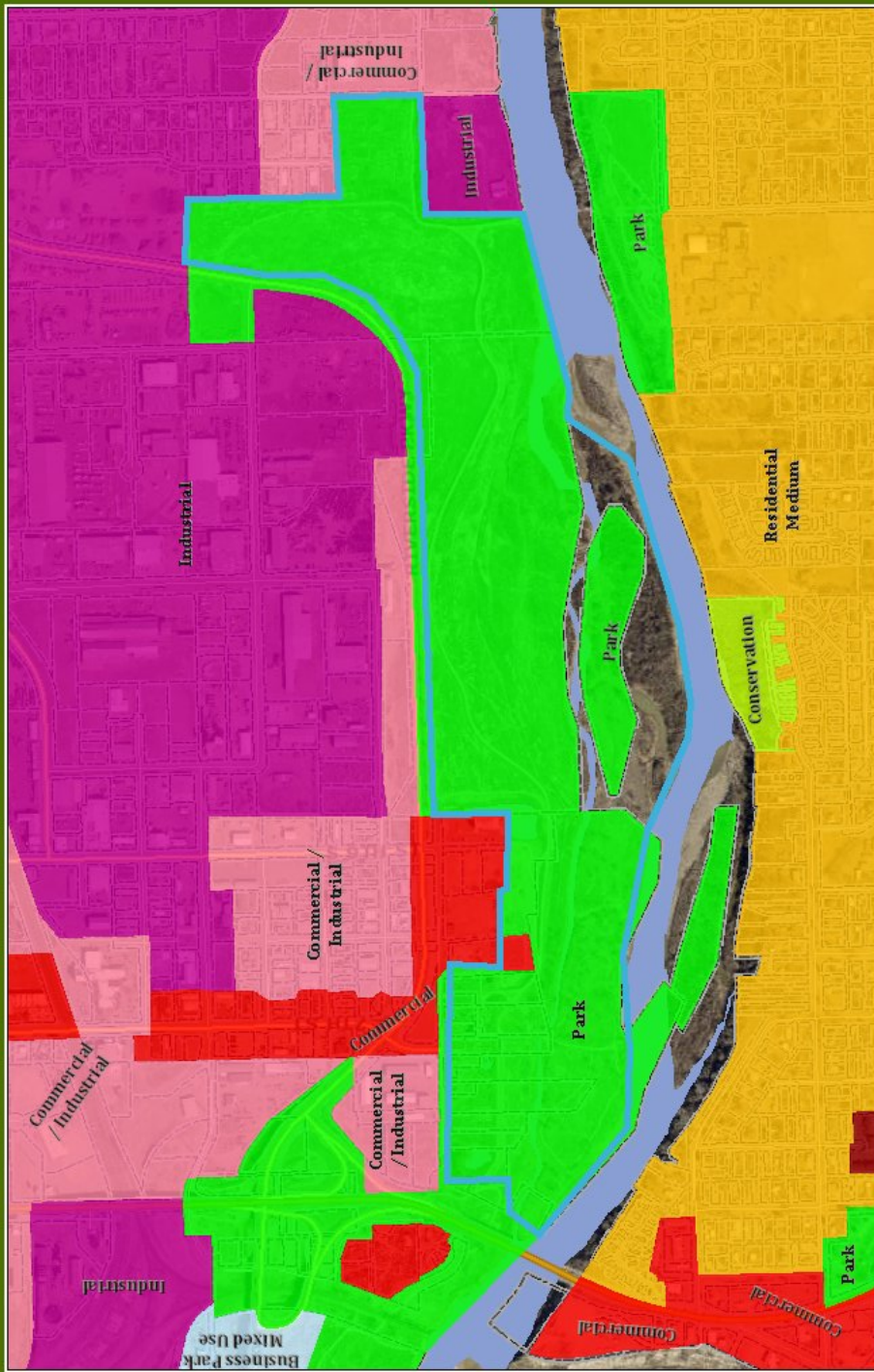
1 inch = 716 feet



Site Location Map



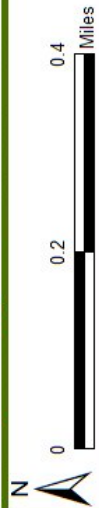
# City of Grand Junction



City of Grand Junction  
COLORADO  
CONSERVATION • PROGRESS • RESILIENCE

Printed: 4/12/2017

1 inch = 716 feet



Future Land Use Map

# City of Grand Junction



Existing Zoning Map

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE APPROVING A REZONE TO PD (PLANNED DEVELOPMENT) AND  
AN OUTLINE DEVELOPMENT PLAN FOR LAS COLONIAS PARK**

**LOCATED ON THE NORTH BANK OF THE COLORADO RIVER BETWEEN  
HIGHWAY 50 AND 27 ½ ROAD**

Recitals:

The requested Planned Development (PD) zoning and Outline Development Plan will establish the uses, standards and general configuration of the proposed Business Park to be integrated into the existing and proposed Recreational Park land uses and amenities on the 147 acre Las Colonias Park property, located on the north bank of the Colorado River between Highway 50 and 27 ½ Road.

The request for the rezone and Outline Development Plan have been submitted in accordance with the Zoning and Development Code (Code).

This Planned Development zoning ordinance will establish the standards, default zoning (CSR), land uses and conditions of approval for the Outline Development Plan for the Las Colonias property.

In public hearings, the Planning Commission and City Council reviewed the request for the proposed Outline Development Plan and determined that the Plan satisfied the criteria of the Code and is consistent with the purpose and intent of the Comprehensive Plan. Furthermore, it was determined that the proposed Plan has achieved “long-term community benefits” by effective infrastructure design; providing greater quality and quantity of private open space; protection and/or preservation of natural resources, habitat areas and natural features; and innovative design by incorporating the business park in with the public amenities.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE AREA DESCRIBED BELOW IS ZONED TO PLANNED DEVELOPMENT WITH THE FOLLOWING DEFAULT ZONE AND STANDARDS:

A. This Ordinance applies to the following described properties:

A certain parcel of land lying in the East three-quarters (E 3/4) of Section 23, Township 1 South, Range 1 West of the Ute Principal Meridian and lying in the West-half (W 1/2) of Section 24, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:



BEGINNING at the intersection of the North line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 24 and the East right of way for Riverside Parkway; thence Easterly along said North line to the Northwest corner of the Replat of Pleasant View Subdivision, as same is recorded in Plat Book 8, Page 63, Public Records of Mesa County, Colorado; thence Southerly along the West line of said subdivision to the Southwest corner of said subdivision; thence Easterly along the South line of said subdivision to a point on the West right of way for 27-1/2 Road; thence Southerly along said West right of way to a point on the South line of the SE 1/4 NW 1/4 of said Section 24; thence Westerly along said South line to a point being the Northwest corner of the Northeast Quarter of the Southwest Quarter (NE 1/4 NE 1/4 SW 1/4) of said Section 24; thence Southerly along the West line of the NE 1/4 NE 1/4 SW 1/4 of said Section 24 to a point on the centerline (thalweg) of the Colorado River; thence Westerly along the centerline of the Colorado River to a point on the East right of way for Highway 50; thence traversing Northeasterly along the East right of way for Highway 50 to a point being the Southwest corner of that certain parcel of land currently assigned Mesa County Parcel Number 2945-233-00-022; thence Southeasterly along the South line of said parcel to a point being the Southeast corner of said parcel; thence Northerly along the East line of said parcel to a point on the South right of way for Struthers Avenue; thence Easterly along said South right of way to a point on the Northerly extension of the West line of Arcieri Subdivision, as same is recorded in Plat Book 12, Page 260, Public Records of Mesa County, Colorado; thence traversing the entire exterior boundary of said Arcieri Subdivision, Southerly, Easterly and Northerly to a point being the intersection of the Northerly extension of the East line of said Arcieri Subdivision with the South right of way for said Struthers Avenue; thence Easterly along said South right of way to a point being the Northwest corner of the certain parcel of land currently assigned Mesa County Parcel Number 2945-234-00-029; thence Southerly along the West line of said parcel to a point being the Southwest corner of said parcel; thence Easterly along the South line of said parcel to a point being the Southeast corner of said parcel and lying on the West line of Edgewater Subdivision, as same is recorded in Book 4986, Page 257, Public Records of Mesa County, Colorado; thence Southerly along said West line to a point being the Southwest corner of said Edgewater Subdivision; thence Easterly along the South line of said Edgewater Subdivision and the Easterly extension of the South line of Jeffryes Simple Subdivision, as same is recorded in Plat Book 18, Page 393, Public Records of Mesa County, Colorado to a point on the East line of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of said Section 23; thence Northerly along said East line to a point on the South right of way for Riverside Parkway; thence Easterly, Northeasterly and Northerly traversing the South and East right of way of said Riverside Parkway to the Point of Beginning.

CONTAINING 160 Acres, more or less, as described.

- B. The Las Colonias Outline Development Plan (Attachment A) is approved with the Findings of Fact/Conclusions and Conditions listed in the Staff Report, including attachments and exhibits.
- C. If the Planned Development approval expires or becomes invalid for any reason, the properties shall be fully subject to the default standards of the CSR (Community Services and Recreation) Zoning District.

D. The default zone shall be CSR (Community Services and Recreation) with no deviations to the dimensional standards. All other applicable requirements shall apply with the following additions:

1. Shared parking and landscaping will be provided throughout the site.
2. A 30-inch tall decorative screen wall may be substituted for the required parking lot screening/landscaping between parking lots and the street.

E. The authorized “allowed” uses shall be:

<b>Use Category</b>	<b>Principal Use</b>	<b>PD</b>	<b>Std.</b>
<b>Community Service</b> – uses providing a local service to the community	Community Activity Building	A	21.04.020(e)
	Community Service	A	21.04.020(e)
<b>Cultural</b> – establishments that document the social and religious structures and intellectual and artistic manifestations that characterize a society	Museums, Art Galleries, Opera Houses, Libraries	A	
<b>Hospital/Clinic</b> – uses providing medical treatment care to patients	Physical Rehabilitation	A	21.04.020(g)
<b>Parks and Open Space</b> – natural areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, etc.	Parks, Lakes, Reservoirs, Other Open Space	A	21.04.020(h)
<b>Safety Services</b> – public safety and emergency response services	All	A	21.04.020(j)
<b>Utility, Basic</b> – Infrastructure services that need to be located in or near the area where the service is provided	Utility Service Facilities (Underground)	A	21.04.020(l)
	All Other Utility, Basic	A	21.04.020(l)
<b>Utility, Corridors</b> – passageways for bulk transmitting or transporting of electricity, gas, oil, communication signals, or other similar services	Transmission Lines (Above Ground)	A	21.04.020(m)
	Transmission Lines (Underground)	A	21.04.020(m)
<b>Entertainment Event, Major</b> – activities and structures that draw large numbers of people to specific events or shows	Indoor Facilities	A	21.04.020(n)
	Outdoor Facilities	A	21.04.020(n)
<b>Office</b> – activities conducted in an office setting and generally focusing on business, government, professional, or financial services	General Offices	A	21.04.020(o)
<b>Parking, Commercial</b> – parking that is not necessary to serve a specific use and for which fees may be charged	All	A	21.06.050(b) & 21.04.020(p)
<b>Recreation and Entertainment, Outdoor</b> – large, generally commercial uses that provide continuous recreation or entertainment-	Amusement Park	A	21.04.020(q)
	All Other Outdoor Recreation per definition	A	

oriented activities			
<b>Recreation and Entertainment, Indoor</b> – large, generally commercial uses that provide indoor recreation or entertainment-oriented activities including skating rinks, arcades	Health Club	A	
	Skating Rink, Arcade	A	
	All Other Indoor Recreation per definition	A	
<b>Retail Sales and Service*</b> – firms involved in the sale, lease or rental of new or used products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer and business goods.	Bar/Nightclub	A	21.04.020(r)
	Food Service, Catering	A	21.04.020(r)
	Food Service, Restaurant (Including Alcohol Sales)	A	21.04.020(r)
	Farmers' Market	A	21.04.020(r)
	General Retail Sales, Indoor Operations, Display and Storage	A	21.04.030(l) & 21.04.020(r)
	General Retail Sales, Outdoor Operations, Display or Storage	A	21.04.040(h) & 21.04.020(r)
	Rental Service, Indoor Display/Storage	A	21.04.020(r)
	Rental Service, Outdoor Display	A	21.04.040(h) & 21.04.020(r)
<b>Manufacturing and Production</b> – firms involved in the manufacturing, processing, fabrication, packaging, or assembly of goods	Assembly – Indoor operations and storage	A	21.04.020(w)
	Food Products – Indoor operations and storage	A	21.04.020(w)
	Manufacturing/Processing – Indoor operations and storage	A	21.04.020(w)
	Assembly – Indoor operations with outdoor storage	A	21.04.040(h) & 21.04.020(w)
	Food Products – Indoor operations with outdoor storage	A	21.04.040(h) & 21.04.020(w)
	Manufacturing/Processing – Indoor operations with outdoor storage	A	21.04.040(h) & 21.04.020(w)
<b>Warehouse and Freight</b> – firms involved in the storage or movement of freight	Indoor Operations, Storage and Loading with or without Outdoor Loading Docks	A	21.04.020(x)
<b>Surface Passenger Terminal</b> – stations for ground-based vehicles, including loading and unloading areas	Bus/Commuter Stops	A	21.04.020(bb)
<b>Telecommunications Facilities</b> – devices and supporting elements necessary to produce nonionizing electromagnetic radiation operating	Facilities on Wireless Master Plan Priority Site When Developed in Accordance with Wireless Master Plan Site-Specific	A	21.04.030(q) & 21.04.020(ee)

to produce a signal	Requirements		
	Temporary PWSF (e.g., COW)	A	21.04.030(q)
	Co-Location	A	21.04.030(q)
	Tower Replacement	A	21.04.030(q)
	Dual Purpose Facility	A	21.04.030(q)
	DAS and Small Cell Facilities	A	21.04.030(q)
	Base Station with Concealed Attached Antennas	A	21.04.030(q)

F. Phase I of the development shall begin within one year of approval and completion of all phases shall occur within five years of approval.

Introduced for first reading on this \_\_\_\_\_ day of \_\_\_\_\_, 2017 and ordered published in pamphlet form.

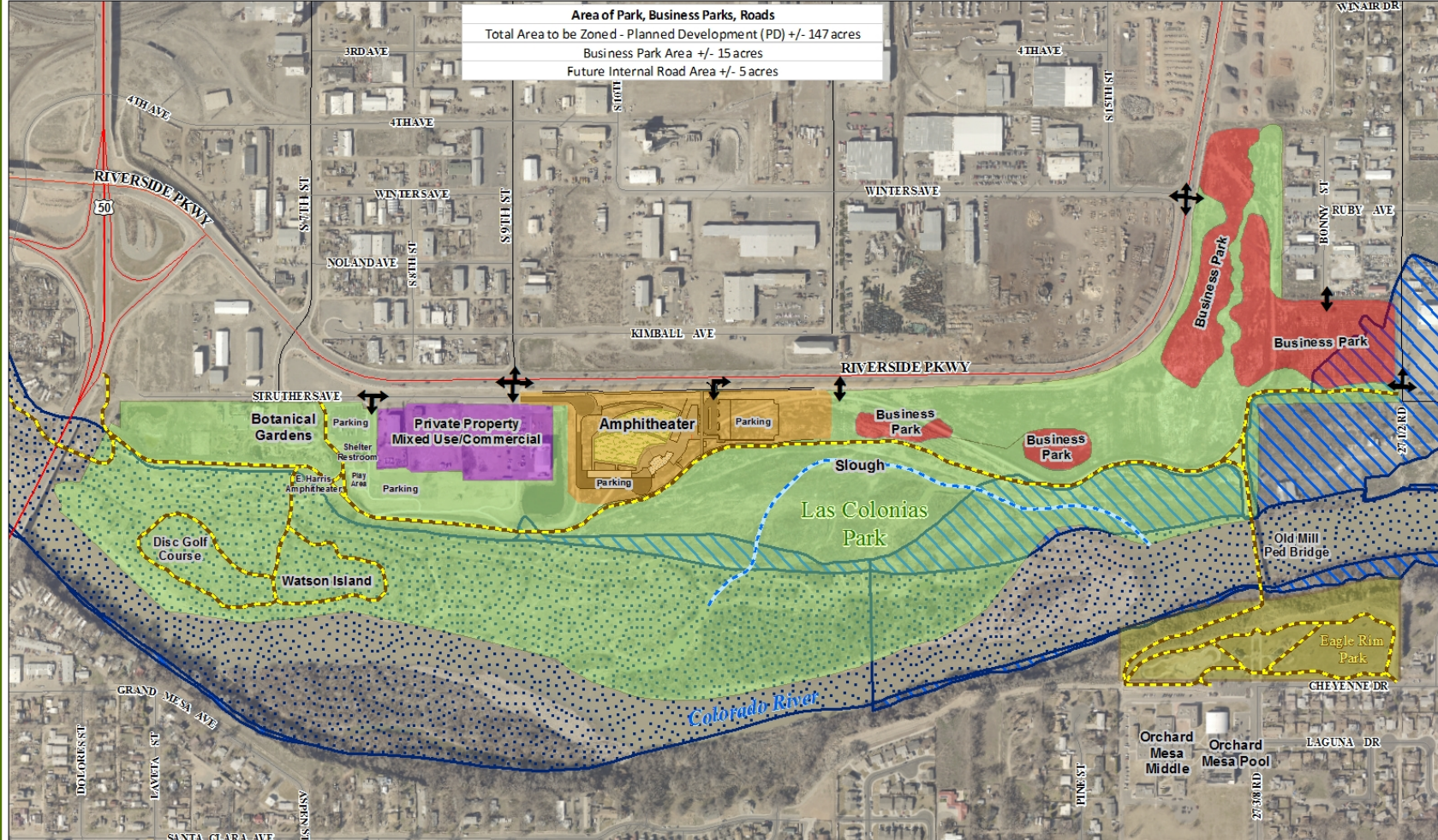
PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017 and ordered published in pamphlet form.

ATTEST:

\_\_\_\_\_  
President of City Council

\_\_\_\_\_  
City Clerk

# Las Colonias Park - Outline Development Plan (ODP)



**Area of Park, Business Parks, Roads**  
 Total Area to be Zoned - Planned Development (PD) +/- 147 acres  
 Business Park Area +/- 15 acres  
 Future Internal Road Area +/- 5 acres

FEMRA -2012 Floodplain Data
 ZONE AE - Floodway
 ZONE AE (100yr) 1% Annual Chance Flood
 Existing Park
 Colorado Riverfront Trail
 Access Points

Exhibit A





## Grand Junction City Council

### Regular Session

Item #2.b.ii.

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**Meeting Date:** April 19, 2017

**Presented By:** Scott D. Peterson, Senior Planner

**Department:** Admin - Community Development

**Submitted By:** Scott D. Peterson, Senior Planner

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### **Information**

#### **SUBJECT:**

Ordinance Approving a Rezone to I-O (Industrial/Office Park) and a Comprehensive Plan Future Land Use Map Amendment to Commercial/Industrial for Lot 241, Heritage Heights, Filing One, Located at 637 25 Road and Set a Hearing for May 3, 2017.

#### **RECOMMENDATION:**

Planning Commission heard this item at its March 28, 2017 meeting and forwarded a recommendation of denial to City Council (1 - 6).

An affirmative vote of five members of the City Council is required to approve rezones recommended for denial by the Planning Commission (Section 21.02.210(e) of the Zoning and Development Code).

#### **EXECUTIVE SUMMARY:**

The applicant, Heritage Heights LLC, requests the City to change the Comprehensive Plan Future Land Use Map designation for property located at 637 25 Road from "Residential Medium High (8 – 16 du/ac)" to "Commercial/Industrial" and to rezone the property from R-8 (Residential – 8 du/ac) to I-O (Industrial/Office Park) zone district in anticipation of general office development. The proposed resolution to amend the Comprehensive Plan will be considered with the second reading of the rezone ordinance.

#### **BACKGROUND OR DETAILED INFORMATION:**

The property located at 637 25 Road (0.95 acres) is part of the Heritage Heights residential subdivision and contains a modular office building that was moved to the

site in 2014 to serve as a temporary office/construction trailer in conjunction with the development of Heritage Heights subdivision. The temporary office/construction trailer has an expiration date tied to the approved Preliminary Plan (SUB-2013-481) phasing schedule. Therefore, on or before April 10, 2019, the temporary office/construction trailer would be required to be removed from the site or the property would need to be brought up to current Zoning Codes standards (Major Site Plan Review and Comp Plan Future Land Use Map Amendment and Rezone applications). These standards would include but are not limited to off-street parking, landscaping, screening and buffering, etc. The applicant now desires to operate the temporary office/construction trailer as a general office and legitimize the existing land use on the property, and therefore requests a change in the Comprehensive Plan Future Land Use Map designation from "Residential Medium High (8 – 16 du/ac)" to "Commercial/Industrial" and rezone the property from R-8 (Residential – 8 du/ac) to I-O (Industrial/Office Park) zone district.

The subject property is surrounded on three sides by residentially zoned property to the north, south and west. However, the Grand Valley Circulation Plan indicates that F 1/2 and 25 Roads will be realigned separating this parcel from the residential developments to the north, west and south. In addition, F 1/2 Road will be constructed along the west and south property lines with the right-of-way now officially dedicated with the filing of Filing Five for Heritage Heights in 2016. With the dedication of the F 1/2 Road corridor (160' width), this right-of-way now physically separates the subject property from the Heritage Heights residential subdivision.

To the east, across 25 Road, is the Foresight Industrial Park which is currently zoned I-O, (Industrial/Office Park) with a Comprehensive Plan Future Land Use Map designation of Commercial/Industrial. The proposed I-O zone district is the most appropriate zone district for the applicant's property since it is an adjacent zone district (located across 25 Road) and also the applicant's proposed land use of a general office is an allowed land use within the I-O zone district.

The requested rezone is currently not supported by the underlying Comprehensive Plan designation. However, Section 21.02.130 (d) (v) of the Grand Junction Zoning and Development Code allows the processing of a rezone application or request without a plan amendment when the proposed zoning is inconsistent with the Comprehensive Plan and the property is adjacent to the land use designation that would support the requested zone district. Therefore, this is a combined request is to amend the current Comprehensive Plan designation to an adjacent designation (Commercial/ Industrial) and rezone the property to I-O.

**FISCAL IMPACT:**

This is a land use action and does not have a direct fiscal impact. As the area is developed sales, use, and property taxes will be applicable.

**SUGGESTED MOTION:**

I move to introduce a Proposed Ordinance Approving a Rezone to I-O (Industrial/Office Park) for Lot 241, Heritage Heights, Filing One and Set a Hearing for May 3, 2017.

**Attachments**

1. Planning Commission Staff Report
2. Ordinance

Date: March 8, 2017  
Author: Scott D. Peterson  
Title/ Phone Ext: Senior  
Planner/1447  
Proposed Schedule: March 28,  
2017  
File #: CPA-2017-46 & RZN-  
2017-47

## PLANNING COMMISSION AGENDA ITEM

**Subject:** Lot 241, Heritage Heights, Filing One - Comprehensive Plan Future Land Use Map Amendment and Rezone, Located at 637 25 Road

**Action Requested/Recommendation:** Forward a recommendation of approval to City Council of a Comprehensive Plan Amendment and Rezone to change the Future Land Use Map designation from "Residential Medium High (8 – 16 du/ac)" to "Commercial/Industrial" and Rezone from R-8 (Residential – 8 du/ac) to I-O (Industrial/Office Park) zone district on 0.95 +/- acres.

**Presenters Name & Title:** Scott D. Peterson, Senior Planner

### Executive Summary:

The applicant, Heritage Heights LLC, requests the City to change the Comprehensive Plan Future Land Use Map designation for property located at 637 25 Road from "Residential Medium High (8 – 16 du/ac)" to "Commercial/Industrial" and to rezone the property from R-8 (Residential – 8 du/ac) to I-O (Industrial/Office Park) zone district in anticipation of general office development.

### Background, Analysis and Options:

The property located at 637 25 Road (0.95 acres) is part of the Heritage Heights residential subdivision and contains a modular office building that was moved to the site in 2014 to serve as a temporary office/construction trailer in conjunction with the development of Heritage Heights subdivision. The temporary office/construction trailer has an expiration date tied to the approved Preliminary Plan (SUB-2013-481) phasing schedule. Therefore, on or before April 10, 2019, the temporary office/construction trailer would be required to be removed from the site or the property would need to be brought up to current Zoning Codes standards (Major Site Plan Review and Comp Plan Future Land Use Map Amendment and Rezone applications). These standards would include but are not limited to off-street parking, landscaping, screening and buffering, etc. The applicant now desires to operate the temporary office/construction trailer as a general office and legitimize the existing land use on the property, and therefore requests a change in the Comprehensive Plan Future Land Use Map designation from "Residential Medium High (8 – 16 du/ac)" to "Commercial/Industrial" and rezone the property from R-8 (Residential – 8 du/ac) to I-O (Industrial/Office Park) zone district.

The subject property is surrounded on three sides by residentially zoned property to the north, south and west. However, the Grand Valley Circulation Plan indicates that F 1/2 and 25 Roads will be realigned separating this parcel from the residential developments

to the north, west and south. In addition, F 1/2 Road will be constructed along the west and south property lines with the right-of-way now officially dedicated with the filing of Filing Five for Heritage Heights in 2016. With the dedication of the F 1/2 Road corridor (160' width), this right-of-way now physically separates the subject property from the Heritage Heights residential subdivision.

To the east, across 25 Road, is the Foresight Industrial Park which is currently zoned I-O, (Industrial/Office Park) with a Comprehensive Plan Future Land Use Map designation of Commercial/Industrial. The proposed I-O zone district is the most appropriate zone district for the applicant's property since it is an adjacent zone district (located across 25 Road) and also the applicant's proposed land use of a general office is an allowed land use within the I-O zone district.

The requested rezone is currently not supported by the underlying Comprehensive Plan designation. However, Section 21.02.130 (d) (v) of the Grand Junction Zoning and Development Code allows the processing of a rezone application or request without a plan amendment when the proposed zoning is inconsistent with the Comprehensive Plan and the property is adjacent to the land use designation that would support the requested zone district. Therefore, this is a combined request is to amend the current Comprehensive Plan designation to an adjacent designation (Commercial/Industrial) and rezone the property to I-O.

### **Neighborhood Meeting:**

The applicant held a Neighborhood Meeting on December 29, 2016, with no one from the public attended the meeting. However, City Project Manager has received letters of support for the applicant's requests after the Neighborhood Meeting and are provided within the Staff Report.

### **How this item relates to the Comprehensive Plan Goals and Policies:**

Granting the Comprehensive Plan Future Land Use Map Amendment and Rezone will allow the applicant to bring the current temporary office building into compliance as an allowed land use with the proposed zone district which supports the following goals and policies from the Comprehensive Plan.

**Goal 3:** The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community.

**Policy A:** To create large and small "centers" throughout the community that provide services and commercial areas.

**Policy B:** Create opportunities to reduce the amount of trips generated for shopping and commuting and decrease vehicle miles traveled thus increasing air quality.

**Goal 12:** Being a regional provider of goods and services the City and County will sustain, develop and enhance a healthy, diverse economy.

**Policy B:** The City and County will provide appropriate commercial and industrial development opportunities.

**Economic Development Plan:**

The purpose of the adopted Economic Development Plan by City Council is to present a clear plan of action for improving business conditions and attracting and retaining employees. The proposed Comprehensive Plan Future Land Use Map Amendment and Rezone meets with the goal and intent of the Economic Development Plan by supporting and assisting an existing business within the community to stay at its current location to serve area residents.

**Board or Committee Recommendation:**

There is no committee or board recommendation.

**Other issues:**

No other issues have been identified.

**Previously presented or discussed:**

The Planning Commission previously reviewed this request at their April 12, 2016 meeting and recommended denial.

**Attachments:**

1. Staff report/Background information
2. Site Location Map
3. Aerial Photo Map
4. Comprehensive Plan Future Land Use Map
5. Existing Zoning Map
6. Approved Filing Plan for Heritage Heights
7. Letters of Support
8. Resolution
9. Ordinance

<b>BACKGROUND INFORMATION</b>					
<b>Location:</b>		637 25 Road			
<b>Applicant:</b>		Heritage Estates LLC, Owner			
<b>Existing Land Use:</b>		Temporary office/construction trailer			
<b>Proposed Land Use:</b>		General office building			
<b>Surrounding Land Use:</b>	<b>North</b>	Single-family detached			
	<b>South</b>	Vacant land - Future phases of Heritage Heights residential subdivision			
	<b>East</b>	Foresight Industrial Park and Mesa County Sheriff's Posse rodeo grounds			
	<b>West</b>	Vacant land – Future phases of Heritage Heights residential subdivision			
<b>Existing Zoning:</b>		R-8 (Residential – 8 du/ac)			
<b>Proposed Zoning:</b>		I-O (Industrial/Office Park)			
<b>Surrounding Zoning:</b>	<b>North</b>	R-8 (Residential – 8 du/ac)			
	<b>South</b>	R-8 (Residential – 8 du/ac)			
	<b>East</b>	I-O (Industrial/Office Park)			
	<b>West</b>	R-8 (Residential – 8 du/ac)			
<b>Future Land Use Designation:</b>		Residential Medium High (8 – 16 du/ac)			
<b>Zoning within density range?</b>		X	<b>Yes</b>		<b>No</b>

**Sections 21.02.130 & 140 of the Grand Junction Zoning and Development Code:**

The City may rezone and amend the Comprehensive Plan if the proposed changes are consistent with the vision (intent), goals and policies of the Comprehensive Plan and meets one or more of the following criteria:

*(1) Subsequent events have invalidated the original premise and findings; and/or*

With the now dedicated F 1/2 Road right-of-way corridor (160' width) adjacent to the property, this right-of-way physically separates the subject property from the Heritage Heights residential subdivision and in essence create a remnant parcel that will align itself more towards Foresight Industrial Park with its proximity, rather than leaving as a residentially zoned property (see attached Grand Valley Circulation Plan map and approved Filing Plan for Heritage Heights). To make optimum use of the property, the owner wishes to rezone the property, convert the existing temporary office/construction trailer to a permanent land use and develop the property for general office. Therefore, subsequent events (the dedication of right-of-way for F 1/2 Road) have invalidated the original premise for the future land use and zoning designations. Changing the land use designation to Commercial/Industrial and rezoning the property to I-O, will allow the

applicant to use the property for general office serving the growing residential and commercial developments within the area of 25 Road, thereby supporting Goals 3 and 12 of the Comprehensive Plan.

Therefore, this criterion has been met.

*(2) The character and/or condition of the area has changed such that the amendment is consistent with the Plan; and/or*

The character of the area has changed with the dedication of the F 1/2 Road right-of-way, per the designation on the Grand Valley Circulation Plan, so that the property will be physically separated from the original properties of Heritage Heights and will align more with the industrial park properties to the east. Therefore, the character and/or condition of the area has changed such that the amendments are consistent with the Comprehensive Plan. Changing the land use designation to Commercial/Industrial and rezoning the property to I-O, will allow the property to be used for general office serving the growing residential and commercial developments within the area of 25 Road, thereby supporting Goals 3 and 12 of the Comprehensive Plan.

Therefore, this criterion has been met.

*(3) Public and community facilities are adequate to serve the type and scope of land use proposed; and/or*

Adequate public and community facilities and services are available to the property and are sufficient to serve land uses associated with the I-O zone district and zones allowed under the Future Land Use designation of Commercial/Industrial. Ute Water is available in 25 Road as is City sanitary sewer. Furthermore, the property is currently being served by Xcel Energy electric and natural gas. Within a short distance to the south is Blichmann Avenue and F 1/4 Road for availability of public transit connections and further to the south and west is Mesa Mall, a grocery store, restaurants and additional retail opportunities.

Therefore, this criterion has been met.

*(4) An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and/or*

The I-O zone district is an allowed zone under the Commercial/Industrial designation, its purpose is to provide a mix of light manufacturing uses, office park, limited retail and service uses in a business park setting with proper screening and buffering. There is approximately 22,039 acres located within the limits of the City of Grand Junction. Of that total acreage, approximately 492 acres, or 2% is zoned I-O. Therefore, it could be argued that there is an inadequate supply of I-O zoned land within the community.

Therefore, this criterion has been met.



*(5) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.*

The community and area will derive increased tax revenues from the proposed Comprehensive Plan amendment and rezone by the development and utilization of a previously vacant parcel. Furthermore, the use of this parcel for general office will serve the growing residential and commercial developments within the area of 25 Road. Finally, the I-O zone district provides for performance standards to help mitigate the impacts of potential development regarding location of loading docks, noise, lighting glare, outdoor storage and display, etc., to help protect adjacent residential and industrial office properties.

Therefore, this criterion has been met.

Alternatives: In addition to the zoning that the petitioner has requested, the following zone districts would also be consistent with the Comprehensive Plan proposed designation of Commercial/Industrial for the subject property.

- a. C-2 (General Commercial)
- b. M-U (Mixed Use)
- c. B-P (Business Park Mixed Use)
- d. I-1 (Light Industrial)

In reviewing the other zoning district options for the Commercial/Industrial designation, all zoning districts allow general office as an allowed land use, however, the I-O (Industrial/Office Park) zone district would be the desired option as it will match the current zoning of the Foresight Industrial Park across 25 Road and also provides for performance standards to help mitigate the impacts of potential development regarding location of loading docks, noise, lighting glare, outdoor storage and display, etc., to help protect adjacent residential and industrial office properties.

If the Planning Commission chooses to recommend one of the alternative zone designations, specific alternative findings must be made as to why the Planning Commission is recommending an alternative zone designation to the City Council.

## **FINDINGS OF FACT AND CONCLUSIONS**

After reviewing the Lot 241, Heritage Heights, Filing One application, CPA-2017-46 and RZN-2017-47, request for a Comprehensive Plan Future Land Use Map designation change from "Residential Medium High (8 – 16 du/ac)" to "Commercial/Industrial" and a rezone from R-8 (Residential – 8 du/ac) to I-O (Industrial/Office Park) zone district, the following findings of fact and conclusions have been determined:

1. The requested Comprehensive Plan Future Land Use Map Amendment and Rezone are consistent with the goals and polices of the Comprehensive Plan, specifically, Goals 3 and 12.

2. The review criteria, items 1, 2, 3, 4 and 5 in Sections 21.02.130 and 140 of the Grand Junction Zoning and Development Code have been met or addressed.

**STAFF RECOMMENDATION:**

I recommend that the Planning Commission forward a recommendation of approval of the requested Comprehensive Plan Future Land Use Map designation from "Residential Medium High (8 – 16 du/ac)" to "Commercial/Industrial" and a rezone from R-8 (Residential – 8 du/ac) to I-O (Industrial/Office Park) zone district for Lot 241, Heritage Heights, Filing One to the City Council with the findings of fact and conclusions listed above.

**RECOMMENDED PLANNING COMMISSION MOTION:**

Madam Chairman, on Comprehensive Plan Future Land Use Map Amendment and Rezone, CPA-2017-46 and RZN-2017-47, I move that the Planning Commission forward a recommendation of approval for the Comprehensive Plan Future Land Use Map designation from "Residential Medium High (8 – 16 du/ac)" to "Commercial/Industrial" and a rezone from R-8 (Residential – 8 du/ac) to I-O (Industrial/Office Park) zone district, with the findings of fact and conclusions listed in the staff report.





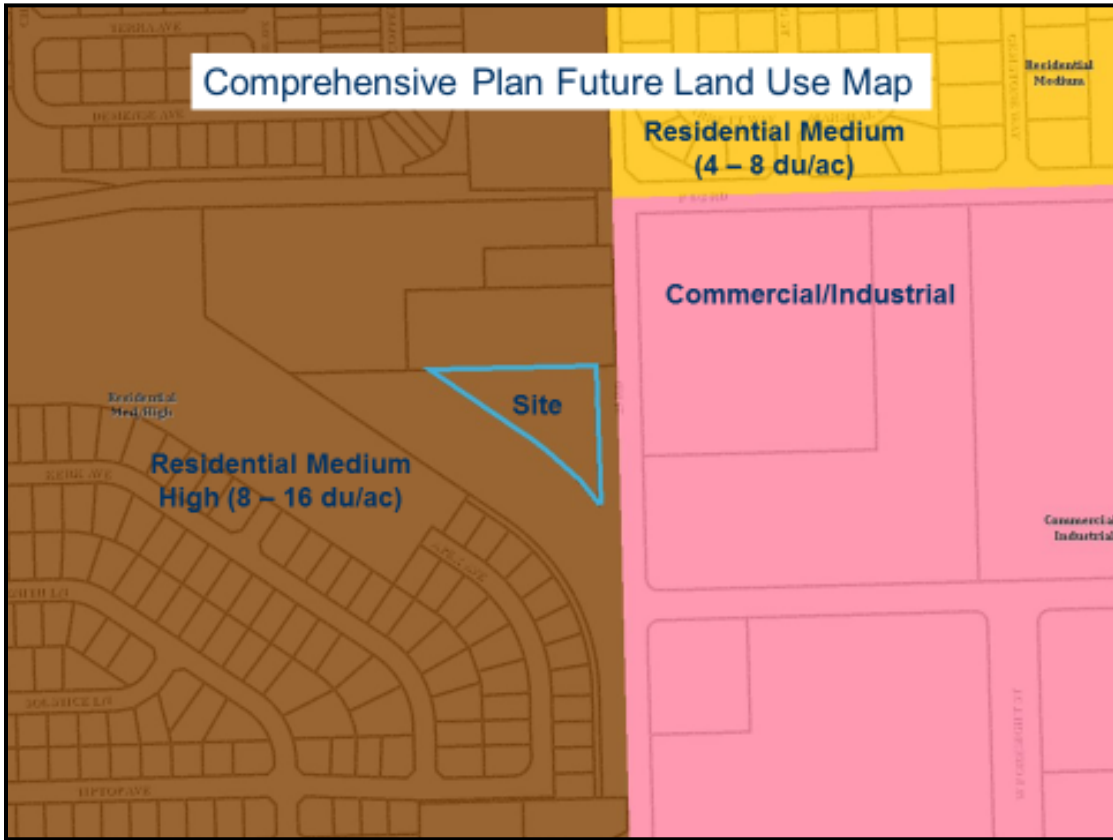
# Comprehensive Plan Future Land Use Map

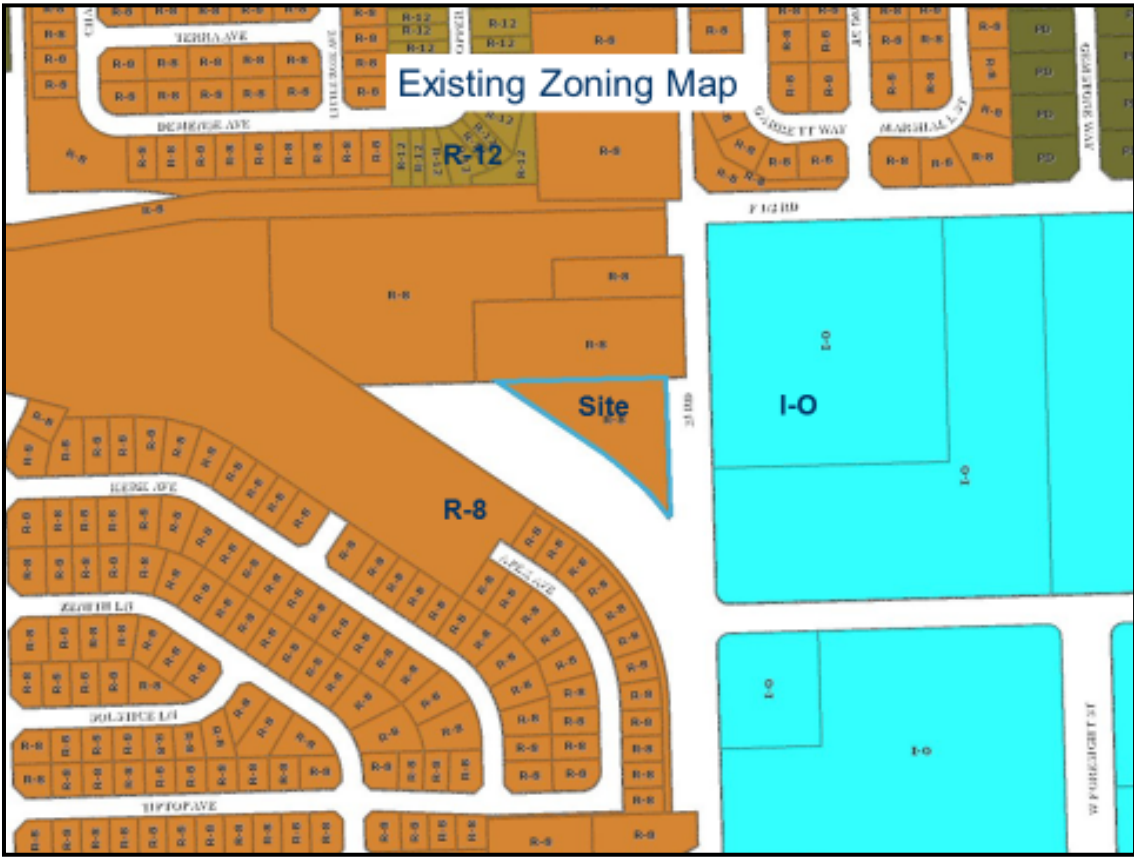
Residential Medium  
(4 – 8 du/ac)

Commercial/Industrial

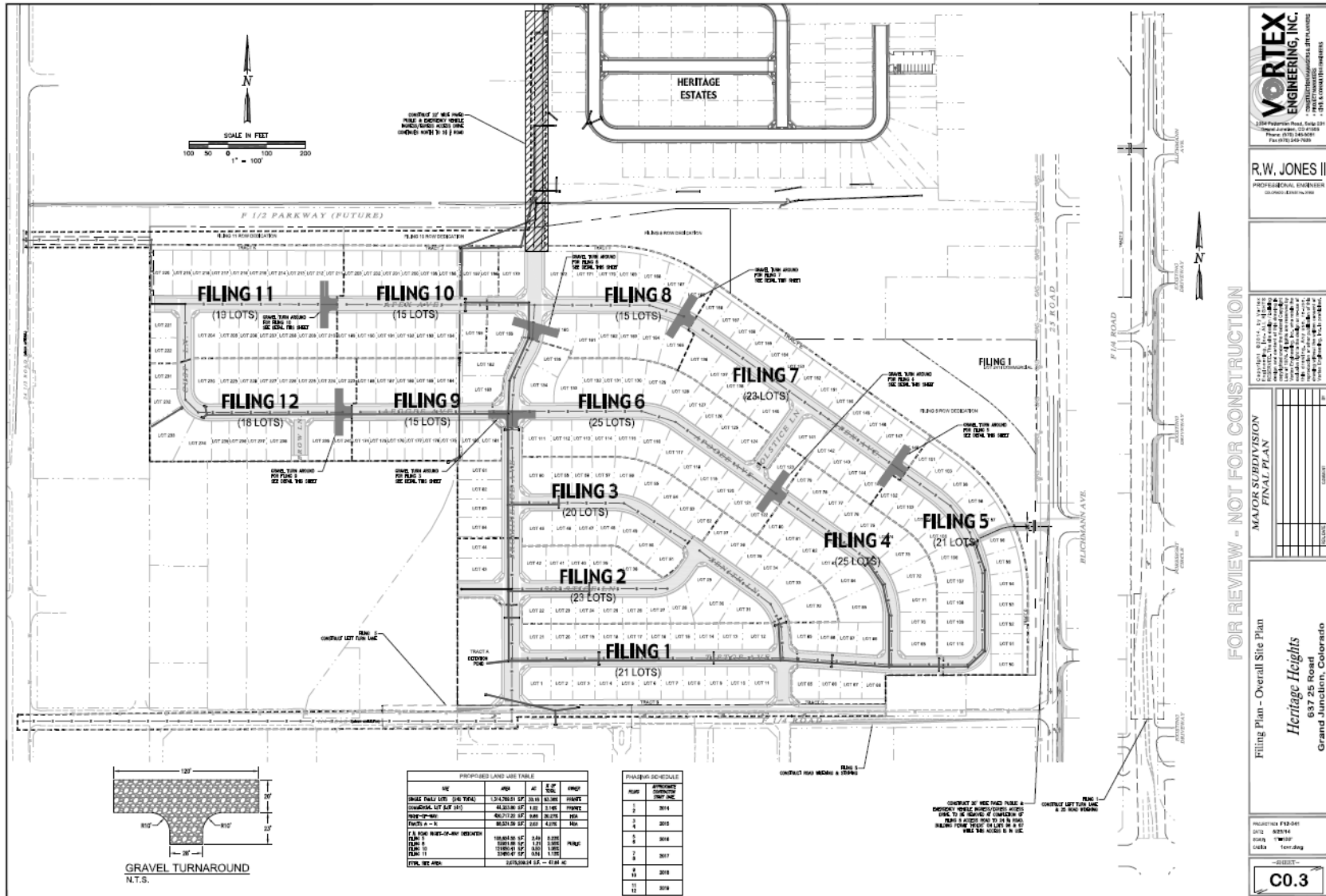
Residential Medium  
High (8 – 16 du/ac)

Site









Approved Filing Plan for Heritage Heights

**VORTEX ENGINEERING, INC.**  
1211 1/2 W. 10TH AVENUE  
DENVER, CO 80202  
TEL: (303) 733-1111  
FAX: (303) 733-1111

**R.W. JONES II**  
PROFESSIONAL ENGINEER  
LICENSED PROFESSIONAL ENGINEER

**FOR REVIEW - NOT FOR CONSTRUCTION**  
MAJOR SUBDIVISION  
FINAL PLAN

Filing Plan - Overall Site Plan  
*Heritage Heights*  
637 1/2 Rockwood  
Grand Junction, Colorado

PROJECT NO: P12-041  
DATE: 02/24/14  
SCALE: 1"=200'  
USER: [unclear]

**C0.3**



Grand Valley Circulation Plan



12/29/2016

To the City of Grand Junction  
Planning & Development Dept.

Because of a prior commitment, I am unable to attend the meeting at Blue Star Construction tonight.

As a neighborhood property owner, I do not have any issues or concerns with the requested rezone to I-O (Industrial Office Park), for the Blue Star Construction office. There has not been any negative impact on our properties or the neighborhood since Blue Star moved in on 25 Rd.

Jacquelyn Moran, Grantee  
Applewood Lane, LLC  
RE: 676 Miranda St. GJ, CO 81505

A handwritten signature in black ink that reads "Jacquelyn Moran". The signature is written in a cursive, flowing style.

Jacquelyn Moran  
872 Covey Rd.  
GJ, CO 81505  
970-243-2076

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Applewood Lane, LLC  
RE: 653 ½ 25 Rd. GJ, CO 81505



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Barn, LLC

  
Katie E. Brewer  
649 25 Rd.  
GJ, CO 81505

  
Karl Brewer  
719-339-4652

Barn, LLC  
~~6923 Tyndale St.~~  
~~McLean, VA 22101~~  
Current:  
159 A Grierson Ave.  
Fort Huachuca, AZ 85613

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING LOT 241, HERITAGE HEIGHTS, FILING ONE  
PROPERTY FROM R-8 (RESIDENTIAL – 8 DU/AC) TO  
I-O (INDUSTRIAL OFFICE PARK)**

**LOCATED AT 637 25 ROAD**

Recitals:

The applicant, Heritage Estates LLC, wishes to rezone a 0.95 +/- acre property from R-8 (Residential – 8 du/ac) to I-O (Industrial/Office Park) zone district in anticipation of industrial office park development for the purpose of establishing a general office.

The existing property is part of the Heritage Heights residential subdivision and contains a modular office building that was moved to the site in 2014 to serve as a temporary office/construction trailer in conjunction with the development of Heritage Heights subdivision. The applicant now desires to operate the temporary office/construction trailer as a general office and legitimize the existing land use on the property.

The Comprehensive Plan Future Land Use Map designation is Residential Medium High (8 – 16 du/ac) but as part of the rezone request the Comprehensive Plan Future Land Use Map is requested to be changed to Commercial/Industrial.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction City Council recommended approval of rezoning the Heritage Estates LLC property from R-8 (Residential – 8 du/ac) to I-O (Industrial/Office Park) zone district for the following reasons:

The zone district meets the recommended land use category as shown on the future land use map of the Comprehensive Plan, proposed Commercial/Industrial and the Comprehensive Plan's goals and policies and/or is generally compatible with appropriate land uses located in the surrounding area.

