

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

**July 2, 2008**

The City Council of the City of Grand Junction convened into regular session on the 2<sup>nd</sup> day of July 2008 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Jim Doody, Doug Thomason, Linda Romer Todd, and Council President Gregg Palmer. Absent was Councilmember Bruce Hill. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Palmer called the meeting to order. Councilmember Beckstein led in the Pledge of Allegiance.

**Certificate of Appointment**

Downtown Development Authority/Downtown Grand Junction Business Improvement District

Bill Wagner was present to receive his certificate of reappointment.

**Citizen Comments**

David Berry, 530 Hall Avenue, addressed City Council about the South Downtown Plan. He presented some reflections on the south downtown area. He is concerned with 3<sup>rd</sup> Avenue. He described the history of the south downtown area and the need for those uses, both past and present. He was concerned with the retention of property rights.

Emzy Veazy III, P.O. Box 2381, Aspen, addressed the City Council on safety and innovation. He returned to Colorado from California and has been observing traffic in the City. He felt a resolution to the poor driving habits of some citizens would be to identify problem areas and have them addressed. He also suggested ways in which to stabilize the economy. He suggested a study of the way they do things in Australia. Mr. Veazy said the City Council should not be afraid to accept foreign capital. Lastly, he said the City employees should be encouraged to bring back ideas from places they visit on vacation.

**CONSENT CALENDAR**

Councilmember Coons read the items on the Consent Calendar, and then moved to approve the Consent Calendar. It was seconded by Councilmember Beckstein, and carried by roll call vote to approve Consent Items #1 through 3.

1. **Contract to Purchase Property at 723 and 727 Ute Avenue**

City staff has negotiated with the owner of 723 Ute Avenue and 727 Ute Avenue for purchase of the property. The negotiations have been successful and a purchase contract for \$359,900.00 has been signed by both parties.

Resolution No. 95-08—A Resolution Ratifying the Contract to Purchase Real Property Located at 723 Ute Avenue and 727 Ute Avenue, Grand Junction

*Action: Adopt Resolution No. 95-08*

2. **Contract to Purchase Property at 717 Ute Avenue**

City Staff has negotiated with the owner of 717 Ute Avenue for purchase of the property. The negotiations have been successful and a purchase contract for \$134,900.00 has been signed by both parties.

Resolution No. 96-08—A Resolution Ratifying the Contract to Purchase Real Property Located at 717 Ute Avenue, Grand Junction

*Action: Adopt Resolution No. 96-08*

3. **Setting a Hearing Accepting Improvements and Assessments Connected with Galley Lane Sanitary Sewer Improvement District No. SS-49-07**

The City has completed the installation of sanitary sewer facilities as requested by a majority of the property owners located in the area of Galley Lane and Young Street. The proposed Resolution is the required first step in the formal process of levying assessments against properties located in the improvement district. A public hearing and second reading of the proposed assessing ordinance will be scheduled for the August 6, 2008 Council meeting.

Resolution No. 97-08—A Resolution Approving and Accepting the Improvements Connected with Galley Lane Sanitary Sewer Improvement District No. SS-49-07 and Giving Notice of a Public Hearing

Proposed Ordinance Approving the Assessable Cost of the Improvements Made in and for Galley Lane Sanitary Sewer Improvement District No. SS-49-07 in the City of Grand Junction, Colorado, Pursuant to Ordinance No. 178, Adopted and Approved the 11<sup>th</sup> Day of June, 1910, as Amended; Approving the Apportionment of said Cost to Each Lot or Tract of Land or Other Real Estate in Said Districts; Assessing the Share of Said Cost Against Each Lot or Tract of Land or Other Real

Estate in Said Districts; Approving the Apportionment of Said Cost and Prescribing the Manner for the Collection and Payment of Said Assessment

*Action: Adopt Resolution No. 97-08, Introduction of Proposed Ordinance and Set a Hearing for August 6, 2008*

### **ITEMS NEEDING INDIVIDUAL CONSIDERATION**

#### **Public Hearing—Proposed Amendments to the Zoning and Development Code** [File #TAC-2008-151]

The City of Grand Junction proposes to amend the Zoning and Development Code to consider amendments to update or clarify certain provisions of the Code related to mailing notices, the calculation of density bonuses and establishing multi-family residential as an allowed use in C-2 zone district.

The public hearing was opened at 7:16 p.m.

Lisa Cox, Planning Manager, reviewed this item. The request is to amend the zoning and Development Code concerning the way in which notices are mailed. The difference will allow standard U.S. Mail instead of First Class mail. The delivery for local mail is virtually the same. The next section to be amended is to address uses in the C-1 Zone District. The text assumes residential uses in C-1, yet the allowance requires a Conditional Use Permit (CUP), and a public hearing process. The Code said the Administrator ensures compliance and compatibility with the Code which conflicts with the CUP requirement. The change is to make residential an allowed use in the Use Zone Matrix.

