

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

**October 21, 2015**

The City Council of the City of Grand Junction convened into regular session on the 21<sup>st</sup> day of October, 2015 at 7:00 p.m. Those present were Councilmembers Bennett Boeschstein, Martin Chazen, Chris Kennedy, Duncan McArthur, Rick Taggart, and Council President Phyllis Norris. Councilmember Barbara Traylor Smith was absent. Also present were Interim City Manager Tim Moore, City Attorney John Shaver, and Deputy City Clerk Juanita Peterson.

Council President Norris called the meeting to order. The audience stood for the Pledge of Allegiance while Councilmember Kennedy asked Joe Carter, newly re-appointed Zoning Board of Appeals member, and his son, Jason, to lead the Pledge of Allegiance which was followed by a Moment of Silence.

**Presentation**

**September Yard of the Month**

Elizabeth Neubauer, Grand Junction Forestry Board member, introduced Randy and Cheri Scott, 749 26 ½ Road, who received the Yard of the Month Award for September, 2015.

**Certificates of Appointments**

**To the Grand Junction Housing Authority**

Tim Hudner was not present to receive his Certificate of Appointment. Councilmember Chazen read the appointment certificate.

**To the Planning Commission/Zoning Board of Appeals**

Keith Ehlers, George Gatseos, Aaron Miller, and Joe Carter were present to receive their Certificates of Appointment. Scott Wolford was not present. Councilmember Taggart read the appointment certificates and presented them to those present.

**Citizens Comments**

Dennis Simpson, 2306 E. Piazza Place, talked about the City Employee Retiree Health Insurance Plan which he said had been discussed by Council for over a year and a half.

He stated the City's Audit Report classified \$12.3 million for this Plan as an unfunded liability, but in July Staff said they did not know why it was classified as such since employees fund this account. He wanted to contest the Staff's statement; he felt this had been funded by the taxpayers. Mr. Simpson reviewed some City employee information and said he spoke with Councilmembers Chazen and Taggart regarding his findings. He believed Councilmember Taggart brought this information to Staff and then the issue was dropped; it is now to be considered in December which will be after the 2016 Budget is adopted. He felt this topic should be part of the Budget discussion because he said statement #75 issued from the Government Accounting Standards Board says, after 2017 pension plan liabilities must be on the balance sheet. He compared other municipality plans to the City's and reviewed information on the City's current employee health plan. Mr. Simpson said TABOR (Taxpayer Bill of Rights) does not permit multiple year commitments which he felt this Plan was and doesn't believe Council receives annual information updates on the Plan.

Jim Schultz, 1670 Ptarmigan Ridge, spoke regarding the new City Market being built at 12<sup>th</sup> Street and Patterson Road and expressed his concern regarding the possibility of increased traffic. He knew City Engineers worked hard on this, but felt more changes will be needed to adequately manage the flow of traffic. He described areas he felt would be prone to accidents due to additional traffic and said they would become "kill zones". He asked the City to contract with City Market now, while construction is still in progress and the City has leverage, to create a contingency fund of \$3 million to help offset what he felt would be an inevitable need to reconstruct the intersection. He submitted a map of the area for the record to Deputy City Clerk Peterson.

Richard Swingle, 443 Mediterranean Way, reviewed Colorado Senate Bill 05-152 and showed a presentation on Broadband, Wire, and Coax and explained the different generations of wire that has led to today's use of coax cable, but coax is also reaching its capacity limit. The next generation is Fiber to the Premises which is commonly referred to as Broadband. He described the different recommended download speeds for various internet services such as Netflix and said most local providers do not offer internet speeds adequate for these services even though they advertise they do. In January 2015 the Federal Communications Commission updated its broadband speed benchmark to 25 Mbps or more; currently Grand Junction only has one provider that meets that standard.

### **Council Comments**

Councilmember McArthur said he enjoyed the Grand Junction Airshow Reception and said in 1966 the Thunderbirds performed at his high school so he asked this Flight Crew to sign his high school annual. On October 15<sup>th</sup> he attended the Farewell party for former Mesa County District Attorney Pete Hautzinger who accepted a Federal

Prosecutor position with the U.S. Attorney's Office. At the party Mr. Hautzinger complimented local law enforcement agencies on their outstanding performance and felt most people do not know these agencies perform at such a high level. On October 19<sup>th</sup> he toured the new Fire Station #4 in Orchard Mesa which is scheduled to open April 2016; this station will improve coverage, equalize areas of service, and reduce duplicated efforts.