After the public notice and public hearing before the Grand Junction City Council, City Council finds that the I-O zone district to be established.

The City Council finds that the I-O zoning is in conformance with the stated criteria of Section 21.02.140 of the Grand Junction Zoning and Development Code.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:**

The following property shall be rezoned I-O (Industrial/Office Park).

Lot 241, Heritage Heights, Filing One

Said parcels contain 0.95 +/- acres (41,443.16 sq. ft.), more or less, as described.

Introduced on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2017 and ordered published in pamphlet form.

Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2017 and ordered published in pamphlet form.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor



## Grand Junction City Council

### Regular Session

Item #3.a.

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**Meeting Date:** April 19, 2017

**Presented By:** Greg Lanning, Public Works Dir

**Department:** Public Works - Utilities

**Submitted By:** Lee Cooper, Project Engineer

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### **Information**

#### **SUBJECT:**

Persigo WWTP Incoming Electrical Switch Gear Replacement Project.

#### **RECOMMENDATION:**

Authorize the City Purchasing Division to Sole Source the Purchase of a S&C Electric Company metal enclosed switch gear cabinet from Peterson Company (Vendor) for the Persigo WWTP in the Amount of \$74,360.00 for the Persigo WWTP Incoming Electrical Switch Gear Replacement Project.

#### **EXECUTIVE SUMMARY:**

This request is to authorize the City Purchasing Division to Sole Source the Purchase for S&C Electric Company metal enclosed switch gear cabinets from Peterson Company (Vendor) for the Persigo WWTP in the Amount of \$74,360.00 for the Persigo WWTP Incoming Electrical Switch Gear Replacement Project. This is the primary equipment for power to the entire plant. Sole source is required to match the existing equipment as well as expedite the installation to minimize down time. With recent modifications by City Council to the procurement code the City Manager has purchasing authority for purchases of the dollar amount; however, City Council approval is required because this is a sole source purchase.

#### **BACKGROUND OR DETAILED INFORMATION:**

This year the Persigo WWTP budgeted to replace the original 34-year-old main incoming 13,200-volt electrical switch gear cabinets at the plant. The current switch gear was fabricated by S&C Electric Company of Chicago, Illinois and was installed at Persigo in 1983 when the plant was being constructed.

The location of the electrical switch gear is close to where all of the raw sewage enters the plant. This part of the plant is a corrosive environment due to the high concentration of Hydrogen Sulfide (H<sub>2</sub>S) gas that is produced by the raw sewage. Over the years, the H<sub>2</sub>S gas has corroded the outer metal enclosure and has also corroded the silver alloy that covers the internal copper contact switches inside the metal enclosure. The silver alloy serves as a protective covering to the copper to prevent the copper from corroding.

Due to the corrosion on the internal electrical contact switches, Persigo staff, along with Xcel Energy, believes that if Persigo had to turn off one switch and turn on the other switch, the contact switch being turned on could potentially arc and cause an explosion.

The primary reasons for requesting a sole source purchase for new S&C Electric Company gear is time and the location of inflexible cable that must reattach to the new switch gear. S&C has on file the original as-built drawings of the current switch gear with measurements and locations of the existing cables. This will allow for the new gear to be essentially an "In-Kind" replacement and will save valuable time. During installation of the new switch gear, the power to the entire plant will be turned off. The replacement of the switch gear cabinets needs to happen in 4-6 hours as that's the maximum time Persigo can go without power. If the work can't be done in this time frame, a massive generator would have to be brought on-site to power the pumps and blowers at Persigo.

The City is working with Xcel Energy on this project to install a new electrical meter ahead of the new switch gear cabinets. Xcel Energy will own the meter and will be installing the new electrical meter at no cost to the City.

This sole source request is only for the new S&C cabinets. The lead time for these S&C cabinets is about 12-14 weeks after approval is given. Once the new S&C electrical switchgear is built, the City will advertise for bids for the work of installing the new switch gear cabinets. There are several local electrical contractors that are qualified to install and hook up the new switch gear.

To help with electrical design and communication with S&C Electric Company and Xcel Energy, Persigo hired local electrical engineering design firm Bighorn Consulting Engineers.

### **FISCAL IMPACT:**

#### **Budget**



Persigo WWTP Budgeted Funds	\$220,000
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**Expenditures**

S&C Electric Company Switch Gear Cabinets	\$74,360
Big Horn Consulting Engineers	\$1,500
Installation (est.)	<u>\$50,000</u>
Total	\$125,860

Project Savings	\$94,140
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**SUGGESTED MOTION:**

I move to authorize the City Purchasing Division to Sole Source the Purchase for S&C Electric Company metal enclosed switch gear cabinets from Peterson Company (Vendor) for the Persigo WWTP in the Amount of \$74,360 for the Persigo WWTP Incoming Electrical Switch Gear Replacement Project.

**Attachments**

1. Sole Source Justification Memo
2. Example of S&C Switch Gear Cabinets
3. Quote from Peterson Company

## *Memorandum*

**TO: Greg Lanning, Public Works Director**  
**FROM: Lee Cooper, Persigo Project Engineer**  
**DATE: April 4, 2017**  
**SUBJECT: Sole Source Justification Request for Persigo Electrical Switchgear**

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This year the Persigo WWTP budgeted to replace the original 34-year-old main incoming 13,200-volt electrical switch gear cabinets at the plant. The current switch gear was fabricated by S&C Electric Company of Chicago, Illinois and were installed at Persigo in 1983 when the plant was being constructed.

The location of the electrical switch gear is close to where all of the raw sewage enters the plant. Unfortunately, this part of the plant is a corrosive environment due to the high concentration of Hydrogen Sulfide (H<sub>2</sub>S) gas that is produced by the raw sewage. Over the years, the H<sub>2</sub>S gas has corroded the outer metal enclosure and has corroded the silver alloy covered internal copper contact switches inside the metal enclosure. The silver alloy serves as a protective covering to the copper to prevent the copper from corroding.

Due to the corrosion on the internal electrical contact switches, Persigo staff, along with Xcel Energy, believes that if Persigo had to turn off one switch and turn on the other switch, the contact switch being turned on could potentially arc and cause an explosion.

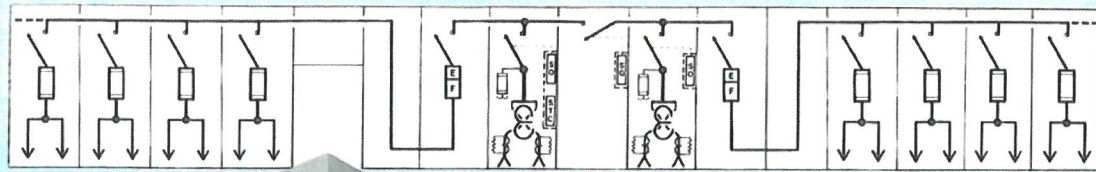
The primary reasons for requesting a sole source purchase for new S&C Electric Company gear is time and the location of inflexible cable that must reattach to the new switch gear. S&C has on file the original as-built drawings of the current switch gear with measurements and locations of the existing cables. This will allow for new gear to be essentially an "In-Kind" replacement and will save valuable time. During installation of the new switch gear, the power to the entire plant has to be off. The replacement of the switch gear needs to happen in 4-6 hours as that's the maximum time Persigo can go without power. If the work can't be done in this timeframe, a massive generator would have to be brought on-site to power the pumps and blowers at Persigo.

The City is working with Xcel Energy on this project to install a new electrical meter ahead of the new switch gear cabinets. Xcel Energy will own the meter and will be installing the new electrical meter at no cost to the City.

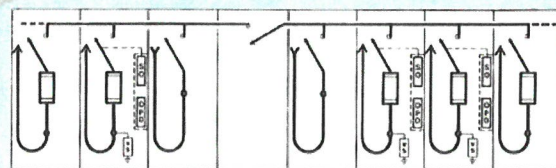
This sole source request is only for the new S&C cabinets. The lead time for these S&C cabinets is about 12-14 weeks after approval is given. Once the new S&C electrical switchgear is built, the City will advertise for bids the work of installing the new switch gear cabinets. There are several local electrical contractors that are qualified to install and hook up the new switch gear.



**With S&C Custom Metal-Enclosed Switchgear you can develop a virtually unlimited array of configurations specially tailored to the application.**



**Figure 9.** Fifteen bays of S&C Custom Metal-Enclosed Switchgear (pictured at left and diagrammed above) are arranged in an "L" configuration and serve as a power-operated split-bus primary-selective service-entrance switching center. Automatic switching of the two source switches and the bus-tie switch, by means of S&C Switch Operators and an S&C Source-Transfer Control, assures service continuity for the feeder circuits. Normally, the bus-tie switch is open and the bus sections receive power from independent sources. Should one source circuit fail, the associated switch is automatically opened and the bus-tie switch is automatically closed, with the remaining source then serving all loads. Current sensors and voltage transformers provide sensing and control power for the source-transfer control and switch operators. The switchgear assembly also includes S&C Fault Fiter Electronic Power Fuses for bus protection and coordination with the feeder fuses, and other features providing enhanced flexibility and operating convenience.



**Figure 10.** The manual, primary-selective, eight-bay lineup of S&C Custom Metal-Enclosed Switchgear pictured above is configured in a split-bus arrangement. Each bus section is supplied power through a normally closed incoming switch, with the bus-tie switch normally open between the bus sections. Three-phase load circuits are switched and protected by power-operated S&C Interrupter Switches with Power Fuses. Automatic trip-open operation of these switches is initiated by S&C Open-Phase Detectors on single-phasing resulting from blown feeder fuses or from source-side open-phase conditions at the same system voltage as the metal-enclosed switchgear. Three-phase voltage sensing for each power-operated switch is provided by S&C Voltage Sensors. Manually operated S&C Interrupter Switches with Power Fuses switch and protect single-phase load circuits. Provisions for future bus extensions are included.

Printed in U.S.A.

## 621-30 DESCRIPTIVE BULLETIN

Page 12 of 12  
September 28, 1992

S&C ELECTRIC COMPANY • Chicago  
S&C ELECTRIC CANADA LTD. • Toronto



# Peterson Company

Lance Paulson

10700 West 50th Ave.

Wheat Ridge, Co. 80033

E-mail: lance@peterson-co.com

Mr. Art Donoho  
BigHorn Consulting  
Grand Junction, CO

Project ID: 10-11-LP16-9

Subject: Metal-Enclosed Switchgear Quotation  
Project: Persigo WWTP

Dear Mr. Art Donoho:

In response to your inquiry we are pleased to offer the following quotation for S&C Metal-Enclosed Switchgear. There is one Switchgear Assembly for this Project.

Qty 1 S&C Metal-Enclosed Switchgear - Outdoor Style - 4 Bay Assembly, rated 13.8 kV Nominal, 95 kV BIL, 600A Main Bus, 600 MVA Short Circuit with individual Bays as follows:

### Special Features for this

LINEUP TO BE 105" TALL SAME AS EXISTING CDA-493112.

Bay 1 Termination Bay

Bay 2 Transition Bay---(50 by 50 angled bus duct bay)

Bay 3 Feeder Module Switch-Fuse - Manual with the following optional features: Switch Type: Mini-Rupter  
Fuse Type: SM-5S

OUTDOOR CONSTRUCTION - LIGHT GRAY FINISH  
LONG-LIFE HEATERS - 250W TOTAL OUTPUT  
PADLOCKABLE SWITCH HANDLE COVER  
SHIPPING SPLIT ON RIGHT SIDE OF BAY - ALUMINUM BUS SPLICES

Bay 4 Feeder Module Switch-Fuse - Manual with the following optional features: Switch Type: Mini-Rupter  
Fuse Type: SM-5S

OUTDOOR CONSTRUCTION - LIGHT GRAY FINISH  
LONG-LIFE HEATERS - 250W TOTAL OUTPUT  
PADLOCKABLE SWITCH HANDLE COVER

This quotation includes the following accessories and fuses for this S&C Metal-Enclosed Switchgear assembly:

(12) SM-5 Fuse Refill Units

Total Lot Price . . . . . \$74,360.00



Drawings will be available 6 weeks after receipt of your formal purchase order in Chicago with complete ordering information.

Shipment of the equipment will be scheduled 12-14 weeks after drawing release, plus approval time, if required. Major changes during drawing approval may extend shipment lead time.

Quote based on matching existing feeder bays from CDA-493112.

A one-line has not been provided.

Is the responsibility of others to insure the requirements of the switchgear meets local code.

#### **TERMS AND CONDITIONS OF**

Any order or orders based on this quotation (1) are subject to acceptance by S&C Electric Company only at its general offices in Chicago, Illinois; (2) are subject to S&C Electric Company's conditions of sale, which are defined in full under "General" in S&C Price Sheet 150, dated September 29, 2014; and (3) should be made out to S&C Electric Company in care of (c/o) Lance Paulson, 10700 West 50th Ave., Wheat Ridge, 5 80033

Terms of payment: Net 30 days

Terms of delivery: Prices are F.O.B. common carrier shipment point, with cheapest transportation prepaid (allowed) to common carrier delivery point nearest first destination on shipments with net invoice value of \$5,000.00 or more. On Shipments with less than \$5,000.00 net invoice value, prices are F.O.B. common carrier shipment point, freight collect or prepaid and added to the invoice.

This quotation is valid for 30 days from the above date.

Should you have any questions, or if I can be of further assistance, please do not hesitate to call.

Very truly yours,



Lance Paulson

Peterson Company



## Grand Junction City Council

### Regular Session

Item #4.a.

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**Meeting Date:** April 19, 2017

**Presented By:** Rob Schoeber, Parks and Recreation Director, Jay Valentine, Deputy Finance Director

**Department:** Parks and Recreation

**Submitted By:** Rob Schoeber, Parks and Recreation Director

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### Information

#### **SUBJECT:**

Contract to Replace Synthetic Turf Surface at Stocker Stadium.

#### **RECOMMENDATION:**

Authorize the Purchasing Division to enter into a contract with FieldTurf in the amount of \$516,934 to replace synthetic turf and goal posts at Stocker Stadium.

#### **EXECUTIVE SUMMARY:**

Synthetic turf was initially installed at Stocker Stadium in Lincoln Park, in 2007 with a life expectancy of eight (8) years under normal use of a single team. Usage at the stadium far exceeds that amount and includes four local high schools, Colorado Mesa University, City of Grand Junction programs, and multiple community events. The current condition of the turf is deteriorating quickly and has required significant repairs during the past year.

In addition to the City of Grand Junction, funding for this project will come from multiple stadium partners including the Parks Improvement Advisory Board, School District #51, and Colorado Mesa University. Additionally, the project has received funding through a grant from the Mesa County Federal Mineral Lease District. If approved, this project will be scheduled to be completed after the Special Olympics State Meet (mid June), and prior to the first football game (mid August). The project will include a 2-layer synthetic turf system and replacement of both goal posts.

**BACKGROUND OR DETAILED INFORMATION:**

Stocker Stadium is a multi-use facility in Lincoln Park used community-wide, hosting nearly 300 events annually, including track, football, marching band, and graduations for Colorado Mesa University, four (4) local high schools, and multiple local middle schools. In addition, there are dozens of City sponsored events annually including sports and fitness activities, Special Olympics meets, and more. In consideration of the high use of this facility, a synthetic turf system was installed in 2007 to help ensure a quality surface for the heavy utilization there. At the time of installation, the product carried a life expectancy of eight (8) years under normal use of a single team. Current usage far exceeds that anticipated amount, and the turf has exceeded its life expectancy by two (2) years. This extensive use has caused significant deterioration over the past two years to the point that a total replacement is recommended. The hash marks, direction arrows, and numbers are all showing significant wear, and seams are popping loose during competitive events requiring immediate repair.

The City has been working in collaboration with Colorado Mesa University (CMU) on securing the best overall price for this renovation. CMU will be replacing turf on their football practice field this spring. Project bids were solicited from two preferred vendors of CMU in anticipation of receiving a lower package price for both projects. This process resulted in an overall savings of \$60,000 for the two projects combined. Funding for this project will come from grants through the Parks Improvement Advisory Board and the Mesa County Federal Mineral Lease District, and the user partners listed above including City of Grand Junction, CMU and School District #51.

Major elements of the renovation include removal and disposal of existing turf, installation of new geotech fabric, installation of finish rock and re-grade, re-install airfield drainage system, installation of 2-layer turf system with 6 pounds of infill, and replacement of two (2) goalposts. The price also includes an eight (8) year warranty through FieldTurf. If approved, construction will take place between mid-June and mid-August 2017.

**FISCAL IMPACT:**

The total cost of the project is \$516,934. Funds for this project have been secured from four outside funding sources and Conservation Trust Fund (CTF) dollars.

**Sources**

Parks Improvement Advisory Board	\$200,000
Mesa County Federal Mineral Lease District	\$200,000
Colorado Mesa University	\$38,978
School District #51	\$38,978

City of Grand Junction (CTF)

\$38,978

**Total Project Sources**

**\$516,934**

**SUGGESTED MOTION:**

I move to (authorize or deny) the Purchasing Division to enter into a contract with FieldTurf in the amount of \$516,934 for the replacement of synthetic turf at Stocker Stadium.

**Attachments**

None





## Grand Junction City Council

### Regular Session

Item #5.a.i.

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**Meeting Date:** April 19, 2017

**Presented By:** David Thornton, Principal Planner

**Department:** Admin - Community Development

**Submitted By:** David Thornton, AICP, Principal Planner

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### **Information**

#### **SUBJECT:**

Ordinance Amending Sections of the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) Regarding Nonconforming Signage.

#### **RECOMMENDATION:**

Planning Commission forwarded a recommendation of approval (6-1) at their March 28, 2017 meeting.

#### **EXECUTIVE SUMMARY:**

This proposed ordinance amends the existing sign code, clarifying that sign face changes are allowed for nonconforming outdoor advertising signage (billboards) in addition to other nonconforming commercial signage. Changing sign faces to digital are currently not allowed for nonconforming billboards, but will be with this code amendment. With the proposed changes, sign face changes will be allowed and not require a permit for both conforming and non-conforming signs, including converting from static display to digital/electronic display, if no other changes are made to the sign size, height or structure.

#### **BACKGROUND OR DETAILED INFORMATION:**

Recent changes to the Sign Code have included content neutrality and digital and electronic signage. As part of those discussions a third area of concern was raised by the outdoor advertising sign industry that relates to nonconforming billboards located within zoning overlay districts.

The Code allows for face changes to conforming signs, including changes from static

display to digital/electronic display, without a permit. However, Section 21.06.070(e) of the Code, Nonconforming Signs, is not specific as to whether a face change, including to digital/electronic, is allowed for nonconforming signs and, past practice has been to not allow it without bring the sign into conformance. While the issues was brought up by the outdoor advertising industry, the interpretation applies to all nonconforming signs.

There are 67 billboards inside the City limits with 31 conforming. Of the 36 nonconforming billboards, many, if not all, have been upgraded structurally over the years and continue to remain as part of the billboard industry's inventory. Eight of the 36 became nonconforming due to a zoning overlay district regulation and 4 others were the result of a property owner requested rezone. The remaining 24 nonconforming billboards are located in areas where zoning was changed during city-wide zoning map update or where the billboard existed prior to annexation.

In addition, the nonconforming section includes a provision specific to billboards on or near the Riverside Parkway, requiring that those that are nonconforming be discontinued and removed by 2012. This provision has never been enforced and staff recommends deletion.

**Proposed amendment to the nonconforming section of the sign code is as follows:**

Addition:

Sign face changes are allowed without a permit, including converting from static display to digital/electronic display, if no other changes are made to the sign size, height or structure.

Deletion:

Any outdoor advertising sign on or near the Riverside Parkway that becomes nonconforming due to the adoption of this section may continue only in the manner and to the extent that it existed at the time of the adoption of the ordinance codified in this title. The sign must not be re-erected, relocated or replaced unless it is brought into conformance. If a sign is nonconforming, other than because of the adoption of the ordinance codified in this title, then the sign shall be discontinued and removed on or before the expiration of three years from the effective date of the ordinance codified in this title.

It was expressed by the sign industry the above addition and deletion would reconcile their issues with the current limitations on nonconforming billboards.

**FISCAL IMPACT:**

As signs are modified, one-time sales and or use tax would be applicable based on materials used. Signs are considered real property improvements and would therefore property tax would be applicable.

**SUGGESTED MOTION:**

I move to (approve or deny) Ordinance No. 4745 - An Ordinance Amending a Section of the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) Regarding Nonconforming Signage on Final Passage and Order Final Publication in Pamphlet Form.

**Attachments**

1. Planning Commission Staff Report
2. draft March 28th Planning Commission Minutes
3. Proposed Ordinance



Date: March 20, 2017  
 Author: Dave Thornton  
 Title/ Phone Ext: Principal Planner/1450  
 Proposed Schedule: Planning Commission –  
March. 28, 2017  
City Council – April 5, 2017  
 2nd Reading: April 19, 2017  
 File #: ZCA-2016-384

**PLANNING COMMISSION AGENDA ITEM**

<b>Subject:</b> Amending the Zoning and Development Code to Amend the Sign Code regarding nonconforming signs
<b>Action Requested/Recommendation:</b> Forward a Recommendation to City Council
<b>Presenter(s) Name &amp; Title:</b> David Thornton, Principal Planner

**EXECUTIVE SUMMARY:**

This proposed ordinance amends the existing sign code nonconforming section to allow sign face changes to occur for any sign conforming or nonconforming, including making a sign digital or electronic if the size of the sign is not increased. Current language found in the Code does not allow this. The outdoor advertising industry raised the issue, and their ability to bring their nonconforming billboards into the digital age. A digital or electronic sign would still have to comply with any other regulation governing such.

**BACKGROUND OR DETAILED INFORMATION:**

During the past 6 months, city staff, Planning Commission, City Council, the sign industry and business community have worked together to seek changes to the City’s sign code. Changes have occurred to the Sign Code that include addressing content neutrality and digital and electronic signage. As part of those discussions a third area of concern was raised by the outdoor advertising sign industry that relates to nonconforming billboards located within zoning overlay districts.

Council directed staff to review the upgrade limitations imposed on outdoor advertising/ billboards that are non-conforming due to overlay zone districts. Since that had not been considered by Planning Commission previously, it would be brought back to Planning Commission to consider and make a recommendation on.

After holding meetings with the affected interests the proposed changes to the City’s Sign Code will include allowing face changes to all signage, conforming and nonconforming including upgrading the sign to digital or electronic, be allowed for all

sign types, not just on premise signs. Proposed language to the nonconforming section in the sign code is as follows:

*“Face changes to any sign including making the sign digital or electronic that do not increase the size of the sign is allowed. Digital and Electronic signs must comply with regulations governing such.”*

It was expressed by the sign industry that this change would reconcile their issues with the current limitations on nonconforming billboards. Currently owners of on premise signs may change the face of their existing signs whether they are conforming or nonconforming without needing a sign permit, however, the outdoor industry may not make a sign face change for billboards without obtaining a permit to change it from a static billboard to a digital/electronic billboard. This regulation prohibits nonconforming billboards from upgrading to a digital/electronic face.

Acceptance of this proposed change stems from the following. The procedure required by the sign industry to change a static sign face of any sign to another static sign face is the same procedure required to change it to a digital/ electronic sign face when the sign structure is not altered to provide for a larger or smaller sign. If the cabinet area between the support structure of the sign is not altered in a way that changes the size of the sign, a permit should not be required for any type of sign. Making these proposed changes will create a much cleaner regulatory environment and interpretation of the Code in addition to keeping the playing field level within the sign industry.

**FISCAL IMPACT:**

N/A

**RECOMMENDATION:**

Staff recommend approval of the proposed changes to the Sign Code.

**SUGGESTED MOTION:**

Madam Chairman, on the Sign Code Amendment, ZCA-2016-384, I move that the Planning Commission forward a recommendation of the approval for the Sign Code Amendment with the findings of fact, conclusions, and conditions listed in the staff report.

**GRAND JUNCTION PLANNING COMMISSION**  
**March 28, 2017 MINUTES**  
**6:00 p.m. to 10:17 p.m.**

The meeting of the Planning Commission was called to order at 6:00 p.m. by Chairman Christian Reece. The hearing was held in the City Hall Auditorium located at 250 N. 5th Street, Grand Junction, Colorado.

Also in attendance representing the City Planning Commission were Jon Buschhorn, Kathy Deppe, Keith Ehlers, Ebe Eslami, Aaron Miller and Bill Wade.

In attendance, representing the City's Administration Department - Community Development, was Kathy Portner, (Planning Manager) and Dave Thornton (Principal Planner) Lori Bowers (Senior Planner), Scott Peterson, (Senior Planner) and Rick Dorris (Development Engineer).

Also present was Jamie Beard (Assistant City Attorney).

Lydia Reynolds was present to record the minutes.

There were 29 citizens in attendance during the hearing.

**\*\*\*INDIVIDUAL CONSIDERATION\*\*\***

**1. Amending the Zoning and Development Code [File# ZCA-2016-384]**

Request to amend the Zoning and Development Code to Amend the Sign Code regarding nonconforming signs.

*Action: Recommendation to City Council*

Applicant: City of Grand Junction  
Location: Citywide  
Staff Presentation: Dave Thornton, Principal Planner

**STAFF PRESENTATION**

David Thornton (Principal Planner) explained that during the past 6 months, city staff, Planning Commission, City Council, the sign industry and business community have worked together to seek changes to the City's sign code. Mr. Thornton noted that changes have been approved by City Council to the Sign Code that include addressing content neutrality and digital and electronic signage.

As part of those discussions a third area of concern was raised by the outdoor advertising sign industry that relates to nonconforming billboards located within zoning

overlay districts and upgrading them to digital/ electronic signage. Council directed staff to review the upgrade limitations imposed on outdoor advertising/ billboards.

Mr. Thornton explained that it was expressed by the sign industry that the Sign Code did not treat Outdoor Advertising signage the same as on-premise business signage.

Mr. Thornton explained that currently there are limitations on nonconforming billboards. Presently, owners of on-premise signs may change the face of their existing signs whether they are conforming or nonconforming, going from a static sign face to an electronic sign face, however, the outdoor industry may not make a sign face change for billboards without obtaining a permit to change it from a static billboard to a digital/electronic billboard. Mr. Thornton stated that this regulation prohibits nonconforming billboards from upgrading to a digital/electronic face.

Mr. Thornton displayed a slide of a typical sign cabinet and structure and explained that the procedure required by the sign industry to change a static sign face to another static sign face is the same procedure required to change it to a digital/ electronic sign face when the sign structure is not altered to provide for a larger or smaller sign.

Mr. Thornton referred to the slide displayed and noted that in this case, the cabinet area between the support structure of the sign would not be altered in a way that changes the size of the sign.

After holding meetings with the affected interests the proposed changes to the City's Sign Code will include allowing face changes to all signage for all sign types, conforming and nonconforming including upgrading the sign to digital or electronic.

Proposed changes will level the playing field between on-premise advertising and off-premise advertising. Mr. Thornton displayed a slide with the following **proposed** language to the Sign Code:

*“Face changes to any sign including making the sign digital or electronic that do not increase the size of the sign is allowed. Digital and Electronic signs must comply with regulations governing such.”*

Mr. Thornton displayed a slide and noted that this language is being proposed to be **deleted** from the current sign code:

*“Any outdoor advertising sign on or near the Riverside Parkway that becomes nonconforming due to the adoption of this section may continue only in the manner and to the extent that it existed at the time of the adoption of the ordinance codified in this title. The sign must not be re-erected, relocated or replaced unless it is brought into conformance. If a sign is nonconforming, other than because of the adoption of the ordinance codified in this title, then the sign shall be discontinued and removed on or before the expiration of three years from the effective date of the ordinance codified in this title.”*

With the proposed change in allowing an outdoor advertising sign face to change to a digital sign face, this section is no longer valid. The City has never enforced the last part of this which states “the sign shall be discontinued and removed on or before the expiration of three years from the effective date of the ordinance”.

### **QUESTIONS FOR STAFF**

Recognizing budget considerations, Commissioner Wade inquired how enforcement of the sign code is being handled. Mr. Thornton stated that the sign code is currently enforced on a complaint basis with regards to changes to a previously approved sign.

Commissioner Buschhorn asked how many signs are affected by the proposed changes in the code. Mr. Thornton estimated that there currently about eight billboards/signs that were not conforming due to overlays. Mr. Thornton believed that not all of the eight billboard/signs are in spots that the billboard industry would consider converting to digital due to the high cost of doing that.

Commissioner Buschhorn asked in what way are the signs non-conforming. His understanding is that presently, a non-conforming sign can only have maintenance and repairs done. Mr. Thornton replied that as of right now, the sign industry can do maintenance and repair and also do a static face change.

Commissioner Buschhorn expressed concern that although the industry may not be ready to invest the extra money to convert to digital at the present time, the code change will allow for it in the future. He felt that the possibility of the non-conforming sign converting to digital is significant. Commissioner Buschhorn asked if a non-conforming billboard/sign would be allowed to become digital even if it was in a residential zoning. Mr. Thornton explained that the change would be allowed regardless of current zoning, however with the exception of a few signs, the majority are non-conforming due to the overlay they fall in.

Commissioner Ehlers inquired if there had been any neighborhood complaints about the non-conforming billboard/signs that are currently in residential zoning. Mr. Thornton replied that since they have been drafting the language, he has received one call that was concerned about a sign changing to digital, however, it was in regards to a legal and not a non-conforming sign. The citizen had stated they didn't want to see any digital signs allowed in the city.

Commissioner Buschhorn asked why in the code, non-conforming signs are not allowed to have anything other than maintenance/repairs and face changes done. Ms. Portner explained that the purpose of addressing the non-conforming signs in the code is that eventually the need will go away and that it is a use or structure that will eventually become obsolete and will be removed. Therefore, there are provisions in the code that state how much repair can be done to those. The limit in the code currently is that if a non-conforming sign is damaged, only 50% of the value of the sign can be replace. Ms.



Portner added that most of the wooden structures that support the signs have been replaced over time. The code change is only addressing the sign face itself and not the structure.

Commissioner Buschhorn expressed concern that if the intent of the proposed changes to the code is to eliminate the non-conforming signs over time, the new wording will somewhat legitimize the sign and help it become more permanent which would go against the policy decision to not have the non-conforming signs in the future. Mr. Thornton stated that the sign is still held to the 50% rule.

## **PUBLIC COMMENTS**

Mark Gamble, 2475 Commerce Blvd. stated that he represents the Sign Industry. Mr. Gamble stated that the changes to the sign code come after seven months of meetings and discussions. Mr. Gamble stated that most of the non-conforming signs are due to overlays, such as the Riverside Parkway, Greater Downtown Plan and others that the City has approved over time. He feels the new language will allow him to convert a static sign face to digital and that he only foresees about 10% of his signs having the potential for that.

C.J. Rhyne, Grand Junction Area Chamber of Commerce, stated that in discussions with local businesses, they have expressed the desire to have the option of digital sign faces as they are more economical.

## **COMMISSIONER DISCUSSION**

Commissioner Ehlers stated that he feels the overlays in the code are appropriate and the intent is to give the corridor a certain look or appeal and prevent future clutter. Commissioner Ehlers felt that the current non-conforming signs should be allowed to continue, but they should have a natural sunset as they fail over time. He agreed with Commissioner Buschhorn's concerns that the changes may be sidestepping the non-conforming nature of the intent. Commissioner Ehlers stated that he is comfortable with the code changes as they are addressing the content of the sign and whether it is static or digital.

Commissioner Buschhorn stated that he feels the purpose of the overlays is to not have billboards in those areas and to allow digital signs where static is presently a non-conforming use, goes against the intent of the policy, therefore he is not in favor of the language change to the sign code.

**MOTION: (Commissioner Wade)** "Madam Chairman, on the Sign Code Amendment, ZCA-2016-384, I move that the Planning Commission forward a recommendation of the approval for the Sign Code Amendment with the findings of fact, conclusions, and conditions listed in the staff report."

Commissioner Deppe seconded the motion. A vote was called and the motion passed by a vote of 6-1.

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING SECTIONS OF THE ZONING AND DEVELOPMENT CODE (TITLE 21 OF THE GRAND JUNCTION MUNICIPAL CODE) REGARDING SIGNAGE**

**Recitals:**

The City Council desires to maintain effective zoning and development regulations that implement the vision and goals of the Comprehensive Plan while being flexible and responsive to the community's desires and market conditions. The City Council has developed an Economic Development Plan and desires that the zoning and development code be reviewed and amended where necessary and possible to facilitate economic development.

Signage is an important part of the economic engine of the community and an important means of communication of political, religious, educational, ideological, recreational, public service, and other messages. The Council also recognizes that the proliferation and disrepair of signs can deter the effectiveness of signs, cause dangerous conflicts with traffic control signs and signals, create safety hazards and contribute to visual pollution to the detriment of the general public.

As a matter of practice the City has allowed sign face changes to existing signs to occur without a sign permit.

The City Council finds that the amendments to the City's sign regulations strike an appropriate and careful balance between protecting First Amendment rights and community aesthetics.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:**

**Section 21.06.070 *Sign regulation* is amended as follows (additions underlined, deletions struck through):**

**(e) Nonconforming Signs.**

- (1) All signage on site shall be brought into conformance with this code prior to approval of any new sign permit on the property.

(2) Any nonconforming sign that has been damaged in excess of 50 percent of its replacement cost by fire, wind or other cause except vandalism shall not be restored without conformance with the provisions of this regulation.

(3) Sign face changes are allowed without a permit, including converting from static display to digital/electronic display, if no other changes are made to the sign size, height or structure. Digital and Electronic signs must comply with regulations governing such. ~~Any outdoor advertising sign on or near the Riverside Parkway that becomes nonconforming due to the adoption of this section may continue only in the manner and to the extent that it existed at the time of the adoption of the ordinance codified in this title. The sign must not be re-erected, relocated or replaced unless it is brought into conformance. If a sign is nonconforming, other than because of the adoption of the ordinance codified in this title, then the sign shall be discontinued and removed on or before the expiration of three years from the effective date of the ordinance codified in this title.~~

**All other parts of Section 21.06.070 shall remain in effect and are not modified by this text amendment.**

INTRODUCED on first reading the 5<sup>th</sup> day of April, 2017 and ordered published in pamphlet form.

PASSED and ADOPTED on second reading the \_\_\_\_ day of \_\_\_\_\_, 2017 and ordered published in pamphlet form.

\_\_\_\_\_  
President of the Council

ATTEST:

\_\_\_\_\_  
City Clerk



## Grand Junction City Council

### Regular Session

Item #6.a.

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**Meeting Date:** April 19, 2017

**Presented By:** Scott D. Peterson, Senior Planner

**Department:** Admin - Community Development

**Submitted By:** Scott D. Peterson, Senior Planner, Rick Dorris, City Development Engineer

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### Information

#### **SUBJECT:**

Resolution Granting Conditional Approval of Private Streets and also Public Streets and Residential Lots Traversing Greater than 30% Slopes for the Proposed Pinnacle Ridge Subdivision in an existing R-2 (Residential - 2 du/ac) Zone District, Located East of Mariposa Drive in the Redlands.

#### **RECOMMENDATION:**

Planning Commission heard this item at its March 28, 2017 meeting and forwarded a recommendation of approval to City Council (5 - 0).

#### **EXECUTIVE SUMMARY:**

The applicant, Two R & D LLC, requests approval of certain items under City Codes and regulations that require either Planning Commission or City Council action regarding their proposed Preliminary Plan application. These actions include City Council approval of; 1) proposed private streets and 2) subdivision lots and public streets traversing greater than 30% slopes.

#### **BACKGROUND OR DETAILED INFORMATION:**

The property is located east of Mariposa Drive in the Redlands and contains 45.11 +/- acres. The applicant has submitted for a Preliminary Plan subdivision review in order to develop 72 single-family detached lots to be developed in five phases/filings. Proposed residential density would be 1.59 dwelling units to the acre. Zoning for the property is R-2 (Residential – 2 du/ac). The property consists of both unplatted and platted properties. The platted properties are remnants of the old Energy Center Subdivision,

Phase 1 that were platted in 1955. Today these lots still have no legal access and are not developed. Nine of the 28 total platted lots from the Energy Center Subdivision, Phase 1 are currently not owned by the applicant and are not included within the proposed Preliminary Plan application. However, the applicant is providing access to the nine existing lots as part of their Filing Five for Pinnacle Ridge. At a later date and as a condition of approval of the Preliminary Plan, the applicant will need to request to vacate a portion of the Energy Center Subdivision Phase 1, that is owned by the applicant for existing right-of-way and utility easements located within Blocks 1 and 2. This will need to occur prior to final plan approval for Filing Five.

Under the Preliminary Plan application, the applicant has proposed to utilize the cluster provisions of the Zoning and Development Code (Section 21.03.060) to utilize and preserve existing open space in order to be able to have smaller lot sizes than what the Zoning Code requires for the R-2 zone district. The applicant is proposing 15.06 +/- acres (33% of the development) for open space within the development, which under the clustering provision would allow lot sizes of a minimum 7,125 sq. ft. and bulk standards found in the R-4 zone district. Without clustering, the minimum required lot size in the R-2 zone district is 15,000 sq. ft. Utilization of the cluster development provisions of the Code is to encourage the preservation of environmentally sensitive areas and open space lands.

Mariposa Drive is classified as a Major Collector on the Grand Valley Circulation Plan, meaning it collects traffic from neighborhoods and moves it to a higher classification street, in this case Monument Road which is classified as a Minor Arterial. Mariposa Drive, south of the existing median near the W. Ridges Blvd entrance is 28' of asphalt width with attached curb and gutter with a detached 10' wide concrete path located on the west side. Mariposa Drive was intentionally built narrower than the standard collector street to keep speeds lower.

On March 25th, 26th and 27th, 2017 the City conducted traffic counts on Monument Road and Marioposa. Monument Road had less than 4700 Average Daily Trips (ADT) measured northeast of the Mariposa intersection and less than 4200 ADT measured southwest of the Mariposa intersection. Mariposa Drive itself had less than 1100 ADT, south of the intersection with W. Ridges Blvd. Given its width and lack of driveways, Mariposa has a capacity of 3000 ADT in this area. Monument Road has a capacity of 10,000 ADT. The Pinnacle Ridge project will add approximately 720 ADT at full build-out which is well within the capacity of both Mariposa and Monument Roads. The majority of Pinnacle Ridge traffic is expected to travel to Monument Road.

The intersection of Monument and Mariposa will eventually need to be improved with right and left turn lanes on Monument and possibly a left turn lane on Mariposa. Because both streets are classified as Collector or above, it is the City's financial responsibility for these improvements.

## History and TEDS (Transportation Engineering Design Standards) Exceptions:

The applicant obtained Transportation Engineering Design Standards (TEDS) exceptions in 2007 when a previous Preliminary Plan was reviewed and approved. They are being honored with the current application regarding maximum block length, maximum street grade, maximum grades through an intersection and maximum cul-de-sac length and are conditioned as follows:

1. Exceeding the 1200' maximum block length with the condition an intermediate connection be made to either the north or west.
2. Exceeding the maximum 750' cul-de-sac length with the requirement to sprinkle houses past the street connection to the east and provide an intermediate turnaround for the Fire Department.
3. Exceeding the maximum allowable 12% street grade with the requirement to sprinkle all houses on the 13% grade along Elysium Drive.
4. Exceeding the maximum grade through an intersection on Elysium Drive at the connection to the east.

The TEDS exception granting the 13% street slope is only 1% over the allowable TEDS grade but for a longer distance, 800' instead of the allowed 500'. This steep slope is on a north facing street and will be an issue during periods of snow. The City isn't equipped to and does not plow residential streets. Consequently, the City has required the applicant to make the Homeowner's Association responsible for snow removal and to post conspicuous signs along the steep slope stating such.

## Alternative Street Standard:

The City has agreed to an alternative street standard for this subdivision that uses roadside ditches instead of attached curb, gutter, and sidewalk over much of the subdivision. There is still some attached concrete in isolated areas for specific reasons. This approach will hopefully reduce the differential movement problem (asphalt and concrete move in different ways).

## Public Versus Private Streets and Ute Water:

Several projects have been built in the City in the past where the streets moved vertically and continue to move. Multiple repairs over long time periods are required.

The proposed Pinnacle Ridge project would build approximately two miles of streets with significant lengths in cuts and fills up to 20' deep. Deep fills will settle over time and may continue to move as water is introduced by rainfall or urban development. Large cuts may actually heave.

The City's initial approach was for all streets to be private but Ute Water won't allow their water mains in private streets. The Developer objected to the private street requirement and to solve this, the City has agreed to accept the streets as public with conditions, including a seven-year warranty.

There are two areas of the project where private streets are requested by the Developer to optimize their project layout. Water can be provided by individual services. These two areas are the private street request presented herein.

Extended Warranty:

The City has agreed to accept public streets with a financially secured seven-year warranty. The Developer objects to the condition and is appealing this condition to City Council.

**FISCAL IMPACT:**

This action does not have direct fiscal impact. As residential development occurs construction materials will be subject to sales and use taxes and land and improvements will be subject to property tax.

**SUGGESTED MOTION:**

I move to (approve or deny) Resolution No. 21-17 - A Resolution Granting Conditional Approval of Private Streets and also Public Streets and Residential Lots Traversing Greater than 30% Slopes for the Proposed Pinnacle Ridge Subdivision, Located East of Mariposa Drive in The Redlands.

**Attachments**

1. Planning Commission Staff Report
2. DRAFT - Planning Commission Minutes - 3-28-17
3. Mattson Email
4. Wihera Letter
5. Wihera Letter (2)
6. Robinson Letter
7. Phillips Email
8. Resolution





Date: February 17, 2017  
 Author: Scott D. Peterson  
 Title/ Phone Ext: Senior Planner/1447  
 Proposed Schedule: March 28, 2017  
 File #: SUB-2015-120

## PLANNING COMMISSION AGENDA ITEM

<b>Subject:</b> Pinnacle Ridge Subdivision, Preliminary Plan, Located East of Mariposa Drive
<b>Action Requested/Recommendation:</b> Forward a recommendation of conditional approval to City Council for review of private streets and also public streets and residential lots traversing greater than 30% slopes for the proposed Pinnacle Ridge Subdivision in an existing R-2 (Residential – 2 du/ac) zone district located east of Mariposa Drive.
<b>Presenters Name &amp; Title:</b> Scott D. Peterson, Senior Planner; Rick Dorris, City Development Engineer

### Executive Summary:

The applicant, Two R & D LLC, requests approval of certain items under City Codes and regulations that require either Planning Commission or City Council action regarding their proposed Preliminary Plan application. These actions include Council approval of; 1) proposed private streets and 2) subdivision lots and public streets traversing greater than 30% slopes.

### Background, Analysis and Options:

The property is located east of Mariposa Drive in the Redlands and contains 45.11 +/- acres. The applicant has submitted for a Preliminary Plan subdivision review in order to develop 72 single-family detached lots to be developed in five phases/filings. Proposed residential density would be 1.59 dwelling units to the acre. Zoning for the property is R-2 (Residential – 2 du/ac). The property consists of both Unplatted and platted properties. The platted properties are remnants of the old Energy Center Subdivision, Phase 1 that were platted in 1955. Today these lots still have no legal access and are not developed. Nine of the 28 total platted lots from the Energy Center Subdivision, Phase 1 are currently not owned by the applicant and are not included within the proposed Preliminary Plan application. However, the applicant is providing access to the nine existing lots as part of their Filing Five for Pinnacle Ridge. At a later date and as a condition of approval of the Preliminary Plan, the applicant will need to request to vacate a portion of the Energy Center Subdivision Phase 1, that is owned by the applicant for existing right-of-way and utility easements located within Blocks 1 and 2. This will need to occur prior to final plan approval for Filing Five.

Under the Preliminary Plan application, the applicant has proposed to utilize the cluster provisions of the Zoning and Development Code (Section 21.03.060) to utilize and preserve existing open space in order to be able to have smaller lot sizes than what the Zoning Code requires for the R-2 zone district. The applicant is proposing 15.06 +/- acres (33% of the development) for open space within the development, which under the clustering provision would allow lot sizes of a minimum 7,125 sq. ft. and bulk

standards found in the R-4 zone district. Without clustering, the minimum required lot size in the R-2 zone district is 15,000 sq. ft. Utilization of the cluster development provisions of the Code is to encourage the preservation of environmentally sensitive areas and open space lands.

### **History and TEDS (Transportation Engineering Design Standards) Exceptions:**

The applicant obtained Transportation Engineering Design Standards (TEDS) exceptions in 2007 when a previous Preliminary Plan was reviewed and approved. They are being honored with the current application regarding maximum block length, maximum street grade, maximum grades through an intersection and maximum cul-de-sac length and are conditioned as follows:

1. Exceeding the 1200' maximum block length with the condition an intermediate connection be made to either the north or west.
2. Exceeding the maximum 750' cul-de-sac length with the requirement to sprinkle houses past the street connection to the east and provide an intermediate turnaround for the Fire Department.
3. Exceeding the maximum allowable 12% street grade with the requirement to sprinkle all houses on the 13% grade along Elysium Drive.
4. Exceeding the maximum grade through an intersection on Elysium Drive at the connection to the east.

The TEDS exception granting the 13% street slope is only 1% over the allowable TEDS grade but for a longer distance, 800' instead of the allowed 500'. This steep slope is on a north facing street and will be an issue during periods of snow. The City isn't equipped to and does not plow residential streets. Consequently, the City has required the applicant to make the Homeowner's Association responsible for snow removal and to post conspicuous signs along the steep slope stating such.

### **Alternative Street Standard:**

The City has agreed to an alternative street standard for this subdivision that uses roadside ditches instead of attached curb, gutter, and sidewalk over much of the subdivision. There is still some attached concrete in isolated areas for specific reasons. This approach will hopefully reduce the differential movement problem (asphalt and concrete move in different ways).

### **Public Versus Private Streets and Ute Water:**

Several projects have been built in the City in the past where the streets moved vertically and continue to move. Multiple repairs over long time periods are required.

The proposed Pinnacle Ridge project would build approximately two miles of streets with significant lengths in cuts and fills up to 20' deep. Deep fills will settle over time and may continue to move as water is introduced by rainfall or urban development. Large cuts may actually heave.

The City's initial approach was for all streets to be private but Ute Water won't allow their water mains in private streets. The Developer objected to the private street

requirement and to solve this, the City has agreed to accept the streets as public with conditions, including a seven-year warranty.

There are two areas of the project where private streets are requested by the Developer to optimize their project layout. Water can be provided by individual services. These two areas are the private street request presented herein.

**Extended Warranty:**

The City has agreed to accept public streets with a financially secured seven-year warranty. The Developer objects to the condition and is appealing this condition to City Council.

**Neighborhood Meeting:**

The applicant held a Neighborhood Meeting on March 11, 2015 prior to submittal of the Preliminary Plan application (City file # MTG-2015-85). Over 24 citizens attended along with City Staff and the applicant. Neighborhood concerns expressed at the meeting were mainly in regards to additional traffic to the area, subdivision lot layout and design and drainage concerns.

**Board or Committee Recommendation:**

There is no other committee of board recommendation.

**Financial Impact/Budget:**

No direct financial impact on the City budget for this item.

**Other issues:**

There are no other issues identified.

**Previously presented or discussed:**

This has not been previously discussed by the Planning Commission.

**Attachments:**

1. Staff Report/Background Information
2. Applicant's Response to 10-Year Warranty Period Request
3. Site Location Map
4. Aerial Photo Map
5. Comprehensive Plan Future Land Use Map
6. Existing Zoning Map
7. Preliminary Plan
8. Limits of Development
9. Grading Cut & Fill
10. Resolution

BACKGROUND INFORMATION			
<b>Location:</b>		NE of Mariposa Drive and Monument Road	
<b>Applicant:</b>		Two R & D LLC, Owner	
<b>Existing Land Use:</b>		Vacant land	
<b>Proposed Land Use:</b>		72 lot, single-family detached residential subdivision	
<b>Surrounding Land Use:</b>	<b>North</b>	Two-Family and Single-Family Detached	
	<b>South</b>	Vacant land (Owned by City of Grand Junction)	
	<b>East</b>	Single-Family Detached and Vacant Land	
	<b>West</b>	Single-Family Detached	
<b>Existing Zoning:</b>		R-2 (Residential – 2 du/ac)	
<b>Proposed Zoning:</b>		N/A	
<b>Surrounding Zoning:</b>	<b>North</b>	PD (Planned Development)	
	<b>South</b>	CSR (Community Service & Recreation)	
	<b>East</b>	PD (Planned Development) & County RSF-4 (Residential Single Family – 4 du/ac)	
	<b>West</b>	PD (Planned Development)	
<b>Future Land Use Designation:</b>		Residential Low (.5 – 2 du/ac)	
<b>Zoning within density range?</b>	X	<b>Yes</b>	<b>No</b>

The proposed subdivision plan has two proposals which require Planning Commission and City Council review and action which are as follows:

1. Proposed Private Streets.
2. Subdivision lots and public rights-of-way traversing greater than 30% slopes.

**Private Streets:** In accordance with Section 21.06.060 (g) (5) of the Zoning and Development Code, only City Council may authorize a subdivision to be served by private streets. The applicant requests the use of private streets in two areas of the subdivision (See Preliminary Plan for additional information), Talus Court (proposed Tract C) and Hillock Court (proposed Tract J). Talus Court is proposed to be developed in Filing 3 and Hillock Court is proposed to be developed in Filing 5. The reason that the applicant is proposing private streets in two areas are for the fact that they do not meet either the shared driveway standards or public street standards.