Council President Palmer asked for additional clarification on the delivery times between the two mail classes. Ms. Cox explained the delivery difference would be minimal and the change will not preclude the use of First Class mail.

There were no public comments.

The public hearing was closed at 7:20 p.m.

**Ordinance No. 4259—An Ordinance Amending Various Sections in Chapter 2 and 3 of the Zoning and Development Code to Update or Clarify Certain Provisions**

Councilmember Todd moved to adopt Ordinance No. 4259 and ordered it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

**Public Hearing—Proposed Amendments to Chapters 4 and 9 of the Zoning and Development Code** [File #TAC-2008-153]

The City of Grand Junction proposes to amend Chapters 4 and 9 of the Zoning and Development Code to restrict the location of off-premises (billboard) signs on or near the centerline of the Riverside Parkway.

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

Lisa Cox, Planning Manager, reviewed this item. She explained the Code changes which affect off-premises signs along the Riverside Parkway corridor. She reviewed the history as being a Resolution that disallowed any signage along the Parkway. The Parkway has been under construction since then. A study has taken place and has determined to retain the prohibition of additional signs. There are currently 15 existing signs in that corridor. If the amendment is adopted, the existing signs would be allowed to remain as long as they comply with the rest of the Code. Staff and Planning Commission both have recommended approval of the Code Amendments.

Councilmember Coons asked Ms. Cox to confirm that these signs are not signs for businesses on their property. Ms. Cox confirmed, an off-premise sign advertises a business that is located elsewhere.

Councilmember Todd asked about the change being presented at this meeting. City Attorney Shaver explained it is a clarification to allow the existing signs that are compliant to remain. Those out of compliance, but existing, can be corrected as long as it is within three years.

Council President Palmer inquired about the 15 signs. City Attorney Shaver said they are within the 600 foot corridor, not necessarily along the Parkway. No new signs may be erected but if signs are non-conforming or become non-conforming, they can only remain if they are brought into compliance within three years.

Council President Palmer voiced his concern that there be a point at which even legal non-conforming must become conforming.

Councilmember Todd added the need for protection of the property rights and that owners look to a long term investment for this type of business.

Council President Palmer did not disagree but also said after that long term return has been achieved and a new sign is to be installed as a replacement, that may well be the time when the sign should go away.

Councilmember Todd noted there is also an investment in the location. Who is to say how long that business should be in business?

Councilmember Coons voiced that this discussion should be reserved for a discussion regarding the Sign Code.

City Attorney Shaver noted that the signs for the most part are along Highway 6 & 50 and with the Riverside Parkway running so close to Highway 6 & 50 are within the 600 foot corridor. The purpose of this ordinance is to prevent any new signs being erected relative to the Riverside Parkway.

There were no public comments.

The public hearing was closed at 7:37 p.m.

Ordinance No. 4260—An Ordinance Amending the Zoning and Development Code Regarding Off-Premise Signs on or Near the Centerline of the Riverside Parkway

Councilmember Coons moved to adopt Ordinance No. 4260 and ordered it published. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

**Public Hearing—Vacating Portions of Right-of-Way for Teller Court, Located West of 30 Road at the 29 <sup>3</sup>/<sub>4</sub> Road Alignment** [File #PFP-2007-349]

Cal Frac Well Services Corp., property owners of 489 Teller Court and the proposed 31 acre, four lots, Calfrac Subdivision is requesting approval to vacate portions of the right-of-way of Teller Court located west of 30 Road at the 29 <sup>3</sup>/<sub>4</sub> Road alignment.

The public hearing was opened at 7:38 p.m.

Lisa Cox, Planning Manager, reviewed this item. The vacation request is for a portion of Teller Court right-of-way. She requested that the Staff Report and the attachments be entered into the record. The Planning Commission and Staff both recommend approval.

A representative for the applicant was present and stated he agrees with Staff.

There were no public comments.

The public hearing was closed at 7:39 p.m.

Ordinance No. 4261—An Ordinance Vacating Right-of-Way for Teller Court Located at the Cul-de-Sac West of 30 Road at the 29 <sup>3</sup>/<sub>4</sub> Road Alignment  
Councilmember Thomason moved to adopt Ordinance No. 4261 and ordered it published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

**Non-Scheduled Citizens & Visitors**

There were none.

**Other Business**

Councilmember Doody wished everyone a wonderful and safe Fourth of July week-end.

Council President Palmer announced the fireworks show on Friday as well as the parade.

**Adjournment**

The meeting was adjourned at 7:43 p.m.

Stephanie Tuin, MMC  
City Clerk