Councilmember Boeschenstein said on October 8<sup>th</sup> he attended the Grand Junction Downtown Development Authority meeting and mentioned the Airshow was held on the same day as National Train Day which was October 10<sup>th</sup>; an Amtrak Exhibition Train was available for tours and over 2,000 people attended. He also attended the Avalon Theatre Foundation and Homeless and Vagrancy Committee meetings on October 15<sup>th</sup> and went to the Fire Station #4 walk through; the new station will be a wonderful improvement to the community. Councilmember Boeschenstein also attended the Riverfront Commission and Horizon Drive Association Business Improvement District meetings.

Councilmember Chazen met with Rob Eaton, Northwest Director of Government Affairs for Amtrak, who coordinated the Amtrak Train Event on October 10<sup>th</sup> and spoke to him about getting improved service times for the Grand Junction and Denver routes. He also attended the party for the Thunderbirds where he heard one purpose of these shows is community outreach for military veterans; the community should be proud it is very supportive of veterans and the military. On October 13<sup>th</sup> he spoke to three 3<sup>rd</sup> grade classes at Orchard Elementary School; the kids asked great questions and sent him a nice thank you note. He also visited the new Innovation Center at Colorado Mesa University (CMU) on October 13<sup>th</sup> and on October 14<sup>th</sup> went to an Energy Briefing the Grand Junction Chamber of Commerce hosted which showcased three companies that have advanced processes for the energy industry; he was fascinated by a process that used biological microbes to digest hydrocarbons from water used in wells. On October 20<sup>th</sup> he went to a panel discussion on federal overreach; there are a lot of regulations the Environment Protection Agency will be passing that will impact local industries, employment, and ultimately utility charges.

Councilmember Kennedy attended the Airshow and the Planes, Trains, and Automobiles Event; he thanked the Grand Junction Visitor and Convention Bureau for including the train depot in the event and hoped it raised awareness of it by attracting more than 2,000 people to the event. He mentioned that he served in the Marine Corps and for six months was assigned to support the Blue Angels. He then noted the City is going through an intense budget season and is trying to determine the City's financial health; although there have been some heated conversations he wanted to let everyone know he appreciates and respects everyone's intensity, beliefs, and opinions; each person is doing what they feel is best to move the City forward.

Councilmember Taggart said the last two weeks had been very busy. He attended two Grand Junction Regional Airport Authority (GJRAA) Board meetings where they discussed the budget and the buildings that are in need of significant repairs. He noted the GJRAA Board had a very difficult task regarding the Administration Building and they are working very hard to resolve the issue.

## **Consent Agenda**

Councilmember Kennedy read Consent Calendar items #1 through #6 and then moved to adopt the Consent Calendar. Councilmember Boeschenstein seconded the motion. Motion carried by roll call vote.

1. **Minutes of Previous Meetings**

*Action: Approve the Summaries of the September 25, 2015 Budget Retreat, the September 28, 2015 and October 5, 2015 Workshops, and the Minutes of the October 7, 2015 Regular Meeting*

2. **Setting a Hearing on LOJO Partnership LLP Alley Rights-of-Way Vacation, Located between S. 7<sup>th</sup> Street and S. 8<sup>th</sup> Street on the South Side of South Avenue**

The applicant, LOJO Partnership LLP (Doug and Jamee Simons), requests approval from the City of Grand Junction to vacate north/south, east/west alley rights-of-way located between S. 7<sup>th</sup> Street and S. 8<sup>th</sup> Street on the south side of South Avenue, which are no longer needed in anticipation of consolidation of all adjacent properties that the applicant owns.

Proposed Ordinance Vacating Alley Rights-of-Way between S. 7<sup>th</sup> Street and S. 8<sup>th</sup> Street on the South Side of South Avenue Located at 630 S. 7<sup>th</sup> Street and 735, 737, 741, 749 South Avenue

*Action: Introduce a Proposed Ordinance and Set a Public Hearing for November 4, 2015*

3. **Setting a Hearing on LOJO Partnership LLP Rezone, Located at 821 1<sup>st</sup> Avenue**

The applicant, LOJO Partnership LLP (Doug and Jamee Simons), requests a rezone of the property located at 821 1<sup>st</sup> Avenue from I-1 (Light Industrial) to C-2 (General Commercial) in anticipation of future general commercial development.