Private streets may be considered as an alternative to residential public streets. Private streets have historically posed problems over time as they deteriorate and property owners do not realize the burden of maintenance is theirs. In order to approve a private street, the City shall take the following criteria under review in approving a private street.

Section 21.06.100 (b) of the Zoning and Development Code:

1. The maximum annual average daily traffic (AADT) shall not exceed 250 trips per day.

The maximum AADT is less than 250 trips per day for each private street. ITE – trip generation: 10 trips per day/house and the private streets serve 10 houses ( $10 \times 10 = 100$  trips per day, which is less than 250).

Therefore, this criterion has been met.

2. All traffic, including vehicular and pedestrian, exiting from private streets shall not adversely impact the existing and proposed transportation network. Pedestrian connections accessible by the general public shall be required within the proposed development. Pedestrian facilities shown on the Urban Trails Master Plan shall be provided by the developer.

Traffic exiting the private streets will enter the existing road network at a 90° angle and will not impact traffic flow of the residential streets. Pedestrian access is by a designated concrete sidewalk that ties to the sidewalk network within the public right-of-way for the rest of the development.

Therefore, this criterion has been met.

3. A turnaround (i.e., cul-de-sac or other applicable and acceptable improvement) shall be required per the City's or County's adopted street standard in effect at the time of the development. A "Y" or "T" turnaround may be acceptable if designed according to Fire Department access requirements.

The end of each private street contains a "hammer head" turn-around with specific geometry required by the City of Grand Junction Fire Department and IFC requirements.

Therefore, this criterion has been met.

4. Street cross sections shall conform to the adopted street standards. Streets with a minimum 20-foot-wide pavement section may be allowed, if on-street parking is prohibited and adequate off-street parking is provided. The developer shall execute and record an irrevocable covenant running with the land granting the City or County the right and power to enter the street for the purpose of enforcing the parking restriction.

The street cross-section for the private drives is a minimum 20' wide with wider areas to accommodate off-street parking and an adjacent sidewalk. The proposed CCR's document will include language that will allow the City Police Department to enter the private streets to enforce parking restrictions.

Therefore, this criterion has been met.

5. If off-street parking is utilized, it shall conform to the following:

(i) It shall be provided at a rate of one space per two units plus at least four on-site parking spaces per dwelling. Two of these spaces may be in a garage or carport.

(ii) Off-street parking shall be located within 200 feet of any unit the private street serves.

(iii) Off-street parking shall be included within the same tract as the private street and shall be maintained by the homeowners' association.

Off-street parking spaces for lots off the private streets are provided at two (2) locations. A total of seven (7) spaces for 8 lots have been provided, which exceeds the 1 per 2 dwelling units. A note on the plans for Lots 44 and 45 will require 3-car garages on those lots to satisfy the parking requirements.

Therefore, this criterion has been met.

6. The finished surface of the private street may be composed of variable surfaces such as brick, interlocking pavers, cobblestones or other similar finishes, designed by a professional engineer and as approved by the City or County Engineer.

The finished surface of the private streets will be concrete or asphalt.

Therefore, this criterion has been met.

7. Any and all private streets shall include concrete curb and gutter constructed to the City Standard Details.

The private streets will have a 2% cross-slope to the center of the driving surface for drainage. No curb and gutter is proposed. Curb and gutter is not necessary in this instance because drainage is handled with an inverted street.

Therefore, this criterion has been met.

8. A pedestrian trail system may be substituted for an attached sidewalk if adjacent properties could easily access the trail and the trail system links to other transportation and recreational trails or facilities within and outside of the immediate development. Trail width shall be no less than equal to the standard for a two-way off-street bicycle path and shall be designed to the City Standard Details.

The sidewalk within the private streets will connect to the proposed public sidewalk for the entire subdivision.

Therefore, this criterion has been met.

9. All entrances to garages shall be set back from the private street or pedestrian trail a minimum distance of 20 feet.

The applicant is proposing that all garages will be set-back from the property line a minimum of 20'.

Therefore, this criterion has been met.

10. Utility and/or multipurpose easements may be required for a portion of, or the full width adjacent to, the street section when necessary.

The applicant is proposing a 14' wide multi-purpose easement to be located along the frontage of all lots adjacent to the private streets.

Therefore, this criterion has been met.

11. Private streets shall be platted in a tract dedicated to the homeowners' association.

Each of the private streets will be platted as Tracts C and J, and will be dedicated to the HOA.

Therefore, this criterion has been met.

12. A single homeowners' association for all phases of the development shall be formed and established with the Secretary of State's Office prior to the recordation of a final plat that contains a private street.

An HOA is being established for the subdivision.

Therefore, this criterion has been met.

13. The homeowners' association shall establish an annual maintenance fund for the private street.

The HOA will be required to establish an annual maintenance fund for the private streets.

Therefore, this criterion has been met.

14. The homeowners' association shall be responsible to maintain a vegetation-free zone along the private street that is 20 feet in width (10 feet each side from the center of the street).

A vegetation free zone for the private streets will be provided with a minimum of 10' each side of the center line.

Therefore, this criterion has been met.

15. Each residential structure accessed from a private street shall have landscaped areas of at least 10 feet in width between the street and the structure except for the driveway to the garage.

Depending on how the proposed home is situated on the property and the driveway location, landscaping will be provided by the individual homeowner on each lot.

Therefore, this criterion has been met.

16. An entrance design feature such as decorative paving, special signage or other conspicuous improvement shall be incorporated into the final design of the private street such that the design clearly distinguishes the private street from the public street.

An entrance design feature will be incorporated into the final plan set to distinguish the private streets from the public streets.

Therefore, this criterion has been met.

**Slopes Greater than 30%:** Under the Hillside Development Standards of Section 21.07.020 (f) of the Zoning and Development Code, development on slopes of greater than 30% is not permitted unless, after review and recommendation by the Planning Commission and approval by the City Council, it is determined that, appropriate engineering measures will be taken to minimize the impact of cuts, fills, erosion and stormwater runoff and that the developer has taken reasonable steps to minimize the amount of hillside cuts and also has taken measures to mitigate the aesthetic impact of cuts through landscaping or other steps.

The applicant is proposing to minimize the amount of hillside cuts, fills, erosion and stormwater runoff, by proposing a ring-type road configuration, traversing only a few small areas of greater than 30% slope and leaving a majority of the subdivision of areas greater than 30% slope preserved and not adversely affected. Engineering measures will be taken to minimize the impacts of cuts, fills, erosion and storm water runoff where 30% or greater slopes are proposed to be impacted. Exact measures that will be taken will be determined and approved at final plan stage. It should be noted that these Zoning Code requirements were established to limit and allow for development in a responsible manner on steep slopes, not to preclude development on steep slopes. Improvements have been proposed with the subdivision in the form of retaining walls. Retaining walls will also limit the amount of cut/fill to the minimum required.

The section of Elysium Drive that traverses slopes greater than 30% is relatively small, to be exact about 350' in length. In order to minimize hillside cuts in this area, retaining walls are planned, not to exceed 6' in height. The retaining wall will be approximately 100' long on the north side of the street, behind the curb. On the south side of the street, the retaining wall will be approximately 450' long, behind the sidewalk. To minimize cut/fill, another variation of a typical road design utilized was the elimination of the sidewalk on the north side of the road and approved by the City through an Alternative Street Standard.

It should be noted, only about 12% of the subdivision proposal has slopes greater than 30%. These areas are predominantly located around the large plateau of the site. The actual impact to the slopes greater than 30% is minimal and has been mitigated by the use of retaining walls and other engineering measures.

Proposed Lots 20, 30, and 51 have the steepest slopes within the subdivision. On average, the applicant has stated that Lot 51 is around 10% slope at the lower end. Lot 30 is less than 10% across the length of the lot and Lot 20 has an average slope of 14%. The applicant believes that a future builder of the various lots can accommodate that kind of slope fairly easily with the design of the house and use of some retaining



walls. As an example, a walk-out or reverse walk-out with the garage under the house can accommodate approximately 10'-12' of slope across the lot without much impact. In addition, the lots are large enough, providing surface area along the side of the building pads to accommodate grade changes. Small 2' to 4' retaining walls at the rear of the lots can also mitigate slope issues so that a building pad can be developed.

### **Alternative Street Design**

As proposed, the subdivision alternative streets will incorporate use of concrete curb and gutter with attached sidewalks, as well as provide more shoulder and borrow ditch design with detached sidewalks. The utilization of these alternative sections throughout the project is an attempt to address some of the recent problems experienced with projects where differential settlement and movement between the concrete curb, gutter, sidewalks and the pavement have occurred. The proposed street sections will reduce chances of differential settlement and movement between the concrete curbs and sidewalks and asphalt sections of the roadway. The goal is to build as uniform a section of road as possible, thus preventing movement of the roadway material at different rates and magnitudes. In addition, should movement occur, the sidewalk is not integral to the street, therefore maintaining its functionality without having to be replaced. The proposed borrow ditches create a drainage relief for underlying moisture that may be trapped in the base course beneath the pavements; thus helping to maintain the longevity of the pavement structure.

A 34' wide ROW section is to be utilized in areas where the road is following the perimeter boundary and is adjacent to open space, follows a natural ridge line, and has unique topographic features. This section is proposed to preserve the natural topography and aesthetics of the area, by not performing excessive grading and installation of unnecessary retaining walls.

The integrity of through traffic lanes will not be compromised; thus, maintaining the safety of the roadway. By providing a detached trail on the lot side of the road cross section the integrity of the pedestrian walkways and access is maintained. In addition, this segment of the project has steep grades (approx 13%). This roadway section is well suited for this type of localized rural steep terrain.

City staff has also required other conditions of approval for the alternative streets, such as adding provisions through the CCR's for additional winter maintenance provisions by the HOA and signage for the one (1) steep section of road.

### **Extended Warranty Justification**

The City is requiring the applicant provide a seven-year secured warranty due to soil conditions and the site grading design. As seen with Exhibits 1, 2 & 3 at the end of this report, there are several projects built in recent years where the streets moved vertically and continue to move.

The proposed Pinnacle Ridge Project would build approximately two miles of streets with significant lengths in cuts and fills up to 20' deep. Deep fills will settle over time and may continue to move as water is introduced by rainfall or urban development. Large cuts may actually heave.

The original geotechnical report, by Geotechnical Engineering Group, is a Preliminary Report from 2002 and identifies expansive claystone. The Applicant hired Huddleston-Berry Engineering and Testing, LLC (HBET) to address review comments generated with this application. They have not performed further field investigation but have performed engineering calculations based on data contained in the original report. HBET's July 2, 2015 letter says:

"In general, it is difficult to define what is considered a "normal" amount of movement for a pavement over time. Particularly a period as long as 10-years. Given the geology at the site and experience in the vicinity of the site, pavement heave is possible in some areas of the site. However, the risk may be able to be reduced by the use of structural fill, impermeable membrane, etc. In fact, the referenced preliminary Geotechnical Investigation report states that "we anticipate large cut areas and fill areas in the pavement areas across the site. It may be a prudent measure to reevaluate pavement sections when a rough final grade is established on site. We should be called to observe subgrade to help delineate areas of potentially swelling soils where an increased pavement section may be necessary. It may also be feasible to overexcavate areas of expansive claystone and replace with similar on-site granular materials". "

There are several ways to engineer and construct streets and utilities to "minimize" movement. Some of these measures were used on the Spyglass Ridge Subdivision on Orchard Mesa, but there has been substantial movement and expensive repair is needed.

City policy has always been for Development to pay its own way. When streets move, and the warranty is over, taxpayers spend thousands of dollars to fix problems. Multiple repairs over long time periods are often required. The City's standard warranty is only one year. The movement seen at Spyglass and Mariposa took a few years to manifest themselves. With the on-site soils, the magnitude of site grading, and the City's recent experience, the risk to the taxpayer is too great to accept the standard one-year warranty for Pinnacle Ridge. The City has agreed to accept the streets as public streets with the condition listed below.

At final design, perform an in depth geotechnical engineering investigation and report with proper slope stability, rockfall, and earthwork analysis and requirements. This can be incremental to the phases where final design approval is being requested; however, if slope stability and/or rockfall analyses prove problematic, the Preliminary Plan could be nullified or may need to be redesigned and reapproved.

- a. The geotechnical report must design the earthwork and streets to minimize vertical movement and construction must strictly adhere to the report and be documented by daily observations and proper testing during construction. A secured seven-year warranty will be required.
- b. Landscaping shall be limited to low water requirement plants and irrigation systems. The details will be defined in conjunction with the geotechnical engineer at final design.
- c. A site specific slope and rockfall analysis (based on field investigation) in the areas of concern will be required with each filing.
- d. Lot specific grading and drainage plans will either be required with the final design for each filing or with each planning clearance.

## **FINDINGS OF FACT/CONCLUSIONS AND CONDITIONS:**

After reviewing the Pinnacle Ridge Preliminary Plan subdivision application, SUB-2015-120, a request for review of private streets and also public streets and residential lots traversing greater than 30% slopes, City Staff makes the following findings of fact/conclusions and conditions of approval:

1. At final design, perform an in depth geotechnical engineering investigation and report with proper slope stability, rockfall, and earthwork analysis and requirements. This can be incremental to the phases where final design approval is being requested; however, if slope stability and/or rockfall analyses prove problematic, the Preliminary Plan could be nullified or may need to be redesigned and reapproved.
  - a. The geotechnical report must design the earthwork and streets to minimize vertical movement and construction must strictly adhere to the report and be documented by daily observations and proper testing during construction.
  - b. A secured seven-year warranty will be required.
  - c. Landscaping shall be limited to low water requirement plants and irrigation systems. The details will be defined in conjunction with the geotechnical engineer at final design.
  - d. A site specific slope and rockfall analysis (based on field investigation) in the areas of concern will be required with each filing.
  - e. Lot specific grading and drainage plans will either be required with the final design for each filing or with each planning clearance.
2. Perfect an intermediate connection to Hidden Valley Drive, with Filing 4 according to the current phasing plan, as required by the January 2007 TEDS exception.
3. Perfect the ability to loop water lines, if needed, and provide sanitary sewer to portions of the project via the Hidden Valley Drive connection with Filing 4 according to the current phasing plan.
4. The HOA is required to remove snow along the north facing slope on Elysium Drive. Provide proper language and assessments in the CC & R's and signs must be conspicuously placed on the street stating such.
5. Approval of the request to use private streets in two areas of the subdivision, Talus Court and Hillock Court.

The Developer is proposing appropriate engineering measures to minimize the impact of cuts, fills, erosion and stormwater by incorporating retaining walls, detention and water quality basins, and proper site grading in their design, based on Preliminary Geotechnical Investigation. If subsequent Geotechnical Investigation reveals significant slope instability issues, as determined by City staff based on input from the Colorado Geologic Survey, redesign of the Preliminary Plan will be required. If a minor revision is required, the review of the revised preliminary subdivision plan may, at the discretion of the Director, proceed concurrently with final plat review. Nullification/revocation of this approval shall require review by the Planning Commission.

## **STAFF RECOMMENDATION:**

I recommend that the Planning Commission forward a recommendation of conditional approval to the City Council of the requested review of private streets and also public streets and residential lots traversing greater than 30% slopes for the proposed

Pinnacle Ridge Subdivision, SUB-2015-120, to the City Council with findings of fact/conclusions and conditions as stated in the staff report.

**RECOMMENDED PLANNING COMMISSION MOTION:**

Madam Chairman, on item SUB-2015-120, I move that the Planning Commission forward a recommendation of conditional approval of the requested review of private streets and also public streets and residential lots traversing greater than 30% slopes for the proposed Pinnacle Ridge Subdivision, SUB-2015-120, to the City Council with findings of fact/conclusions and conditions as stated in the staff report.

## Exhibit 1

### RECENT STREET PROBLEMS

#### Spyglass Ridge Subdivision

- Original engineering and construction included substantial expense (up to 3.5' deep of soils work and geo grid plus the normal street section) to stabilize difficult soils and it worked pretty well for most of the subdivision. There are however isolated areas where significant problems exist.
- Lookout lane, built 2006/2007. At least 4" of movement in places, rebuilt about 200' by 2014 and more needed.
- Gunnison Ridge Ct. Paved 2007 to 2008. By 2012 already substantial movement and repair needed. Some repair already done by 2010, presumably by the Developer.
- It took several years for the movement to manifest.
- The pictures below were taken in February 2017 and show different movement areas.



## Exhibit 2

### Redlands Mesa Subdivision, Filing 1

- Shadow lake court and Shadow Lake Circle, built in 2000, failed almost immediately and was rebuilt by the Developer. All of Shadow Lake Court is in poor condition and will require significant maintenance (probably mill and overlay) in the near future. The pictures below show significant movement between the concrete and asphalt at the lip of concrete gutter.





### Exhibit 3

#### Mariposa Drive

- Mariposa is an old gravel road from at least 1994, but probably late 70s to early 80s, which was improved with curb, gutter, sidewalk and paved in 2005 to 2006. It is located on the southern edge of Pinnacle Ridge and its primary access is Mariposa. GIS aerial pictures show distress by 2010 and google street view shows substantial movement in 2012.



Applicant's Response to proposed City Public Works Staff request for a 7-year subdivision warranty period for the public streets in-lieu of the normal one-year warranty period.

**Response:**

Extensive Engineering and Analysis has been completed for this project with various local Geotechnical and Civil Engineers. The Developer does not agree with, nor will they accept, the 10-year warranty program as outlined by the City Development Engineer. No specific Engineering studies have been provided by the City to validate this unprecedented request. Further, the applicant has gone above and beyond the standard requirements of a Preliminary Plan application in order to refute the consideration of a 10-year warranty. This has never, in the known history of Development applications in the City of Grand Junction, been required.

The concept of "perceived" future liability that "may" occur does not provide the legal basis by which to make the requirement that has been proposed by City staff. The applicant agreed to provide an extended warranty twice the amount of time required under the current Zoning and Development Code of two (2) years. This will be more than an adequate amount of time to determine if there will be any issues with the road construction.

Further, the applicant, in conjunction with their Geotechnical Engineer, has outlined a set of additional guidelines that will be followed during construction to mitigate the potential of future maintenance issues. This will be adhered to and will result in an end product which will not be any more of a future financial liability on the City than any other road that is constructed with development. See attached letter describing the street soil subgrades, and additional construction measures to be implemented to mitigate potential swelling soil issues.

***It is unprecedented for such a requirement to be placed upon an applicant.***

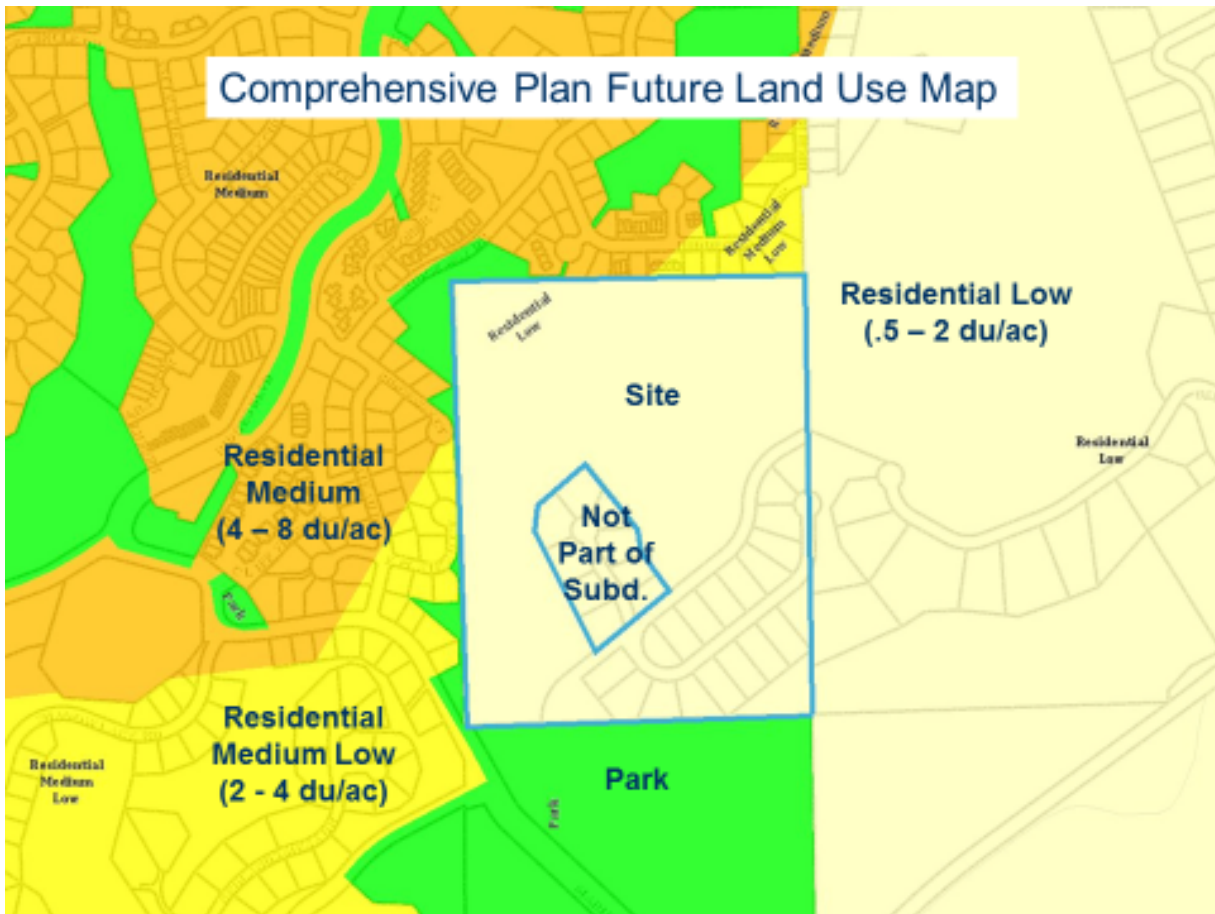






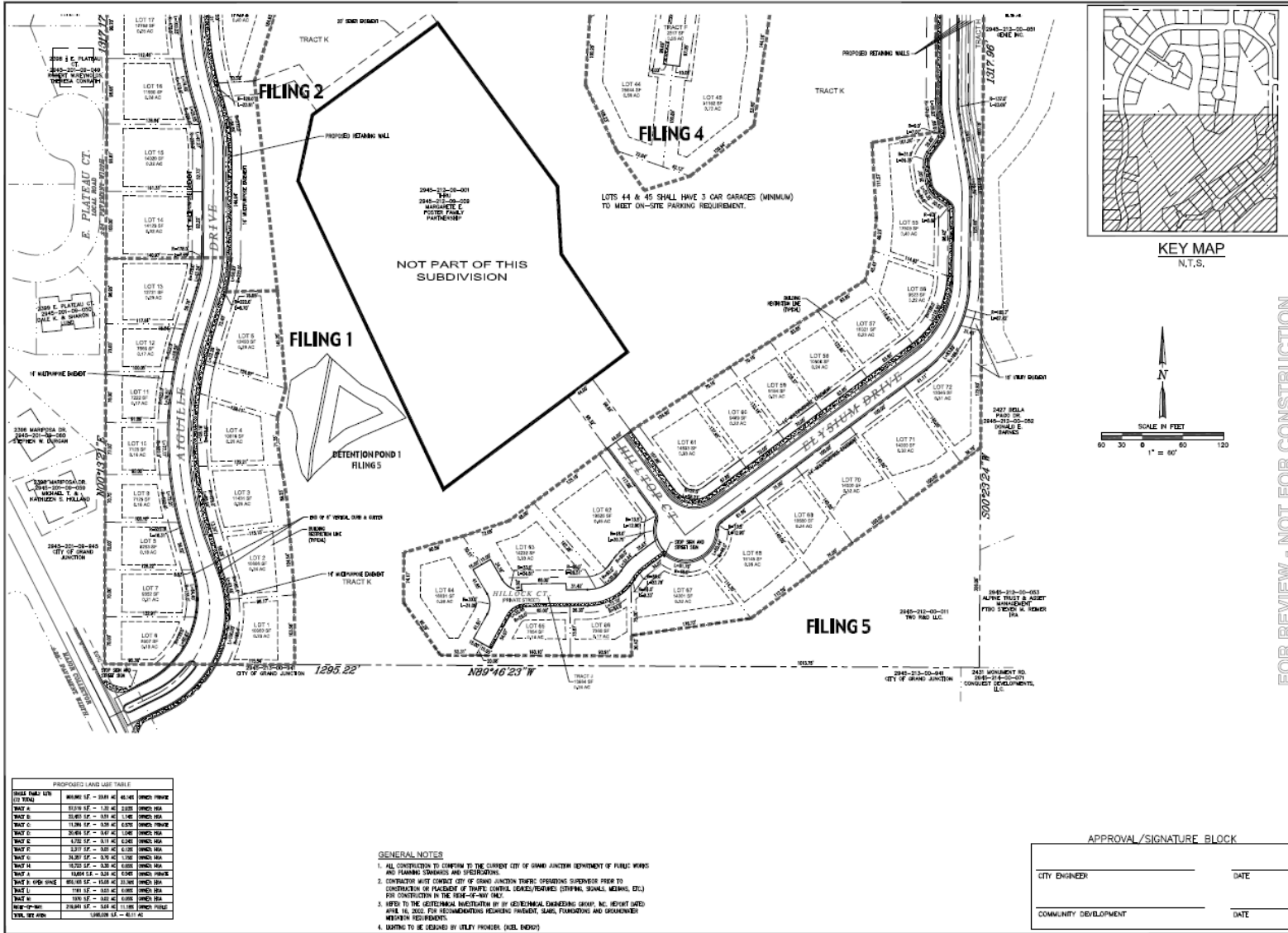
Aerial Photo Map

# Comprehensive Plan Future Land Use Map





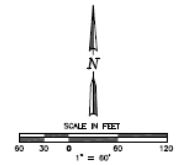




PROPOSED LAND USE TABLE

LOT	AREA (SQ. FT.)	AREA (AC.)	PROPOSED USE
LOT 1	10,000	0.23	RESIDENTIAL
LOT 2	10,000	0.23	RESIDENTIAL
LOT 3	10,000	0.23	RESIDENTIAL
LOT 4	10,000	0.23	RESIDENTIAL
LOT 5	10,000	0.23	RESIDENTIAL
LOT 6	10,000	0.23	RESIDENTIAL
LOT 7	10,000	0.23	RESIDENTIAL
LOT 8	10,000	0.23	RESIDENTIAL
LOT 9	10,000	0.23	RESIDENTIAL
LOT 10	10,000	0.23	RESIDENTIAL
LOT 11	10,000	0.23	RESIDENTIAL
LOT 12	10,000	0.23	RESIDENTIAL
LOT 13	10,000	0.23	RESIDENTIAL
LOT 14	10,000	0.23	RESIDENTIAL
LOT 15	10,000	0.23	RESIDENTIAL
LOT 16	10,000	0.23	RESIDENTIAL
LOT 17	10,000	0.23	RESIDENTIAL
LOT 18	10,000	0.23	RESIDENTIAL
LOT 19	10,000	0.23	RESIDENTIAL
LOT 20	10,000	0.23	RESIDENTIAL
LOT 21	10,000	0.23	RESIDENTIAL
LOT 22	10,000	0.23	RESIDENTIAL
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LOT 82	10,000	0.23	RESIDENTIAL
LOT 83	10,000	0.23	RESIDENTIAL
LOT 84	10,000	0.23	RESIDENTIAL

- GENERAL NOTES
- ALL CONSTRUCTION TO CONFORM TO THE CURRENT CITY OF GRAND JUNCTION DEPARTMENT OF PUBLIC WORKS AND PLANNING STANDARDS AND SPECIFICATIONS.
  - CONTRACTOR MUST CONTACT CITY OF GRAND JUNCTION TRAFFIC OPERATIONS SUPERVISOR PRIOR TO CONSTRUCTION OR PLACEMENT OF TRAFFIC CONTROL DEVICES/RESOURCES (STRIPE, SIGNAL, MEDIUM, ETC.) FOR CONSTRUCTION IN THE USE-OF-WAY AREA.
  - REFER TO THE GEOTECHNICAL INVESTIGATION BY GEOTECHNICAL ENGINEERING GROUP, INC. REPORT DATED APRIL 10, 2012, FOR RECOMMENDATIONS REGARDING PAVEMENT, SIGNS, FLOODING AND DRAINAGE/RETENTION REQUIREMENTS.
  - WORKING TO BE DESIGNED BY JULY PROWLER, (KANSAS, INDIAN)



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 Fax: 970.243.7639

**James C. Atkinson**  
 PROFESSIONAL ENGINEER  
 LICENSED NUMBER 14,388

FOR REVIEW - NOT FOR CONSTRUCTION  
 MAJOR SUBDIVISION  
 PRELIMINARY PLAN

NO.	DATE	DESCRIPTION
1		PREPARED BY JAMES C. ATKINSON
2		REVISIONS TO PRELIMINARY PLAN
3		REVISIONS TO PRELIMINARY PLAN
4		REVISIONS TO PRELIMINARY PLAN
5		REVISIONS TO PRELIMINARY PLAN

Subdivision Plan  
 SHEET 1 OF 2  
**Pinnacle Ridge Subdivision**  
 Mariposa Drive  
 Grand Junction, Colorado 81507

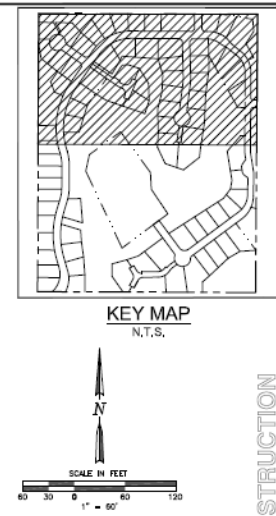
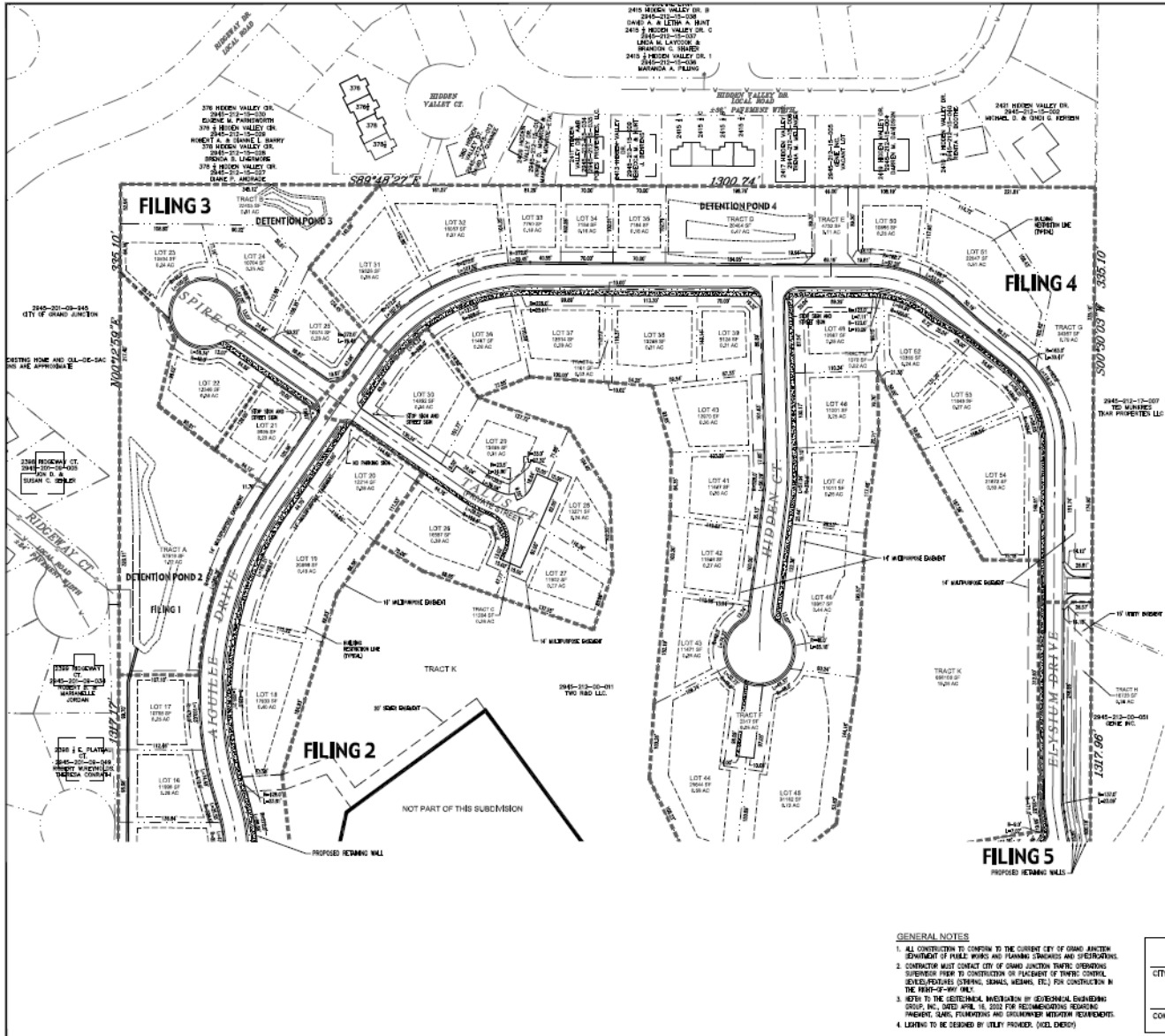
APPROVAL/SIGNATURE BLOCK

CITY ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_

COMMUNITY DEVELOPMENT \_\_\_\_\_ DATE \_\_\_\_\_

REVISIONS TRACKER  
 DATE 04/15/15  
 DRAWN TWP  
 CHECK TWP  
 5

Preliminary Plan (Sheet 1)



**VORTEX ENGINEERING, INC.**  
 1334 Palomares Blvd, Suite 101  
 Grand Junction, CO 81507  
 Phone: (970) 248-1000  
 Fax: (970) 248-1000  
 • PROFESSIONAL ENGINEERS  
 • LICENSED SURVEYORS  
 • C.E.L.C. CONSULTING ENGINEER

James C. Atkinson  
 PROFESSIONAL ENGINEER  
 LICENSED SURVEYOR

FOR REVIEW - NOT FOR CONSTRUCTION

NO.	DATE	DESCRIPTION
1	04/16/2012	PRELIMINARY PLAN
2	04/16/2012	REVISIONS
3	04/16/2012	REVISIONS
4	04/16/2012	REVISIONS
5	04/16/2012	REVISIONS
6	04/16/2012	REVISIONS
7	04/16/2012	REVISIONS
8	04/16/2012	REVISIONS
9	04/16/2012	REVISIONS
10	04/16/2012	REVISIONS

NO.	DATE	DESCRIPTION
1	04/16/2012	PRELIMINARY PLAN
2	04/16/2012	REVISIONS
3	04/16/2012	REVISIONS
4	04/16/2012	REVISIONS
5	04/16/2012	REVISIONS
6	04/16/2012	REVISIONS
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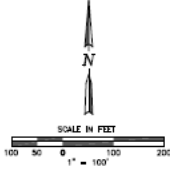
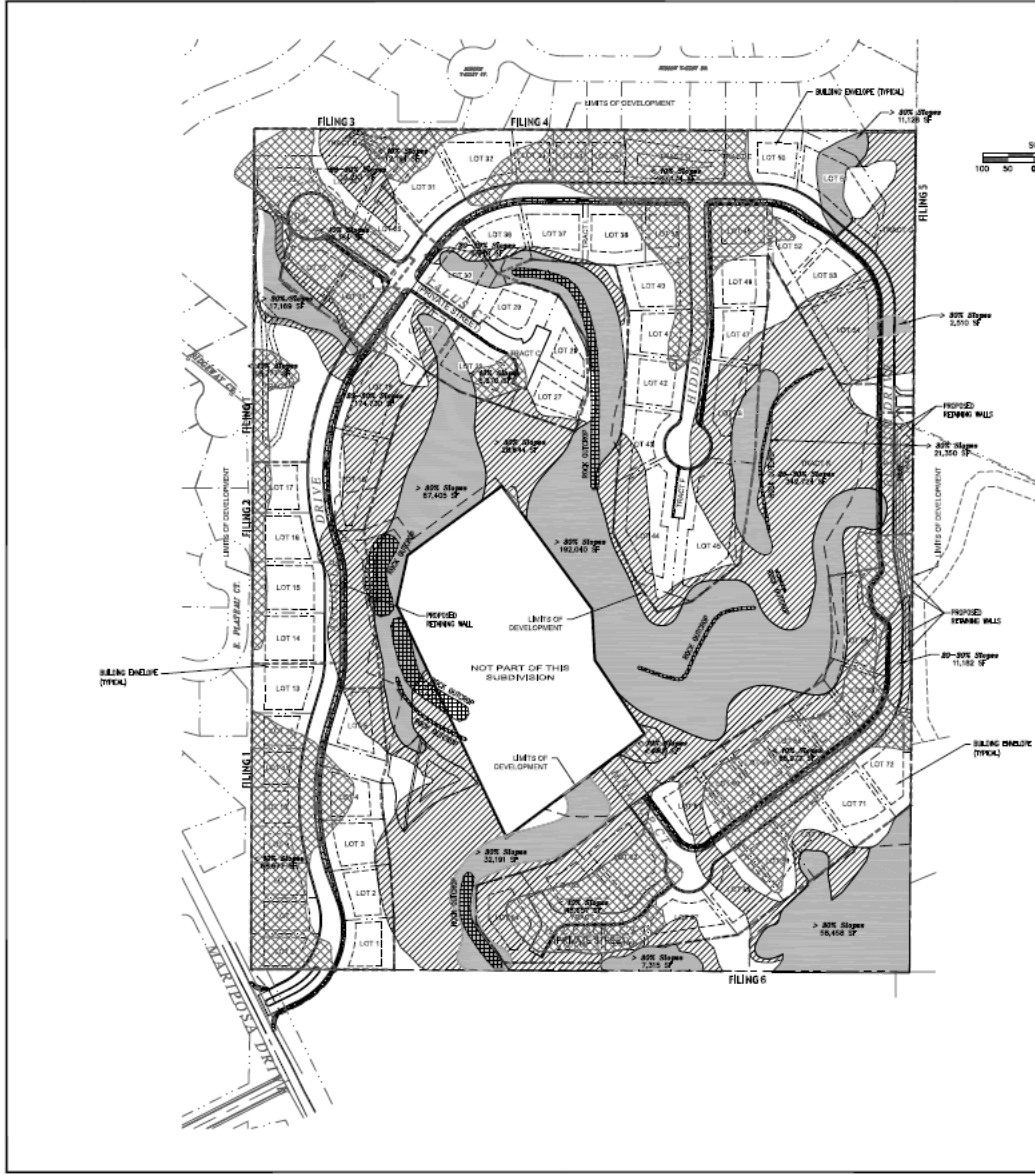
Subdivision Plan  
 SHEET 2 OF 2  
**Pinnacle Ridge Subdivision**  
 Mariposa Drive  
 Grand Junction, Colorado 81507

- GENERAL NOTES**
1. ALL CONSTRUCTION TO CONFORM TO THE CURRENT CITY OF GRAND JUNCTION DEPARTMENT OF PUBLIC WORKS AND TRAINING STANDARDS AND SPECIFICATIONS.
  2. CONTRACTOR MUST CONTACT CITY OF GRAND JUNCTION TRAFFIC OPERATIONS SUPERVISOR PRIOR TO CONSTRUCTION ON PLACEMENT OF TRAFFIC CONTROL DEVICES, FEATURES (STOPPING SIGNALS, SIGNS, ETC.) FOR CONSTRUCTION IN THE RIGHT-OF-WAY ONLY.
  3. REFER TO THE GEOTECHNICAL INVESTIGATION BY GEOTECHNICAL ENGINEERING GROUP, INC., DATED APRIL 16, 2012 FOR RECOMMENDATIONS REGARDING FOUNDATION, EARTH RETAINING AND DRAINAGE MITIGATION REQUIREMENTS.
  4. LIGHTING TO BE DESIGNED BY UTILITY PROVIDER. (VCL DESIGN)

**APPROVAL/SIGNATURE BLOCK**

CITY ENGINEER:	DATE
COMMUNITY DEVELOPMENT	DATE

Preliminary Plan (Sheet 2)



**LEGEND:**

	0-10%		ROCK CROPS
	10.01-20%		NOT TO BE RETURNED
	20.01-30%		
	30%+ NO BUILD ZONE		

Filing No.	Lot No.	Lot Area (SPT)	Lot Area (AC)	Minimum Lot Size (SPT)	Minimum Lot Size (AC)	Lot Width	Minimum Lot Width	Minimum Lot Width	Average Slope (%)
1	1	17000	0.39	10000	229	100	100	100	0.20
	2	17000	0.39	10000	229	100	100	100	0.20
	3	17000	0.39	10000	229	100	100	100	0.20
	4	10000	0.23	7125	156	100	100	70	0.10
	5	10000	0.23	10000	229	119.64	100	100	0.20
	6	9300	0.21	7125	156	87.35	70	100	0.10
	7	8000	0.18	7125	156	71.73	70	100	0.10
	8	8000	0.18	7125	156	71.73	70	100	0.10
	9	7100	0.16	7125	156	71.73	70	100	0.10
	10	7100	0.16	7125	156	71.73	70	100	0.10
2	11	2220	0.51	2125	464	80.20	70	100	0.10
	12	1800	0.41	7125	156	72.00	70	100	0.10
	13	1270	0.29	10000	229	100	100	100	0.20
	14	14000	0.32	10000	229	100	100	100	0.20
	15	10000	0.23	10000	229	100	100	100	0.20
	16	10000	0.23	10000	229	100	100	100	0.20
	17	10000	0.23	10000	229	100	100	100	0.20
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	49	10000	0.23	10000	229	100	100	100	0.20
	50	10000	0.23	10000	229	100	100	100	0.20

FOR REVIEW - NOT FOR CONSTRUCTION

**VORTEX ENGINEERING, INC.**  
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 Denver, Colorado 80202  
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 Fax: (303) 448-8882

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**James C. Atkinson**  
 PROFESSIONAL ENGINEER  
 LICENSE NO. 10000

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**MAJOR SUBDIVISION PRELIMINARY PLAN**

DATE: 08/18/18	BY: JCA
SCALE: AS SHOWN	BY: JCA
PROJECT: Pinnacle Ridge Subdivision	BY: JCA
LOCATION: Mariposa Drive, Grand Junction, Colorado 81507	BY: JCA

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Limits of Development/Slope Analysis

**Pinnacle Ridge Subdivision**

Mariposa Drive  
 Grand Junction, Colorado 81507

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PROJECT NO. 18-008

DATE: 08/18/18

SCALE: AS SHOWN

FILE: Cover.dwg

4

**Limits of Development/Slope Analysis**







**GRAND JUNCTION PLANNING COMMISSION**  
**March 28, 2017 MINUTES**  
**6:00 p.m. to 10:17 p.m.**

The meeting of the Planning Commission was called to order at 6:00 p.m. by Chairman Christian Reece. The hearing was held in the City Hall Auditorium located at 250 N. 5th Street, Grand Junction, Colorado.

Also in attendance representing the City Planning Commission were Jon Buschhorn, Kathy Deppe, Keith Ehlers, Ebe Eslami, Aaron Miller and Bill Wade.

In attendance, representing the City's Administration Department - Community Development, was Kathy Portner, (Planning Manager) and Dave Thornton (Principal Planner) Lori Bowers (Senior Planner), Scott Peterson, (Senior Planner) and Rick Dorris (Development Engineer).

Also present was Jamie Beard (Assistant City Attorney).

Lydia Reynolds was present to record the minutes.

There were 29 citizens in attendance during the hearing.

**\*\*\*CONSENT CALENDAR\*\*\***

**1. Minutes of Previous Meetings**

*Action: Approve the minutes from the February 28, 2017 Meeting.*

Chairman Reece briefly explained the Consent Agenda and invited the public, Planning Commissioners and staff to speak if they wanted the item pulled for a full hearing.

With no amendments to the Consent Agenda, Chairman Reece called for a motion to approve the Consent Agenda.

**MOTION:** (Commissioner Wade) "Madam Chairman, I move approve the consent agenda."

Commissioner Ehlers seconded the motion. A vote was called and the motion passed unanimously by a vote of 7-0.

**\*\*\*INDIVIDUAL CONSIDERATION\*\*\***

The Planning reconvened after a short break and Chairman Reece explained that two members of the Planning Commission, Aaron Miller and Ebe Eslami, have recused themselves from the last item on the agenda.

## **Pinnacle Ridge Subdivision**

[SUB-2015-120]

Request approval for a review of private streets and also public streets and residential lots traversing greater than 30% slopes for the proposed Pinnacle Ridge Subdivision in an existing R-2 (Residential – 2 du/ac) zone district located east of Mariposa Drive.

*Action: Recommendation to City Council*

Applicant: Two R & D LLC, Owner  
Location: NE of Mariposa Drive and Monument Road  
Staff Presentation: Scott Peterson, Sr. Planner

### **STAFF PRESENTATION**

Mr. Peterson (Senior Planner) stated that the applicant, Two R & D LLC, requests approval of certain items under City Codes and regulations that require either Planning Commission or City Council action regarding their proposed Preliminary Plan application. These actions include Council approval of; 1) proposed private streets and 2) subdivision lots and public streets traversing greater than 30% slopes.

The applicant has submitted for a Preliminary Plan subdivision review in order to develop 72 single-family detached lots to be developed in five phases/filings. Proposed residential density would be 1.59 dwelling units to the acre.

Mr. Peterson noted that the applicant held a Neighborhood Meeting on March 11, 2015 prior to submittal of the Preliminary Plan application. Over 24 citizens attended along with City Staff and the applicant. Neighborhood concerns expressed at the meeting were mainly in regards to additional traffic to the area, subdivision lot layout and design and drainage concerns.

Mr. Peterson displayed an aerial photo and site location of the property. The property is located east of Mariposa Drive, north of Monument Road in the Redlands and contains 45.11 +/- acres.

This is a closer aerial photo of the area. The property consists of both unplatted and platted properties. The platted properties are remnants of the old Energy Center Subdivision, Phase 1 that were platted in 1955. Today these lots still have no legal access and are not developed. Nine of the 28 total platted lots from the Energy Center Subdivision, Phase 1 are currently not owned by the applicant and are not included within the proposed Preliminary Plan application. However, the applicant is providing access to the nine existing lots as part of their Filing Five for Pinnacle Ridge. At a later date and as a condition of approval of the Preliminary Plan, the applicant will need to request to vacate a portion of the Energy Center Subdivision Phase 1, that is owned by the applicant for existing right-of-way and utility easements located within Blocks 1 and 2.

Comprehensive Plan Future Land Use Map identifies the property as Residential Low which is .5-acre lot size to 2 dwelling units to the acre. Current zoning for the property is R-2 (Residential – 2 du/ac).

Mr. Peterson displayed a slide showing the southern half of the development. Under the Preliminary Plan application, the applicant has proposed to utilize the cluster provisions of the Zoning and Development Code to utilize and preserve existing open space in order to be able to have smaller lot sizes than what the Zoning Code requires for the R-2 zone district.

Mr. Peterson explained that the applicant is proposing 15.06 +/- acres (33% of the development) for open space within the development, which under the clustering provision would allow lot sizes of a minimum 7,125 sq. ft. and bulk standards found in the R-4 zone district. Without clustering, the minimum required lot size in the R-2 zone district is 15,000 sq. ft. Utilization of the cluster development provisions of the Code is to encourage the preservation of environmentally sensitive areas and open space lands.

Mr. Peterson displayed a slide showing the northern half of the development. In accordance with the Zoning and Development Code, only City Council may authorize a subdivision to be served by private streets. The applicant requests the use of private streets in two areas of the subdivision, Talus Court (proposed Tract C) and Hillock Court (proposed Tract J). Talus Court is proposed to be developed in Filing 3 and Hillock Court is proposed to be developed in Filing 5.

The reason that the applicant is proposing private streets in two areas are for the fact that they do not meet either the shared driveway standards or public street standards. Private streets may be considered as an alternative to residential public streets. Private streets have historically posed problems over time as they deteriorate and property owners do not realize the burden of maintenance is theirs.

In looking at the review criteria for a private street, Mr. Peterson explained that an HOA will be created for ownership and maintenance responsibilities. Average trips per day would be less than 250 trips. The end of each private street contains a hammerhead turnaround which has been reviewed and approved by the Grand Junction Fire Department.

Mr. Peterson noted that additional off-street parking spaces are provided at two separate locations to accommodate 7 additional parking spaces. Cross-section of the private street would be a minimum of 20' wide. A pedestrian sidewalk within the private street would connect to the proposed public sidewalk located within the subdivision among meeting other requirements.

Mr. Peterson displayed a slide that identifies the slopes on the property. Under the Hillside Development Standards of the Zoning and Development Code, development on slopes of greater than 30% is not permitted unless, after review and recommendation by the Planning Commission and approval by the City Council, it is determined that,

appropriate engineering measures will be taken to minimize the impact of cuts, fills, erosion and stormwater runoff and that the developer has taken reasonable steps to minimize the amount of hillside cuts and also has taken measures to mitigate the aesthetic impact of cuts through landscaping or other steps.

The applicant is proposing to minimize the amount of hillside cuts, fills, erosion and stormwater runoff, by proposing a ring-type road configuration, traversing only a few small areas of greater than 30% slope and leaving a majority of the subdivision of areas greater than 30% slope preserved and not adversely affected.

Engineering measures will be taken to minimize the impacts of cuts, fills, erosion and storm water runoff where 30% or greater slopes are proposed to be impacted. Exact measures that will be taken will be determined and approved at final plan stage. It should be noted that these Zoning Code requirements were established to limit and allow for development in a responsible manner on steep slopes, not to preclude development on steep slopes. Improvements have been proposed with the subdivision in the form of retaining walls. Retaining walls will also limit the amount of cut/fill to the minimum required.

The section of Elysium Drive that traverses slopes greater than 30% is relatively small, to be exact about 350' in length. In order to minimize hillside cuts in this area, retaining walls are planned, not to exceed 6' in height.

It should be noted, only about 12% of the subdivision proposal has slopes greater than 30%. These areas are predominantly located around the large plateau of the site. The actual impact to the slopes greater than 30% is minimal and has been mitigated by the use of retaining walls and other engineering measures.

Mr. Peterson explained that proposed Lots 20, 30, and 51 have the steepest slopes within the subdivision. On average, the applicant has stated that Lot 51 is around 10% slope at the lower end. Lot 30 is less than 10% across the length of the lot and Lot 20 has an average slope of 14%. The applicant believes that a future builder of the various lots can accommodate that kind of slope fairly easily with the design of the house and use of some retaining walls. As an example, a walk-out or reverse walk-out with the garage under the house can accommodate approximately 10'-12' of slope across the lot without much impact.

In addition, Mr. Peterson noted that the lots are large enough, providing surface area along the side of the building pads to accommodate grade changes. Small 2' to 4' retaining walls at the rear of the lots can also mitigate slope issues so that a building pad can developed.

Mr. Peterson then introduced, Rick Dorris, Development Engineer, who stated that the applicant obtained Transportation Engineering Design Standards (TEDS) exceptions in 2007 when a previous Preliminary Plan was reviewed and approved. They are being honored with the current application regarding maximum block length, maximum street

grade, maximum grades through an intersection and maximum cul-de-sac length.

Regarding the Alternative Street Standard, Mr. Dorris clarified that the City has agreed to an alternative street standard for this subdivision that uses roadside ditches instead of attached curb, gutter, and sidewalk over much of the subdivision. There is still some attached concrete in isolated areas for specific reasons where narrower roads were needed. This approach will hopefully reduce the differential movement problem (asphalt and concrete move in different ways). Mr. Dorris noted that the City is concerned about the streets moving vertically.

Mr. Dorris explained that the City's initial approach was for all streets to be private but Ute Water won't allow their water mains in private streets. The Developer objected to the private street requirement and to solve this, the City has agreed to accept the streets as public with conditions, including a seven-year warranty.

There are two areas of the project where private streets are requested by the Developer to optimize their project layout. Water can be provided by individual services. These two areas are the private street request presented herein.

Mr. Dorris noted that the City has agreed to accept public streets with a financially secured seven-year warranty due to soil conditions and the site grading design. The Developer objects to the condition and states it is unprecedented. Mr. Dorris agreed that it is indeed unprecedented and he will show slides and explain why it is needed.

The proposed Pinnacle Ridge Project would build approximately two miles of streets with significant lengths in cuts and fills up to 20' deep. Deep fills will settle over time and may continue to move as water is introduced by rainfall or urban development. Large cuts may actually heave.

The original geotechnical report, is a Preliminary Report from 2002 and identifies expansive claystone. The Applicant hired another geotechnical engineer to address review comments generated with this application. Their July 2, 2015 letter states:

"In general, it is difficult to define what is considered a "normal" amount of movement for a pavement over time. Particularly a period as long as 10-years. Given the geology at the site and experience in the vicinity of the site, pavement heave is possible in some areas of the site. However, the risk may be able to be reduced by the use of structural fill, impermeable membrane, etc."

Mr. Dorris stated that, being a licensed engineer, he agrees with the statement and understands why it was made. It is difficult to predict what can happen in the future regarding soils. Mr. Dorris explained that one of his main responsibilities is to minimize costs to the City and the taxpayers. This project is different due to site soils, steep topography and extensive dirt work and presents the possibility of expensive repair to the street system.

City policy has always been for Development to pay its own way. When streets move, and the warranty is over, taxpayers spend thousands of dollars to fix problems. Multiple repairs over long time periods are often required. The City's standard warranty is only one year which isn't enough time for these problems to manifest, therefore the seven-year warranty is being required.

There are several ways to engineer and construct streets and utilities to "minimize" movement. Some of these measures were used on the Spyglass Ridge Subdivision on Orchard Mesa, but there has been substantial movement and expensive repair is needed.

Mr. Dorris displayed a slide with pictures of Lookout Lane in Spyglass Ridge Subdivision as a recent example since it has topography similar to Pinnacle Ridge, however they did not do the cuts and fill as deep as Pinnacle Ridge is proposing. Lookout Lane was paved in 2006 and has at least 4 inches of movement in places. The City rebuilt about 200 feet of it by 2014 and more is needed. In addition, Gunnison Ridge Ct. was paved in 2007 and by 2012 there was already substantial movement and repairs were needed.

The next slide showed Shadow Lake Circle in Redlands Mesa Subdivision (Filing 1) that connects to Mariposa Dr. Shadow Lake Circle and Shadow Lake Ct. were built in 2000. That intersection failed almost immediately and was rebuilt by the developer. The pictures in the slide showed significant movement between the concrete and asphalt at the lip of concrete gutter.

The next example was photos of Mariposa Dr. that connects to Monument Rd. and is a back-door access to The Ridges and Redlands Mesa and will be a primary access for Pinnacle Ridge. Mr. Dorris explained that Mariposa is an old gravel road from at least 1994, but probably late 70s to early 80s, which was improved with curb, gutter, sidewalk and paved in 2005 to 2006. It is located on the southern edge of Pinnacle Ridge. GIS aerial pictures show distress by 2010 and google street view shows substantial movement in 2012.

## **FINDINGS OF FACT/CONCLUSIONS & CONDITIONS**

Mr. Peterson stated that after reviewing the Pinnacle Ridge Preliminary Subdivision Plan application, two proposals require Planning Commission and City Council review and action which are as follows:

1. Proposed Private Streets
2. Subdivision Lots and Public Rights-of-Way traversing greater than 30% slopes.

Mr. Peterson stated that the conditions are as follows:

1. At final design, perform an in depth geotechnical engineering investigation and report with proper slope stability, rock-fall, and earthwork analysis and requirements. This can be incremental to the phases where final design

approval is being requested; however, if slope stability and/or rockfall analyses prove problematic, the Preliminary Plan could be nullified or may need to be redesigned and reapproved.

- a. The geotechnical report must design the earthwork and streets to minimize vertical movement and construction must strictly adhere to the report and be documented by daily observations and proper testing during construction.
  - b. A secured seven-year warranty will be required.
  - c. Landscaping shall be limited to low water requirement plants and irrigation systems. The details will be defined in conjunction with the geotechnical engineer at final design.
  - d. A site specific slope and rock-fall analysis (based on field investigation) in the areas of concern will be required with each filing.
  - e. Lot specific grading and drainage plans will either be required with the final design for each filing or with each planning clearance.
2. Perfect an intermediate connection to Hidden Valley Drive, with Filing 4 according to the current phasing plan, as required by the January 2007 TEDS exception.
  3. Perfect the ability to loop water lines, if needed, and provide sanitary sewer to portions of the project via the Hidden Valley Drive connection with Filing 4 according to the current phasing plan.
  4. The HOA is required to remove snow along the north facing slope on Elysium Drive. Provide proper language and assessments in the CC & R's and signs must be conspicuously placed on the street stating such.
  5. Approval of the request to use private streets in two areas of the subdivision, Talus Court and Hillock Court.

Mr. Peterson noted that he would like to amend the staff report to include another paragraph as follows:

The Developer is proposing appropriate engineering measures to minimize the impact of cuts, fills, erosion and stormwater by incorporating retaining walls, detention and water quality basins, and proper site grading in their design, based on Preliminary Geotechnical Investigation. If subsequent Geotechnical Investigation reveals significant slope instability issues, as determined by City staff based on input from the Colorado Geologic Survey, redesign of the Preliminary Plan will be required. If a minor revision is required, the review of the revised preliminary subdivision plan may, at the discretion of the Director, proceed concurrently with final plat review. Nullification/revocation of this approval shall require review by the Planning Commission.

Mr. Peterson added that two letters were submitted that were not received in time to be included into the staff report. Mr. Peterson noted that they were handed out to the Planning Commissioners before the meeting.



## **QUESTIONS FOR STAFF**

Noting that Mariposa was mentioned as a back-door entrance to Redlands Mesa, Commissioner Wade asked Mr. Dorris if any official traffic studies were done there. Mr. Dorris clarified that his mention of the back-door was the fact that Mariposa is the second entrance. Commissioner Wade asked if the only access to Filings 1, 2, and 3 of this subdivisions is off of Mariposa Dr. Mr. Dorris confirmed that it is and that the City is not concerned about its ability to carry capacity. Although there was not a traffic study done, Mr. Dorris explained that the City has conducted daily counts. Mr. Dorris added that there are no driveways coming off Mariposa and it will need to be repaired in the near future.

Commissioner Ehlers asked what the classification was for Mariposa Dr. Mr. Dorris stated that it is classified as a local street. Commissioner Ehlers asked what the classification was for Monument Rd. that intersects with Mariposa Dr. Mr. Dorris said he believed it was a minor arterial.

Chairman Reece noted that she has concerns about the maintenance agreement between the builder and the City. Chairman Reece asked what actions will be taken if the HOA fails to perform winter maintenance adequately. Mr. Peterson replied that the CCRs will need to be reviewed and addressed to reflect that snow removal will be the responsibility of the HOA, specifically the area of Elysium Drive which will be developed with Filings 5 or 6. Mr. Dorris added that if there is a problem, the City will get phone calls about it and they will refer calls to the President of the HOA.

Mr. Dorris added that most HOAs have little responsibilities other than to maintain the detentions areas and landscape tracts along street frontage. Mr. Dorris explained that this subdivision will have a significant amount of responsibilities because of the two private street sections, a lot of open space and several water quality basins. Chairman Reece asked if there are other subdivisions with similar responsibilities. Mr. Dorris stated he was not aware of any others.

Commissioner Ehlers commented that is familiar of situations where an HOA may have an irrigation or drainage or similar structures that go under roads and if they fail, the HOA is responsible to repair them and return the road surface to City standards. Commissioner Ehlers asked Ms. Beard if the City has the tools to enforce the obligations of the HOA if they are not able to meet their obligations. Ms. Beard stated that as far as snow removal, by the time the City would get involved, most likely the snow would have melted. Regarding repairs, Ms. Beard stated it is possible that an HOA may be in a position that they are not able to financially handle a repair. The City may have to get involved, but it would depend on the situation.

Noting that one of the conditions was for snow removal along the north face along Elysium Dr., Commissioner Wade asked why that section is being called out. Mr. Peterson stated because there is a 13% slope. Chairman Reece asked if these concerns have been worked out the builder and documented in a formal agreement. Mr.

Peterson stated that what is before the Commission is the result of a two-year process. Staff has worked with the builder on the conditions and they are in agreement with all of them with the exception of the 7-year warranty period.

Commissioner Ehlers asked about the Transportation Engineering and Design Standards (TEDS) exceptions. Mr. Peterson stated that the TEDS exceptions were reviewed and approved in 2007 when the application came through at that time. City staff has honored those exceptions after recent review by the City Development Engineer, and Transportation Engineer and the Fire Department.

Commissioner Deppe asked how the timeline works for the warranty period. Mr. Dorris explained that each filing would have its own timeframe. As a plat gets recorded, the security is in place, typically for one year. After one year, the infrastructure is inspected and if it meets the standards, then the money is released. The City is asking for the builder to agree to a seven-year warranty period.

Commissioner Wade asked about the requirement that some of the houses have internal sprinkler systems. Mr. Dorris explained that the Fire Department made that a condition due to the elongated configuration of the cul-de-sac and access/turn-around limitations.

## **APPLICANTS PRESENTATION**

Robert Jones II, Vortex Engineering, stated that he was the owner's representative. Mr. Jones displayed an aerial photo of the site and noted that the site was originally platted in 1955 as the Energy Center Subdivision but was never developed in accordance with the plat. This project was approved as a preliminary plan in 2008/2009 however, due to the economy downturn, it was tabled and the preliminary plan approvals expired after a lapse of five years.

The proposed subdivision has public and private streets and utilizes the Cluster and Hillside Development standards of the City Zoning Code

Mr. Jones showed a slide with the applicant's request as follows:

- 1) Planning Commission recommendation of approval to City Council for use of private streets per 21.06.060 (g)(5)
- 2) Planning Commission recommendation of approval to City Council for development of small area with greater than 30% slope on Elysium Drive and limited number of lots per 21.07.020 (f)(3)

Mr. Jones displayed a slide of the site design and explained that the road design utilized the natural contours to minimize the impacts of cuts and fill. Most of the streets are public, however two private streets will be used to provide access to lots and parking.

The next slide displayed was of the design profile for the private streets. Mr. Jones explained that Hillside Development CC&R provisions for maintenance of private streets

shall be recorded with the final plat. In addition, signage will be posted on each private street to distinguish them from public streets.

Mr. Jones next slide showed the site plan with areas with greater than 30% slope in right-of-way highlighted. These account for 3778 sf or 0.19% of total site.

In the next slide, Mr. Jones had highlighted areas with greater than 30% slope in building envelope which accounted for 12,603 sf or 0.64% of total site. This slide also illustrated areas with greater than 30% slope within lots. 35,291 sf or 1.80% of total site. The total area of greater than 30% slope, including both right-of-way and lots is 2.6% of the total site.

Mr. Jones explained that all of the homes will be custom homes and will take advantage of the views and topography. All the homes will have engineered foundations and lot specific grading plans.

Mr. Jones displayed a slide with the Goals and Policies of the Comprehensive Plan that they have addressed in the project. In addition, the Hillside Development section of the code was displayed.

### **QUESTIONS FOR APPLICANT**

Commissioner Wade asked if there was an anticipated timeframe for the development of each of the filings. Mr. Jones stated the initial filing would start this summer or fall. Subsequent filings would probably take 12 to 18 months depending on market conditions.

Commissioner Wade asked about the HOA maintenance of the private streets. Mr. Jones stated that typically a maintenance agreement would be signed and recorded by the homeowners along the private street as part of the title work.

Noting that the staff report states that the developer is not in agreement with the 7-year warranty period and plans to appeal to City Council, Commissioner Wade asked what Mr. Jones thought would be an acceptable timeframe for the warranty period. Mr. Jones stated that the code requires one year and they feel they should be able to get the same one-year warranty period that other developers in the area have. After discussions with staff, Mr. Jones stated that they would be willing to double that time to a two-year warranty.

### **PUBLIC COMMENTS**

Janice Burtis, Remax 4000, 120 West Park Dr. STE 200, stated that two years ago, in Redlands only, they sold 49 residential lots at approximately \$109,000 per lot. One year ago, they sold 46 lots with an average of \$138,000 per lot. Currently, Ms. Burtis stated that there are 111 lots available with the average price of \$246,000. Ms. Burtis explained that there is a need for lots in the price range of two years ago.

Ms. Burtis explained that she has personally developed three subdivisions in Mesa County and does not feel it is fair to hold the developer to a 7-year warranty period. Ms. Burtis stated that there is a private engineer, a City engineer and a geotechnical engineer all looking at the construction of the project. Ms. Burtis stated that if the developer is held to a 7-year warranty period, the lots would no longer be affordable to the buyers that need the lots.

Jeffery Fleming, 305 Main St. stated that he is an urban planner and thinks this proposal is a fabulous one. Mr. Fleming stated that anytime development can happen in the Redlands, it helps prevent urban sprawl. Less traffic, accidents, pollution were some of the reasons Mr. Fleming wanted to support an infill development.

Mr. Fleming suggested that the City take a wait and see approach and see how the first 1-4 filings perform. Mr. Fleming voiced his concern that additional requirements such as the 7-year warranty period may deter developers from developing in the community.

Richard Wihera, 2427 Bella Pago Dr. stated that he had a letter and a petition to enter into the record. Mr. Wihera handed the Commissioners the letter and noted that the petition contains 24 names of residents in the area that have concerns about the property.

Mr. Wihera stated the development does not meet code in several areas. Mr. Wihera noted that when the Colorado Geological Survey first reviewed the plan in 2015, they noted concerns about the stability of the terrain and said they cannot recommend preliminary plans and plat approval unless the applicant demonstrates that the slopes and proposed cuts would be stable. In the second and third round of comments, none of the concerns were addressed by the developer. Mr. Wihera stated that he called the Colorado Geological Survey a week ago and asked if they have any new information about the project that would address the stability and they said no.

Mr. Wihera stated that although the proposed development meets the Cluster Development standards of the code, it does not meet the Hillside Development standards. Mr. Wihera stated that the developer's proposal does not meet the TEDS exception standards. Mr. Wihera noted that the City originally wanted a 10-year warranty and now they are settling for a 7-year.

Regarding Ridgeline Development standards, Mr. Wihera expressed concern about what would happen to the hillside when Filing 5 is developed. Mr. Wihera stated that the equivalence of 16,000 dump trucks of soil will be disturbed.

In conclusion, Mr. Wihera feels the viability of the entire project should be looked at as a whole and not focus on snow removal or one street in particular.

Sarah Robinson, 385 Explorer Ct. #19, stated that she agrees with Mr. Wihera. Ms. Robinson felt that there is a particular onus placed on the HOA to protect the land underneath this development. Ms. Robinson stated that a dysfunctional or inefficient

HOA happens more often than is recognized and that can pose a danger. Ms. Robinson express concern that the TEDS exception is over 10 years old. With the expansion of the lunch loop, there are significantly more bicyclists on the road especially since the access to the development is on a blind hill.

Ms. Robinson noted that she lives downhill and there have been runoff issues on Ridgeway Dr. More driveways and rooftops will create more runoff.

William Powers, 367 Plateau Dr. expressed concern about the issues that were listed in the staff report and stated that he agrees with many of the points Mr. Wihera brought up. Mr. Powers does not feel the density and clustering of this project is compatible with the adjacent developments. He noted concerns regarding the grade, slope, soil stability and safety of the proposed development and supports a longer warranty period.

Odis Schroeder, 2409 Hidden Valley, stated that his mother-in-law is 92 and has lived in the Ridges since 1987. He noted the poor condition of Mariposa Dr. and said Monument Rd. had to be rebuilt in parts because of unstable conditions. Mr. Schroeder stated that he thinks that 7-year warranty may not be long enough of a time period.

Mike Holland, 2398 Mariposa Dr. stated that he has lived in his home 20 years and he is concerned about the clay soil and runoff. Mr. Holland is in support of the 7-year warranty. He stated some of the roads are bad especially Mariposa. Mr. Holland understands they have a right to develop, but he has enjoyed the open space.

Stephanie Marsicovetere, 382 Ridgeway Dr., stated she is concerned about the water and soil stability. Ms. Marsicovetere explained she walks in that area 4 or 5 times a week and has noticed that rocks come down on the road all the time. Ms. Marsicovetere is concerned about the maintenance of the roads when they start to build, and noted that she agrees with the previous comments.

## **QUESTIONS FOR STAFF**

Noting that there is an out-lot in the middle of the project area that is zoned for residential, Commissioner Ehlers asked if this proposal would impact that lot requiring future homes to internally sprinkle as well. Mr. Peterson explained that since there is no second access to the south, he would assume the fire department would treat that area the same.

Commissioner Ehlers asked if this project would be considered infill. Mr. Peterson stated that it would be considered infill due to its close proximity to the center of Grand Junction.

Commissioner Buschhorn asked if the Fire Department agreed to the 13% grade. Mr. Peterson stated that the Fire Department did agree as it was part of the TEDS exception.

Commissioner Wade asked if the layout looked the same when the TEDS exception was granted in 2007. Mr. Peterson noted that it was the same concept and approximately 79 lots had been proposed at that time and the current proposal is for 72 lots. Commissioner Wade asked if TEDS exceptions that are approved previously would be allowed to move forward without additional review. Mr. Peterson responded that it was re-reviewed as part of this proposal because they had lost their entitlements of the previously approve preliminary plan.

Commissioner Wade asked Mr. Peterson if he has seen the report that Mr. Wihera had provided to the Commissioners that evening. Mr. Peterson stated that he had not seen the report prior to the meeting, however, he has had discussions with Mr. Wihera in the past two years. Mr. Peterson stated that he has kept Mr. Wihera apprised of the proposal and comments via email as it worked through the review process.

Regarding the Colorado Geological Survey's (CGS) responses, Commissioner Ehlers asked if they will have the opportunity to have their concerns addressed at the time of the final plan. Commissioner Ehlers noted that significant Geotechnical reporting will need to be done regarding the earthwork and asked Mr. Dorris if CGS will have the opportunity to comment after the reports are done. Mr. Dorris stated that they will have the opportunity to comment during the final plan process and they welcome their input. Mr. Dorris added that City staff had put a long condition on the project requiring extensive geotechnical study at final design.

Discussion continued regarding references to overall slope noted in Mr. Wihera's letter and Mr. Peterson clarified that the slope percentage is based on each lot and not an average over the whole project.

Commissioner Ehlers noted that the City has identified specific ridgelines and view corridors that need to be protected and asked if this development falls into that requirement. Mr. Peterson stated that the Ridgeline Development Standards apply to this project because it can be seen from Monument Rd. which is one of the criteria. Mr. Peterson explained that the applicant will limit the homes to one story in the view corridor and little of the house can be seen. Commissioner Ehlers noted that South Camp Rd. and areas of Spyglass had similar restrictions as well.

Commissioner Ehlers stated that several concerns will be addressed by the design standards and he relies on experts such as the review of the TEDS exception to help make his decision. Commissioner Ehlers noted that he supports the infill development aspect of the project. He stated that he is concerned with the financial burden that a failed road can place on the City and at the same time he does not want to negatively impact the property values of the existing homes in the area.

Mr. Ehlers asked if options other than the 7-year warranty had been considered. Mr. Dorris noted that in his research of the requirements placed on Spyglass, there are parts that failed even with extensive earthwork done. The costs of those repairs could be five to six figures. Mr. Dorris noted that he has worked on many projects and looked

at many geotechnical reports and this particular subdivision has him concerned enough that he feels the 7-warranty period is needed.

### **APPLICANTS REBUTTAL**

Mr. Jones felt that the concept of the 7-year warranty was an extraordinary step taken by the City out of an abundance of caution. Mr. Jones feels there is no imperial evidence to support the need. Mr. Jones stated his staff conducted a survey of other communities in Colorado and cannot find such an extraordinary warranty ever being required. Mr. Jones stated that the City requires a one-year warranty but he did not find anything in the development code that requires a 7-year warranty. Mr. Jones noted that they have offered a 2-year warranty period. Mr. Jones objects to the warranty period and considers it a substantial burden and hardship that is being placed on the developer.

Mr. Jones explained that the City does not implement the warranty period until almost one year after construction is completed, therefore with a 2-year warranty period, there will actually be a 3-year timeframe. Mr. Jones feels that there is extensive oversight with the geotechnical engineers during the construction process.

Mr. Jones feels imposing a 7-year warranty is arbitrary, premature and not warranted. Mr. Jones stated that if the City feels a 7-year warranty is justified, they should amend the development code so developers know what is required. Mr. Jones speculated that if the City imposes this type of warranty on owners, they will stop development in Grand Junction.

Mr. Jones presented slides with photos of the three areas of street failure that had been mentioned. In Spyglass subdivision, there are a few areas of road failing, however there are several miles of road there, Shadow Lake Rd. in Redlands Mesa Subdivision was constructed 17 years ago. The next slide was Mariposa Drive, just west and south of the proposed site. Mr. Jones stated that he could not find evidence of a geotechnical report that had been completed.

Mike Berry, 640 White Avenue, Unit B, stated he is representing Huddleston-Berry Engineering and Testing, LLC, and is part of the design team on the project. Mr. Berry gave a brief overview of his education and extensive experience in the field of geotechnical engineering.

Mr. Berry displayed typical pavement cross sections of Spyglass Hill Subdivision and the Ledges as well as a cross section for Pinnacle Ridge for comparison. Mr. Berry explained the mitigation measures that will be used. Mr. Berry displayed several slides that illustrated the level of detail regarding compaction, fills, grading, and lab test results.

Mr. Berry noted that the CGS base their review on geologic borings reports, geologic maps and topographic maps and are not experts in the geology and engineering

properties of materials in the Grand Valley and therefore make conservative assessments based on a limited set of data.

In conclusion, Mr. Berry stated that he feels that a 7-year warranty is excessive and not reasonable and appropriate for this project.

### **COMMISSIONER DISCUSSION**

Commissioner Ehlers noted that he had asked about alternatives because to go beyond the code and apply a 7-year warranty is concerning. Commissioner Ehlers explained that he depends on the professional opinions of experts in the field. Commissioner Ehlers stated that he would like to support the project and have it move forward.

Chairman Reece asked Ms. Beard if Commissioner Ehlers chose to, could he make a motion that would modify the warranty period. Ms. Beard stated that if he would like to make a motion that would modify what is currently before him, then he would need to be clear as to what he is suggesting to be included.

Commissioner Deppe stated that over the years she has witnessed HOAs in the Valley become defunct. Commissioner Deppe asked what would happen if the HOA failed. Commissioner Deppe struggles with the building of homes on unstable soils and on ridges.

Commissioner Wade noted that as he reviews a project for compliance of the development codes, he relies on the subject matter expert of the staff and review agencies. Commissioner Wade stated that he feels the City should be able to add conditions that protect the City and make specific requirements such as an extended warranty. Commissioner Wade noted that the conditions placed on this development is as good as they can get and still give the developer an opportunity to develop a property with those challenges. Commissioner Wade urged citizens to stay on top of the project. Commissioner Wade stated that he is concerned about the traffic, but is in support of the project in general.

Commissioner Buschhorn agreed with Commissioner Wade and thought the one-year warranty is probably not enough and he does not believe the code says it is required to only be a one-year period and it does not negate the ability to go beyond that. Given the topography, Commissioner Buschhorn feels that a longer warranty period makes sense. Commissioner Buschhorn feels that this proposal with the conditions, strikes a balance that allows a developer to develop the project while also protecting the City.

Chairman Reece voiced her concern regarding what would happen if the HOA is disbanded or does not do an adequate job. Chairman Reece noted the fact that this is an infill project and would like to see those types of projects be encouraged. In addition, Chairman Reece was concerned that all the conditions of approval had not been agreed upon with the developer.



**MOTION: (Commissioner Wade)** “Madam Chairman, on item SUB-2015-120, I move that the Planning Commission forward a recommendation of conditional approval of the requested review of private streets and also public streets and residential lots traversing greater than 30% slopes for the proposed Pinnacle Ridge Subdivision, SUB-2015-120, to the City Council with findings of fact/conclusions and conditions as stated in the staff report.”

Commissioner Buschhorn seconded the motion. A vote was called and the motion passed unanimously by a vote of 5-0.

### **Other Business**

None

### **Adjournment**

The Planning Commission meeting was adjourned at 10:17 p.m.

**From:** David Mattson <davidatthepiano@gmail.com>  
**To:** "scottp@gjcity.org" <scottp@gjcity.org>  
**Date:** 4/3/2015 3:38 PM  
**Subject:** Fwd: SUB-2015-120

Begin forwarded message:

> From: David Mattson <davidatthepiano@gmail.com>  
> Date: April 3, 2015 11:31:46 MDT  
> To: "ssottp@gjcity.org" <ssottp@gjcity.org>  
> Subject: SUB-2015-120  
>  
> Dear Scott Peterson,  
>  
> I own a home at 360 Plateau Drive, near the proposed development: Pinnacle Ridge Subdivision, (SUB-2015-120). I have lived at this address since June 1980, and know the area well.  
>  
> These are my concerns about the proposed subdivision:  
>  
> 1. Drainage of surface water.  
> Are the proposed methods of handling runoff adequate to accommodate downpours of rain occurring during the "monsoon" season in late July and August. Large amounts of water flow off the soil in this area at times, and flow through the area where many lots are proposed along the western edge of the proposed development. Where will water flow after the "holding ponds" are full? Will the proposed ponds become places friendly to mosquito growth?  
>  
> 2. Safe egress.  
> As planned there is only one street available to enter and leave the proposed development.  
> Several years ago I witnessed a grass fire which engulfed several acres in the south-east corner of the proposed development. The fire occurred in early July, spreading quickly in a south-easterly direction. If such a fire were to occurs again, residents in the area north of the fire would not be able to exit in vehicles.  
>  
> 3. Sewer drainage.  
> Are the sewer pipes that will catch the sewer drainage located in the Ridges Development adequate to handle the extra sewage from 79 homes?  
>  
> 4. Safety of traffic.  
> Need to address the safety of the new intersection created due to the short distance between the crest of the hill on Mariposa Drive and the entrance/exit point of the proposed development. Will a street light be indicated at this intersection?  
>  
> Respectfully submitted,  
>  
> David W. Mattson  
>  
> (970) 986-2229

April 05, 2015

Mr. Scott Peterson, Senior Planner  
City of Grand Junction Planning Division  
250 North 5<sup>th</sup> Street  
Grand Junction, CO 81501

Re: Proposed Pinnacle Ridge Preliminary Subdivision Plan

Dear Mr. Peterson:

This letter is in follow-up to a meeting with you and Rick Dorris, Development Engineer, on 3/27/15, and a meeting at the development site with Rick Dorris on 4/1/15. This letter is my own product and I take full responsibility for the views and opinions expressed herein. However, a quick canvas of the surrounding neighborhoods found many residents and homeowners who are very concerned about the Plans for the proposed Pinnacle Ridge development. Attached in Appendix A are the signatures of 17 homeowners and residents who are within 500 feet of the proposed development. These signatures were collected in less than three hours on a single day, and thus there is no doubt that they represent only a fraction of those who share concerns similar to mine about this proposed project.

Throughout this document any references to “the Code” are referring to the Grand Junction Municipal Code, which is incorporated into this document in its entirety by reference. All references to “the Plan” refer to the Preliminary Subdivision Plan submitted for the Pinnacle Ridge Subdivision (SUB-2015-120).

## I. OVERVIEW

The proposed Plan for the Pinnacle Ridge Subdivision does not meet Code requirements in multiple respects:

- The Plan does not meet the intent for being classified as suitable for a “cluster development.”
- The Plan does not meet hillside development requirements.
- The Plan does not meet open space requirements.
- The Plan does not meet traffic safety requirements as defined by the Traffic Engineering Design Standards (TEDS) manual.

## II. MISAPPLICATION OF “CLUSTER DEVELOPMENT” STANDARDS

The plan development area is zoned R-2 which has a minimum lot size of 15,000 sq ft and a minimum width of 100 feet. However, this development is being presented as a

“cluster development” due to a certain percentage of the development area being designated as open space. While some of the property is allotted for open space, what is missing is an appreciation for the intent of cluster developments. As noted in the Code on the section regarding cluster developments, the purpose of cluster developments is for the preservation of environmentally sensitive areas and open space:

**21.03.060 Cluster developments.**

(a) To preserve environmentally sensitive areas, open space and agricultural lands, cluster development is encouraged. (Emphasis added)

The concept of cluster developments is illustrated in a couple of simple diagrams from the *Rural Cluster Development Guide* which are provided in Appendix B. It should be noted that in each sample the use of a cluster development preserves and creates open space without the loss of density. At the same time, the streets in the cluster designs are determined by the environment and are designed to protect the existing natural features.

Just the opposite is true in the proposed Plan for Pinnacle Ridge. The Pinnacle Ridge development flattens ridgelines, carves through hillsides and fills natural depressions. The only places where the Pinnacle Ridge Plan does not build are where the slopes are too steep to build. The critical question here is:

How much open space is preserved or created in the development area by use of the “cluster development” standards?

The answer is absolutely none. The Pinnacle Ridges cluster plan does not create or preserve any open space; in truth, the Plan requires extensive grading, excavation and fills to make room for the cluster development. The use of cluster development standards in this situation does nothing but allow the developer to put a higher density on the land than would allowed by straight zoning. As is, the developer is being rewarded by not building on land which is impossible to build upon. Given that the Plan does not meet the intent of the cluster development standards to “preserve” open space, R-2 zoning standards should apply to this development area.

III. FAILURE TO MEET HILLSIDE DEVELOPMENT STANDARDS

Even if Pinnacle Ridge is considered to be a cluster development, the Plan must still comply with the Hillside Development standards. In the section of the Code regarding cluster developments it is noted:

Minimum lot size shall also be subject to other provisions, such as GJMC [21.07.020\(f\)](#), Hillside Development, which might further restrict lot size (Section 21.03.060(c)(2)) .

Section 21.07.020(f) then provides the following for hillside development standards, which include cluster developments:

<b>SINGLE-FAMILY, PLAN AND CLUSTER SUBDIVISION DEVELOPMENT</b>		
<b>Average Slope of Development Area</b>	<b>Minimum Lot Size<sup>1</sup></b>	<b>Minimum Lot Width</b>
0% – 10%	See Existing Zone	See Existing Zone
10.01% – 20%	10,000 sq. ft.	At least 100 ft. at front setback line
20.01% – 30%	15,000 sq. ft.	At least 200 ft. at front setback line
30.01% +	Development Not Permitted <sup>2</sup>	Development Not Permitted <sup>2</sup>

<sup>1</sup> Minimum lot size as finally approved.

<sup>2</sup> Development on slopes of greater than 30 percent is not permitted unless, after review and recommendation by the Planning Commission and approval by the City Council, it is determined that: a. Appropriate engineering measures will be taken to minimize the impact of cuts, fills, erosion and stormwater runoff consistent with the purpose of this section; and b. The developer has taken reasonable steps to minimize the amount of hillside cuts and also has taken measures to mitigate the aesthetic impact of cuts through landscaping or other steps.

It should be noted that the Code definition of “development” includes all property “owned by the same owner” (Chapter 21.10). Thus, these hillside development standards are for the entire Pinnacle Ridge development area and not just to the area where homes might be placed.

Determining the slope of a flat area is a relatively simple task. On the other hand, calculating the average slope of land is admittedly difficult when there are as many hills and valleys as in the planned development area. Slopes are calculated by using the high points and low points of the terrain, and thus one must go perpendicular to the map contours in making any measurements. Going parallel to the contours does not indicate slope. Measuring parallel to the contours would be as if one was traversing a hill on a steep slope; the trail can be relatively level on a switchback but the slope of the hill remains steep. Added to this one cannot go from the highest point to the lowest point without taking intervening hills into account. A simple illustration is provided in Appendix C. A flat slope of a 20 foot rise in 100 feet produces a 20% slope, yet the same total rise with steep intervening hills could have an average slope of 50%.

To deal with these issues, multiple measurements of the development area were taken from the Grand Junction Geographic Information System (GIS). The measurements were selected by going from identified high points to low points with no intervening hills, and without crossing any property boundaries of the development. Printouts from all of these measurements are offered in Appendix C, and are summarized below:

<b>Start Point</b>	<b>End Point</b>	<b>Slope</b>
Highest point on property	West property edge	23.3%
Highest point on property	Southeast property corner	31.1%
Highest point on property	North property edge	11.9%
High point on north end of center area not owned by developer	West property edge	24.1%
High point on north end of center area not owned by developer	Northwest property edge	11.1%
High point on north end of center area not owned by developer	North property edge	15.5%
High point on northwest corner of center area not owned by developer	West property edge	22.0%
High point on west side of center area not owned by developer	West property edge	21.7%
Knoll on east side of property	North property edge	16.0%
Knoll on east side of property	Gully to west	22.8%

Another method of determining slope would be to follow naturally established gullies as they clearly go from the highest point to lowest point without any intervening hills. To do this, all identified gullies were mapped and the average slopes of the gullies were calculated. This map is also provided in Appendix C and is summarized in the table below:

<b>Location of Gully</b>	<b>Slope</b>
Southwest corner going to the west	12.6%
Northwest corner going to the west	18.0%
Northwest corner going to the north	10.7%
Long gully from center going to the north	12.2%
Upper tributary to long gully	21.0%
Lower tributary to long gully	12.4%
Southeast corner going to the southeast	40.0%
Southeast corner going to the south	16.5%

As noted, measuring average slope on a very hilly area is difficult and some could dispute where these lines were drawn. However, the point is that none of these measurements going from high points to low points on the proposed development area found a slope of less than 10%, and one has to search hard to try to find even a small area where the slope is 10% or less.

At the very minimum the average slope of the development area is in the 10.01% to 20% range with significant areas in the 20% to 30% range. Given the slopes of this area, many of the proposed lots do not meet the size and width Code for hillside development and thus the entire proposed Plan does not meet Code for hillside development.

#### IV. MISALLOCATION OF OPEN SPACE

This item is short and requires no interpretation or calculations. Section 21.03.060(i)(2) of the Code regarding cluster developments and open space requires:

All, or a portion of, the open space shall be located between the clustered development and adjoining development.

This Plan does not comply with Code in that it provides no open space between the proposed Pinnacle Ridge and adjoining development at The Ridges, and the Plan provides no open space between Pinnacle Ridge and the Bella Pago Development.

#### V. FAILURE TO MEET ROAD SAFETY STANDARDS

The Grand Junction Municipal Code incorporates the traffic safety requirements as defined by the Traffic Engineering Design Standards (TEDS) manual. Section 29.20.070 on vertical alignment reads:

(a) **Grades.** Design grades and vertical sight distance address drainage and/or safety concerns for vehicles and pedestrians. Grades of streets shall not be less than 0.5 percent, nor more than eight percent. In hilly terrain (defined as having grades of 10 percent or greater, as defined in GJMC [21.07.020](#)), the maximum grade for local residential streets is 12 percent for a maximum distance of 500 feet.

Despite these requirements, the Plans for Pinnacle Ridge show a street of 12% grade for over 1,000 feet. This writer was informed verbally by the Planning Department staff that the Plan development has already been given an exemption for the requirement of a 12% grade for a maximum of 500 feet. The rationale for this exemption remains unclear, yet there are several issues involved with this exemption.

First, the exemption is required only for hilly terrain with grades of 10 % or greater. The fact that the Planners required the exemption and that the developer applied for the exemption is acknowledgement by both parties that the slope in the area exceeds 10% as was discussed in detail in Section II regarding hillside development standards.

Second, it is noted that the TEDS Exemption Exhibit of 12/5/14 submitted by Vortex Engineering lists the minimum lot size as "17,000 SF." It turns out that less than 10% of the lots in the Plan have a minimum size of 17,000 SF.

Third and most important are the safety issues involved with this exemption. This exemption more than doubles what is considered the maximum safe length for a road with a 12% grade. This issue is compounded by the fact that the exemption granted to the developer for this project also reduced the width of the road from the standard 28 foot wide urban residential street to only 22 feet wide (which is 79% of the standard width). A final factor is that this creates a steep road which will face due north. As anyone with a sloped, north-facing driveway can attest, this can be a significant issue during the winter months with ice and snow. In short, this exemption results in a north-facing road significantly reduced in width and at the same time more than doubled in what is considered to be safe in length for its grade.

In regard to TEDS exceptions, the Code states:

No exception shall be allowed if the resulting design is dangerous or otherwise fails to meet the fundamental needs of the community. The fundamental needs of the community shall be determined by the City or County, but primarily are the provision of safe, efficient and effective transportation. (29.64.010(d))

In this case, the TEDS exceptions have nothing to do with the needs of the community or in the provision of safe, efficient and effective transportation. Instead, these exemptions serve only the need of the developer by providing access to more land to build upon by filling and carving to create a long, steep and narrow road into the hillside which does not comply with existing safety standards.

## VI. ENVIRONMENTAL CONSIDERATIONS

In addition to the many areas in which this Plan is not in strict conformance with the Code, I would also like to draw attention to the multiple aspects of the Code which address the purpose and intent of the various specific sections. For example:

Hillside development standards are applicable to hillside development and excavation of hillside so that the character of the City's hillsides is preserved (21.07.020(f)(1)(iii)). (Emphasis added)



The provisions hereof are designed to accomplish the following: Encourage the location, design and development of building sites in a manner that will provide for greater aesthetic appeal, blend with the slopes and hillside terrain, minimize the scarring and erosion effects of cutting, filling and grading of hillsides and prohibit development of ridge lines as defined (21.07.020(f)(2)(v)).

Development on steep slopes, including the bluffs overlooking the Colorado River, should be avoided or minimized and follow the requirements of the hillside development regulations in the City Zoning and Development Code, GJMC Title 21, and the slope conditions standards in the County's Land Development Code (34.16.010(a)). (Emphasis added)

Roadway and other public improvement design shall respect and enhance the character of the Redlands (34.16.040(b)(3)). (Emphasis added)

None of these development principles have been applied in the planning for Pinnacle Ridge. This project calls for shaving flat the top of a prominent hill in the area. This means that bikers and hikers looking over from the Lunch Loop and Three Sisters area will no longer see a natural ridgeline but instead will see a string of homes. This project also requires making vertical cuts in the hillsides as much as 30 feet high, and filling vast areas to generate building sites. The Pinnacle Ridge development does not work with the existing environment, but instead is moving massive amounts of earth to create enough flat ground upon which they can place the cluster development.

In closing, it is recognized that development will occur but this is not the right development for this terrain. These hillsides might be able to support approximately one-half of the proposed density if the existing Codes as noted above are enforced as intended, which is to preserve environmentally sensitive areas and develop safe and stable developments that respect the natural environment.

Thank you for your consideration of my concerns. I am happy to make myself available to you to discuss these issues in more detail if you desire.

Richard Wihera  
2427 Bella Pago Drive  
Grand Junction, CO 81507  
970.270.9666

# Appendix A


## Neighborhood Petitions


To: City of Grand Junction Planning Commission  
250 N. 5<sup>th</sup> Street  
Grand Junction, CO 81501

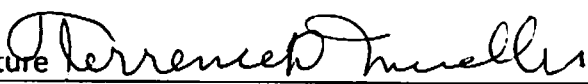
Re: Proposed Pinnacle Ridge Subdivision

The undersigned are property owners and/or residents of property within 500 feet of the proposed Pinnacle Ridge subdivision of "Cluster Homes." We urge the Grand Junction Planning Commission to deny approval of this plan until the developer proves compliance with the purpose and all specific sections of the Grand Junction Development Code and Comprehensive Plan. This includes but it not limited to:

- The impact on the natural environment
- Proper application of zoning regulations
- Conformance with hillside development requirements
- Appropriation of open space
- Roadway safety
- Compatibility with existing adjacent properties

Print Name <u>BRUCE CASEBOLT</u>	
Address <u>362 PLATEAU DR</u>	
Signature 	Date <u>4 APR 15</u>

Print Name <u>HOLLY MATTSO</u>	
Address <u>360 PLATEAU DRIVE LT COLO 81507</u>	
Signature 	Date <u>April 5, 2015</u>

Print Name <u>Terrence D. Mueller</u>	
Address <u>370 Plateau Drive</u>	
Signature 	Date <u>4/4/15</u>


To: City of Grand Junction Planning Commission  
250 N. 5<sup>th</sup> Street  
Grand Junction, CO 81501


Re: Proposed Pinnacle Ridge Subdivision


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- Conformance with hillside development requirements
- Appropriation of open space
- Roadway safety
- Compatibility with existing adjacent properties

720-201-8079

Print Name William Powers	
Address 367 Plateau Dr , 6J 81507	
Signature 	Date 4/4/2015

Print Name Mary Orn	
Address 361 Plateau Dr	
Signature 	Date 4/4/15

Print Name Josh Painter	
Address 2397 Mariposa Dr	
Signature 	Date 4/4/15

To: City of Grand Junction Planning Commission  
250 N. 5<sup>th</sup> Street  
Grand Junction, CO 81501

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- Conformance with hillside development requirements
- Appropriation of open space
- Roadway safety
- Compatibility with existing adjacent properties

Print Name Steve Donovan	
Address 2397 E. Plateau Ct.	
Signature Steve Doni	Date 4-4-2015

Print Name Mary Donovan	
Address 2397 E Plateau Ct	
Signature Mary Donovan	Date 4/4/15


Print Name JASON WHITESIDES 270 7223	
Address 2399 E. Plateau CT 81507	
Signature Jan Whiter	Date 4/4/15


To: City of Grand Junction Planning Commission  
250 N. 5<sup>th</sup> Street  
Grand Junction, CO 81501

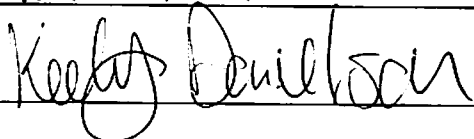
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- Conformance with hillside development requirements
- Appropriation of open space
- Roadway safety
- Compatibility with existing adjacent properties

Print Name	Joseph M. Wezensky	(970) 261-2592
Address	372 Plateau Dr	
Signature		Date 4/4/15

Print Name	Cathy Roberts	
Address	2397 Ridgeway Ct.	
Signature		Date 4/4/15

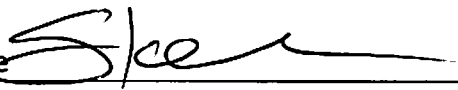
Print Name	Keely Danielson	
Address	<del>400 2nd St</del> 371 Plateau Dr.	
Signature		Date 4/4/15

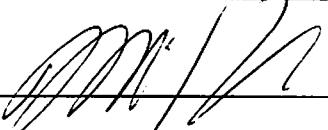
To: City of Grand Junction Planning Commission  
250 N. 5<sup>th</sup> Street  
Grand Junction, CO 81501

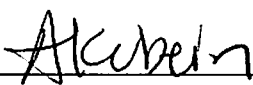
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- Proper application of zoning regulations
- Conformance with hillside development requirements
- Appropriation of open space
- Roadway safety
- Compatibility with existing adjacent properties

Print Name Cinda Kerbein	
Address 2421 Hidden Valley Dr. GJ	
Signature 	Date 4/4/15

Print Name Michael Kerbein	
Address 2421 Hidden Valley Dr. GJ CO	
Signature 	Date 4/4/15

Print Name Alice Kerbein	
Address 2421 Hidden Valley Dr. GJ CO 81507	
Signature 	Date 4/4/15

To: City of Grand Junction Planning Commission  
250 N. 5<sup>th</sup> Street  
Grand Junction, CO 81501

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- Proper application of zoning regulations
- Conformance with hillside development requirements
- Appropriation of open space
- Roadway safety
- Compatibility with existing adjacent properties

Print Name CYNTHIA BALDWIN	
Address 2409 HIDDEN VALLEY DR	
Signature Cynthia M. Baldwin	Date 4/4/15

Print Name MARIE MONROE	
Address 2409 HIDDEN VALLEY DR	
Signature Marie W. Monroe	Date 4-4-15

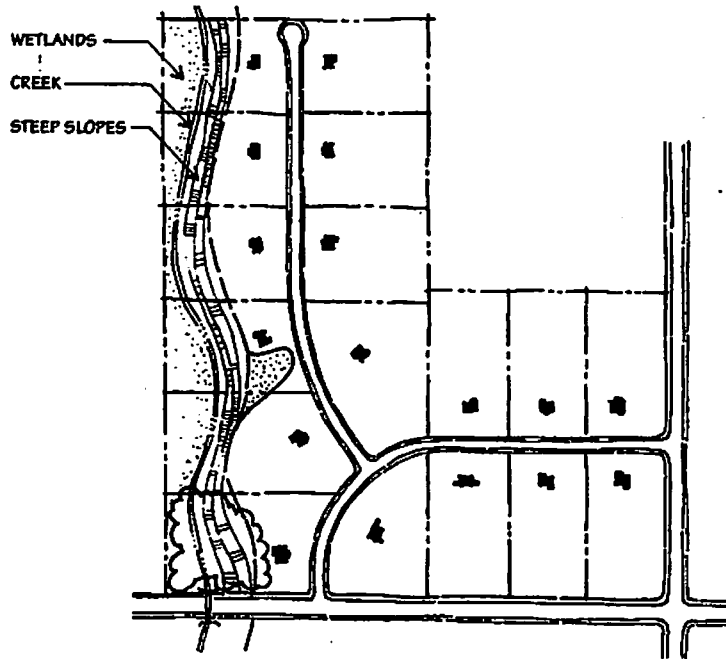
Print Name RICHARD WICKER	
Address 2427 BELLA PASO	
Signature RW	Date 4.4.15



# Appendix B

## Cluster Development Samples

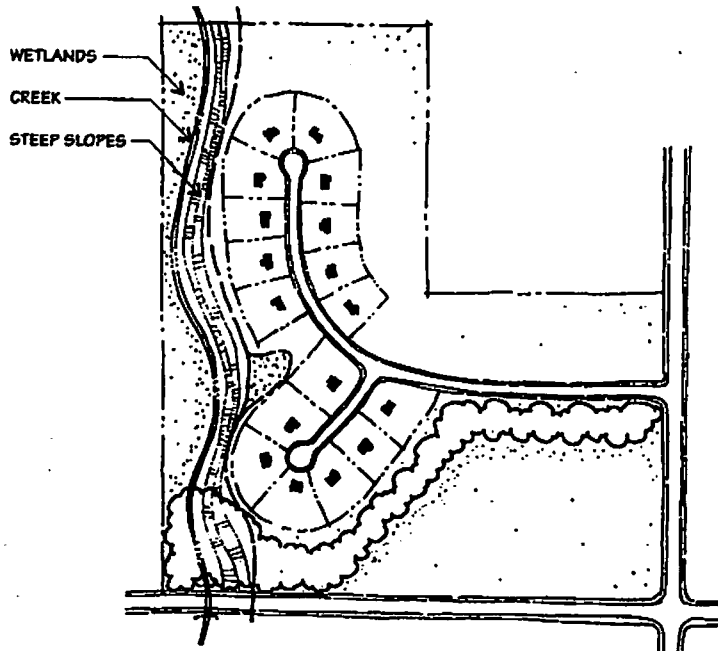
2 Rural Cluster Development Guide



**CONVENTIONAL DEVELOPMENT**

EACH RESIDENT CAN ACCESS 5-6 ACRES

Acres: 100  
Lots: 17  
Density: 1 Dwelling Unit / 6 Acres  
Minimum Lot Size: 5 Acres  
Common Open Space: 0



**CLUSTER DEVELOPMENT**

EACH RESIDENT CAN ACCESS 76 ACRES  
(1-ACRE LOT PLUS 75 ACRES OPEN SPACE)

Acres: 100  
Lots: 17  
Density: 1 Dwelling Unit / 6 Acres  
Minimum Lot Size: 1 Acre  
Common Open Space: 75%

Figure I-1. Through a reduction in lot size, open space can be created without losing density.