Proposed Ordinance Rezoning the LOJO Partnership LLP Property from I-1 (Light Industrial) to C-2 (General Commercial) Located at 821 1<sup>st</sup> Avenue

*Action: Introduce a Proposed Ordinance and Set a Public Hearing for November 4, 2015*

4. **Outdoor Dining Lease Agreement for C and E Productions dba Mesa Theater, Located at 538 Main Street**

C and E Productions is the new owner of the property and business located at 538 Main Street dba Mesa Theater. As a new business entity, C and E Productions is requesting a first-time Outdoor Dining Lease for an area measuring 350 square feet directly in front of their building. The Outdoor Dining Lease would permit the business to have a revocable license from the City of Grand Junction to expand their licensed premise and allow alcohol sales in this area. The outdoor dining area comprises the same enclosed sidewalk dining area that was occupied by the previous tenants, Mesa Theater and Club LLC.

Resolution No. 44-15 – A Resolution Authorizing the Lease of Sidewalk Right-of-Way to C and E Productions dba Mesa Theater, Located at 538 Main Street

*Action: Adopt Resolution No. 44-15*

5. **CDBG Subrecipient Contract with Mind Springs Health for Previously Allocated Funds within the 2015 Community Development Block Grant (CDBG) Program Year**

The Subrecipient Contract formalizes the City's award of \$23,910 to Mind Springs Health allocated from the City's 2015 CDBG Program as previously approved by Council. The grant funds will be used to purchase furnishings for new client services office.

*Action: Authorize the Interim City Manager to Sign the Subrecipient Contract with Mind Springs Health for Service Improvements at the Main Program Office for \$23,910 of the City's 2015 Program Year Funds*

6. **Purchase of Ferno Stretchers and Acceptance of a Colorado EMS Provider Grant**

The Fire Department has been awarded a Colorado EMS Provider Grant to provide 50% funding for the purchase of eight Ferno Patient Stretchers and associated equipment to replace older stretchers. This request is to authorize the purchase of the stretchers and equipment, and accept the award of the grant.

*Action: Authorize the Purchasing Division to Purchase Eight Ferno Stretchers and Associated Equipment in the Amount of \$301,357.98 and Authorize the Interim City Manager to Accept the State of Colorado Emergency Medical Services (EMS) Provider Grant Award of \$150,678.99 for this Purchase*

## ITEMS FOR INDIVIDUAL CONSIDERATION

### **Horizon Drive Association Business Improvement District (HDABID) 2016 Operating Plan and Budget**

Every business improvement district is required to file an operating plan and budget with the City Clerk by September 30<sup>th</sup> each year. The City Council then approves or disapproves the plan and budget by December 5<sup>th</sup>. The plan was reviewed by the Horizon Drive Association Business Improvement District (HDABID) Board and submitted within the required timeline.

Chuck Keller, HDABID President and Vara Kusal, HDABID Manager, were both present and offered to answer any questions. There were none.

Councilmember Boeschstein moved to approve the Horizon Drive Association Business Improvement District's 2016 Operating Plan and Budget. Councilmember Kennedy seconded the motion. Motion carried by roll call vote.

### **Downtown Grand Junction Business Improvement District (DGJBID) 2016 Operating Plan and Budget**

Every year the DGJBID files an Operating Plan and Budget with the City Clerk by September 30<sup>th</sup>. The City Council then approves or disapproves the plan and budget by December 5<sup>th</sup>. The plan was reviewed by the DGJBID Board and submitted within the required timeline. After further review by City Staff, the Plan was found to be reasonable.