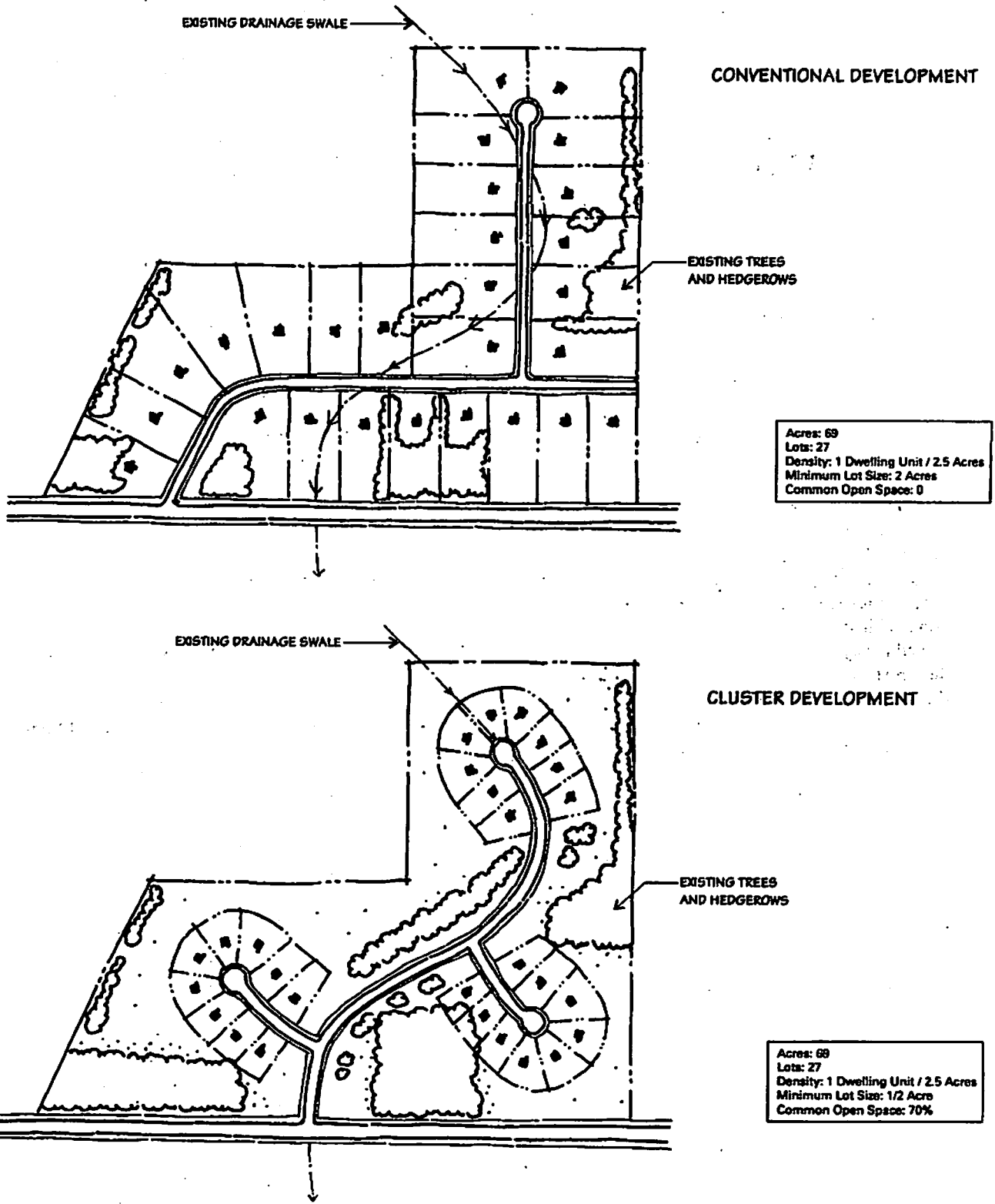
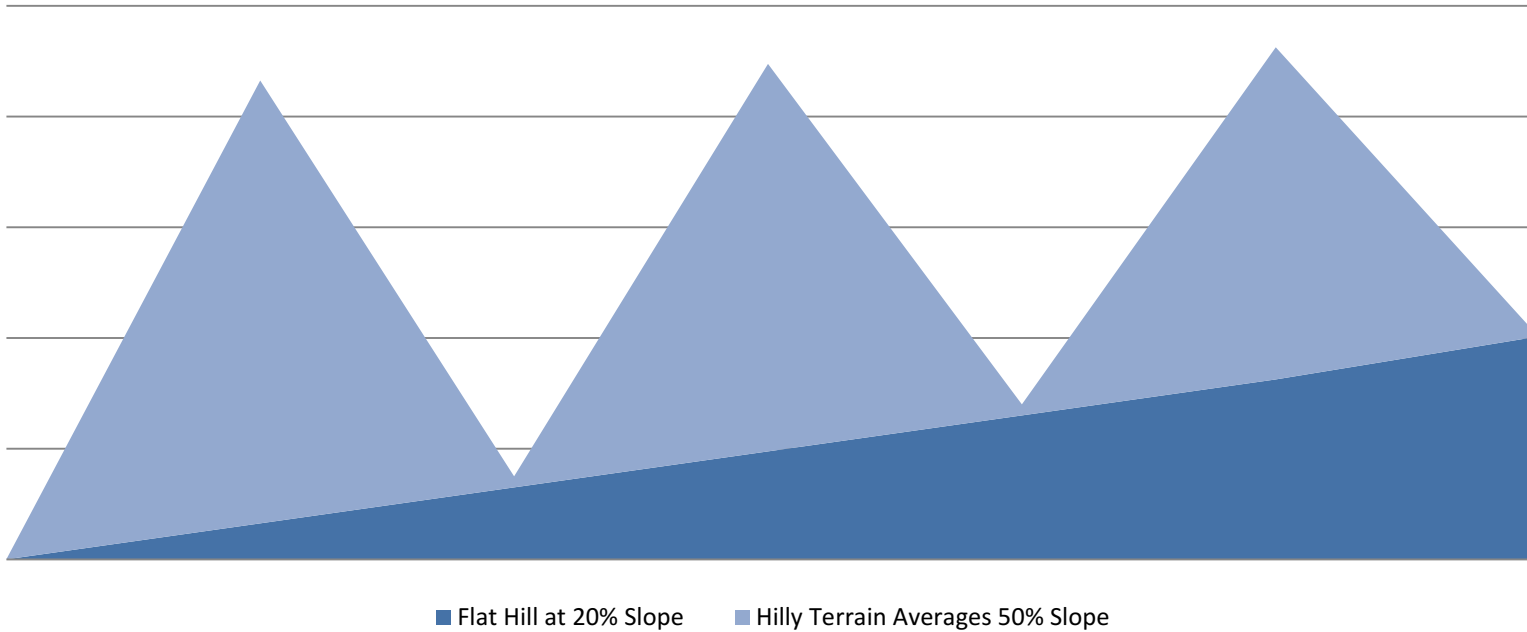


Figure III-1. In conventional development, street alignment is often determined by the shape of the development parcel. But with cluster development, natural features can determine street alignment.

# Appendix C

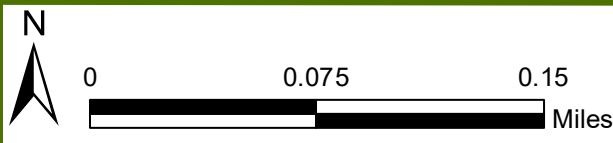
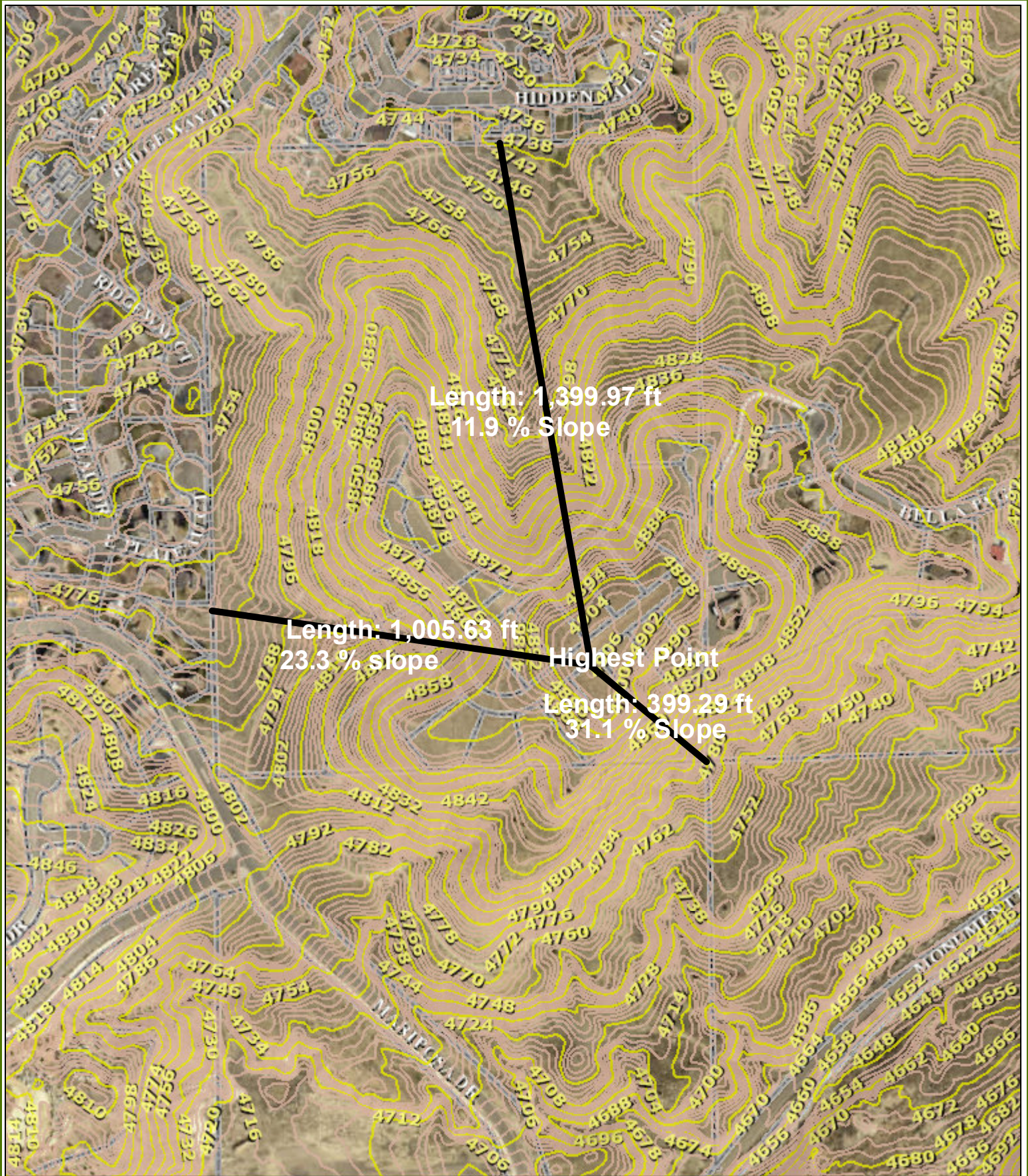
## Development Area Slope Maps

## Change in Average Slope: Flat vs. Hilly Terrain





# City of Grand Junction

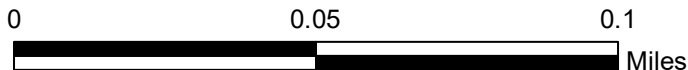


Printed: 4/4/2015

1 inch = 335 feet



# City of Grand Junction



Printed: 4/4/2015

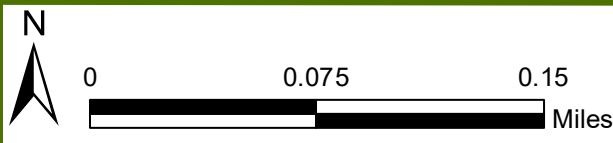
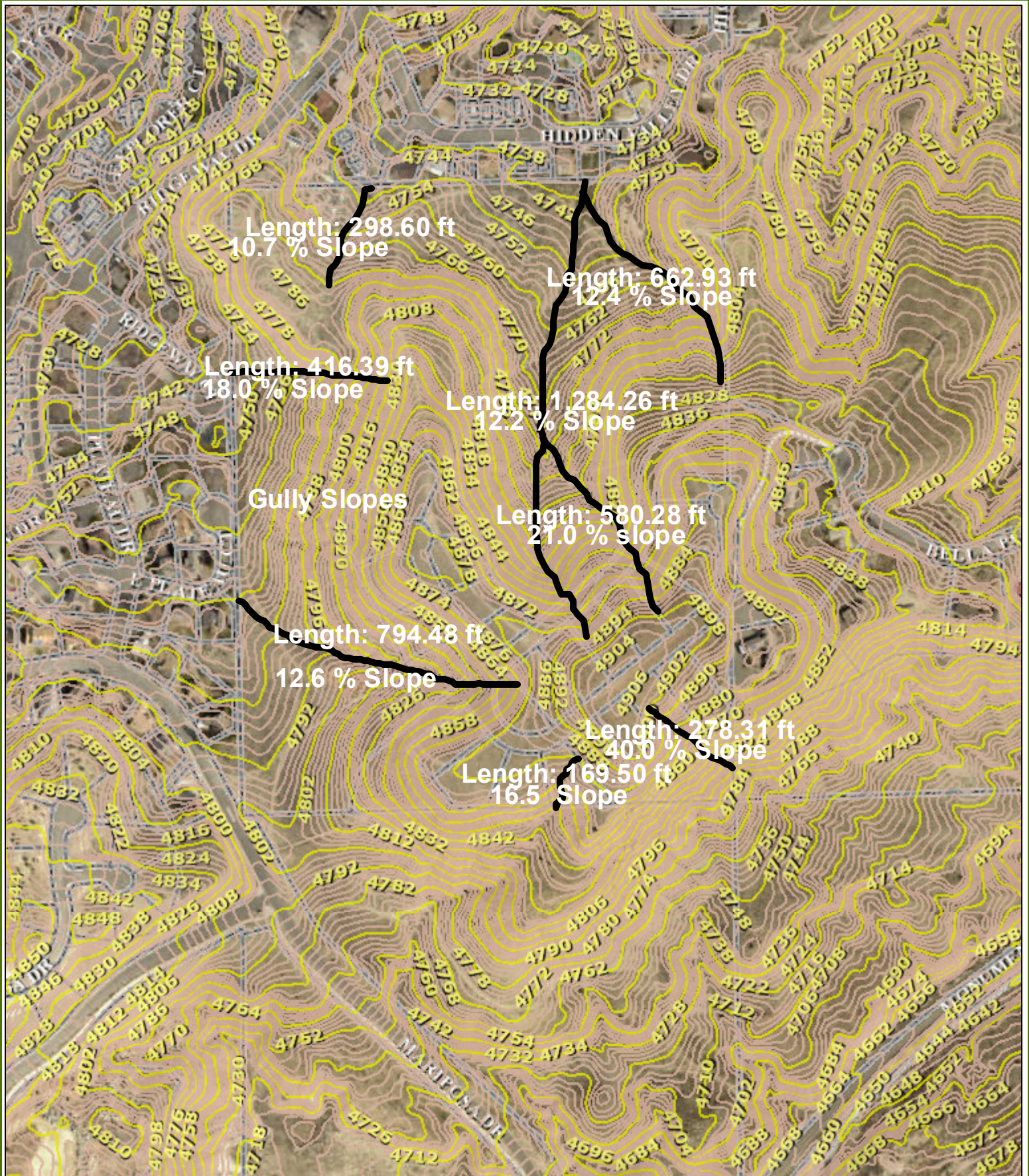
1 inch = 168 feet







# City of Grand Junction



Printed: 4/4/2015

1 inch = 335 feet



# **Pinnacle Ridge: Failure to Meet Code Requirements**

The Commission's Decision on the Proposed Pinnacle Ridge Development Will Have Long-Term Consequences for Homeowners, Taxpayers, and All Citizens and Visitors Who Love the Beauty of Our Grand Valley.

It is Understood that Development Will Occur, but We Must Oppose This Project as Proposed Because:

Expert Concerns Regarding Stability of the Terrain Have Gone Unanswered

... Page 1

Multiple Lots Do Not Meet Code Requirements for Hillside Development

...Page 2

The Proposed Road is Too Steep and Too Long to Meet Fire Access Code Requirements

...Page 3

The Project Does Not Meet Code Requirements for Sensitive Lands and Ridgeline Protection

...Page 4



**Richard Wihera**  
**Presented to Grand Junction Planning Commission**  
**3/28/17**

## Terrain Stability of the Development Area Has Not Been Established

Excerpts from repeated Colorado Geological Survey (CGS) Reviews Show the Developer Has Failed to Address the Problem to the Satisfaction of Independent Reviewers  
(All emphasis from original reports)

2/27/2015

- “CGS cannot recommend preliminary plat/plan approval unless and until the applicant demonstrates that existing slopes and proposed temporary and permanent cut slopes will be stable, and that any proposed development will not be impacted by, nor exacerbate, potential slope instability.”

8/12/2015

- CGS repeats the concerns about stability of the terrain and for a second time lists the analyses needed to assess the terrain's stability.
- “To establish the overall project’s viability from a slope stability perspective, this level of investigation (detailed in comments) must be done at the preliminary plan stage, prior to platting of individual lots.”

11/18/2015

- CGS repeats its concerns and for the third time lists the various analyses needed to determine if the terrain is suitable for development.

2/29/2016

- “The applicant and its geotechnical consultant have not demonstrated that the planned cut slopes will be stable.”
- “The geologic materials present on this property, especially sand, gravel and claystone, cannot be assumed to be stable at the slope angles proposed.”
- “CGS remains concerned about the overall viability of the project at the proposed density.”
- “In the absence of the analyses we have previously requested, the applicant’s ‘acknowledgment’ of this and other CGS comments is meaningless.”

*In a telephone contact last week, CGS reported they still have not received any additional studies or analyses on this project, and their assessment of February 2016 remains their opinion now.*

## The Proposed Development Does Not Meet Municipal Code Requirements for Hillside Development

Grand Junction Municipal Code 21.07.020 (f) **Hillside Development**

(1) Hillside development standards are applicable to hillside development and excavation of hillside so that:

- (i) Soil and slope instability and erosion is minimized;
- (ii) The adverse effects of grading, cut and fill operations are minimized;
- (iii) The character of the City's hillsides is preserved; and
- (iv) The public's interest is protected.

(3) Hillside Development Standards. In furtherance of the purposes set forth, any hillside development shall comply with the tables below. Any portion of a development having a slope greater than 30 percent with an elevation change of 20 feet or greater shall not be included in calculation of the area of such parcel for the purposes of determining conformity with the minimum lot parcel size and density requirements below.

<b>SINGLE-FAMILY, PLANNED AND CLUSTER SUBDIVISION DEVELOPMENT</b>		
<b>Average Slope of Development Area</b>	<b>Minimum Lot Size<sup>1</sup></b>	<b>Minimum Lot Width</b>
0% – 10%	See Existing Zone	See Existing Zone
10.01% – 20%	10,000 sq. ft.	At least 100 ft. at front setback line
20.01% – 30%	15,000 sq. ft.	At least 200 ft. at front setback line
30.01% +	Development Not Permitted <sup>2</sup>	Development Not Permitted <sup>2</sup>

Data provided by developer on Limits of Development/Slope Analysis (Sheet 4), shows that the slope of the development area is:

0 – 10%	413,198 sf
10.01-20%	562,829 sf
20.01-30%	579,433 sf
30.01%+	409,566 sf

Leaving out the area 30.01%+ area, the average slope of the development is 16.06%. Code requires a minimum lot size of 10,000 sq. ft. and at least 100 ft. minimum lot width for this slope.

Per developer's plans (Sheets 5 and 6), 26 of the 72 lots (36%) in the proposed development do not meet the Code requirements for the minimum lot size and/or minimum lot width for this slope.



## The Proposed Development Does Not Meet Municipal Code Requirements for Transportation Engineering Design Standards (TEDS) for Fire Access

### Grand Junction Municipal Code

#### 29.20.070 Vertical alignment

a) **Grades.** Design grades and vertical sight distance address drainage and/or safety concerns for vehicles and pedestrians. Grades of streets shall not be less than 0.5 percent, nor more than eight percent. In hilly terrain (defined as having grades of 10 percent or greater, as defined in GJMC 21.07.020), the maximum grade for local residential streets is 12 percent for a maximum distance of 500 feet.

#### 29.64.010 Design exceptions

(d) The burden in the development process shall be on the applicant to demonstrate that the proposed exception, if granted, will not result in a dangerous condition as determined by the City or County. No exception shall be allowed if the resulting design is dangerous or otherwise fails to meet the fundamental needs of the community. The fundamental needs of the community shall be determined by the City or County, but primarily are the provision of safe, efficient and effective transportation.

Developer is proposing a road with 13% grade for 833 feet, which is an 8% increase in slope and 67% longer than allowed by TEDS standards. In regard to Design Exceptions, nothing is found in the in the applicant's plans which demonstrates that this will not result in a dangerous condition.

City Fire Department Review:

"Grades exceed maximum of 12% permitted by fire access requirements. The submittal of plans with grades not exceeding 12% will be required." (Emphasis in original)

And a note on the issue of warranty in the Colorado Geological Survey (CGS) Review:

"Due to significant slope stability and expansive soil concerns, CGS continues to support the City in its insistence on a ten-year warranty for all improvements in the public right-of-way."

## The Proposed Development Does Not Meet Municipal Code Requirements for Sensitive Lands and Ridgeline Protection

21.07.020 Environmental/sensitive lands regulations. (g) Ridgeline Development. The City recognizes the value of its visual resources and amenities. **The purpose of the ridgeline development standards is to preserve the character of the identified ridgelines and to minimize soil and slope instability and erosion.**

34.16.010 (a) Hills, Bluffs, and Other Visually Prominent Areas. The Grand Junction Zoning and Development Code (GJMC Title 21) identifies key ridgelines along Monument Road, South Camp Road and South Broadway on which new development must maintain sufficient setbacks as to not be visible on the horizon, or provide mitigation through design to minimize the visibility of development along the corridors.

Monument Road has been identified as a visually important corridor on the Redlands, providing access to the Tabeguache trailhead and a gateway to the Colorado National Monument. In addition to the ridgeline views along the corridor, the views on either side of the roadway are also of importance to maintain the open vistas to the Monument.

(b) (1) Development on prominent ridgelines along the major corridors of Highway 340, South Broadway, South Camp Road and Monument Road shall be minimized to maintain the unobstructed view of the skyline.



View of Filing 5, looking north across Monument Road from Lunch Loop/Three Sisters parking area. 17 homes are planned for the ridge area along the horizontal rock outcroppings. The houses may not be visible from the road but they would be prominent features when viewed from the Lunch Loop, and the hill and ridgeline behind the homes will be flattened. The magnitude of the excavation becomes more clear when looking at the amount of earth that would be removed from the hillsides for this project.

### Total Amount of Earth to Be Moved by this Development Plan

	Total Development	Average Per Lot
Total Cubic Yards of Cuts (per the Developer, Sheet 14)	160,403 CY	2,228 CY
Total Tons of Earth Moved	224,564 Tons	3,119 Tons
# of Dump Trucks at 10 CY per load	16,040 loads	223 loads

March 28, 2017

TO: Grand Junction Planning Commission  
Community Development Division  
250 North 5<sup>th</sup> Street, Grand Junction, CO 81501  
c/o Planner, Scott Peterson (scottp@gjcity.org)

RE: Planning Commission Notice of Public Hearing for March 28, 2017  
Request to Approve Preliminary Subdivision Plan, SUB-2015-120,  
Pinnacle Ridge Subdivision, East of Mariposa Drive

My wife and I are neighborhood residents who have the following concerns and objections over the proposed new 79 house lot subdivision.

**(1) Risk of dangerous vehicle traffic with a Mariposa Drive access to the proposed 79 home subdivision.** Mariposa Drive receives a high volume of user traffic – drivers, bicyclists, and pedestrians – traveling from the Ridges/Redlands neighborhood to and from Monument Road to access downtown Grand Junction, the Tabeguache trail system, and the Colorado National Monument. Where the potential subdivision road access is desired (which google-maps labels “Rawhide Rd”) near the intersection of Mariposa Drive and West Ridges Boulevard, Mariposa Drive presents a “blind hill” so that drivers/users on one side of the hill cannot see the drivers/users on the other side of the hill. The addition of 79 new homes could add 158 new vehicles driving that risky blind hill on Mariposa Drive (79 proposed house lots multiplied by an average 2 vehicles per household). The proposed 79 home subdivision presents an unsafe combination between the existing high volume of neighborhood drivers, bicyclists, and pedestrians on Mariposa Drive traveling to and from Monument Road, and the potential new high volume of vehicle traffic on Mariposa Drive driving to and from the 79 home subdivision. Additionally, a new golf course condominium complex on West Ridges Boulevard is being constructed near Mariposa Drive, which will increase the vehicle, bicycle, and pedestrian traffic on Mariposa Drive and so increase the dangers posed by the additional vehicle traffic from a new 79 home subdivision.



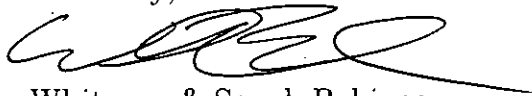
**(2) Need for traffic light at the intersection of Ridges Boulevard and Broadway Road.** We witnessed numerous vehicle crashes at this intersection over the years. It's a dangerous intersection. The vehicle traffic driving to and from the Ridges/Redlands neighborhood is increasing. The new condominium complex on West Ridges Boulevard will increase the vehicle traffic, making the intersection more dangerous. So adding a 79 home subdivision to the neighborhood with the potential of 158 additional vehicles will make the intersection even more dangerous, and should require the installation of a traffic light to help the intersection become safer.

**(3) Need for traffic light at the intersection of Mariposa Drive and Monument Road.** The intersection of Mariposa Drive and Monument Road is next to the recently expanded Lunch Loop parking lot for the popular Tabeguache hiking and biking trails. A high volume of vehicle, bicycle, and pedestrian traffic passes through the intersection. The potential for 158 more vehicles from the proposed 79 home subdivision should require the installation of a safety traffic light at that intersection.

**(4) Risk of water damage to properties down-slope from the proposed 79 home subdivision.** The proposed 79 home subdivision would basically rest on an eroding hill of dirt. Over the years, portions of this hill have even eroded, fallen onto, and damaged a section of Ridgeway Drive that exists down-slope from the hill. The addition of 79 new homes with irrigated lawns will require a lot of water. Everyone knows water naturally drains and erodes downhill. Our property is downhill from the proposed 79 new houses. I'm concerned that the irrigated water drainage from 79 new houses will worsen the existing erosion problems in the area, and damage our property and the other neighboring down-slope properties.

The proposed 79 home subdivision is neither safe nor appropriate for the neighborhood. 79 new houses is too many. My wife and I object to the proposed new subdivision, and respectfully request that Planning Commission does not approve it.

Sincerely,



Whitman & Sarah Robinson  
385 Explorer Court #19  
Grand Junction, CO 81507  
(970) 433-7699

## Scott Peterson

---

**From:** John Phillips <phillipsgj66@gmail.com>  
**Sent:** Monday, March 27, 2017 6:22 PM  
**To:** Scott Peterson  
**Cc:** John Phillips; John Phillips  
**Subject:** Pinnacle ridge Subdivision input March 2017

Dear Mr. Peterson,

In regard to this subdivision, we have several concerns and they were not addressed the last two times Vortex Engineering tried to get this subdivision approved.

- 1) How many houses are along the boundary of the Ridges specifically from Mariposa to Ridgeway Court. There are way too many. We don't see how that meets the 2 residences per acre requirement.
- 2) The issue of flooding. The response to this concern last time was " This is the desert. It doesn't flood." In light of the pictures I submitted last time and the subsequent flooding that occurred during the last few summers thunderstorm along Monument and Ridges Blvd as well as the waterfalls that were coming off the hillside next to us that is definitely not a true statement, and shows the ignorance of Jones Jr. The house next to us had water in their garage. Their idea of a fix is to have water containment areas?
- 3) The grade of the road going uphill was an issue for city planners last time. Has this been addressed with the new plan?
- 4) Foundation issues and ground movement concerns. I know for a fact that many of the houses along Bella Pago and the Redlands Mesa Golf Course have had many foundations and other settlement issues. How do we know that there will not be house movement/ ground movement issues. This is a concern since we are downhill.
- 5) How do we know that Vortex Engineering is solvent enough to build this subdivision? We do not want what has happened with the condo development Cliff View and the development further up on Ridges Blvd that had the hillside destroyed and left barren because of lack of funding to happen to the property adjacent to ours.

We understand that any vacant land is a builders paradise, but there are smart ways of planning a development. We would like to see a bigger green belt or have a green belt between our subdivision and this proposed subdivision. To Vortex this is just a plan to make more money, to us, who have lived here for a decade or more, it has been a place of wonder for our children and wildlife. We were told when we bought our house, as were our neighbors, that this space was "open space" that could not be built on or that only the top of the hill was for development. The area would be better served as a planned open space like the Three Sisters or Tabaquache/ Lunch Loop with biking trails that connect to those areas and City of Grand Junction.

Sincerely,  
Erin and John Phillips

**CITY OF GRAND JUNCTION, COLORADO**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION GRANTING CONDITIONAL APPROVAL OF PRIVATE STREETS  
AND ALSO PUBLIC STREETS AND RESIDENTIAL LOTS TRAVERSING GREATER  
THAN 30% SLOPES FOR THE PROPOSED PINNACLE RIDGE SUBDIVISION**

**LOCATED EAST OF MARIPOSA DRIVE IN THE REDLANDS**

Recitals:

A request for approval of certain items under City Codes and regulations that require either Planning Commission or City Council action regarding the Preliminary Plan application for the proposed Pinnacle Ridge Subdivision. These actions include Council approval of; 1) proposed private streets and 2) subdivision lots and public streets traversing greater than 30% slopes.

In a public hearing, the City Council reviewed the requests and determined that it satisfied the criteria as set forth and established in Sections 21.06.060 (g) (5) and 21.07.020 (f) of the Zoning and Development Code, where only City Council may authorize a subdivision to be served by private streets and Hillside Development Standards regarding development on slopes of greater than 30% is not permitted unless, after review and recommendation by the Planning Commission and approval by the City Council that the proposed development is consistent with the purpose and intent of the Zoning and Development Code.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE AREA DESCRIBED BELOW IS APPROVED FOR DEVELOPMENT AS THE PINNACLE RIDGE SUBDIVISION UNDER THE FOLLOWING CONDITIONS:

1. At final design, perform an in depth geotechnical engineering investigation and report with proper slope stability, rockfall, and earthwork analysis and requirements. This can be incremental to the phases where final design approval is being requested; however, if slope stability and/or rockfall analyses prove problematic, the Preliminary Plan could be nullified or may need to be redesigned and reapproved.
  - a. The geotechnical report must design the earthwork and streets to minimize vertical movement and construction must strictly adhere to the report and be documented by daily observations and proper testing during construction.
  - b. A secured seven-year warranty will be required.
  - c. Landscaping shall be limited to low water requirement plants and irrigation systems. The details will be defined in conjunction with the geotechnical engineer at final design.
  - d. A site specific slope and rockfall analysis (based on field investigation) in the areas of concern will be required with each filing.

- e. Lot specific grading and drainage plans will either be required with the final design for each filing or with each planning clearance.
- 2. Perfect an intermediate connection to Hidden Valley Drive, with Filing 4 according to the current phasing plan, as required by the January 2007 TEDS exception.
- 3. Perfect the ability to loop water lines, if needed, and provide sanitary sewer to portions of the project via the Hidden Valley Drive connection with Filing 4 according to the current phasing plan.
- 4. The HOA is required to remove snow along the north facing slope on Elysium Drive. Provide proper language and assessments in the CC & R's and signs must be conspicuously placed on the street stating such.
- 5. Approval of the request to use private streets in two areas of the subdivision, Talus Court and Hillock Court.

The Developer is proposing appropriate engineering measures to minimize the impact of cuts, fills, erosion and stormwater by incorporating retaining walls, detention and water quality basins, and proper site grading in their design, based on Preliminary Geotechnical Investigation. If subsequent Geotechnical Investigation reveals significant slope instability issues, as determined by City staff based on input from the Colorado Geologic Survey, redesign of the Preliminary Plan will be required. If a minor revision is required, the review of the revised preliminary subdivision plan may, at the discretion of the Director, proceed concurrently with final plat review. Nullification/revocation of this approval shall require review by the Planning Commission.

**PINNACLE RIDGE PROPERTY LEGAL DESCRIPTION**

A parcel of land situated in the W ½ NW ¼ of Section 21, Township 1 South, Range 1 West of the Ute Meridian, Mesa County, Colorado, being described as follows:

The south 10 acres of the NW ¼ NW ¼ and the SW ¼ NW ¼ of said Section 21.

EXCEPTING THEREFROM: Lots 1-9, Block 3 and the adjoining dedicated right-of-way know as Spur Drive and Lot 2, Block 2, Energy Center Subdivision, Phase I as platted and recorded in Plat Book 8 at Page 55 with a Reception Number 644620 of the Mesa County records.

Said parcels contains 45.11 +/- acres, more or less, as described.

PASSED on this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
President of Council



## Grand Junction City Council

### Regular Session

Item #7.a.

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**Meeting Date:** April 19, 2017

**Presented By:** Kathy Portner, Planning Manager

**Department:** Admin - Community Development

**Submitted By:** Kathy Portner, Planning Manager

---

### **Information**

#### **SUBJECT:**

Change in Use Incentive Grant Request in the Amount of \$2,714.50 for Thai Number Nine, Located at 126 N. 7th Street.

#### **RECOMMENDATION:**

Approval of the grant request.

#### **EXECUTIVE SUMMARY:**

Thai Number Nine, a proposed restaurant located at 126 N. 7th Street, has submitted an application for consideration of \$2,714.50 from the Change in Use Incentive Grant program. The amount is 25% of the sewer wastewater Plant Investment Fee (PIF) required for the conversion of the existing building to a restaurant use.

#### **BACKGROUND OR DETAILED INFORMATION:**

On January 4, 2017 the City Council established the Change in Use Incentive Grant Pilot Program to fund 25% of the sewer wastewater Plant Investment Fee (PIF), up to \$10,000 for the conversion of an existing building in the Greater Downtown Area to a restaurant use. The purpose of the program is to maintain and enhance the viability of downtown and encourage the reuse of existing buildings as restaurants.

Thai Number Nine is a proposed restaurant reusing the building located at 126 N. 7th Street that was previously used as retail. The total Plant Investment Fee for the conversion is \$10,858.02, based on the additional impact to the sewer system of a restaurant use. The request meets the requirements of the Change in Use Incentive Grant program.

**FISCAL IMPACT:**

Funding for the Change in Use Incentive Grant is from funds budgeted for the North Avenue Catalyst Grant program. \$30,000 was budgeted in 2017. Of that, three grants have been approved by City Council as follows:

Catalyst Grant for Western Rockies Federal Credit Union \$ 8,328.50  
Change in Use Grant for Hops Culture \$ 6,760.80\*  
Change in Use Grant for Taco Corp. \$ 3,909.60  
TOTAL \$18,998.90

There is \$11,001.10 remaining in the fund.

\*A permit has been issued for the Hops Culture remodel, but the project is currently on-hold.

**SUGGESTED MOTION:**

I move to (adopt or deny) the Change in Use Incentive Grant request from Thai Number Nine, LLC, located at 126 N. 7th Street, in the Amount of \$2,714.50.

**Attachments**

1. Grant Application

## Grand Junction Change in Use Incentive Grant Pilot Program APPLICATION

Completed application to be submitted to the City Community Development Division, 250 N. 5th Street, Grand Junction, CO 81501, or scan and email to [planning@gjcity.org](mailto:planning@gjcity.org).

Name of Applicant(s): Thai Number Nine LLC  
Mailing Address: 126 N 7th St GRANDJUNCTION CO. 81501  
Phone Number(s): 970. 433-5310  
Email: \_\_\_\_\_

Property Owner(s): Kenneth Risky  
Mailing Address: 124 N 7th St GRANDJUNCTION CO. 81501  
Phone Number(s): 970. 985-8169  
Email: Kenneth.Risky@gmail.com

Project Address: 126 (124) N 7th Street  
Business Name: Thai Number Nine LLC  
Parcel Number: 2945-144-17-003

Projected Start/Finish Dates for Project: April, 2017, June 2017

Total Calculated Sewer Plant Investment Fees: \$ 10,858.02

Applicant's Signature: [Signature] Date: 2-6-17  
Attest: \_\_\_\_\_ Date: \_\_\_\_\_  
(If LLC, Corporation or Legal Entity other than Sole Proprietorship)

Owner's Signature (if different): Kenneth Risky Date: 2/6/2017  
(If LLC, Corporation or Legal Entity other than Sole Proprietorship)  
Attest: Kenneth Risky, 124 N 7th St LLC Date: 2/6/2017  
(If LLC, Corporation or Legal Entity other than Sole Proprietorship)



# **Pinnacle Ridge Subdivision SUB-2015-120**

Northeast side of Mariposa Drive and  
1/4 mile north of Monument Road  
Grand Junction, CO

# Aerial Photo Map



# Site Description and Background

- ❖ **Site is located northeast of Mariposa Drive and ¼ mile north of Monument Road**
- ❖ **Originally platted in 1955 as the Energy Center Subdivision but was never developed in accordance with the plat**
- ❖ **Single family residential subdivision is now proposed**
- ❖ **Property is vacant with areas of steep terrain**
- ❖ **Proposed subdivision has public and private streets and utilizes the Cluster and Hillside Development standards of the City Zoning Code**



# Pinnacle Ridge Subdivision



Applicant proposes 72  
single family lots to be  
developed in 5 phases

Density = 1.59 du/ac

# Applicant's Request

- 1) City Council approval for use of two private streets per 21.06.060 (g)(5)
- 2) City Council approval for development of small area with greater than 30% slope on Elysium Drive and limited number of lots per 21.07.020 (f)(3)

# Comprehensive Plan

- ❖ **Goal 3:** The Comprehensive Plan will create ordered and balance growth and spread future growth throughout the community.
  - **Policy B:** Create opportunities to reduce the amount of trips generated for shopping and commuting and decrease vehicle miles traveled thus increasing air quality.
  - **Policy C:** Increasing the capacity of housing developers to meet housing demands.
- ❖ **Goal 8:** Create attractive public spaces and enhance the visual appeal of the community through quality development.
  - **Policy A:** Design streets and walkways as attractive public spaces.
  - **Policy B:** Preserve areas of scenic and/or natural beauty and, where possible, include these areas in a permanent open space system.

# Cluster Development

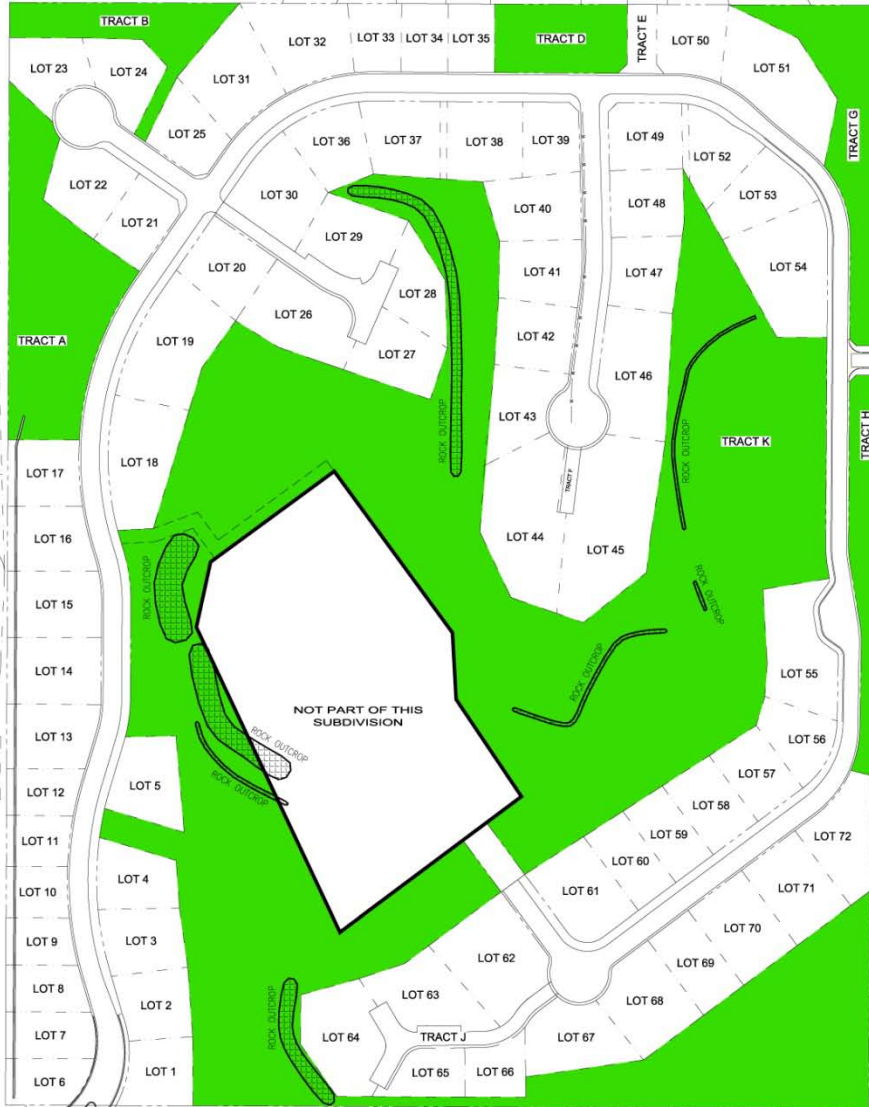
Sec. 21.03.060, Cluster Developments:

*“To preserve environmentally sensitive areas, open space and agricultural lands, cluster development is encouraged.”*

- Pinnacle Ridge is providing 33% open space with Tract K...total open space is 41% with all tracts
- Access to open space is provided via right-of-way for the public



# Open Space



Tract K = 15.06 acres  
Other tracts = 3.47 acres

Total Open Space = 18.53 acres

# Hillside Development

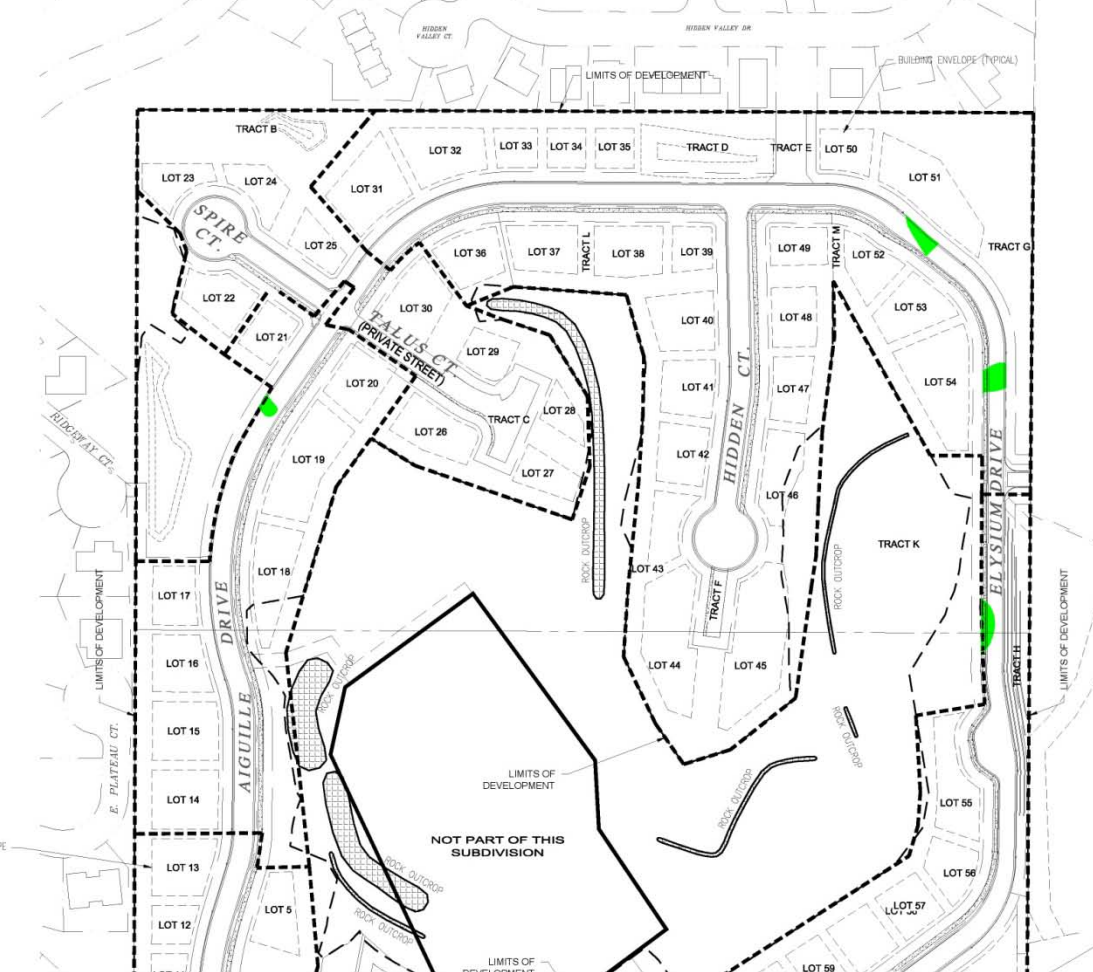
21.07.020(f)(3), Hillside Development:

1. Development on slopes of greater than 30 percent is not permitted unless, after review and recommendation by the Planning Commission and approval by the City Council, it is determined that:
  - a. Appropriate engineering measures will be taken to minimize the impact of cuts, fills, erosion and stormwater runoff consistent with the purpose of this section; and
  - b. The developer has taken reasonable steps to minimize the amount of hillside cuts and also has taken measures to mitigate the aesthetic impact of cuts through landscaping or other steps.

# Hillside Development

Area with greater than 30% slope in right-of-way\*  
(3778 sf or .19% of total site)

\*Existing conditions prior to grading and construction



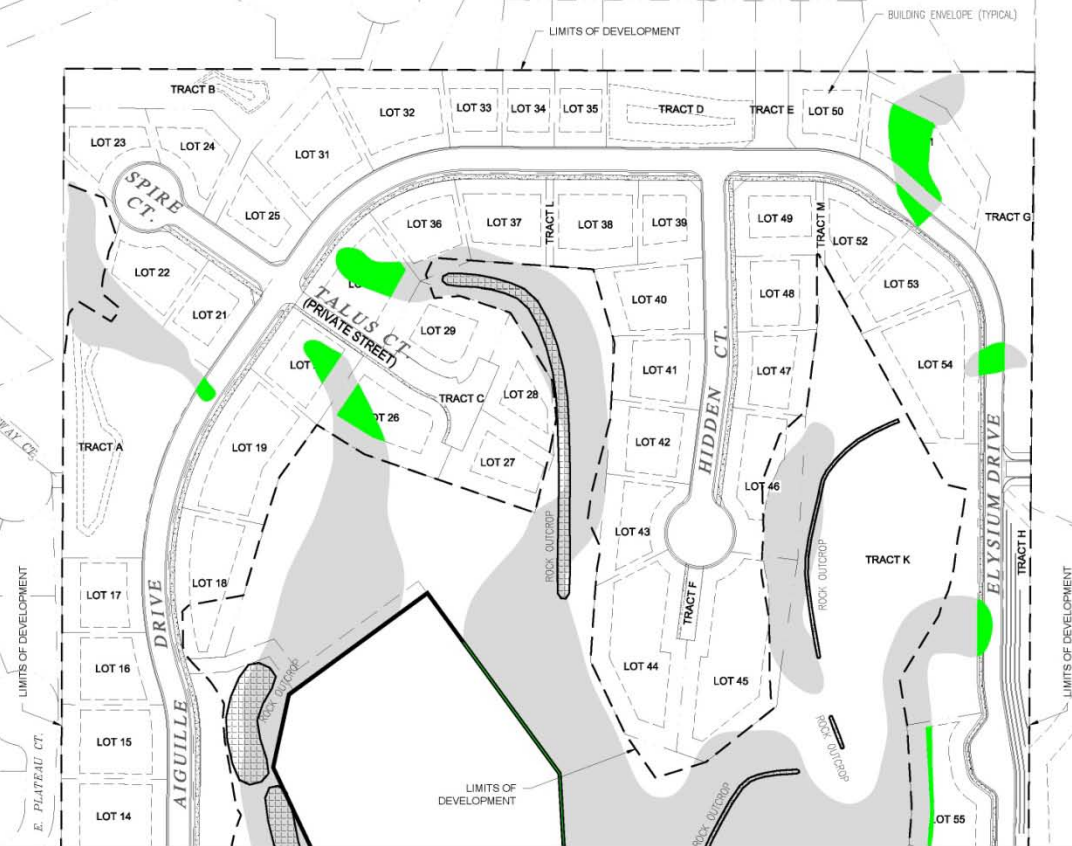
# Hillside Development



**Area with greater than 30% slope in building envelope\* (12,603 sf or .64% of total site)**

**Area with greater than 30% slope within lots (35,291 sf or 1.80% of total site)**

\*Existing conditions prior to home construction



# Hillside Development

Shaded areas indicate existing conditions of greater than 30% slope

Total area in ROW or lots =  
**2.6%** of total site

Grand Valley housing built in  
areas with steep slopes



# Housing Types on Elevation

Fox Run Subdivision



Shadow Run at the Ridges



Redlands Mesa





# Housing Types on Elevation



↑ Spyglass Hill Subdivision ↓



# TEDS exceptions and Alternate Streets

# TEDS Exceptions

□ Obtained TEDS exceptions in 2007 for the following:

1. Approval to exceed 1200' maximum block length with condition an intermediate connection be made either to the north or west.
2. Approval to exceed the maximum 750' cul-de-sac length with requirement to sprinkle houses past the street connection to east and provide intermediate turnaround for Fire Department.
3. Approval for 13% grade for portion of Elysium Drive with requirement to sprinkle all houses on the portion with the 13% grade.
4. Approval to exceed the maximum grade through an intersection on Elysium Drive at the connection to the east.

The TEDS Exception Committee is made up of a representative from the Public Works Department, the Planning Division, Fire Department and the City Traffic Engineer.



# Site Design

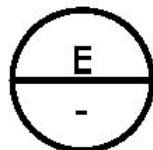
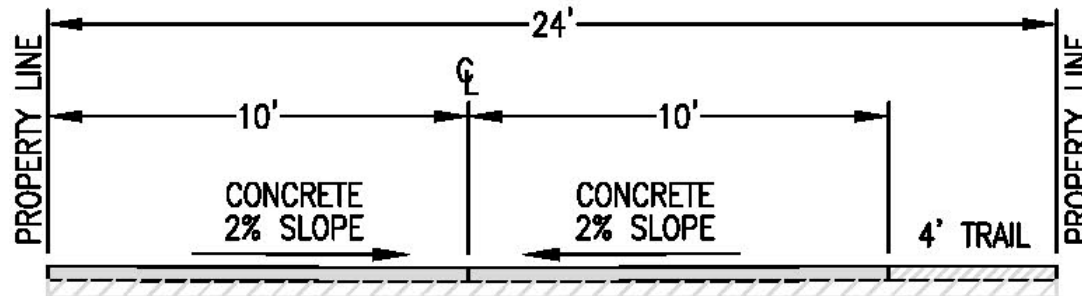
Road design utilizes the natural contours to minimize the impacts of cuts and fill.

Two private streets will be used to provide access to lots and parking.



# Private Streets

- ❖ CC&R provisions for maintenance of private streets shall be recorded with the final plat
- ❖ Signage will be posted on each private street to distinguish them from public streets



## PRIVATE STREET & LANE DETAIL

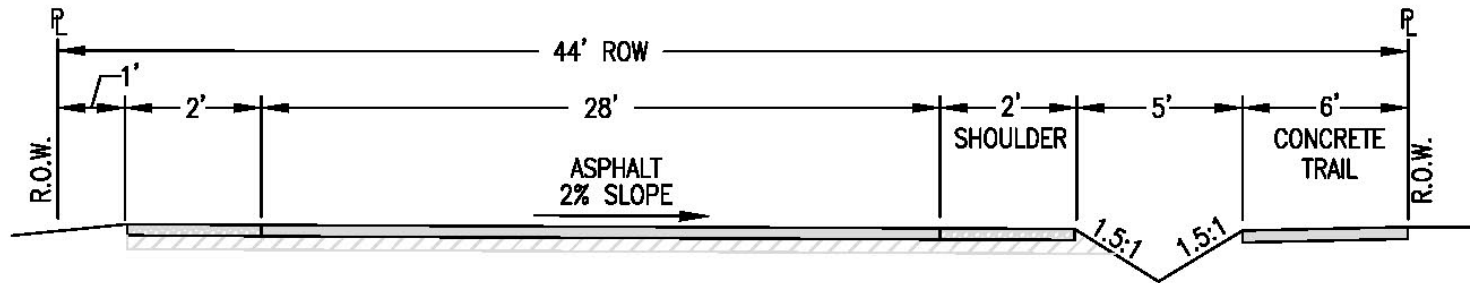
N.T.S.

TRACT C,F,J



# Alternative Street Sections

44' ROW with 28' pavement and 2' shoulders. Drainage swale on one side of street with 6' wide detached pedestrian trail next to swale.



**44' ROW STREET**

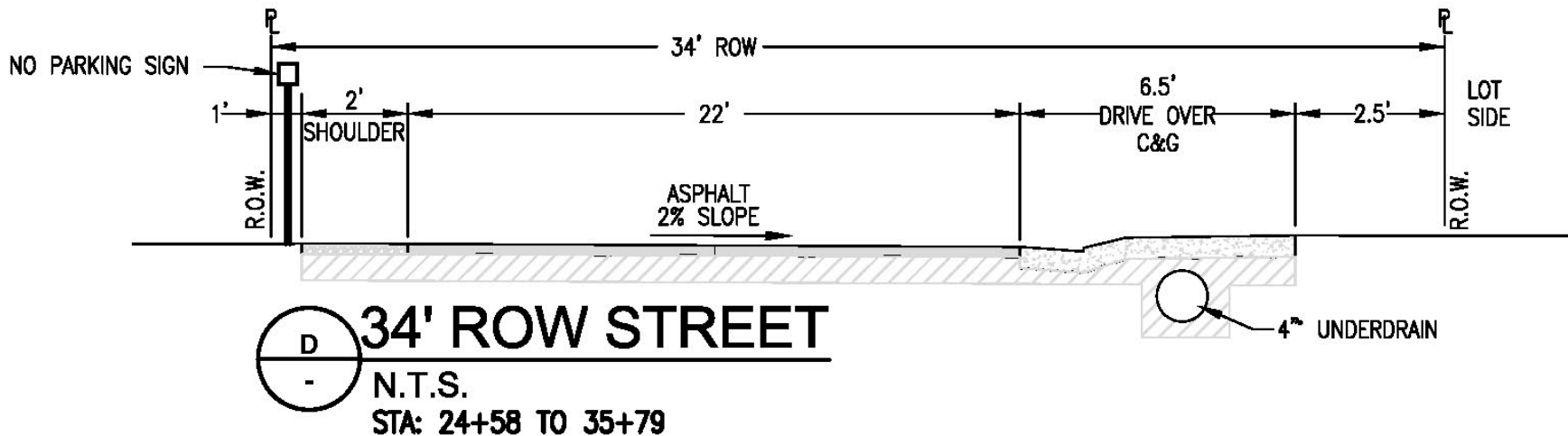
N.T.S.

STA: 3+42 TO 24+58

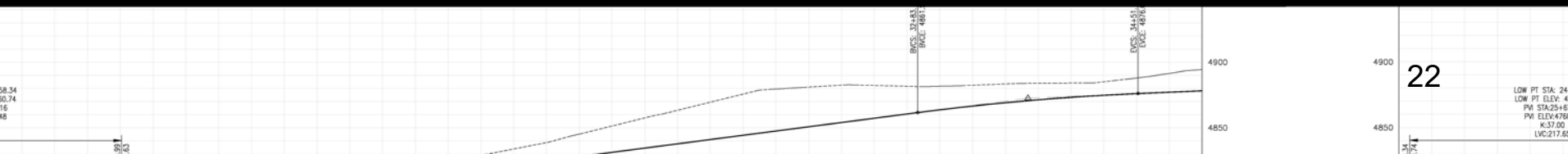
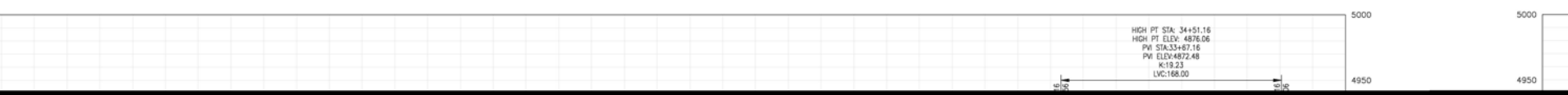
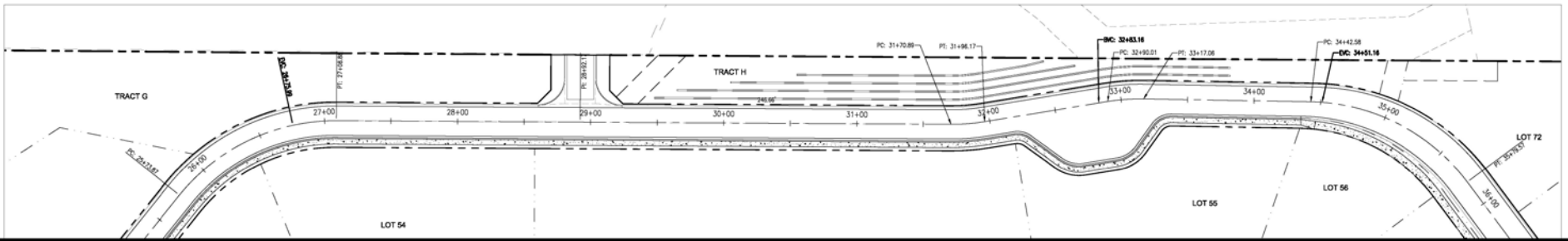
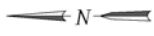
STA: 35+79 TO 41+50

# Alternative Street Sections

34' ROW with 22' wide pavement and 6.5' combination curb, gutter and sidewalk on one side of the street. Parking is restricted to one side of the street only.

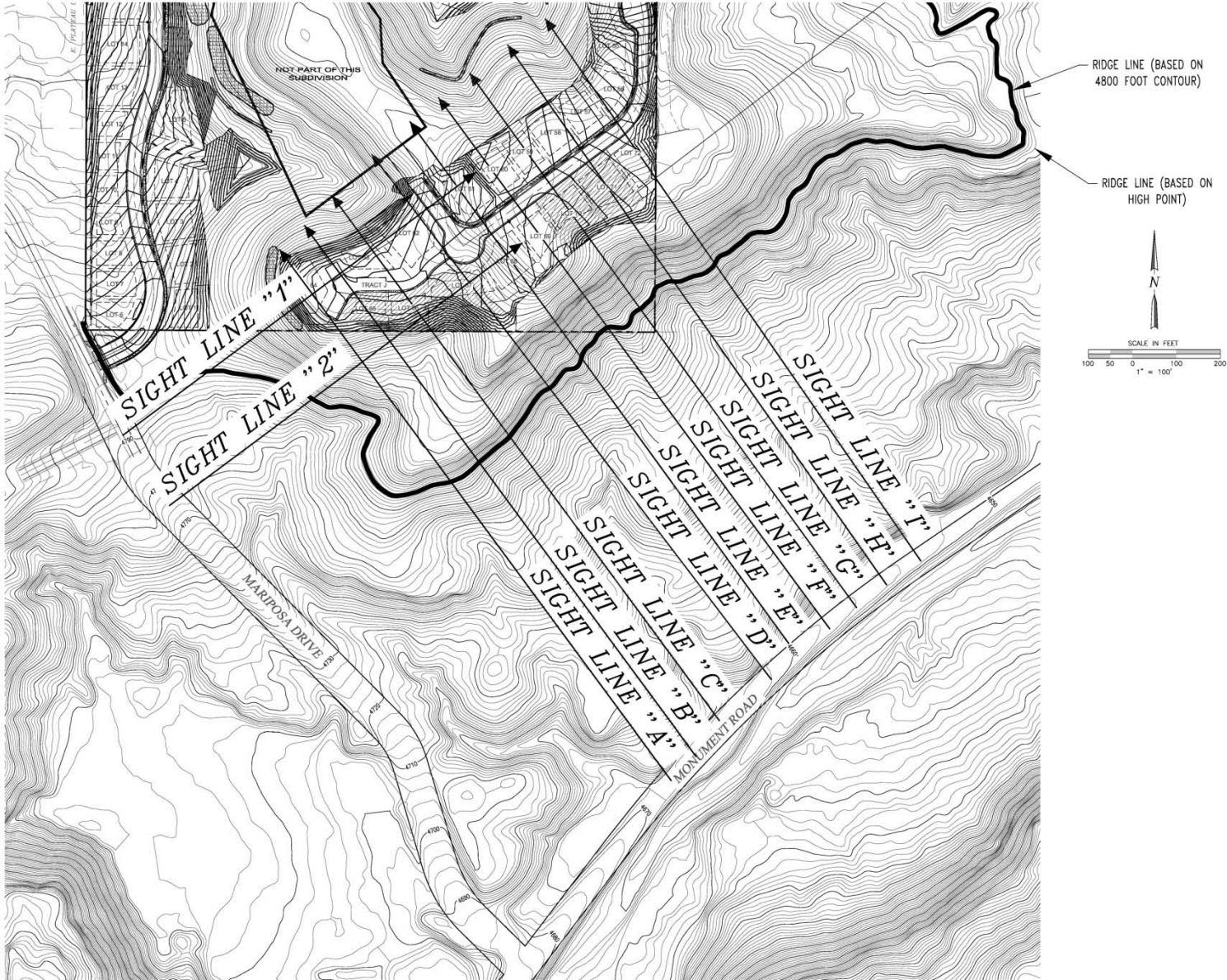


# Elysium Drive plan and profile



# Ridgeline Protection

# Ridgeline Protection



FOR REVIEW - NOT FOR CONSTRUCTION

**VORTEX**  
ENGINEERING, INC.  
CONSULTING ENGINEERS & SITE PLANNERS  
CITY & COUNTY ENGINEERS

James C. Atkinson  
PROFESSIONAL ENGINEER  
No. 40001-Colorado-1988

ENGINEERING, INC. ALL RIGHTS RESERVED. THIS DRAWING IS THE PROPERTY OF VORTEX ENGINEERING, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF VORTEX ENGINEERING, INC. IN PORTLAND, OREGON.

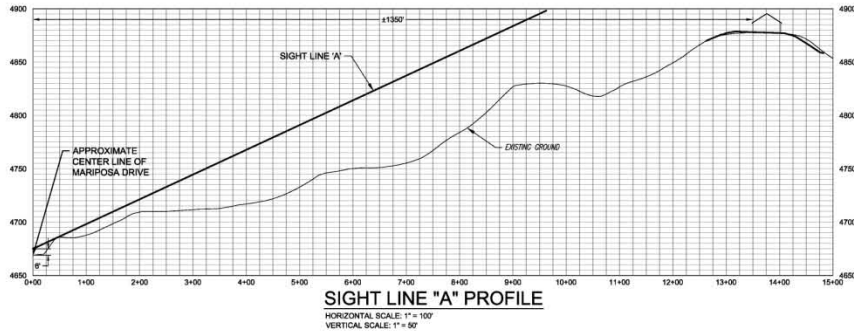
MAJOR SUBDIVISION	
PRELIMINARY PLAN	
1. PREPARED BY	DATE
2. CHECKED BY	DATE
3. DESIGNED BY	DATE
4. APPROVED BY	DATE
5. REVISIONS	DATE
6. REVISIONS	DATE
7. REVISIONS	DATE
8. REVISIONS	DATE
9. REVISIONS	DATE
10. REVISIONS	DATE

Sight Line Exhibit  
Plan View  
**Pinnacle Ridge Subdivision**  
Mariposa Drive  
Grand Junction, Colorado

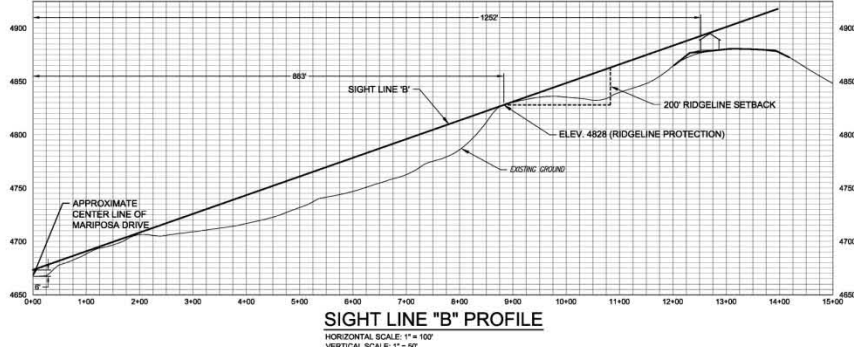
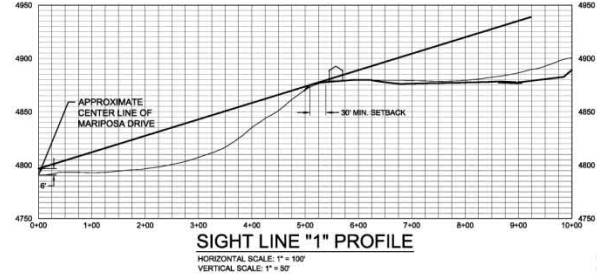
PROJECT NO. P04-009  
DATE: 03/19/15  
SCALE: 1"=40'  
CADD: Kaitlyn Winkler, Inc.



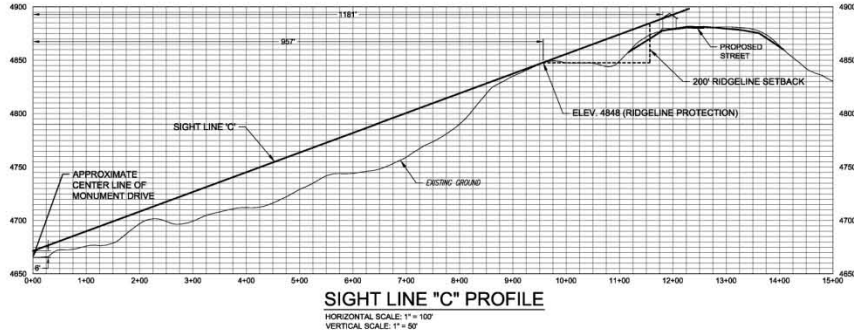
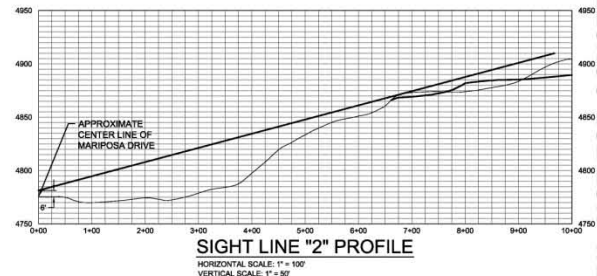
# Ridgeline Protection: Sight lines 1, 2 and A-C



- RIDGELINE ASSESSMENT OF LOT 64**
1. THE HOUSE IS RESTRICTED TO ONE FLOOR FROM THE FINISHED FLOOR.
  2. THE ROOF SHALL BE RESTRICTED TO 16 FEET ABOVE THE FINISHED FLOOR.
  3. THE HOUSE SHALL HAVE EXTERIOR FINISH COLORS WITH NON-REFLECTIVE MATERIALS.
  4. THE HOUSE SHALL HAVE ROOF GLASSES NO GREATER THAN 4:12 AND THE MAXIMUM HEIGHT OF THE GLASSING SHALL BE NO GREATER THAN 30'.



- RIDGELINE ASSESSMENT OF LOT 65**
1. THE HOUSE IS RESTRICTED TO ONE FLOOR FROM THE FINISHED FLOOR.
  2. THE ROOF SHALL BE RESTRICTED TO 16 FEET ABOVE THE FINISHED FLOOR.
  3. THE HOUSE MAY HAVE A LOWER FLOOR WITH A MAXIMUM HEIGHT DEPENDING ON THE SETBACK RULES.
  4. THE HOUSE SHALL HAVE EXTERIOR FINISH COLORS WITH NON-REFLECTIVE MATERIALS.



- RIDGELINE ASSESSMENT OF LOT 66**
1. THE HOUSE IS RESTRICTED TO ONE FLOOR FROM THE FINISHED FLOOR.
  2. THE ROOF SHALL BE RESTRICTED TO 16 FEET ABOVE THE FINISHED FLOOR.
  3. THE HOUSE MAY HAVE A LOWER FLOOR WITH A MAXIMUM HEIGHT DEPENDING ON THE SETBACK RULES.
  4. THE HOUSE SHALL HAVE EXTERIOR FINISH COLORS WITH NON-REFLECTIVE MATERIALS.

FOR REVIEW - NOT FOR CONSTRUCTION



**James C. Atkinson**  
 PROFESSIONAL ENGINEER  
 No. 40001-Colorado-1988

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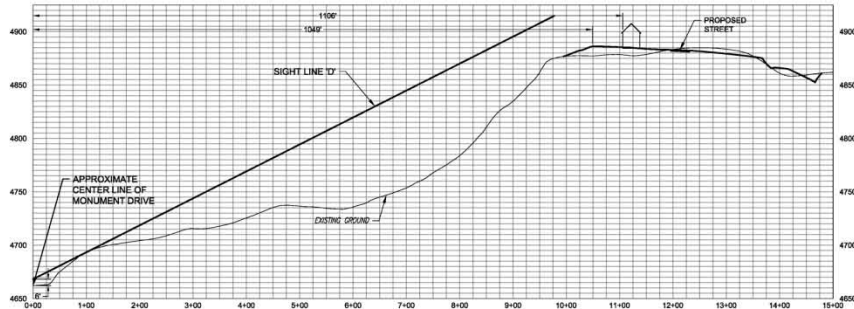
MAJOR SUBDIVISION PRELIMINARY PLAN	
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2. CHECKED BY	JCA
3. REVIEWED BY	JCA
4. DATE	03/19/15
5. PROJECT NO.	15-0008
6. SHEET NO.	16

Site Line Exhibit  
 Profiles A, B & C  
**Pinnacle Ridge Subdivision**  
 Mariposa Drive  
 Grand Junction, Colorado

PROJECT NO: 15-0008  
 DATE: 03/19/15  
 SCALE: 1"=40'  
 CADD: katie@vortexinc.com

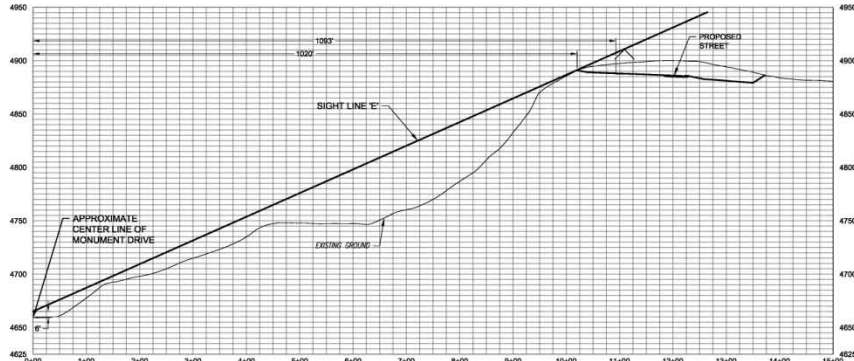


# Ridgeline Protection: Sight lines D-F



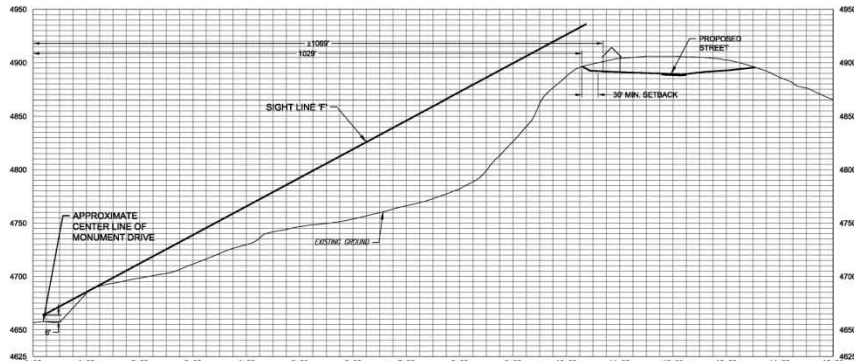
**SIGHT LINE "D" PROFILE**  
 HORIZONTAL SCALE: 1" = 100'  
 VERTICAL SCALE: 1" = 50'

RIDGELINE ASSESSMENT OF LOT 67  
 NO VISION INTERFERENCES TO BE REMOVED; HOUSE IS 100' SETBACK FROM  
 RIDGELINE AND SET TO STAY 100' AWAY TO S.W.



**SIGHT LINE "E" PROFILE**  
 HORIZONTAL SCALE: 1" = 100'  
 VERTICAL SCALE: 1" = 50'

RIDGELINE ASSESSMENT OF LOT 68  
 1. THE HOUSE IS RESTRICTED TO THE FLOOR FROM THE FINISHED FLOOR.  
 2. THE ROOF RAISES ARE RESTRICTED TO 14 FEET ABOVE THE FINISHED FLOOR.  
 3. THE HOUSE MAY USE A SHED ROOF WITH A MINIMUM SLOPE OF 12% ON THE  
 RIDGELINE SIDES.  
 4. THE HOUSE SHALL HAVE EMERGENCY LIGHTING WITH NON-REFLECTIVE MATERIALS.



**SIGHT LINE "F" PROFILE**  
 HORIZONTAL SCALE: 1" = 100'  
 VERTICAL SCALE: 1" = 50'

RIDGELINE ASSESSMENT OF LOT 69  
 NO VISION INTERFERENCES TO BE REMOVED; HOUSE IS 100' SETBACK FROM  
 RIDGELINE AND SET TO STAY 100' AWAY TO S.W.



**James C. Atkinson**  
 PROFESSIONAL ENGINEER  
 No. 10000-10000-10000

FOR REVIEW - NOT FOR CONSTRUCTION

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MAJOR SUBDIVISION PRELIMINARY PLAN	
1. DESIGN	REVISION NO. 01
2. SURVEY	REVISION NO. 02
3. ENGINEERING	REVISION NO. 03
4. CONSTRUCTION	REVISION NO. 04
5. AS-BUILT	REVISION NO. 05

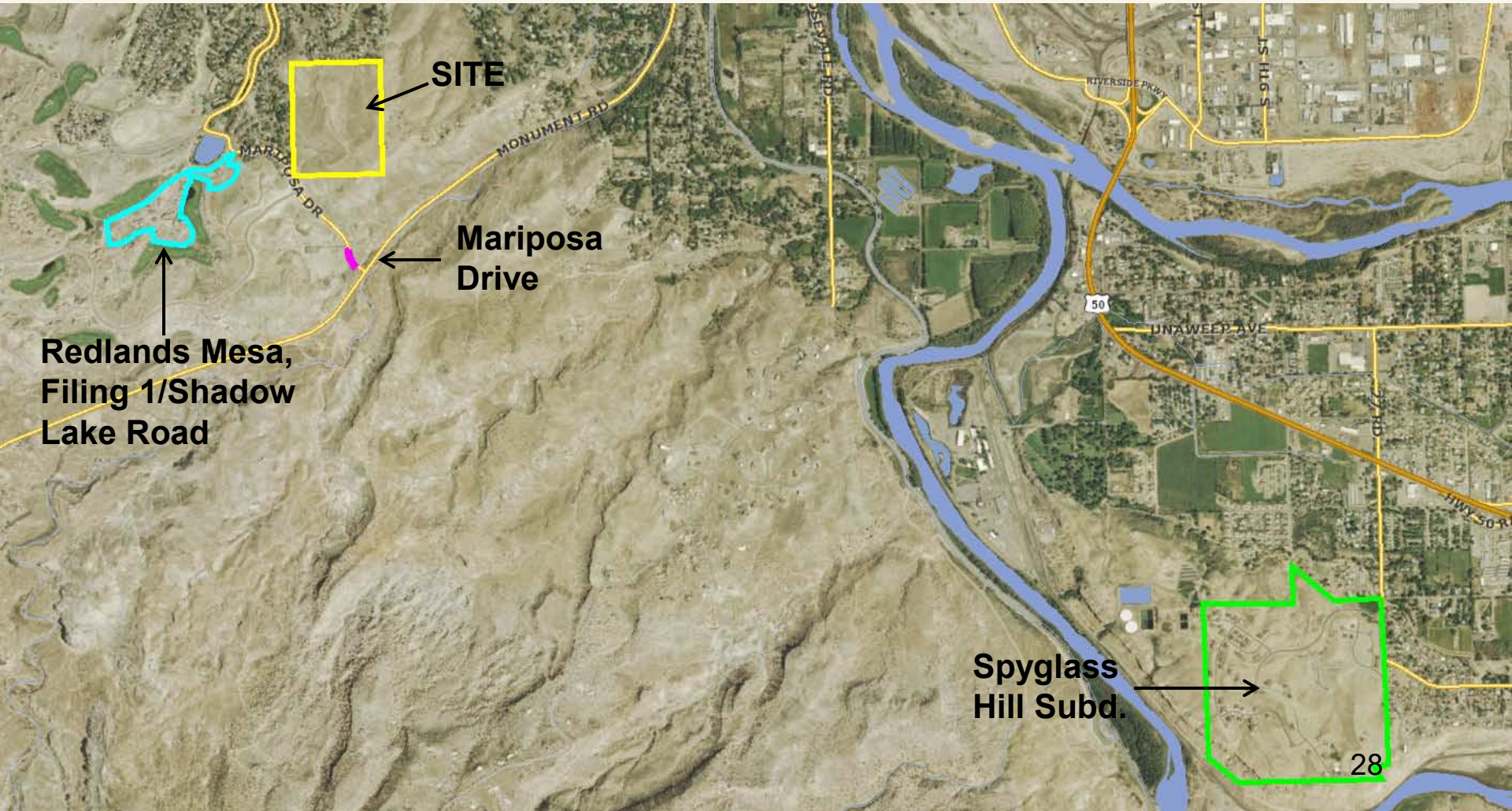
Site Line Exhibit  
 Profiles D, E & F  
**Pinnacle Ridge Subdivision**  
 Mariposa Drive  
 Grand Junction, Colorado

PROJECT NO: P04-009  
 DATE: 03/19/15  
 SCALE: 1"=40'  
 IAD ID: 44000-analytisk.dwg





# Projects with failing streets





# Spyglass Hill Subdivision



Lookout Lane



Gunnison Ridge Court cul-de-sac



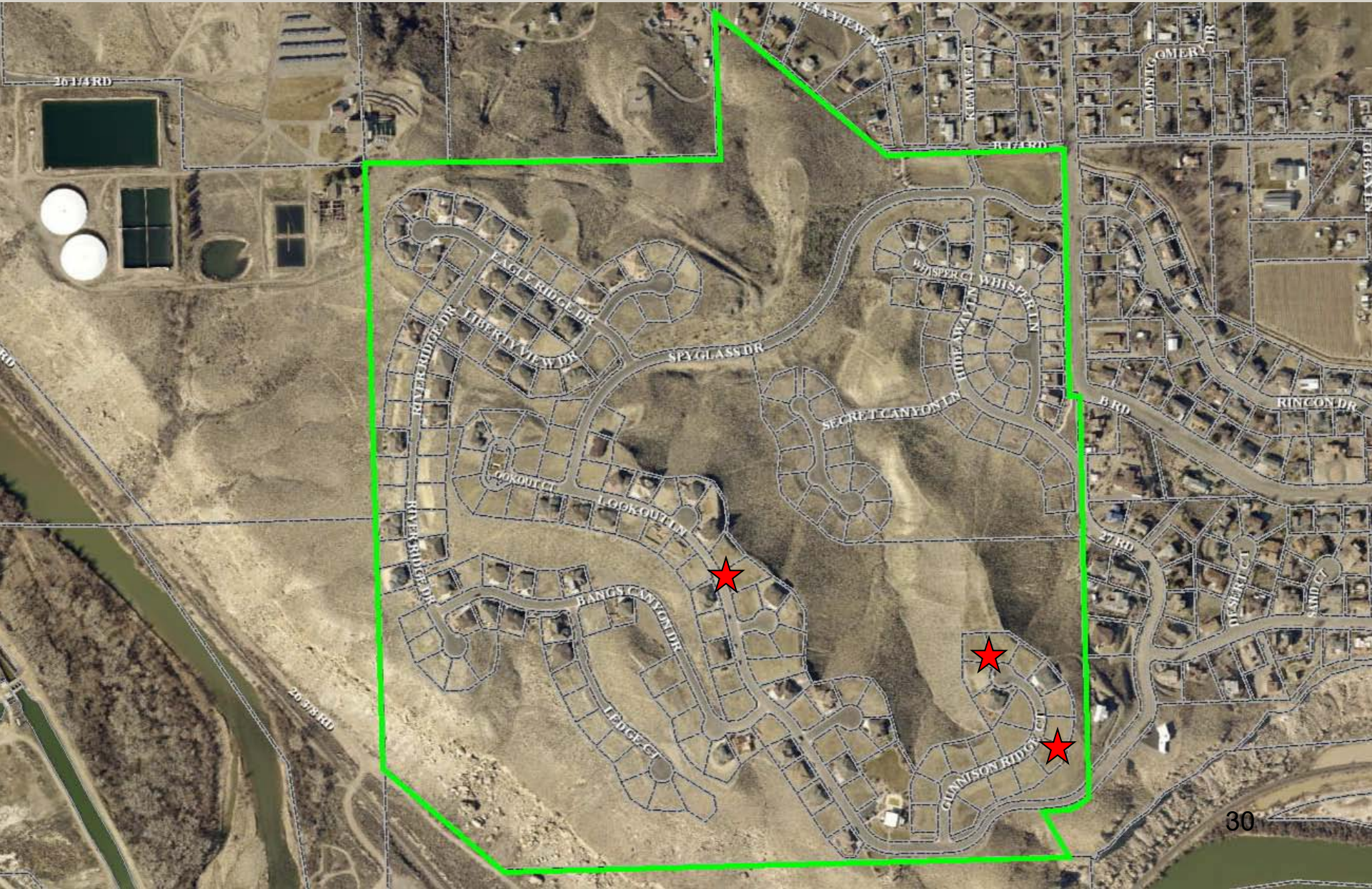
Gunnison Ridge Court looking north



Gunnison Ridge Court looking south

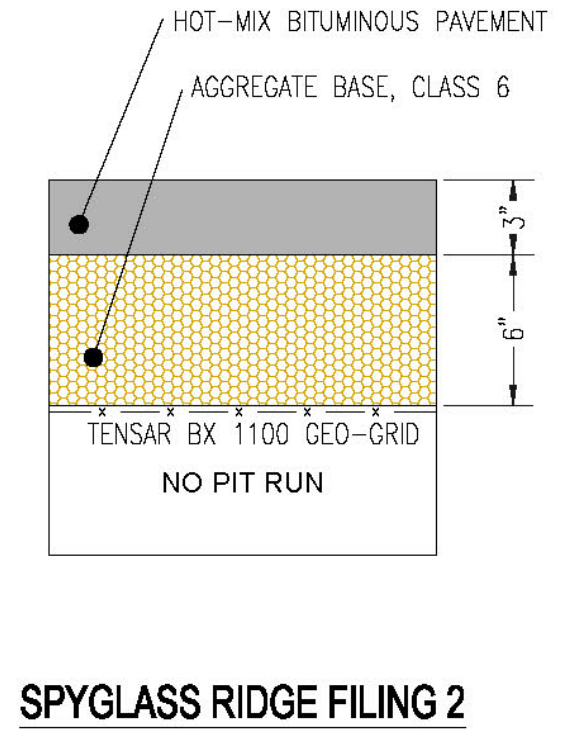
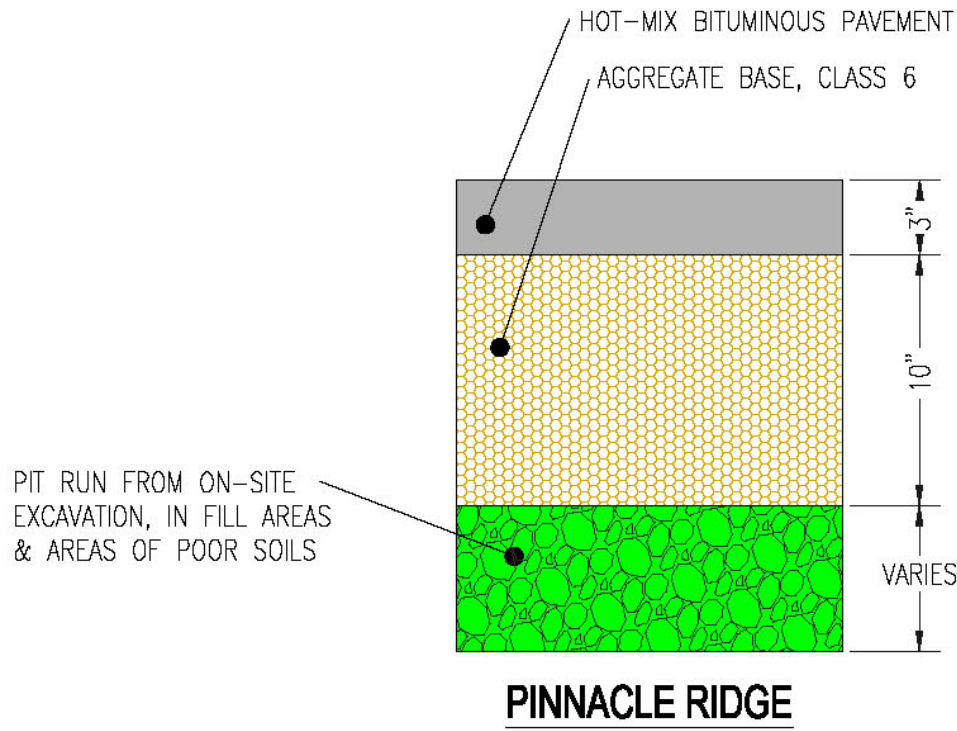


# Spyglass Hill Subdivision





# Pavement Sections





# Shadow Lake Road – Redlands Mesa Subdivision

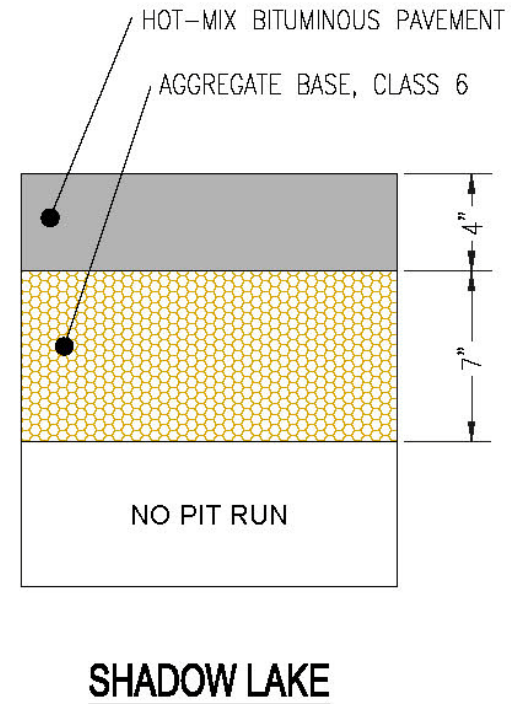
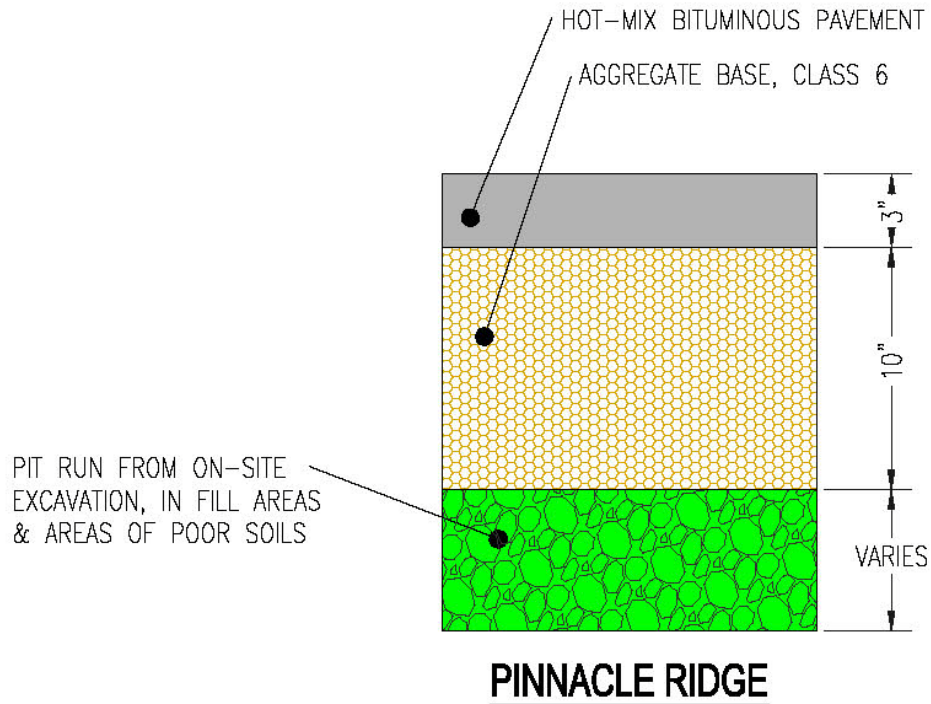


Claystone Court



Shadow Lake Court

# Pavement Sections

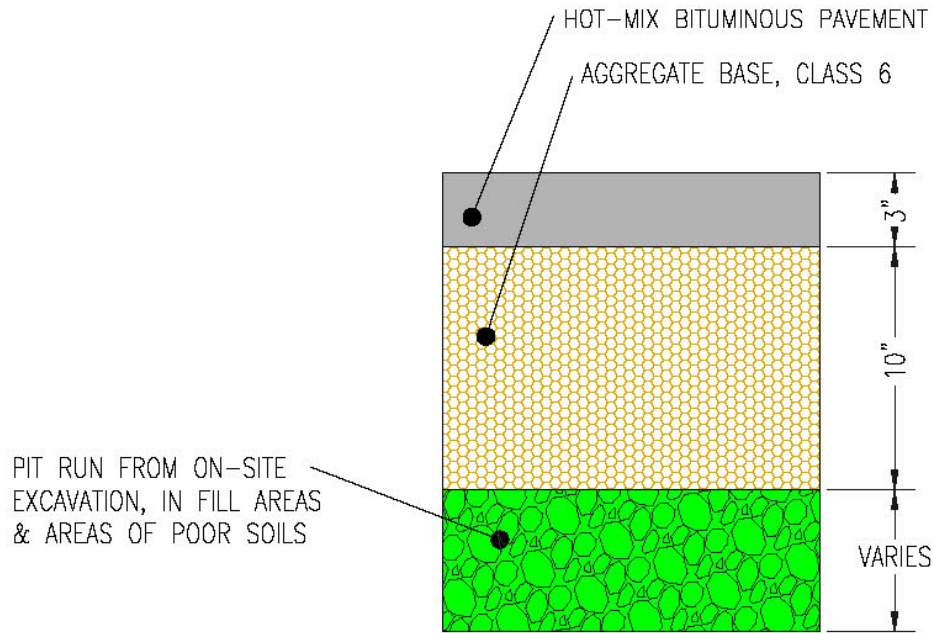




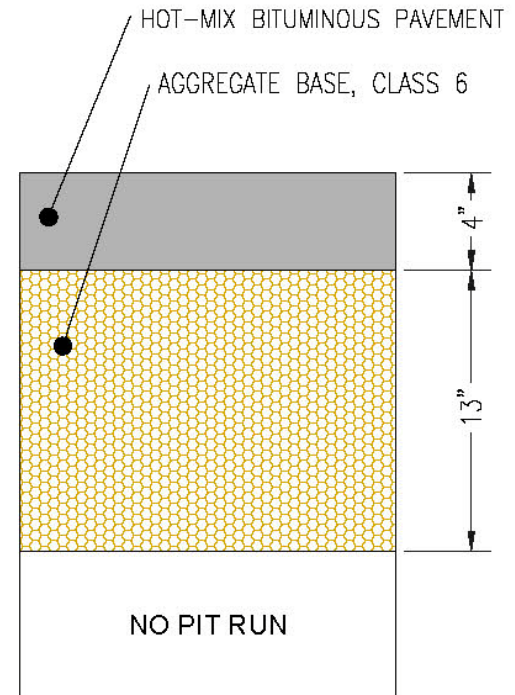
# Mariposa Drive



# Pavement Sections



**PINNACLE RIDGE**



**MARIPOSA DRIVE**

# Huddleston-Berry Engineering and Testing, LLC

Michael A. Berry, P.E.  
Vice President of Engineering

Huddleston-Berry Engineering and Testing, LLC  
640 White Avenue, Unit B  
Grand Junction, CO 81501

# Michael A. Berry, P.E.

## Huddleston-Berry Engineering and Testing, LLC

### EDUCATION

B.S., Geological Engineering, Colorado School of Mines, 1996  
M.S., Civil Engineering, Drexel University, 2004  
M.S., Engineering Management, Drexel University, 2004

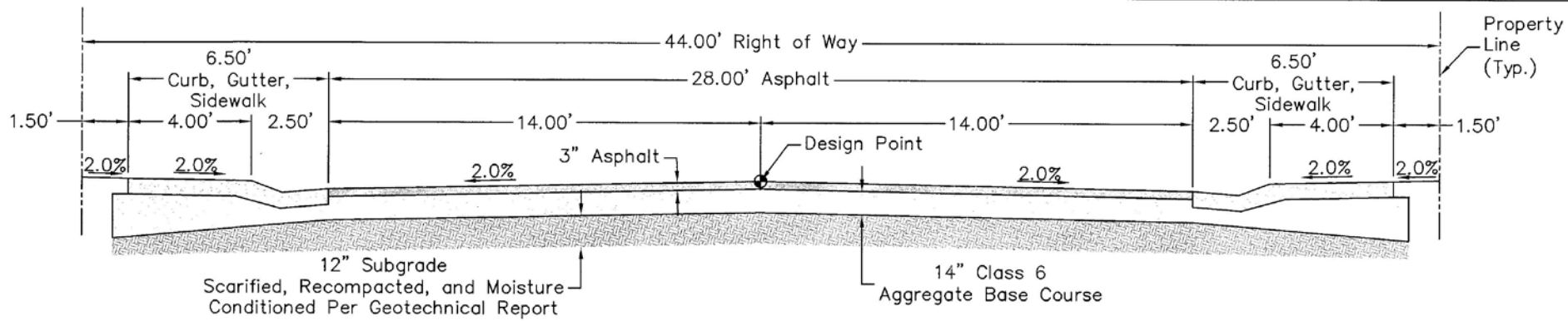
### REGISTRATIONS

P.E. Colorado – No. 39010  
P.E. Utah – No. 5911977-2202  
P.E. Pennsylvania - No. 061836 [Exp. 09/30/05]

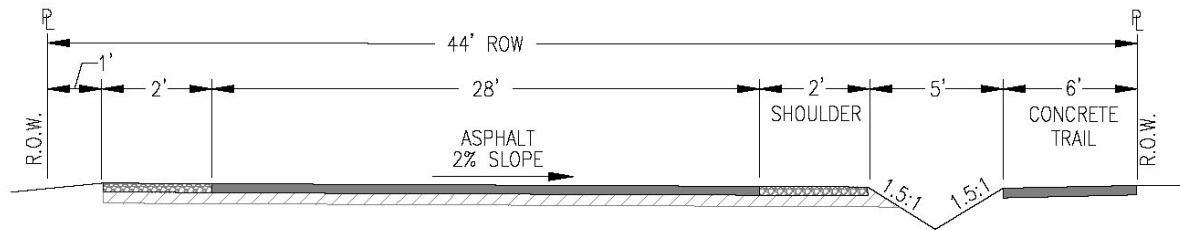
### EXPERIENCE

Over 20 years  
Over 13 years in the Grand Valley  
Over 100 borings in the Ridges/Redlands Mesa area  
Dozens of geotechnical and geologic hazards reports for construction in the Ridges/Redlands Mesa area





## Typical Pavement Cross Section – **Spyglass Hill Subdivision**



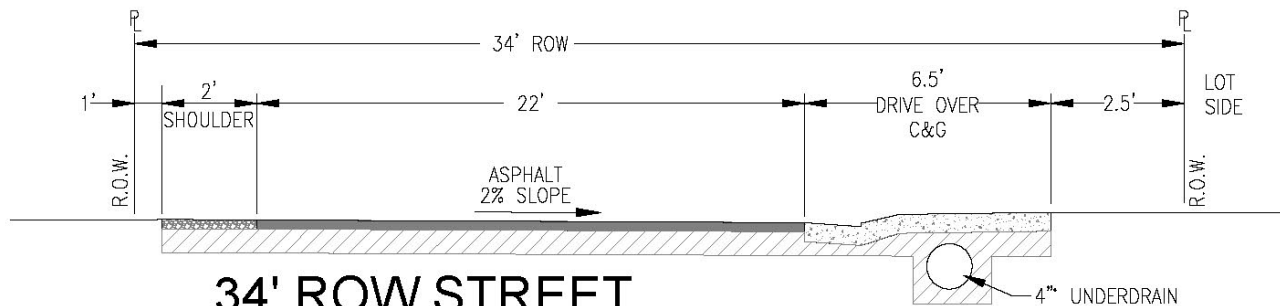
### 44' ROW STREET

N.T.S.