DGJBID Co-Executive Directors, Allison Blevins and Robin Brown were present. Ms. Brown reviewed the DGJBID's current staff structure and said they established goals and a mission statement; she read the mission statement. Ms. Brown mentioned some of the DGJBID's annual events and said she and the Event Policy Committee will create a policy to ensure all the events run more smoothly. Ms. Blevins said she was excited about her position and felt the downtown area is on the cusp of improving on what they already do well. She highlighted some objectives: to create more of a community atmosphere for downtown business and property owners, expand the Art and Music Festival into two events, pair the Music Festival with the Epic Rides Grand Junction Off-Road Event, refocus the Art Festival to highlight local artists and Art on the Corner, and encourage downtown property owners, including those along S. 7<sup>th</sup> Street, to petition into the BID. She then said they were able to balance their budget by cutting expenses to where only a \$4,000 draw against their fund balance would be needed; with these changes in place they anticipate being able to rebuild their fund balance starting next year.

Councilmember Chazen said as a member of the BID Board and the ex officio from the Council, he would like to recognize the outstanding job Ms. Blevins and Ms. Brown have done in their roles; they are providing new energy and ideas. He noted the BID would have run out of money in a few years due to budget draws, but with the new budget they will be able to stop supplementing it with the use of fund balance.

Councilmember Taggart reinforced the importance of balanced budgets; he commended their efforts.

Councilmember Chazen moved to approve the Downtown Grand Junction Business Improvement District 2016 Operating Plan and Budget. Councilmember McArthur seconded the motion. Motion carried by roll call vote.

### **Selection of Financial Auditor for the City's 2015 Annual Audit**

City Council, as the governing body of the City of Grand Junction and serving as the City's Audit Committee, will enter into a multi-year contract which will be subject to annual appropriations with a certified public accounting firm. The contract will be for the provision of audit services including auditing and reporting on the financial statement(s) of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City beginning for the year ending December 31, 2015.

Jay Valentine, Internal Services Manager, presented this item. Mr. Valentine reviewed the bid amounts received for the Financial Audit Services solicitation and explained that the Council is the Audit Committee for this purpose.

Councilmember Chazen noted there was a sizable difference between the high and low bid and a \$30,000 difference between the low and middle bid; he asked Mr. Valentine if the company based in Littleton included all needed travel expenses in their bid and if they had the experience, expertise, and staffing needed to conduct the audit of both the City and Enterprise Funds. Mr. Valentine could only speak to the fact that the solicitation asked for an all-inclusive price which would include all accounts and travel arrangements. Regarding their experience, they listed municipal references, the largest of which was the City of Durango. Councilmember Chazen asked if the low bidder had adequate staff to meet the City's deadline. Mr. Valentine said that type of question could be addressed if Council chose to have a committee interview the firms. Councilmember Chazen asked if the City had an Audit Committee. Mr. Valentine explained, to date, the City Council has served as the Audit Committee. Councilmember Chazen asked Mr. Valentine if he felt they had enough time to allow a few Councilmembers to interview the firms. Mr. Valentine said there is a time frame; the contract is typically signed by mid-November because some of the work must to be done before the close

of the fiscal year. However, he could reach out to the bidders to see if interviews could be arranged.

Councilmember Kennedy asked if a decision could be made at a workshop following interviews. City Attorney Shaver said a decision should be made at a noticed meeting. He then addressed Councilmember Chazen's question regarding the formation of an interview committee; a resolution would be needed to appoint the committee. Councilmember Kennedy then asked how large each firm was and what type of qualifications would the employees assigned to the audit have. Mr. Valentine said the Littleton firm was the smallest. He then explained that a principal and a lead, which would be on site daily, are typically assigned to oversee the process.

Councilmember Taggart agreed with Councilmember Chazen regarding the formation of a committee and said not enough information was provided to make a decision, specifically regarding the size of the firms, their qualifications, and references. He would never approve an audit firm based on this limited information. Another component not addressed was how much more time would be required of Staff if the audit firm changed; hiring a new firm could double required Staff time.

Councilmember Boeschstein agreed with the previous comments; he would be in favor of a committee comprised of a few members of Council and Staff.

Councilmember McArthur asked why the City solicited for a multiple year agreement. Mr. Valentine explained the cost to change companies annually would be more and the Government Finance Officers' Association recommended keeping an audit firm at least five years. Councilmember McArthur noted Staff recommended retaining Chadwick, Steinkirchner, Davis & Co., P.C. based on their experience with the City and overall cost. He asked if "cost" referred to the amount over and above their bid. Mr. Valentine said it was based on the overall bid along with the cost of switching firms. Councilmember McArthur said he appreciated the idea of using a local firm, but one of the purposes of an audit was to have a fresh set of eyes; they might notice something that had previously been overlooked. He agreed with the other Councilmembers and suggested forming a three person committee to review the firms and provide Council with a recommendation.