STA: 3+42 TO 24+58

STA: 35+79 TO 41+50

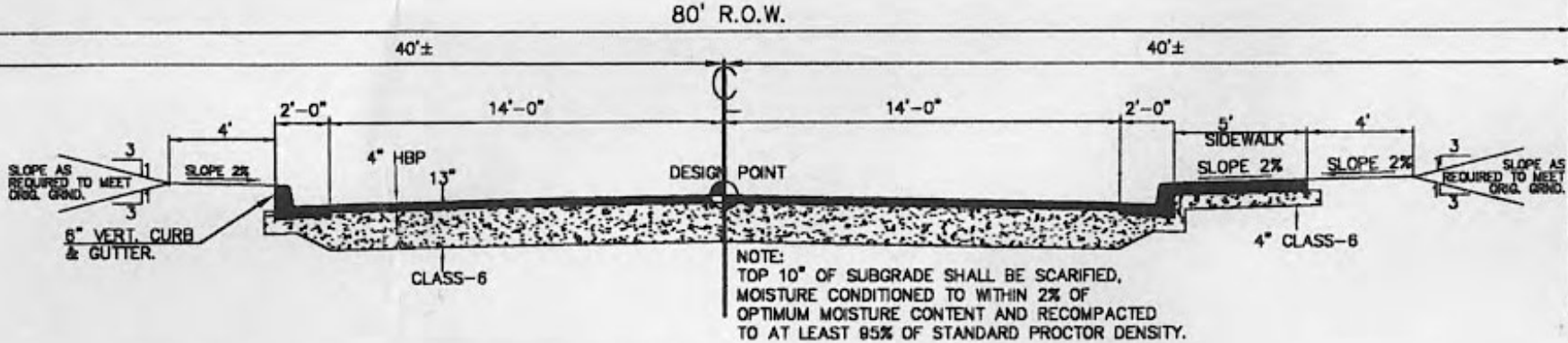
**Pavement  
Cross Section –  
Pinnacle Ridge**



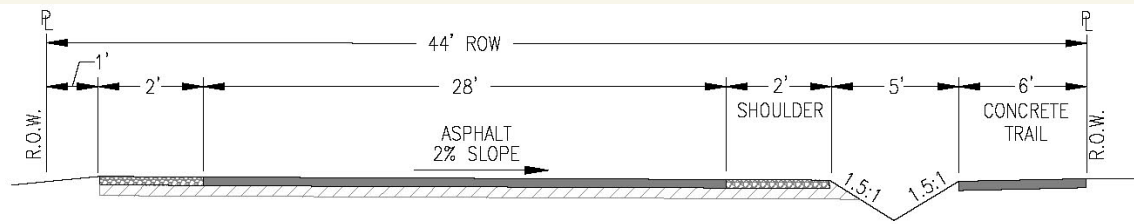
### 34' ROW STREET

N.T.S.

STA: 24+58 TO 35+79

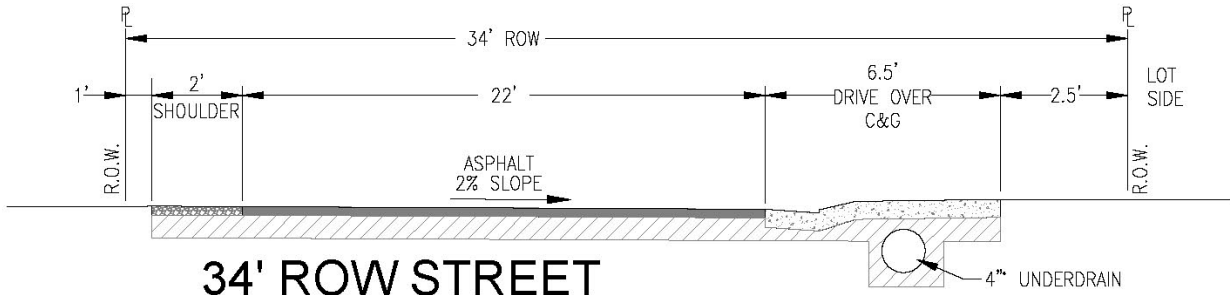


## TYPICAL SECTION MARIPOSA DRIVE STA 0+77.75 TO STA 4+12.49



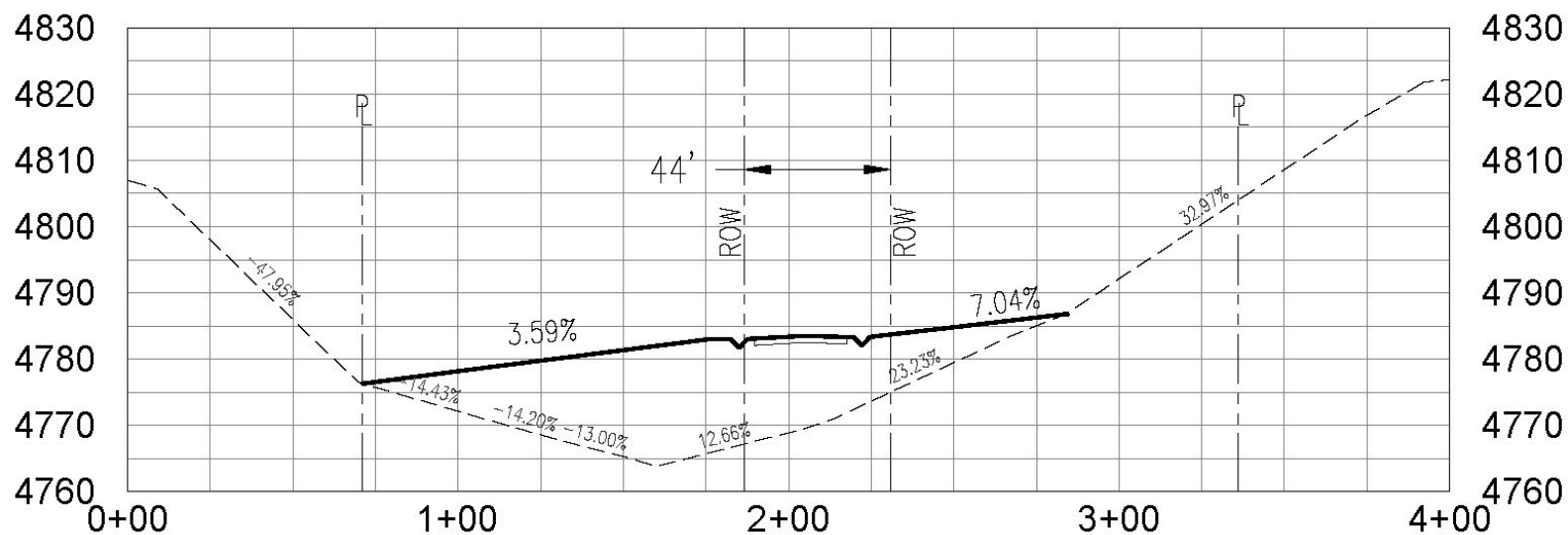
### 44' ROW STREET

N.T.S.  
STA: 3+42 TO 24+58  
STA: 35+79 TO 41+50



### 34' ROW STREET

Pavement Cross  
Section-  
Pinnacle Ridge



# GRADING SECTION 'E'

SCALE: 1" = 80' HORIZONTAL  
 1" = 40' VERTICAL

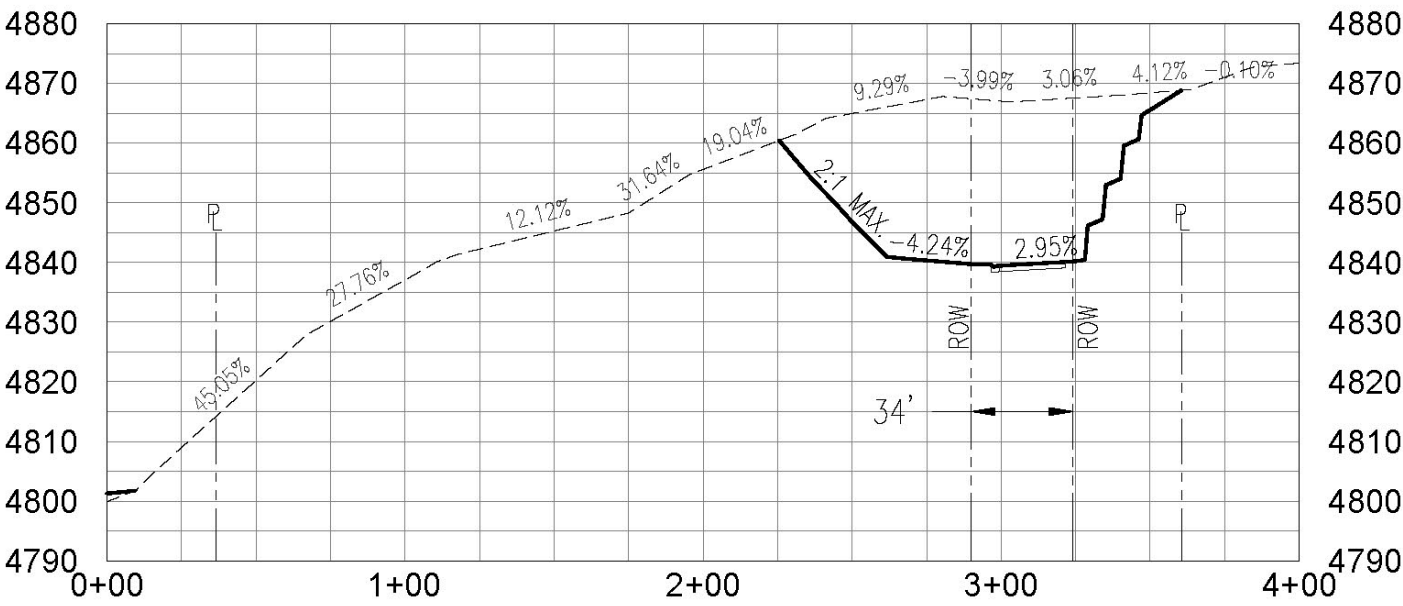
**TH-7**

TH-7  
 elev. 4770'



## Legend

- Sand, gravelly, clean to clayey, occasional cobbles, very loose to dense, dry to moist, brown, tan (SP,SM,SC)
- Gravel, sandy, silty, cobbly, medium dense to very dense, dry, tan, red (GM)
- Clay, sandy, gravelly, stiff to very stiff, dry to moist, tan (CL)
- Claystone, interlayered sandstone lenses, hard to very hard, dry, tan, tan, green, red
- Sandstone, interlayered claystone lenses, hard to very hard, exhibits substantial drill rig resistance to drill rig refusal, dry, tan
- Indicates location of penetration test. The symbol 31/10 indicates that 31 blows of a 15 pound hammer falling 26 inches were required to drive a 1.0 inch diameter penetrometer 10 inches. The symbol HD indicates hand drive using modified California (2.0-inch O.D.) liner.
- Indicates drive sample. The symbol 31/10 indicates that 31 blows of a 140 pound hammer falling 30 inches were required to drive a 2.5 inch O.D. sample barrel 10 inches.



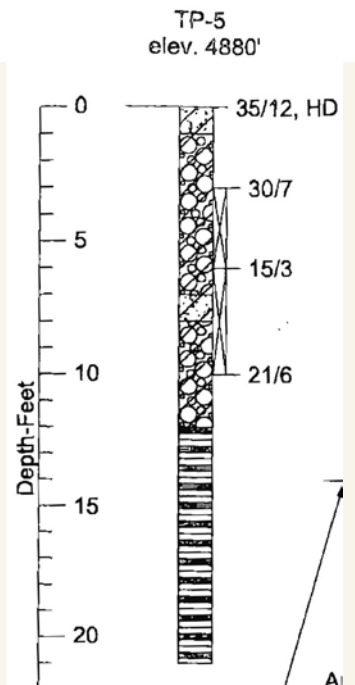
# GRADING SECTION 'F'

SCALE: 1" = 80' HORIZONTAL  
 1" = 40' VERTICAL

## Legend

- Sand, gravelly, clean to clayey, occasional cobbles, very loose to dense, dry to moist, brown, tan (SP,SM,SC)
- Gravel, sandy, silty, cobbly, medium dense to very dense, dry, tan, red (GM)
- Clay, sandy, gravelly, stiff to very stiff, dry to moist, tan (CL)
- Claystone, interlayered sandstone lenses, hard to very hard, dry, tan, tan, green, red
- Sandstone, interlayered claystone lenses, hard to very hard, exhibits substantial drill rig resistance to drill rig refusal, dry, tan
- Indicates location of penetration test. The symbol 31/10 indicates that 31 blows of a 15 pound hammer falling 26 inches were required to drive a 1.0 inch diameter penetrometer 10 inches. The symbol HD indicates hand drive using modified California (2.0-inch O.D.) liner.
- Indicates drive sample. The symbol 31/10 indicates that 31 blows of a 140 pound hammer falling 30 inches were required to drive a 2.5 inch O.D. sample barrel 10 inches.

**TP-5**



# Colorado Geological Survey Comments (2015)

- Slope Stability
  - “CGS requested that the applicant demonstrate the stability of existing and proposed slopes through a slope stability analysis using site-specific, measured shear strength values, to evaluate stability under existing and proposed slope, vegetation, water content, drainage, and load conditions”
  - “The geologic materials present on this property, especially sand, gravel, and claystone, cannot be assumed to be stable at the slope angles proposed”
- Rockfall
  - “There appears to be a potential rockfall hazard on proposed lots 1, 2, 5, 36, 37, and possibly 38 through 39”
- Steep Slopes on Lots
  - “Building envelopes on proposed lots 20, 26, 30, and 51 include areas of >30% slopes corresponding to ‘no build’ zones. It appears that lots 30 and 51 may not have sufficient buildable area outside of no build zones to place a structure”
- Cut Slopes
  - “It will be difficult to revegetate cut slopes. Roadside drainage ditches below constructed slopes will become clogged with material raveling off of the slopes above and will require ongoing maintenance as intended ”
- 10-Year Warranty
  - “Due to significant slope stability and expansive soil concerns, CGS supports the City in its insistence on a ten-year warranty for all improvements in the public right-of-way”
- Retaining Walls
  - “CGS and/or the City should review plans for the proposed tiered retaining walls on the east side of Elysium Drive when available”

# Colorado Geological Survey Comments (2005)

- Slope Stability
  - “There are areas with slopes greater than 30% on the property. There are also plans for significant grading on many of the lots. Some lots with building envelopes on slopes steeper than 30% **may require slope stability analyses** in areas with significant claystone.”
- Rockfall
  - “Geotechnical Engineering Group recommends that hazardous conditions may arise during construction and rockfall hazard should be monitored post-construction.”
- Soil and Subsurface Properties
  - “The claystone soils exhibited moderate to high swell potential and may require drilled pier foundations in areas with substantial claystone as per the recommendations of the Geotechnical Engineering Group. Site-specific geotechnical investigations will be necessary to determine foundation type and swell mitigation plans”
- Additional Comments
  - “If all the recommendations in this letter and the submitted geotechnical investigations are followed, then this office has no other concerns regarding the geologic hazards at this subdivision”
- Noted Differences From 2005 to 2015
  - The 2005 letter clearly states that Mr. Andy Gleason of the CGS conducted a site visit
  - The 2015 letter provides no indication whatsoever that Ms. Jill Carlson of the CGS visited the site



# Engineering Response to CGS Comments

- Slope Stability
  - “CGS requested that the applicant demonstrate the stability of existing and proposed slopes through a slope stability analysis using site-specific, measured shear strength values, to evaluate stability under existing and proposed slope, vegetation, water content, drainage, and load conditions”
    - Huddleston-Berry already completed slope stability analyses for critical fill slopes at 2H:1V.
    - Additional stability analyses for cut and fill areas will be completed as part of the final geotechnical investigation.
    - In accordance with the standard-of-practice, slope stability analyses for individual lots will be evaluated by the owner’s/builder’s design team on a site-specific basis as the precise size, shape, location, etc. of structures on each lot is currently unknown.
  - “The geologic materials present on this property, especially sand, gravel, and claystone, cannot be assumed to be stable at the slope angles proposed”
    - This comment by the CGS clearly demonstrates their lack of understanding of the engineering properties of the specific subsurface materials at this site.
    - Additional stability analyses for cut and fill areas will be completed as part of the final geotechnical investigation.
- Rockfall
  - “There appears to be a potential rockfall hazard on proposed lots 1, 2, 5, 36, 37, and possibly 38 through 39”
    - Rockfall hazards were previously addressed in the original geotechnical report. However, due to the significant grading in some areas of the site associated with the site development, Huddleston-Berry intends to re-evaluate rockfall hazards during and after each phase of construction.
    - Rockfall hazards which may be created due to development on each lot will be evaluated by the owner’s/builder’s design team on a lot-specific basis.

# Engineering Response to CGS Comments

- Steep Slopes on Lots
  - “Building envelopes on proposed lots 20, 26, 30, and 51 include areas of >30% slopes corresponding to ‘no build’ zones. It appears that lots 30 and 51 may not have sufficient buildable area outside of no build zones to place a structure”
    - This issue has already been addressed by planning approval.
    - Slope stability analyses for individual lots will be evaluated by the owner’s/builder’s design team on a site-specific basis
- Cut Slopes
  - “It will be difficult to revegetate cut slopes. Roadside drainage ditches below constructed slopes will become clogged with material raveling off of the slopes above and will require ongoing maintenance as intended ”
    - Huddleston-Berry believes that this comment by CGS is an overreach. They have no basis for stating that extensive raveling will occur.
    - Huddleston-Berry will be conducting extensive engineering oversight during construction and will further evaluate potential raveling issues as cuts/fills are completed.
- 10-Year Warranty
  - “Due to significant slope stability and expansive soil concerns, CGS supports the City in its insistence on a ten-year warranty for all improvements in the public right-of-way”
    - The CGS has no specific data suggesting that the roads will fail.
- Retaining Walls
  - “CGS and/or the City should review plans for the proposed tiered retaining walls on the east side of Elysium Drive when available”
    - In accordance with the regulations, engineering design documents will be submitted to the City of Grand Junction for site retaining walls.

# Huddleston-Berry Engineering and Testing, LLC

## Stormwater Management

- Best Management Practices (BMP's)

## Wastewater Treatment

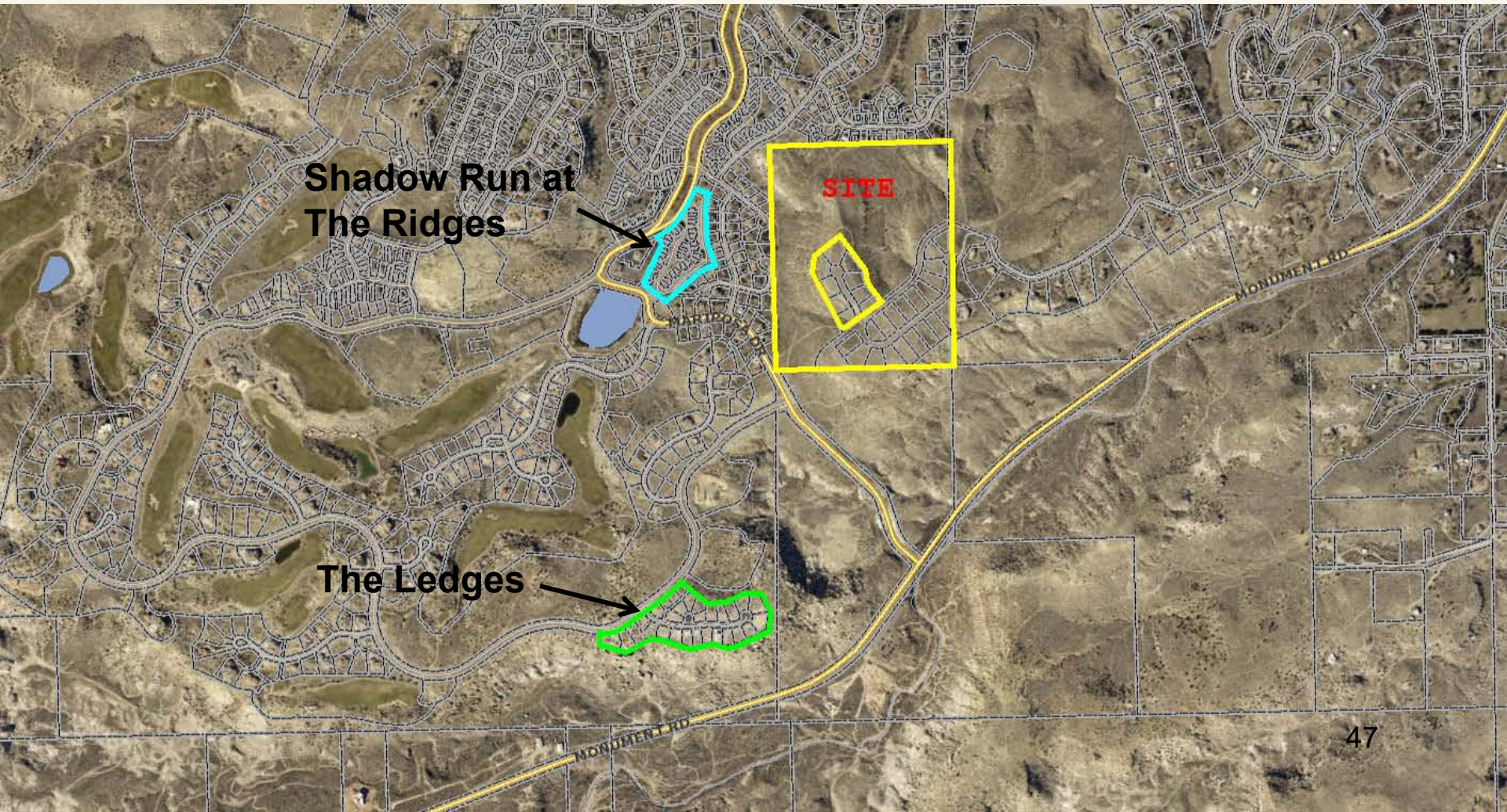
- Best Practical Control Technology Currently Available (BPT)
- Best Available Technology Economically Achievable (BAT)

## Radiation Safety

- As Low As Reasonably Achievable (ALARA)

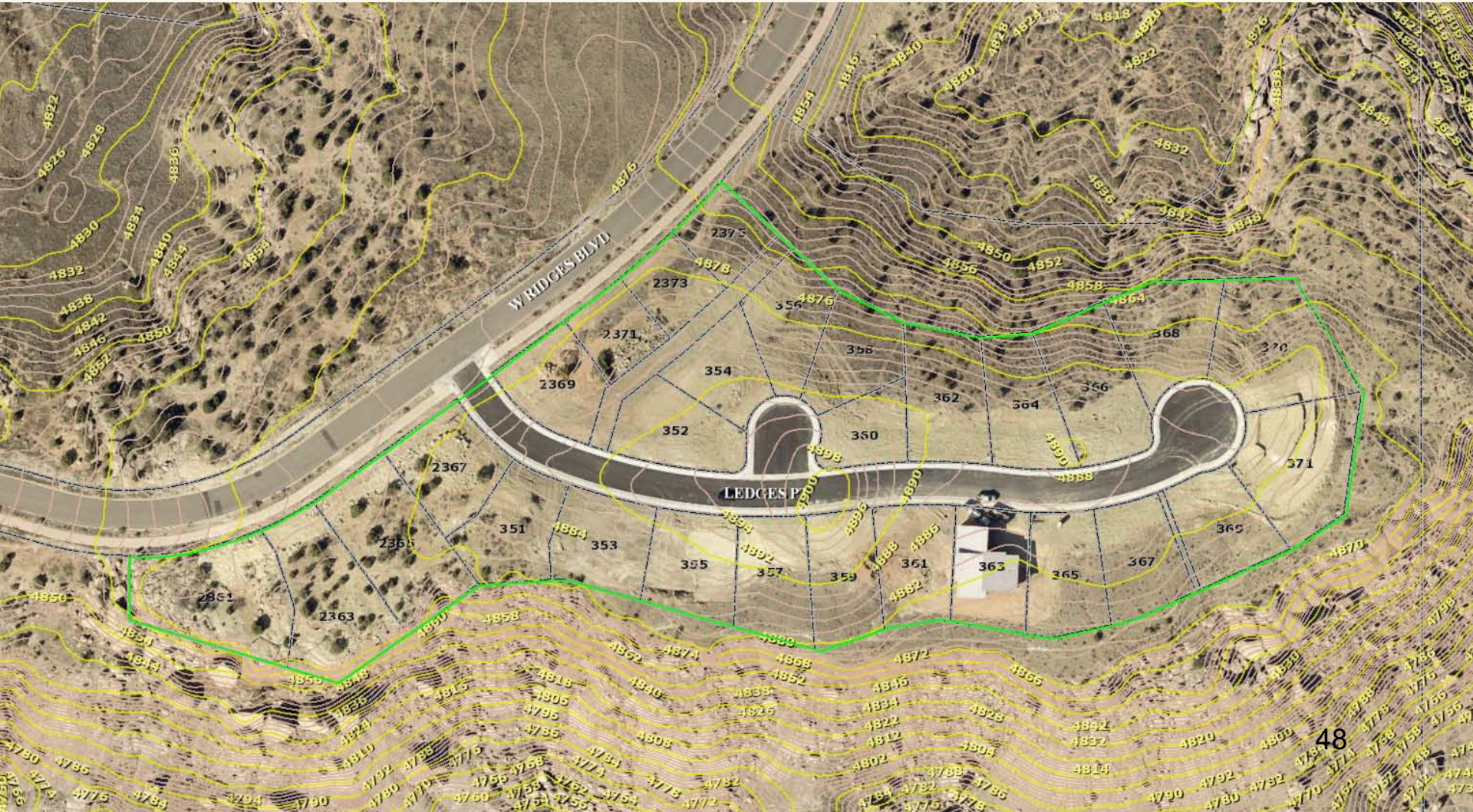


# Recently constructed projects





# The Ledges- Redlands Mesa Subdivision

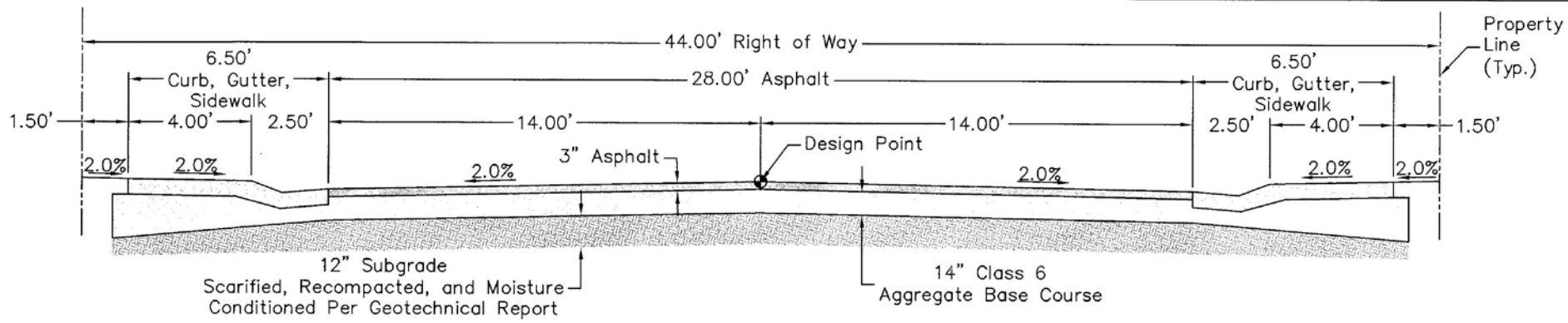




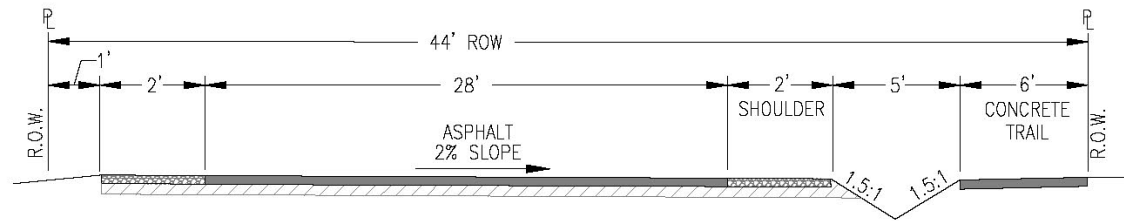
# The Ledges- Redlands Mesa Subdivision







Typical Pavement Cross Section – **Ledges Point**



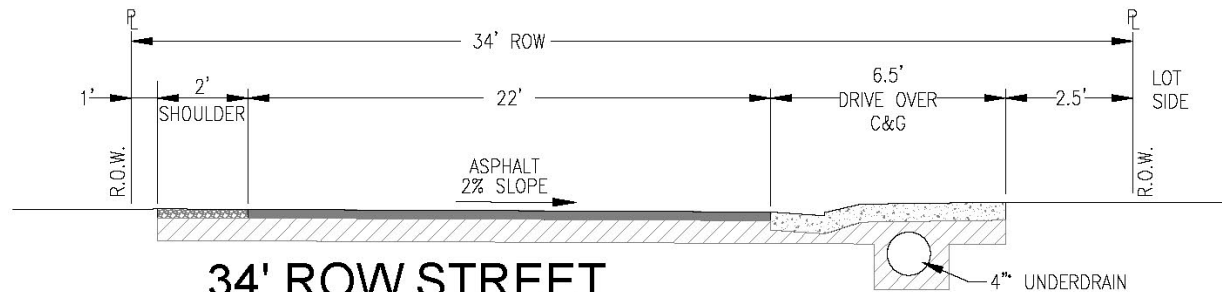
### 44' ROW STREET

N.T.S.

STA: 3+42 TO 24+58

STA: 35+79 TO 41+50

**Pavement  
Cross Section-  
Pinnacle Ridge**



### 34' ROW STREET

N.T.S.

STA: 24+58 TO 35+79

# Shadow Run at The Ridges

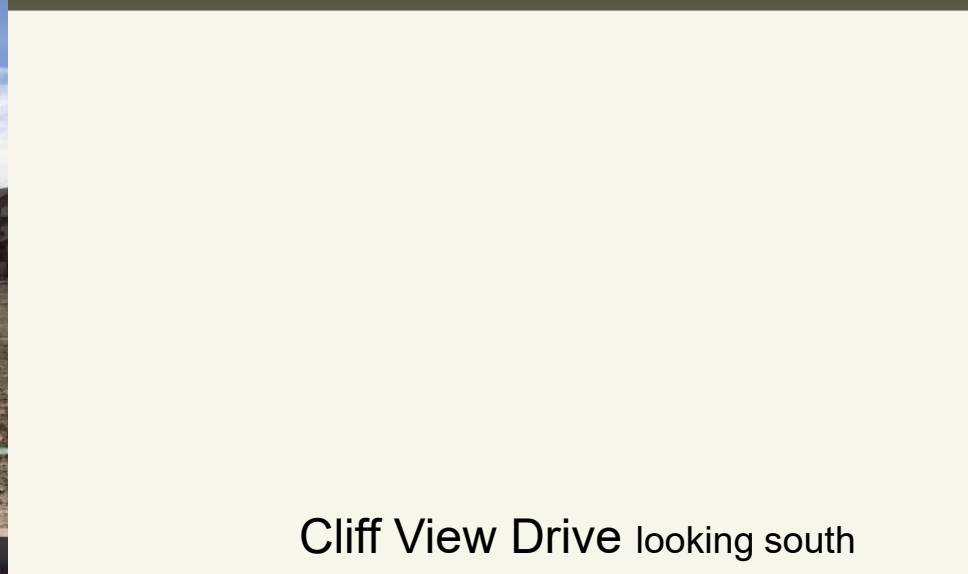




# Shadow Run at The Ridges



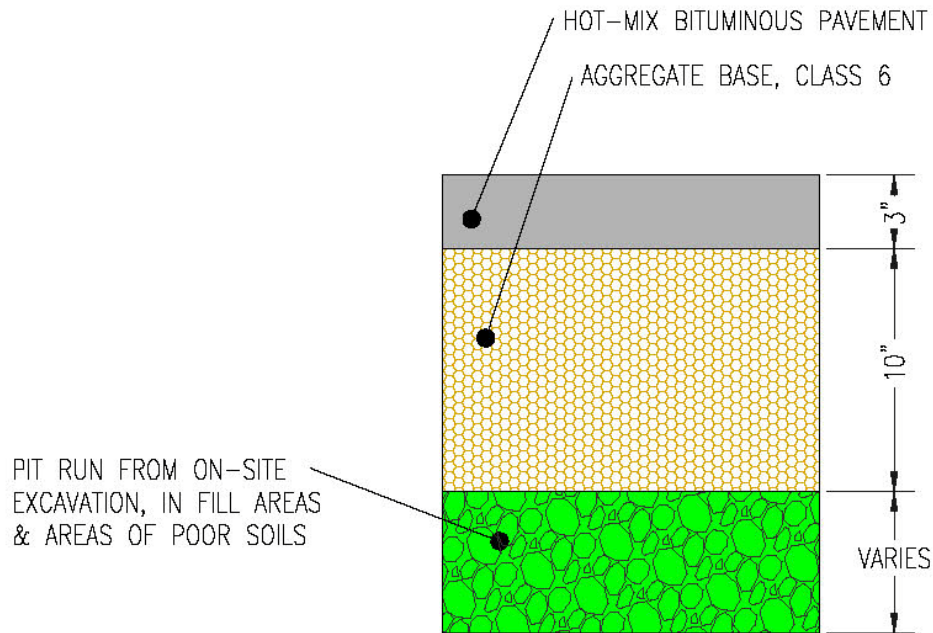
Cliff View Drive looking east



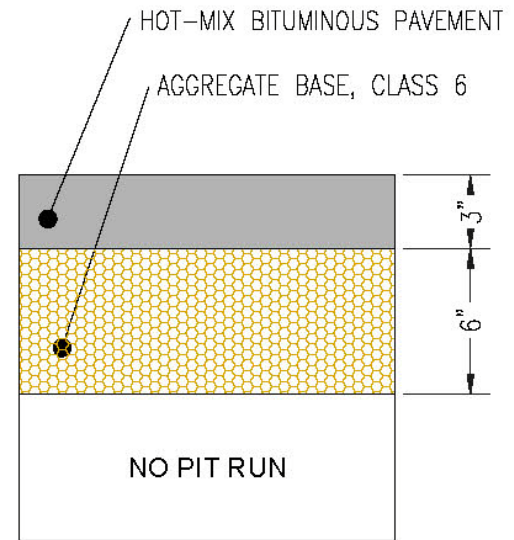
Cliff View Drive looking south



# Pavement Sections



**PINNACLE RIDGE**



**SHADOW RUN AT THE RIDGES**

# Pinnacle Ridge

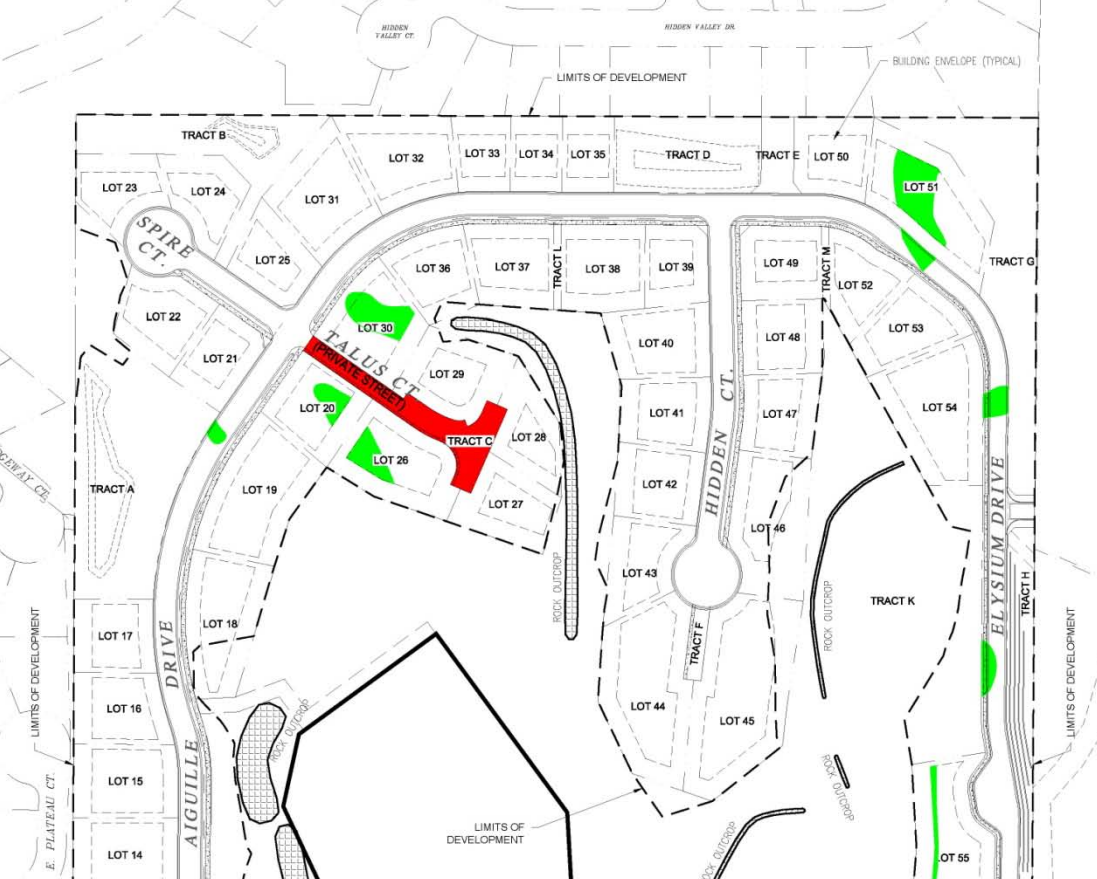
## Home Owner's Association

Formation of a well organized Home Owner's Association (HOA) is an important step in establishing the Pinnacle Ridge community. To do this, the following steps will be taken with Filing 1:

1. Contract with a professional property management company to manage the HOA's business affairs. Colorado House Bill 13-1277 requires that HOA community managers be licensed under the Colorado Division of Real Estate effective July 1, 2015.
2. Establish an annual budget to address weed abatement, snow removal, private street maintenance and landscape maintenance of common areas.
3. The developer will provide \$5,000 as seed money to fund the HOA budget to ensure that it has the financial resources necessary to perform necessary maintenance that the HOA is responsible for.



# Applicant's request



- 1) City Council approval for use of two private streets per Sec. 21.06.060 (g)(5)
- 2) City Council approval for development of small area with greater than 30% slope on Elysium Drive and limited number of lots per Sec. 21.07.020 (f)(3)

# Condition of Approval

Pleased to say that all Planning and Engineering issues have been resolved with City staff.

Have concerns about one recommended condition of Preliminary Plan approval:

1b. A secured seven-year warranty will be required.

# Required 7-year Warranty

## Argument against a 7-year extended warranty:

1. We conducted a survey of twelve Colorado communities and found **no** evidence of such an onerous warranty ever being required.
2. The City currently requires a 1-year warranty; however the developer has volunteered to provide a 2-year warranty. The 2-year warranty will be more than sufficient, even based on the City's past experience, to protect the interests of the public.
3. The public and City are safe guarded through the City's existing warranty and inspection process.
4. The City's requirement for the extended warranty is arbitrary and imposes an unnecessary burden and hardship on the developer.

# Conclusion

In conclusion, we respectfully request City Council approval for use of two private streets and development of a small area with greater than 30% slope on Elysium Drive and a limited number of lots in the Pinnacle Ridge development.

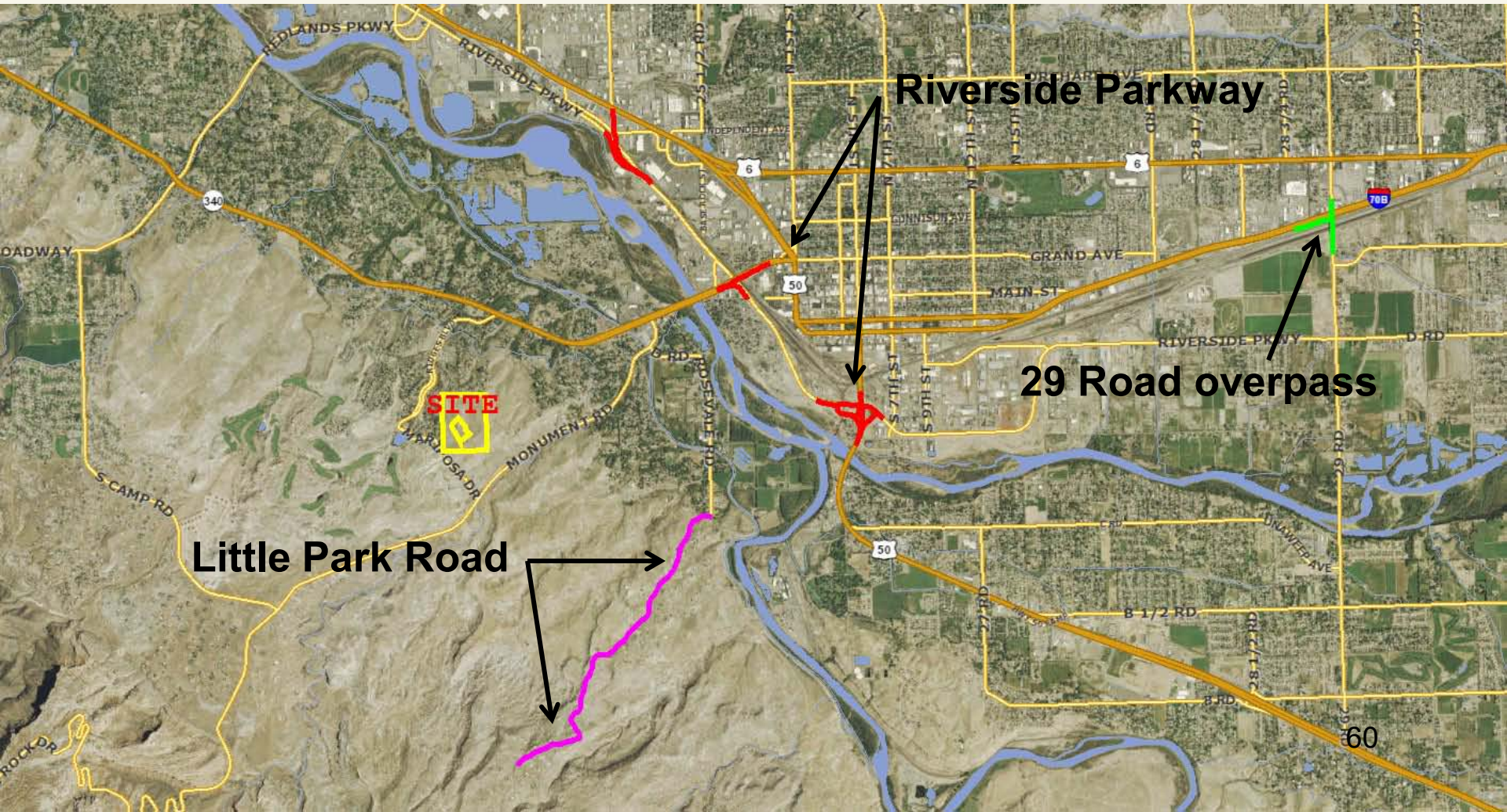
We request that the recommended 7-year warranty be reduced to a 1-year, standard warranty. However, we've offered a 2-year warranty which is double what the Zoning Code requires. We feel this will more than safe guard and protect the public and City's interest.

Thank you for your consideration.

# Rebuttal Presentation



# Older community roads



Riverside Parkway

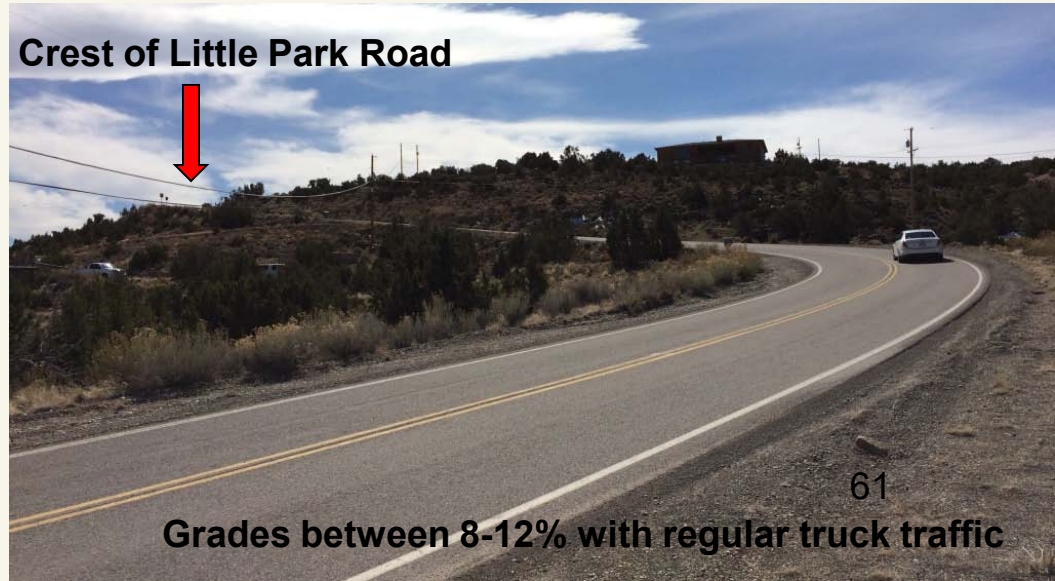
29 Road overpass

Little Park Road

SITE



# Little Park Road - Steep, winding road with heavy traffic





# Riverside Parkway – Use of fill and retaining walls





# 29 Road Overpass – Use of fill



# Retaining Walls



# Retaining walls with streets





# Retaining walls with homes



↑ Blue Heron Subdivision ↓



Large areas of fill



# Riverside Parkway – Use of fill and retaining walls



Riverside Elementary School area



Pedestrian/Bike path



# Riverside Parkway – Use of fill and retaining walls

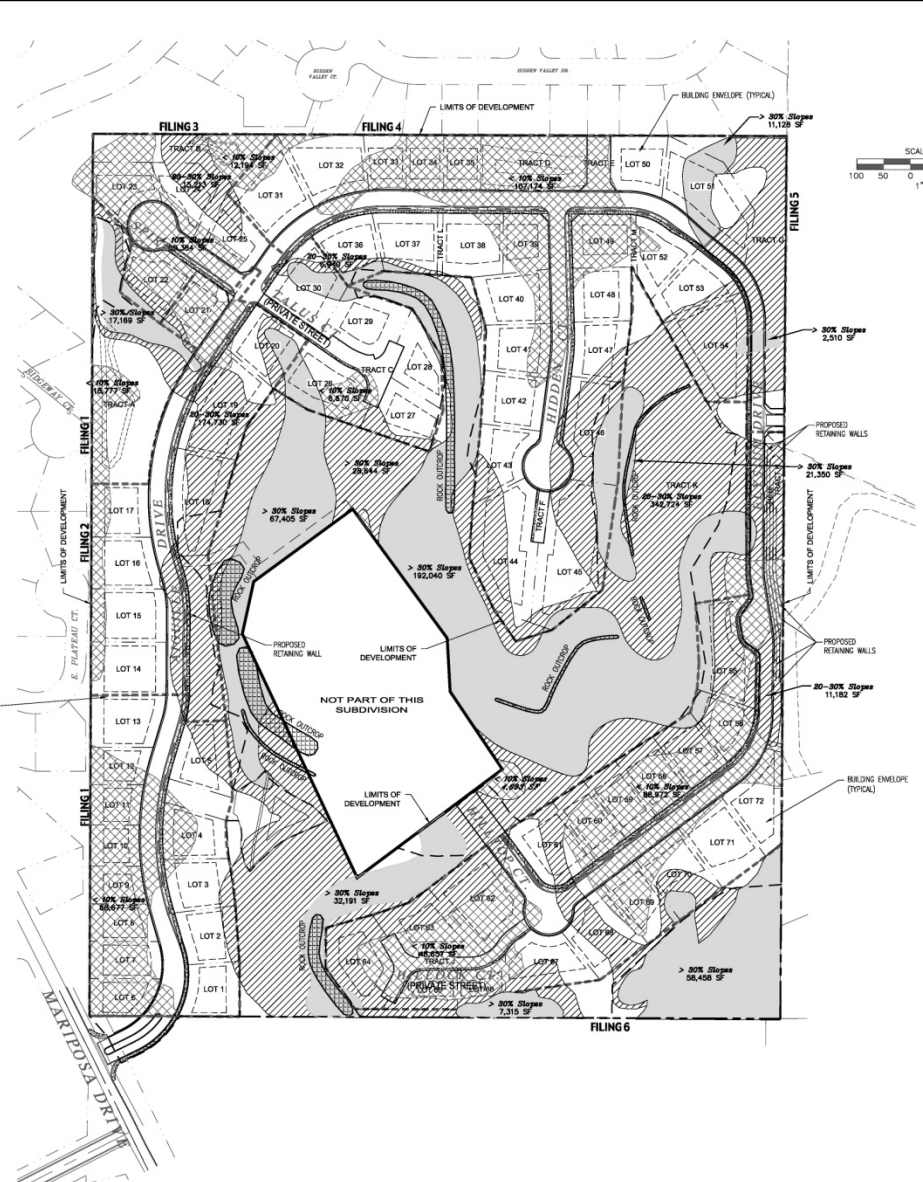




# Riverside Parkway – Use of fill and retaining walls



# Hillside Development – all slopes shown



Filing No.	Lot No.	Lot Area (SF)	Lot Area (AC)	Minimum Lot Size (SF)	Meets minimum Lot Area	Lot Width	Minimum Lot Width	Meets Minimum Lot Width	Average Slope (%)
1	1	10060	0.23	10,000	yes	160.70	100	yes	10.50
	2	10668	0.24	10,000	yes	151.72	100	yes	10.50
	3	11431	0.26	10,000	yes	100.00	100	yes	10.50
	4	10816	0.25	7,125	yes	101.07	70	yes	0.10
	5	12480	0.26	10,000	yes	117.84	100	yes	10.50
	6	8307	0.16	7,125	yes	87.36	70	yes	0.10
	7	8125	0.21	7,125	yes	71.15	70	yes	0.10
	8	8263	0.16	7,125	yes	72.78	70	yes	0.10
	9	7129	0.16	7,125	yes	71.92	70	yes	0.10
	10	7129	0.16	7,125	yes	71.16	70	yes	0.10
	11	7222	0.17	7,125	yes	76.47	70	yes	0.10
	12	7666	0.17	7,125	yes	72.36	70	yes	0.10
	13	12721	0.26	10,000	yes	100.17	100	yes	10.50
	14	14133	0.32	10,000	yes	120.00	100	yes	10.50
2	15	14200	0.32	10,000	yes	100.07	100	yes	10.50
	16	11660	0.28	10,000	yes	100.00	100	yes	10.50
	17	10168	0.25	10,000	yes	100.00	100	yes	10.50
	18	17533	0.40	15,000	yes	200.00	200	yes	20.50
	19	20669	0.46	15,000	yes	200.00	200	yes	20.50
	20	12114	0.28	10,000	yes	115.00	100	yes	10.50
	21	8666	0.26	7,125	yes	100.00	70	yes	0.10
	22	12348	0.28	7,125	yes	120.00	70	yes	0.10
	23	10524	0.24	7,125	yes	106.25	70	yes	0.10
	24	10168	0.25	10,000	yes	120.48	100	yes	10.50
	25	10074	0.23	10,000	yes	106.96	100	yes	10.50
	26	16507	0.36	10,000	yes	200.00	100	yes	10.50
	27	11660	0.27	10,000	yes	103.81	100	yes	10.50
	28	10271	0.24	10,000	yes	112.69	100	yes	10.50
3	29	14465	0.31	10,000	yes	180.95	100	yes	10.50
	30	14852	0.34	10,000	yes	132.79	100	yes	10.50
	31	16528	0.36	10,000	yes	112.27	100	yes	10.50
	32	16057	0.37	10,000	yes	115.27	100	yes	10.50
	33	7190	0.16	7,125	yes	72.16	70	yes	0.10
	34	7190	0.16	7,125	yes	70.00	70	yes	0.10
	35	7184	0.16	7,125	yes	70.00	70	yes	0.10
	36	11468	0.26	10,000	yes	113.68	100	yes	10.50
	37	12514	0.29	10,000	yes	119.01	100	yes	10.50
	38	13268	0.31	10,000	yes	113.30	100	yes	10.50
	39	8723	0.21	7,125	yes	102.60	70	yes	0.10
	40	12970	0.30	10,000	yes	100.00	100	yes	10.50
	41	11468	0.26	10,000	yes	120.00	100	yes	10.50
	42	11586	0.27	10,000	yes	100.00	100	yes	10.50
4	43	11471	0.26	10,000	yes	111.64	100	yes	10.50
	44	12644	0.29	15,000	yes	200.00	200	yes	20.50
	45	11162	0.17	15,000	yes	200.00	200	yes	20.50
	46	11607	0.44	15,000	yes	200.00	200	yes	20.50
	47	11011	0.25	10,000	yes	104.65	100	yes	10.50
	48	11201	0.25	10,000	yes	102.17	100	yes	10.50
	49	10667	0.25	7,125	yes	110.74	70	yes	0.10
	50	10666	0.25	10,000	yes	100.00	100	yes	10.50
	51	22467	0.51	10,000	yes	200.00	100	yes	10.50
	52	10555	0.24	10,000	yes	118.26	100	yes	10.50
	53	11849	0.21	10,000	yes	100.00	100	yes	10.50
	54	11878	0.20	15,000	yes	200.00	200	yes	20.50
	55	17509	0.40	15,000	yes	221.79	200	yes	20.50
	56	12621	0.24	7,125	yes	100.00	70	yes	0.10
5	57	10031	0.23	7,125	yes	83.65	70	yes	0.10
	58	10030	0.24	7,125	yes	83.65	70	yes	0.10
	59	9154	0.21	7,125	yes	70.00	70	yes	0.10
	60	14889	0.22	7,125	yes	70.00	70	yes	0.10
	61	14203	0.23	10,000	yes	201.10	100	yes	10.50
	62	12525	0.45	7,125	yes	140.45	70	yes	0.10
	63	14202	0.23	7,125	yes	140.29	70	yes	0.10
	64	14931	0.38	10,000	yes	150.02	100	yes	10.50
	65	7854	0.16	7,125	yes	129.20	70	yes	0.10
	66	7450	0.17	7,125	yes	123.18	70	yes	0.10
	67	14001	0.32	10,000	yes	142.41	100	yes	10.50
	68	15748	0.35	10,000	yes	123.18	100	yes	10.50
	69	10560	0.24	7,125	yes	75.00	70	yes	0.10
	70	14000	0.32	10,000	yes	100.00	100	yes	10.50
71	14000	0.32	10,000	yes	100.00	100	yes	10.50	
72	13346	0.31	10,000	yes	138.68	100	yes	10.50	

**LEGEND:**

- 0-10% (diagonal hatching)
- 10.01-20% (horizontal hatching)
- 20.01-30% (vertical hatching)
- 30%+ NO BUILD ZONE (solid grey)
- ROCK CROPS (stippled pattern)
- NOT TO BE DISTURBED (cross-hatched pattern)

**VORTEX ENGINEERING, INC.**  
 CONSULTING ENGINEERS & SURVEYORS  
 2344 Pullman Road, Suite 201  
 Grand Junction, CO 81505  
 Phone (970) 245-8001  
 Fax (970) 245-7809

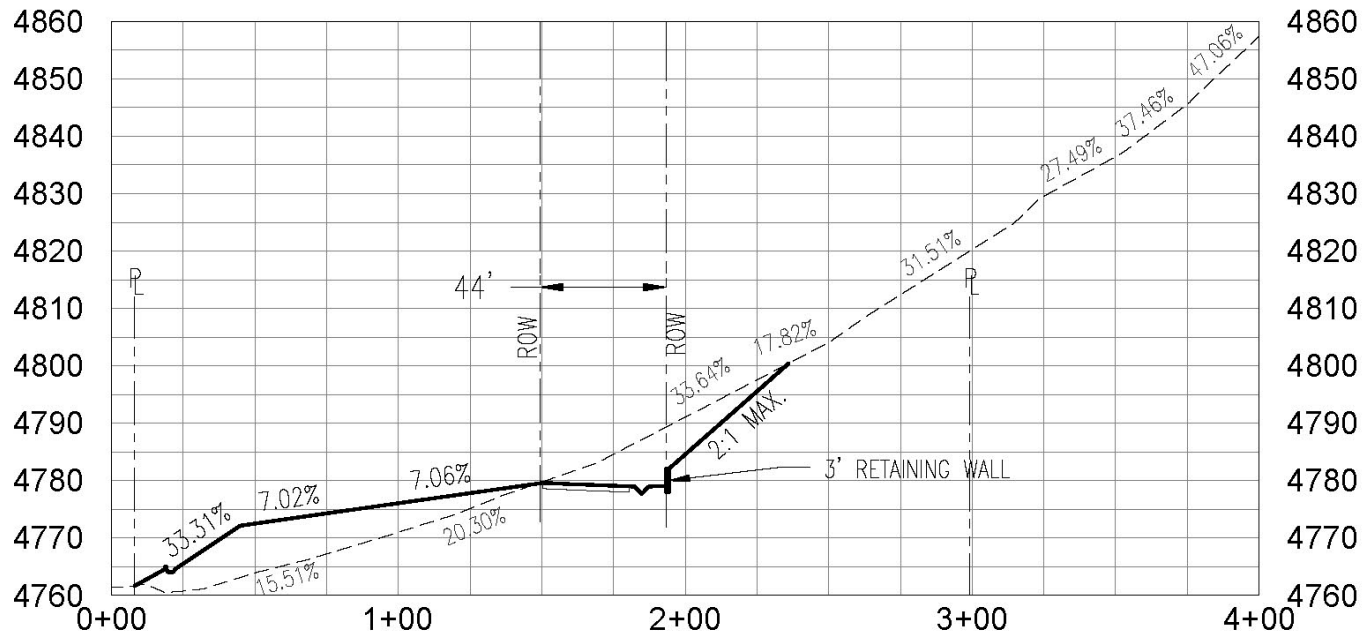
**James C. Atkinson**  
 PROFESSIONAL ENGINEER  
 00000000000000000000

MAJOR SUBDIVISION PRELIMINARY PLAN  
 Limits of Development/Slope Analysis  
 Pinnacle Ridge Subdivision  
 Mariposa Drive  
 Grand Junction, Colorado 81507

PROJECT NO: P04-005  
 DATE: 03/19/15  
 SCALE: 1"=40'  
 100 IN: 4000 FT (Sloper.dwg)

81507-001  
 SHEET 4



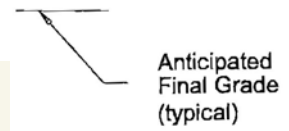


# GRADING SECTION 'A'

SCALE: 1" = 80' HORIZONTAL  
 1" = 40' VERTICAL

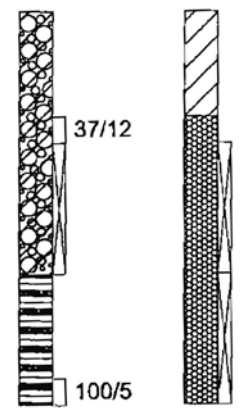
TH-2 elev. 4786'  
 TH-3 elev. 4770'

## Legend



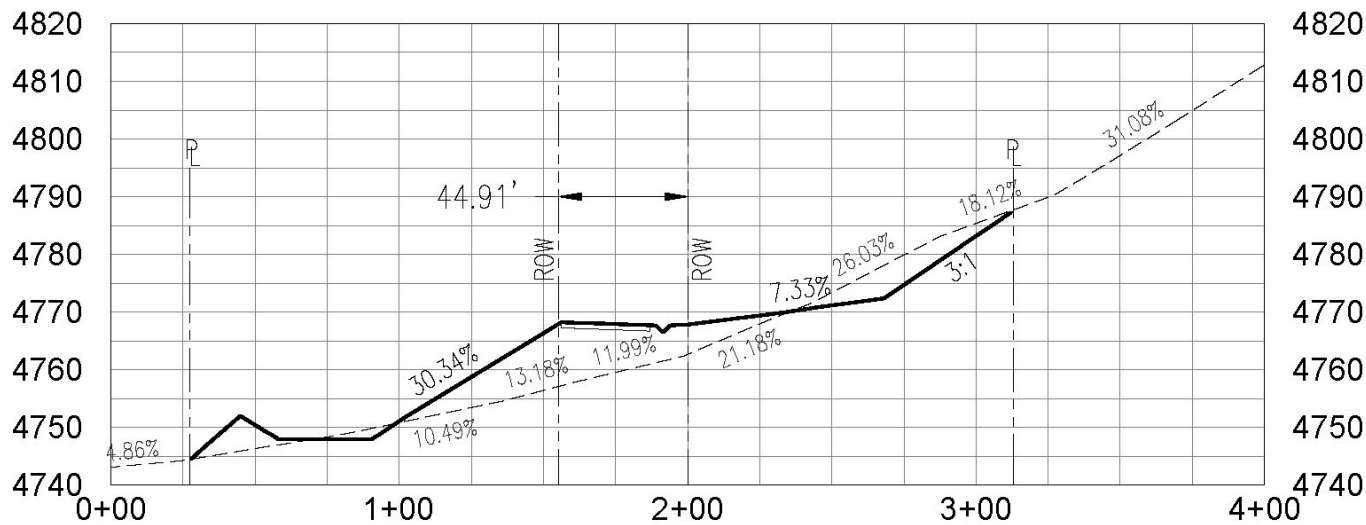
- Sand, gravelly, clean to clayey, occasional cobbles, very loose to dense, dry to moist, brown, tan (SP,SM,SC)
- Gravel, sandy, silty, cobbly, medium dense to very dense, dry, tan, red (GM)
- Clay, sandy, gravelly, stiff to very stiff, dry to moist, tan (CL)
- Claystone, interlayered sandstone lenses, hard to very hard, dry, tan, tan, green, red
- Sandstone, interlayered claystone lenses, hard to very hard, exhibits substantial drill rig resistance to drill rig refusal, dry, tan

**TH-2**  
**TH-3**



Indicates location of penetration test. The symbol 31/10 indicates that 31 blows of a 15 pound hammer falling 26 inches were required to drive a 1.0 inch diameter penetrometer 10 inches. The symbol HD indicates hand drive using modified California (2.0-inch O.D.) liner.

Indicates drive sample. The symbol 31/10 indicates that 31 blows of a 140 pound hammer falling 30 inches were required to drive a 2.5 inch O.D. sample barrel 10 inches.



## GRADING SECTION 'B'

SCALE: 1" = 80' HORIZONTAL  
1" = 40' VERTICAL

TH-10  
elev. 4762'

### Legend



Sand, gravelly, clean to clayey, occasional cobbles, very loose to dense, dry to moist, brown, tan (SP,SM,SC)



Gravel, sandy, silty, cobbly, medium dense to very dense, dry, tan, red (GM)



Clay, sandy, gravelly, stiff to very stiff, dry to moist, tan (CL)



Claystone, interlayered sandstone lenses, hard to very hard, dry, tan, green, red



Sandstone, interlayered claystone lenses, hard to very hard, exhibits substantial drill rig resistance to drill rig refusal, dry, tan



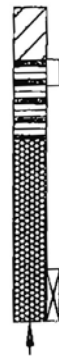
Indicates location of penetration test. The symbol 31/10 indicates that 31 blows of a 15 pound hammer falling 26 inches were required to drive a 1.0 inch diameter penetrometer 10 inches. The symbol HD indicates hand drive using modified California (2.0-inch O.D.) liner.



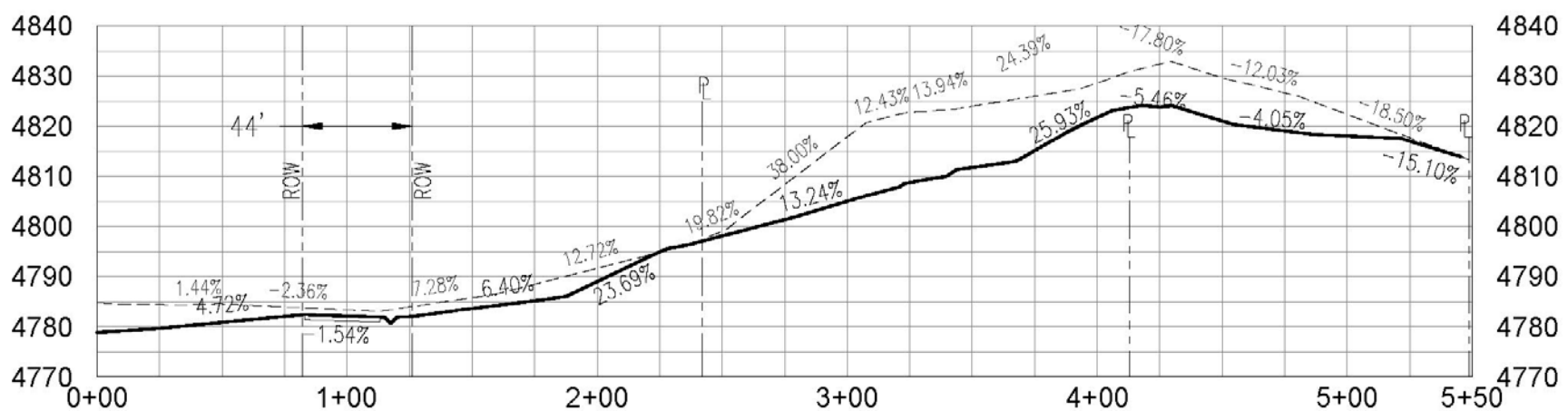
Indicates drive sample. The symbol 31/10 indicates that 31 blows of a 140 pound hammer falling 30 inches were required to drive a 2.5 inch O.D. sample barrel 10 inches.

# TH-10

Anticipated  
Final Grade  
(typical)



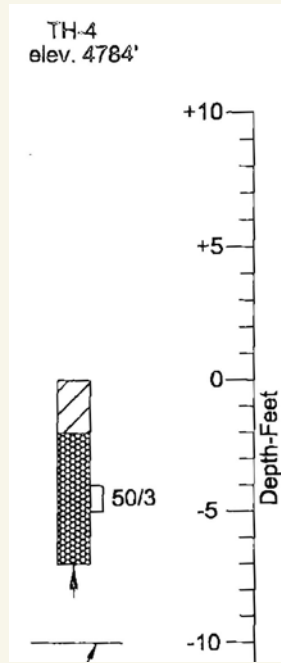
28/12



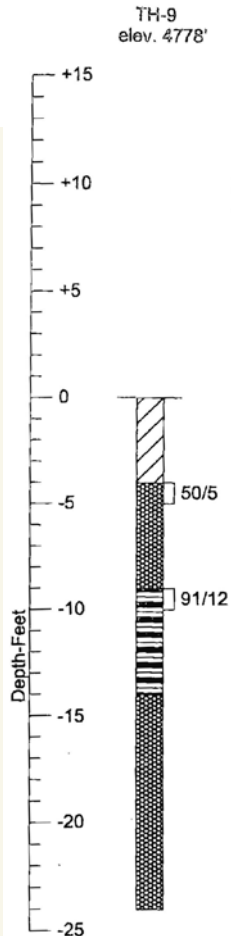
### GRADING SECTION 'C'

SCALE: 1" = 80' HORIZONTAL  
1" = 40' VERTICAL

**TH-4**



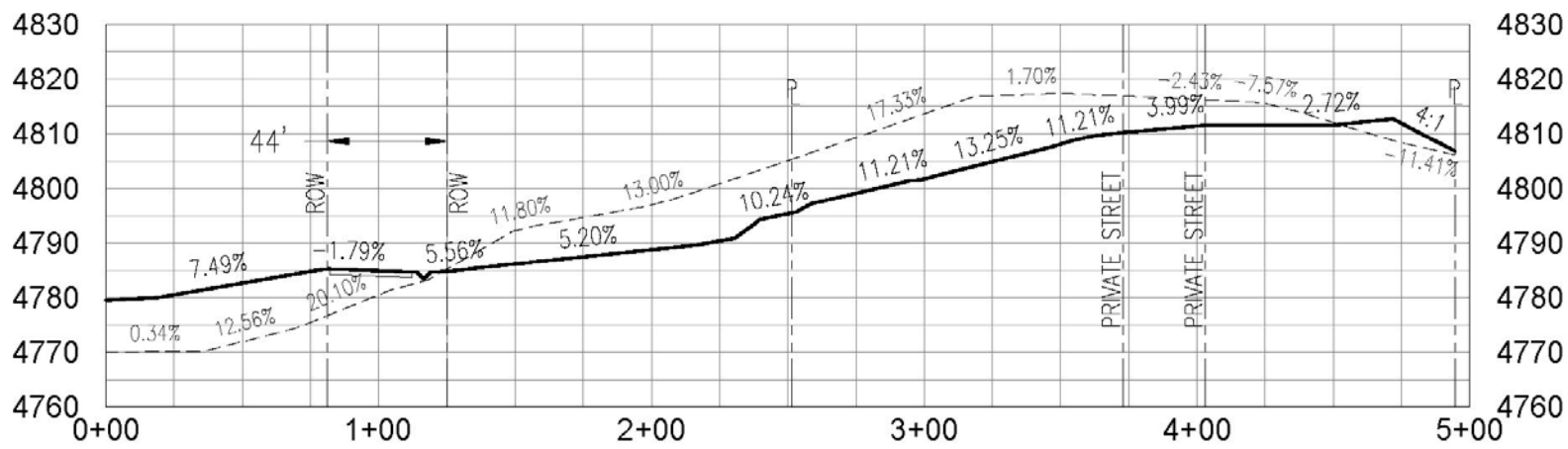
**TH-9**



### Legend

- Sand, gravelly, clean to clayey, occasional cobbles, very loose to dense, dry to moist, brown, tan (SP,SM,SC)
- Gravel, sandy, silty, cobbly, medium dense to very dense, dry, tan, red (GM)
- Clay, sandy, gravelly, stiff to very stiff, dry to moist, tan (CL)
- Claystone, interlayered sandstone lenses, hard to very hard, dry, tan, tan, green, red
- Sandstone, interlayered claystone lenses, hard to very hard, exhibits substantial drill rig resistance to drill rig refusal, dry, tan
- Indicates location of penetration test. The symbol 31/10 indicates that 31 blows of a 15 pound hammer falling 26 inches were required to drive a 1.0 inch diameter penetrometer 10 inches. The symbol HD indicates hand drive using modified California (2.0-inch O.D.) liner.
- Indicates drive sample. The symbol 31/10 indicates that 31 blows of a 140 pound hammer falling 30 inches were required to drive a 2.5 inch O.D. sample barrel 10 inches.

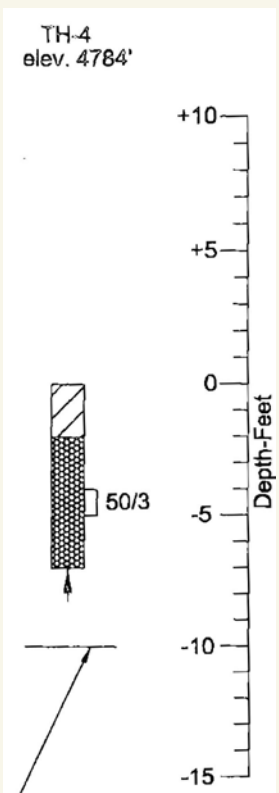




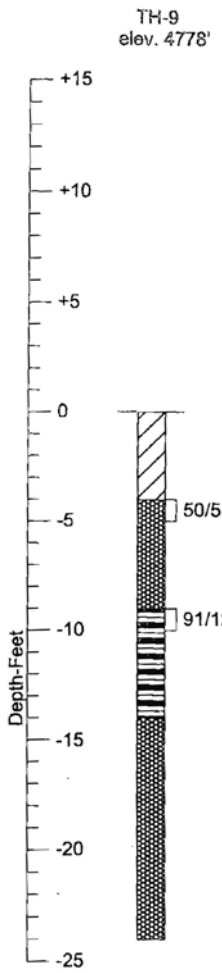
### GRADING SECTION 'D'

SCALE: 1" = 80' HORIZONTAL  
1" = 40' VERTICAL

**TH-4**

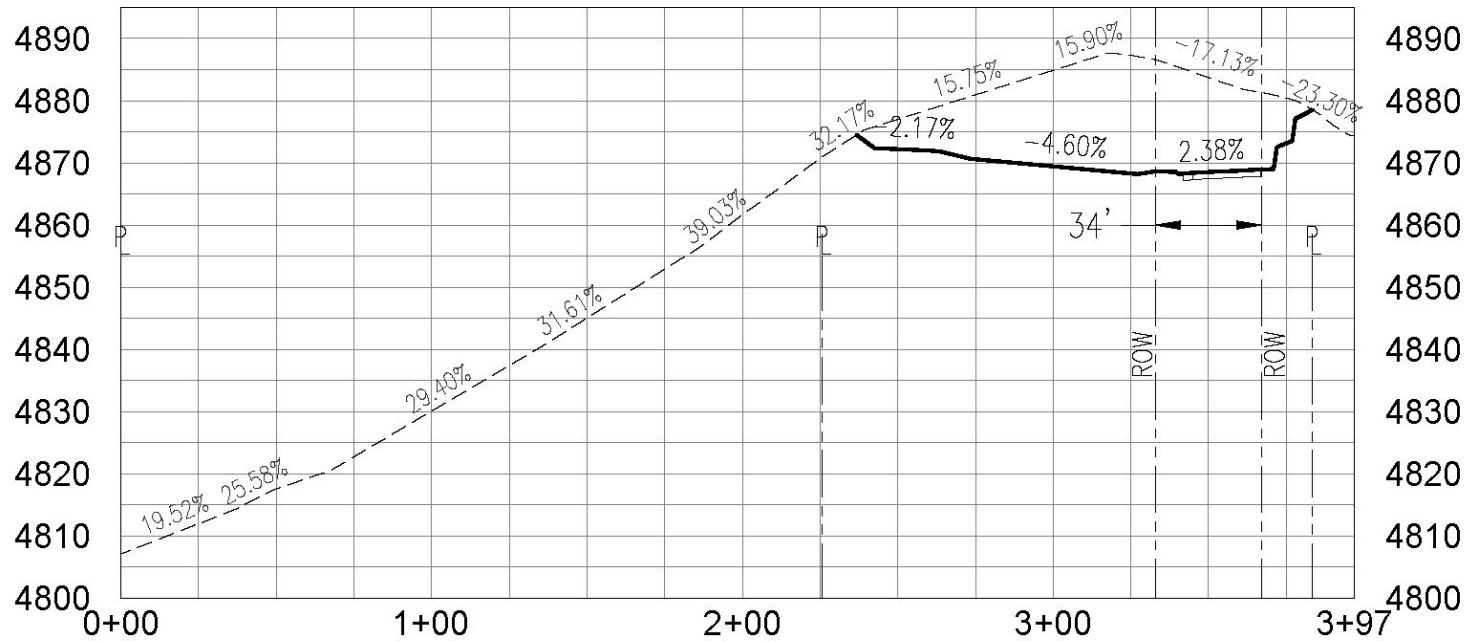


**TH-9**



### Legend

- Sand, gravelly, clean to clayey, occasional cobbles, very loose to dense, dry to moist, brown, tan (SP,SM,SC)
- Gravel, sandy, silty, cobbly, medium dense to very dense, dry, tan, red (GM)
- Clay, sandy, gravelly, stiff to very stiff, dry to moist, tan (CL)
- Claystone, interlayered sandstone lenses, hard to very hard, dry, tan, tan, green, red
- Sandstone, interlayered claystone lenses, hard to very hard, exhibits substantial drill rig resistance to drill rig refusal, dry, tan
- Indicates location of penetration test. The symbol 31/10 indicates that 31 blows of a 15 pound hammer falling 26 inches were required to drive a 1.0 inch diameter penetrometer 10 inches. The symbol HD indicates hand drive using modified California (2.0-inch O.D.) liner.
- Indicates drive sample. The symbol 31/10 indicates that 31 blows of a 140 pound hammer falling 30 inches were required to drive a 2.5 inch O.D. sample barrel 10 inches.



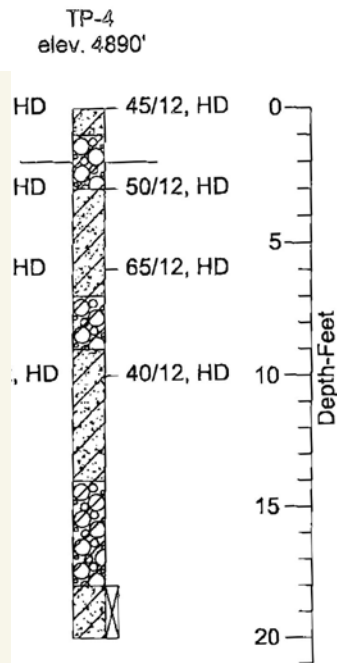
## GRADING SECTION 'G'

SCALE: 1" = 80' HORIZONTAL  
 1" = 40' VERTICAL

### Legend

- Sand, gravelly, clean to clayey, occasional cobbles, very loose to dense, dry to moist, brown, tan (SP,SM,SC)
- Gravel, sandy, silty, cobbly, medium dense to very dense, dry, tan, red (GM)
- Clay, sandy, gravelly, stiff to very stiff, dry to moist, tan (CL)
- Claystone, interlayered sandstone lenses, hard to very hard, dry, tan, tan, green, red
- Sandstone, interlayered claystone lenses, hard to very hard, exhibits substantial drill rig resistance to drill rig refusal, dry, tan

**TP-4**



Indicates location of penetration test. The symbol 31/10 indicates that 31 blows of a 15 pound hammer falling 26 inches were required to drive a 1.0 inch diameter penetrometer 10 inches. The symbol HD indicates hand drive using modified California (2.0-inch O.D.) liner.

Indicates drive sample. The symbol 31/10 indicates that 31 blows of a 140 pound hammer falling 30 inches were required to drive a 2.5 inch O.D. sample barrel 10 inches.

TABLE I

## SUMMARY OF LABORATORY TEST RESULTS

HOLE	DEPTH (FEET)	NATURAL MOISTURE (%)	DRY DENSITY (PCF)	Atterberg Limits		Swell / Consolidation		PASSING NO. 200 SIEVE (%)	WATER SOLUBLE SULFATES (ppm)	SOIL TYPE
				LIQUID LIMIT (%)	PLASTICITY INDEX (%)	SWELL (%)	CONFINING PRESSURE (PSF)			
TP-1	6-10	3.3	—					7		Gravel, sandy, silty (GM)
TP-2	10	1.9	—					6		Sand, gravelly, silty (SM)
TP-3	18-20	9.3	—	37	23			71		Clay, sandy (CL)
TP-4	18-20	1.7	—					5		Sand, gravelly, clean (SP)
TP-5	15	10.0	112	43	22	+3.8	1,000	75		Claystone
	20	8.0	124			+2.0	1,000			Claystone
TP-6	15-20	5.5	—	26	9			59		Clay, sandy (CL)
TH-1	2	7.7	—	42	23			37		Sand, clayey (SC)
	14	11.9	102			+1.2	1,000			Claystone
TH-2	4	3.9	—					25		Sand, gravelly, clayey (SC)
	14	9.4	102			+2.1	1,000			Claystone
TH-6	4	10.6	124			+6.8	500			Claystone

TABLE I

## SUMMARY OF LABORATORY TEST RESULTS

HOLE	DEPTH (FEET)	NATURAL MOISTURE (%)	DRY DENSITY (PCF)	Atterberg Limits		Swell / Consolidation		PASSING NO. 200 SIEVE (%)	WATER SOLUBLE SULFATES (ppm)	SOIL TYPE
				LIQUID LIMIT (%)	PLASTICITY INDEX (%)	SWELL (%)	CONFINING PRESSURE (PSF)			
TH-7	4	15.8	—	NL *	NP *			82		Claystone
	9	8.1	105			-0.3	1,000			Claystone
TH-8	14	19.4	114			+3.9	1,000			Claystone
TH-9	9	10.3	122	33	11			30		Claystone
TH-10	2	3.2	—						1,400	Sand, gravelly, clayey (SC)
TH-11	4	3.5	—					18		Sand, gravelly, silty (SM)
	24	20.9	90			-2.9	1,000			Claystone
TH-12	9	10.0	—	41	22			73		Claystone
	19	5.1	104	NL *	NP *			28		Sandstone
TH-13	9	8.9	—	31	13			45		Claystone
TH-2 and 3 Bulk combined	5-10 and 10-15	2.9	—	NL *	NP *			30		Sand, clayey (SC)
TH-5, TH-6 and TH-10 Bulk combined	5-10, 5-10 and 10-12	3.1	—	30	15			53		Clay, sandy, gravelly (CL)
				* NL - Indicates sample did not exhibit liquid characteristics.						
				* NP - Indicates sample did not exhibit plastic characteristics.						



# Mariposa Drive





# Pinnacle Ridge: Road vs. Code

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RICHARD WIHERA  
PRESENTED TO GRAND JUNCTION CITY COUNCIL  
4/19/17

## A Vote to Approve Pinnacle Ridge as Proposed is a Vote for a Development Plan that:

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- Has unresolved questions about the stability and safety of building roads or houses in the development area
- Places taxpayers at risk for assuming liability for a road that does not meet Development Code regulations
- Fails to meet Code regulations for lot size on this terrain
- Fails to meet Code regulations for Sensitive Lands and Ridgeline Protection

## Terrain Stability of the Development Area Has Not Been Established

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### Review Comments from Colorado Geological Survey (CGS)

- 2/27/15 - **“CGS cannot recommend preliminary plat/plan approval unless and until the applicant demonstrates that existing slopes and proposed temporary and permanent cut slopes will be stable, and that any proposed development will not be impacted by, nor exacerbate, potential slope instability.”**
- 8/12/15 - CGS repeats the concerns about stability of the terrain and for a second time lists the analyses needed to assess the terrain's stability.  
**“To establish the overall project’s viability from a slope stability perspective, this level of investigation must be done at the preliminary plan stage, prior to platting of individual lots.”**
- 11/18/15 - CGS again repeats its concerns and for the third time lists the various analyses needed to determine if the terrain is suitable for development.

## CGS Comments (continued)

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2/29/16

“The applicant and its geotechnical consultant have not demonstrated that the planned cut slopes will be stable.”

“The geologic materials present on this property, especially sand, gravel and claystone, cannot be assumed to be stable at the slope angles proposed.”

“CGS remains concerned about the overall viability of the project at the proposed density.”

“In the absence of the analyses we have previously requested, the applicant’s ‘acknowledgment’ of this and other CGS comments is meaningless.”

## The Proposed Development Does Not Meet Municipal Code Requirements for Hillside Development

### Grand Junction Municipal Code 21.07.020 (f) Hillside Development

(1) Hillside development standards are applicable to hillside development and excavation of hillside so that:

- (i) Soil and slope instability and erosion is minimized;
- (ii) The adverse effects of grading, cut and fill operations are minimized;
- (iii) The character of the City's hillsides is preserved; and
- (iv) The public's interest is protected.

### 21.10.020 Terms defined.

**Development** includes all property adjacent or abutting, whether or not to be then planned or developed, owned by the same owner. Includes any of the following: the division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any structure; any mining, drilling, excavation, clearing of roadways or building sites, landfill or land disturbance and any use or extension of the use of land, the placement of a use on any property, or any planned development.

21.07.020 (f) (3) Hillside Development Standards. In furtherance of the purposes set forth, any hillside development shall comply with the tables below. Any portion of a development having a slope greater than 30 percent with an elevation change of 20 feet or greater shall not be included in calculation of the area of such parcel for the purposes of determining conformity with the minimum lot parcel size and density requirements below.

SINGLE-FAMILY, PLANNED AND CLUSTER SUBDIVISION DEVELOPMENT		
Average Slope of Development Area	Minimum Lot Size <sup>1</sup>	Minimum Lot Width
0% – 10%	See Existing Zone	See Existing Zone
10.01% – 20%	10,000 sq. ft.	At least 100 ft. at front setback line
20.01% – 30%	15,000 sq. ft.	At least 200 ft. at front setback line
30.01% +	Development Not Permitted <sup>2</sup>	Development Not Permitted <sup>2</sup>

Data provided by developer on Limits of Development/Slope Analysis (Sheet 4), show that the slope of the development area is:

0 – 10%	413,198 sf
10.01-20%	562,829 sf
20.01-30%	579,433 sf
30.01%+	409,566 sf

Leaving out the area 30.01%+ area, the average slope of the development is 16.06%. Code requires a minimum lot size of 10,000 sq. ft. and at least 100 ft. minimum lot width for this slope.

Per developer's plans (Sheets 5 and 6), more than one-third of the lots in the proposed development do not meet the Code requirements for the minimum lot size and/or width.

## The Proposed Development Does Not Meet Municipal Code Requirements or the Comprehensive Plan for Sensitive Lands and Ridgeline Protection

21.07.020 Environmental/sensitive lands regulations. (g) Ridgeline Development. The City recognizes the value of its visual resources and amenities. The purpose of the ridgeline development standards is to preserve the character of the identified ridgelines and to minimize soil and slope instability and erosion.

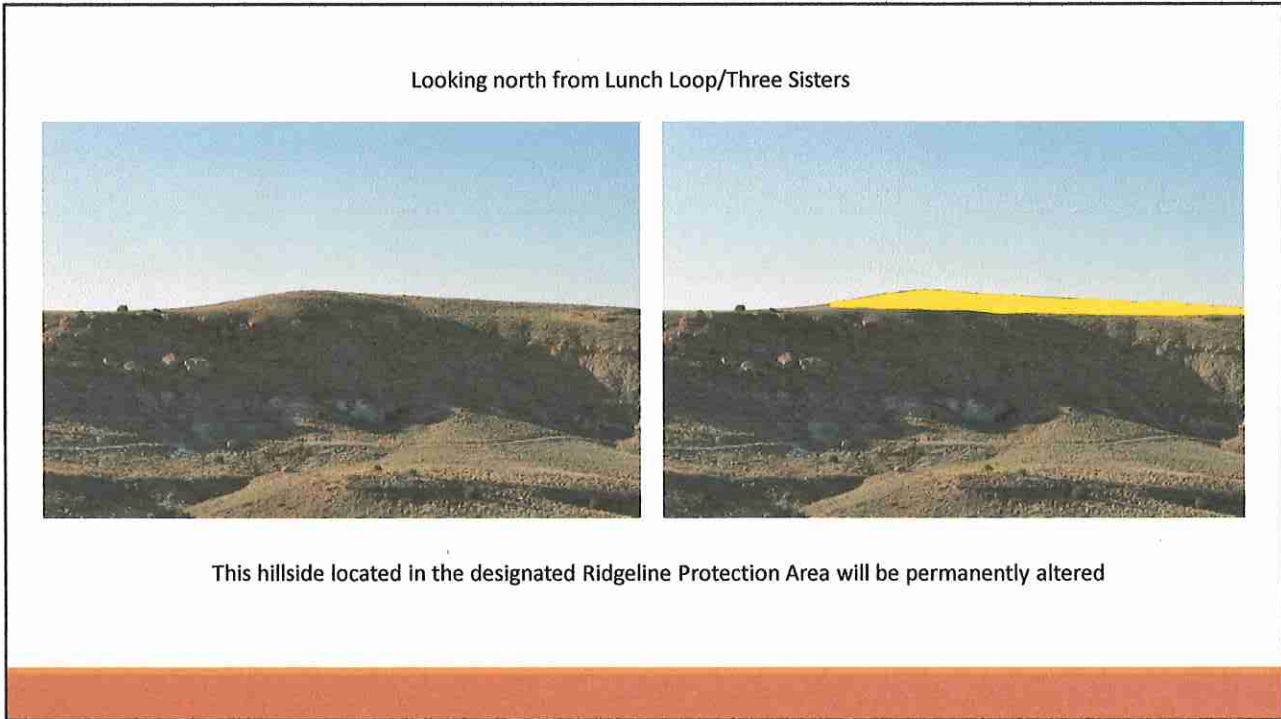
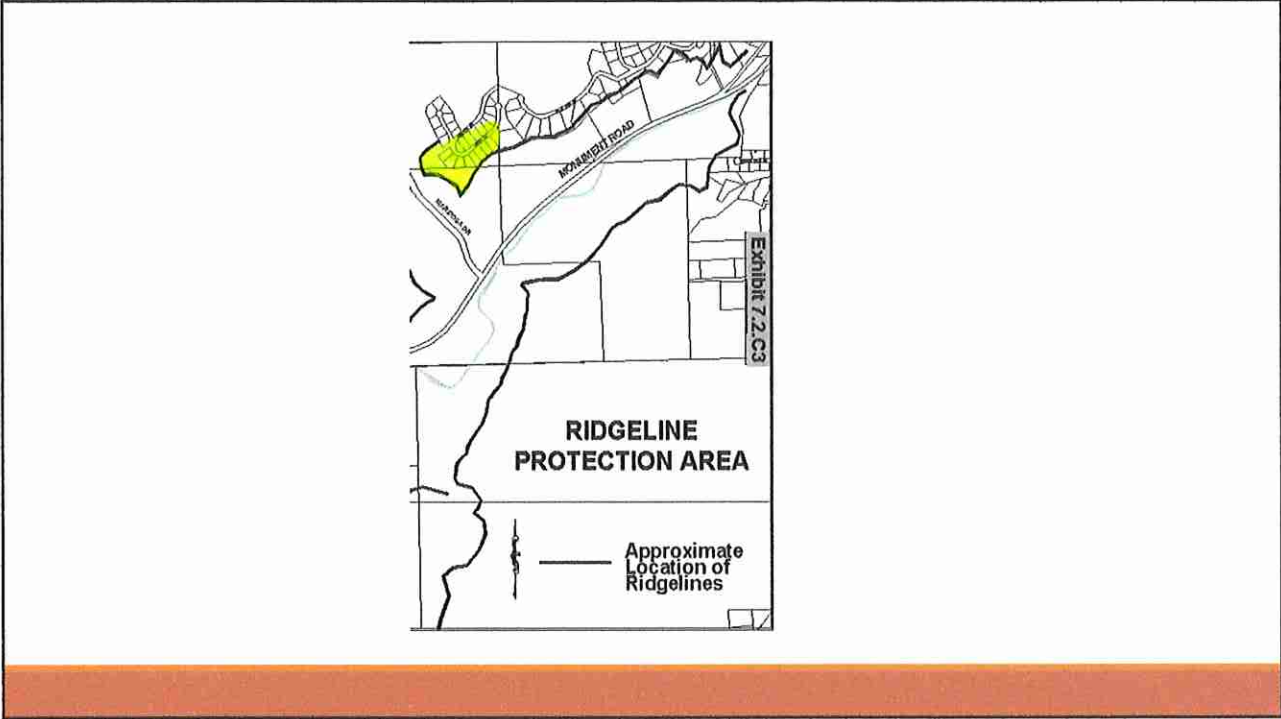
34.16.010 (a) Hills, Bluffs, and Other Visually Prominent Areas

- (b) (1) Development on prominent ridgelines along the major corridors of Highway 340, South Broadway, South Camp Road and Monument Road shall be minimized to maintain the unobstructed view of the skyline.

34.16.020 Goals, policies, implementation. (a) Goals.

- (1) Protect the foreground, middleground, and background visual/aesthetic character of the Redlands Planning Area.
- (2) Minimize the loss of life and property by avoiding inappropriate development in natural hazard areas.







## We Must Be Mindful of Why These Requirements Exist in the Development Code

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To protect taxpayers from taking on the burden of ill-conceived developments

To protect homeowners from the hazards of building on unstable ground

To protect irreplaceable natural resources from destruction

## Discussion of Details of Roads and Building on Slopes Over 30% Should Proceed Only AFTER the Developer Presents a Plan Which

- 1) Is in compliance with all aspects of the Development Code; and
- 2) The plan has been determined to be safe and suitable for development