Council President Norris said Council had a lot more questions to ask before a decision could be made; they needed to consider the quality of the audit in addition to cost even though she felt past audits had been done well. She then asked City Attorney Shaver if a committee with three Councilmembers would be sufficient or if he would recommend four. City Attorney Shaver said the committee could be any size, but if it was comprised of three or more Councilmembers, the meetings would need to be noticed and open to the public. He recommended creating and ratifying the committee at this meeting so a resolution could be brought forward at the next regular meeting. Council President



Norris suggested the committee have two Councilmembers to allow for last minute schedule changes.

Councilmember Chazen moved to have Council President Norris appoint two Councilmembers and have Interim City Manager Moore appoint Staff as appropriate to form an Audit Committee to bring a recommendation back to Council. Councilmember Kennedy seconded the motion. Motion carried by roll call vote.

Mr. Valentine asked Council to provide a time frame for the interviews. Council President Norris asked that all three firms be scheduled for interviews within the next week and for Council to be sent the submitted bids. Councilmembers Taggart and Chazen volunteered for this committee.

Council President Norris called a recess at 8:24 p.m.

The meeting reconvened at 8:27 p.m.

### **Public Hearing – Morse Annexation and Zoning, Located at 2997 B ½ Road**

A request to annex 39.77 acres and zone the annexation area from a County RSF-R (Residential Single-Family Rural) to a City R-4 (Residential 4 du/ac) zone district.

The public hearing was opened at 8:27 p.m.

Brian Rusche, Senior Planner, presented this item. He described the proposed request for annexation of the 39.77 acres and the zone of annexation. He described the location, property size, and the desire of the owner to subdivide. If the annexation is approved, five parcels would become an enclave. The 2010 Comprehensive Plan (CP) anticipated the Future Land Use of these properties as residential medium low with anticipated density between two and four units per acre; the 2014 Orchard Mesa (OM) Neighborhood Plan affirmed this designation. The proposed zoning of R-4 is consistent in zoning and density of neighboring subdivisions that are already within City limits. Mr. Rusche said, in his opinion, this request is consistent with the CP and meets the majority of the criteria found in the Grand Junction Municipal Code; the Planning Commission (PC) has also reviewed the request and forwarded their recommendation of approval.

Councilmember Kennedy asked if the enclaved parcels would be unilaterally annexed into the City after five years. Mr. Rusche said yes; in accordance with the 1998 Persigo Agreement, the City will annex enclaved properties within five years; the State allows unilateral annexations if the properties have been enclaved for at least three years. Councilmember Kennedy then asked if the property owners were notified their parcels would be enclaved at the Neighborhood Meeting. Mr. Rusche said this information was given at the meeting; the owners were invited but did not attend. Councilmember

Kennedy asked if there were any advantages of annexing these properties sooner. Mr. Rusche said no, but the owners could petition the City for their property to be annexed at any time.

Councilmember McArthur said there had been discussion during the CP and OM Plan reviews about maintaining the rural nature of East OM and some areas in OM as well; he asked if 30 Road was the boundary discussed for utilities. Mr. Rusche said in 2008, it was decided to revise the Persigo Boundary from 30 Road out to 31 Road; that action moved properties between 30 and 31 Roads into the 201 Boundary and set the stage for extended residential development through the CP. All of this was reaffirmed with the OM Neighborhood Plan. Councilmember McArthur asked if these properties already had utilities. Mr. Rusche said there were utilities on B and B ½ Roads, but was unsure if the applicant had tied into the sewer line even though it was accessible. Any future development would also have the ability to extend to the line. The applicants do not intend to develop the parcels; they plan to separate the main residence, subdivide the remaining property, and sell them. Councilmember McArthur asked, since the 5-2-1 Drainage Authority was getting involved with drainage issues in the area, if there were any concerns with drainage or any other historical issues. Mr. Rusche said regarding development, the southernmost parcel would be the most challenging to develop because of its hills, but the development thus far has been done well.

Councilmember Taggart expressed concern regarding the type and quality of construction that will be permitted once the properties are sold. He asked if the neighbors approved of this request since there are no guarantees regarding how the structures will be built. Mr. Rusche said the neighbors had confidence in the Morse's and understood when development is requested, a neighborhood meeting would be required. Councilmember McArthur felt when developed, these would be quality houses.

Councilmember Boeschstein asked Mr. Rusche if he had a map showing the annexed areas in OM. Mr. Rusche said, due to the Persigo Agreement, only subdivisions established after 1998 had to be annexed; very little is within City limits except what is new. Councilmember Boeschstein hoped through long term planning, a consistent boundary would be created. He noted it is difficult to provide services when boundary lines are disjointed.

Councilmember McArthur said OM has a perception obstacle to overcome, but felt it is an emerging area of the City and is being nicely developed.

There were no public comments. The public hearing was closed at 8:40 p.m.

Resolution No. 43-15 – A Resolution Accepting a Petition for the Annexation of Lands to the City of Grand Junction, Colorado, Making Certain Findings, and Determining that

Property known as the Morse Annexation, Located at 2997 B ½ Road is Eligible for Annexation

Ordinance No. 4679 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Morse Annexation, Consisting of Four Parcels Totaling 39.77 Acres, Located at 2997 B ½ Road

Ordinance No. 4680 – An Ordinance Zoning the Morse Annexation to R-4 (Residential 4 du/ac), Located at 2997 B ½ Road

Councilmember Boeschstein moved to adopt Resolution No. 43-15 and Ordinance Nos. 4679 and 4680 on final passage and ordered final publication of the Ordinances in pamphlet form. Councilmember McArthur seconded the motion. Motion carried by roll call vote.

**Public Hearing – Park Mesa Subdivision Outline Development Plan, Located at 323 Little Park Road**

The applicant, Ken Scissors, requests approval of an Outline Development Plan (ODP) for Park Mesa Subdivision as a Planned Development (PD) zone district with a default zone of R-2 (Residential - 2 du/ac) to develop an eight lot, single-family detached subdivision on 12.1 +/- acres.

The public hearing was opened at 8:45 p.m.

Scott Peterson, Senior Planner, introduced this item. He said the applicant held a Neighborhood Meeting on July 8<sup>th</sup>; nine neighbors attended and no objections to the subdivision were received. The PC recommended conditional approval of this request. He explained the Site Location Map which showed the property is located in the Redlands at the intersection of Little Park Road and Rosevale Road and is adjacent to the southern boundary of the Persigo 201 sewer boundary. He noted the property has varying elevation contours. In September 2008 the applicant requested Council grant annexation of the property with a designated zoning district of R-1. In February 2010 the applicant received approval for the Preliminary Plan from the PC to develop eight single-family detached lots. Due to the local economy at the time the subdivision never developed and the project expired. The applicant is now requesting approval of the ODP to develop eight single-family detached lots as a Planned Development zone district in order to protect and preserve the existing natural features of the area. The CP Future Land Use Map identifies the area as residential low which is .5 - 2 du/ac. Current zoning for the property is R-1, Residential 1 - du/ac. This request includes approval of an ODP, rezoned to PD with a default zone of R-2 (Residential - 2 du/ac) due to the applicants proposed minimum lot size of 0.51 acres (22,215 sq. ft.) for four of the eight lots, which is the closest lot size to the R-2 zone district. The proposed density

will be approximately 0.66 dwelling units per acre. Access will be from Little Park Road and Lots 1, 2 and 8 will access Little Park Road by driveways. A cul-de-sac (Park Mesa Court) has been proposed to give access to Lots 3 - 7, these lots are in the center. The cul-de-sac was approved under the Alternative Street Section of the TEDS Manual with a proposed sidewalk only on the east side of the street since this is a semi-rural area and sidewalks are not needed on both sides of the street. A shared driveway will provide access to Lots 4, 5, and 6 in proposed Tract B.

Presently no sanitary sewer service is available to the property although the southern lot line property is adjacent to the Persigo 201 Boundary; existing sewer lines/mains are over 2,000 feet from the property on Rosevale Road. In June 2015, the applicant received a waiver from the Joint Persigo Board (County Commissioners and City Council) to allow the homes to be served by septic systems until connection to the Persigo system is more feasible; the Board did require the developer to install dry sewer lines in anticipation of future connection which he will do. A Power of Attorney document will also be filed with the subdivision that commits each property owner to connect to sewer when it becomes available and join a local improvement district. The minimum lot size to have a septic system is 0.50 acres in accordance with the Mesa County Health Department (MCHD). Mr. Peterson said the subdivision is 12.1 acres and has varying contours and hillsides from 0 – 10% to over 30% slopes. No building envelopes are proposed within the 30% slope areas. City Engineering and the Colorado Geological Survey reviewed the Geotechnical Report for the area and recommended lot specific engineered building foundations and septic system designs. The applicant proposed over four acres of open space which would be dedicated to and maintained by the Homeowners Association to preserve natural features, topography, and rock outcroppings; proposed Tracts A and B would also include the dedication of a 20' wide public pedestrian easement which will connect to City owned property to the southwest in the future. The applicant also requested two deviations not be required: the landscape buffer and maximum setback of 150'. The City Project Manager and Fire Department were supportive of the setback deviation since the applicant proposed a fire hydrant within 250' of all properties and all-weather driving surfaces for the driveways. Mr. Peterson listed the long-term community benefits and said the PC found the ODP consistent with the goals and policies of the CP, specifically Goal 5, and the review criteria of the Zoning and Development Code have all been met and addressed. The request is contingent upon finalization and approval of all outstanding items associated with the Final Plan.

Mr. Peterson said the applicant was present for any additional questions.

Councilmember McArthur asked what would be required to have sewer for this project. Mr. Peterson said the sewer line is currently 2,000 feet away and the applicant proposed installing dry line sewer lines in order to connect to the main line when it is closer.

Councilmember McArthur then asked if the soil had been tested for septic system suitability. Mr. Peterson said the MCHD and the Geotechnical Report recommended septic systems for the area.

Dr. Scissors, the applicant, said he was working with Dean Goble of WestWater Engineering; Mr. Goble, formally an engineer for Mesa County, originally approved septic systems for the subdivision. Dr. Scissors asked Mr. Goble to start from scratch and resurvey the area for septic system suitability; the area was still found to be suitable.

Councilmember McArthur asked when the default zoning of R-2 would come into play. Mr. Peterson explained the PD requires a default zone and the R-2 zone had the closest lot size and density to those proposed for this subdivision.

Councilmember Boeschstein asked if the septic systems will be engineered or perk. Dr. Scissors said they were perk tested and this was found to be favorable, however each parcel will be tested. Councilmember Boeschstein asked if the sidewalk would be on the east side. Mr. Peterson said it would be on either the north or east side, but it would just be on one side; this is part of the TEDS exception which the City granted.

Councilmember Boeschstein asked what City property this project is adjacent to. Mr. Peterson showed a map of the 40 acre parcel owned by the City, located behind the Lunch Loop Trail, and where it connected to this project.

Dr. Scissors then explained which trails were close to his property and how they connected to the official trail system.

Councilmember Kennedy commended Dr. Scissors on the project design and how he appreciated it being kept in a natural state. He also said this was the best presentation by Staff; it answered all of his questions early.

Councilmember Taggart also commended Dr. Scissors and mentioned how steep one section of Little Park Road is. Dr. Scissors said he felt the properties best selling point is that it is located before the road gets very steep.

Councilmember McArthur felt the use of native vegetation was necessary in order to maintain the style of landscaping. Dr. Scissors said he appreciated the flexibility to use natural vegetation and complimented Mr. Peterson for his work on the project.

Council President Norris told Dr. Scissors he had done a great job on this project.

There were no public comments. The public hearing was closed at 8:55 p.m.

Ordinance No. 4681 – An Ordinance Approving the Outline Development Plan as a Planned Development with a Default R-2 (Residential - 2 du/ac) Zone District for the

Development of 8 Single-Family Detached Dwelling Units to be Known as Park Mesa Subdivision, Located at 323 Little Park Road

Councilmember Kennedy moved to adopt Ordinance No. 4681 on final passage and ordered final publication of the Ordinance in pamphlet form. Councilmember Boeschstein seconded the motion. Motion carried by roll call vote.

**Non-Scheduled Citizens & Visitors**

There were none.

**Other Business**

There was none.

**Adjournment**

The meeting adjourned at 9:02 p.m.

Juanita Peterson, MMC  
Deputy City Clerk