

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

**June 3, 2015**

The City Council of the City of Grand Junction convened into regular session on the 3<sup>rd</sup> day of June, 2015 at 7:00 p.m. Those present were Councilmembers Bennett Boeschstein, Martin Chazen, Chris Kennedy, Duncan McArthur, Rick Taggart, Barbara Traylor Smith, and Council President Phyllis Norris. Also present were City Manager Rich Englehart, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Norris called the meeting to order. The audience stood for the Pledge of Allegiance led by Katie Rizzo who rode with the bike group in attendance, followed by a moment of silence.

**Proclamation**

**Bike Month and Bike to Work Day**

Liz Collins and Julie Sabin, Co-chairs of the Urban Trails Committee, were present to receive the proclamation. Councilmember Boeschstein invited the group that rode their bikes to the meeting to come up and he then read the Proclamation. Ms. Collins said she is Co-chair of the Urban Trails Committee and thanked the City Council for their support.

**Certificates of Appointment**

**To the Commission on Arts and Culture**

Jennifer Hancock and Gary Ambrosier were present to receive their certificates of appointment presented by Councilmember Chazen. Ms. Hancock thanked the City Council and said she was very excited about being reappointed. Mr. Ambrosier was grateful for his appointment and lauded the arts program in Grand Junction.

**To the Grand Junction Regional Airport Authority**

David Murray was present to receive his certificate of reappointment. Councilmember McArthur presented his certificate. Mr. Murray thanked the City Council for reappointing him.

**To the Grand Junction Housing Authority**

Jerry Schafer was present to receive his certificate of appointment. Councilmember Traylor Smith presented his certificate. Mr. Schafer thanked the City Council for the opportunity and said he looks forward to serving.

**Citizens Comments**

Cindie Downs, 645 ½ Broken Spoke Road, spoke to the City Council regarding her concerns that Grand Junction ranks as one of the lowest areas in the state for economic growth; a lot of people are hurting. What brought her concerns to the forefront was noticing Grand Junction was barely mentioned in The Denver Post Summer Getaways magazine. She hopes commercial development grows, that airport issues are resolved, and internet access improves so job opportunities increase.

**Council Comments**

Councilmember Taggart attended the Municipalities Dinner, the Alpine Bank Junior College World Series (JUCO) Banquet, and the Horizon Drive Association Business Improvement District (HDABID) lunch workshop; the workshop gave him and other councilmembers information on what will be needed for upcoming HDABID improvements. As the Council representative on the Grand Junction Regional Airport Authority Board, he spent a day with Grand Junction Regional Airport Staff and learned a great deal from them. On June 2<sup>nd</sup> he attended a meeting of executives in the outdoor recreation industry that was assembled by the Grand Junction Economic Partnership (GJEP) and Powderhorn Mountain Resort. They discussed how the outdoor industry, both in manufacturing and tourism, can play a bigger role in the area of economic development; this new group will meet monthly.

Councilmember Traylor Smith said through the Rotary Club of Grand Junction she hosted a JUCO team; it was a great event and, despite the weather, all the games were played. She attended the GJEP meeting on June 2<sup>nd</sup> which focused on the Jumpstart Colorado bill (Colorado Senate Bill 282) and what type of companies and industries the area could attract as well as what local connections are in place to contact them.

Councilmember Kennedy said from May 27<sup>th</sup> through the 29<sup>th</sup> he met with individuals concerned with issues similar to those brought forward by Ms. Downs; the state of local internet/broadband connections are a big part of these concerns. He plans to attend the Mountain Connect Broadband Development Conference, June 7<sup>th</sup> through the 9<sup>th</sup>. He noted Councilmember McArthur recently attended a similar meeting in Denver; they will compare notes as it is a priority to create a level playing field.

Councilmember Chazen said on May 25<sup>th</sup> he was honored to deliver an address and participate in the commemorative ceremony of the Fleet Reserve Association; this is an association of retired Navy, Marine, and Coast Guard veterans who are dedicated to the memory of the men and women who lost their lives in service to our Country. He attended the Associated Governments of Northwest Colorado meeting that was held in Rangely; Natural Soda, a soda mining company based in Garfield County, and Senator Cory Gardner's Office made presentations. Senator Gardner will be introducing a bill regarding the Greater Sage Grouse soon. Councilmember Chazen said the DDA (Downtown Development Authority) has approved funds for the demolition of White Hall and the purchase of the R-5 High School building, and they have narrowed the search for the DDA Director position to ten applicants.

Councilmember Boeschstein attended the May 27<sup>th</sup> Commission on Arts and Culture meeting. He noted the success of the "Grand Junction Off-Road presented by U.S. Bank and Downtown Art + Music Festival" held on May 29<sup>th</sup> and 30<sup>th</sup>; it was well attended and handled very well which was good for business. He also went to the Historic Preservation Board meeting and the Business Incubator Center's Enterprise Zone meeting; the Enterprise Zone is working hard to improve the City's economy by creating new industries.

Councilmember McArthur announced that the Shriner's Hospital will be hosting a free health screening for children, birth to 18 years, at Community Hospital on June 6<sup>th</sup>. He attended a Memorial Day event hosted by the Grand Junction Area Realtors Association where volunteers, in groups of 50, displayed American flags and signs throughout the City; later they came together for a ceremony in front of the Courthouse where he had the opportunity to make an address on behalf of the City. He thanked the realtors for hosting this event and helping area residents learn more about the meaning of Memorial Day and how it impacts so many area residents. On May 30<sup>th</sup> he attended the Caprock Academy graduation; they are very impressive young folks. On June 3<sup>rd</sup> the Western Colorado Contractors Association presented checks to Special Olympics and Colorado Discoverability; they raised over \$15,000 through The Gauntlet event. He noted with this donation to Colorado Discoverability, they reached the level of donations needed to apply for a grant that will help them build their new facility at Las Colonias Park.

Council President Norris said this Council does a lot of things; each member is assigned to different commissions and groups. One event she attended was the Memorial Day Ceremony at the Veterans Memorial Cemetery of Western Colorado; she was touched by the large group that came out to honor those who died in the service of our Country.

## **Consent Agenda**

Councilmember McArthur read Consent Calendar items #1 through #4 and then moved to adopt the Consent Calendar with the minutes of the Special Session as amended. Councilmember Traylor Smith seconded the motion. The motion carried by roll call vote.

### 1. **Minutes of Previous Meetings**

*Action: Approve the Summary of the May 4, 2015 Workshop, the Minutes of the May 20, 2015 Regular Meeting, and the Minutes of the May 26, 2015 Special Session*

### 2. **Setting a Hearing on Amending the 24 Road Corridor Design Standards Changing the Maximum Letter Height for Building (Wall Mounted) Signs, Section 25.28 Signs**

This is an amendment to the Development Regulations found in Title 25, 24 Road Corridor Design Standards, changing the maximum letter height for building (wall mounted) signs by eliminating the current 12 inch height limits of letters for all building (wall mounted) signs within the 24 Road Corridor subarea. This effectively allows for any size lettering that also conforms to the general Sign Code allowances as found in the Zoning and Development Code and no longer restricts such signage to 12 inch letters.

Proposed Ordinance Amending Section 25.28 of the 24 Road Corridor Design Standards and Guidelines (Title 25 of the Grand Junction Municipal Code) Regarding Maximum Lettering Size for Building Signs

*Action: Introduce a Proposed Ordinance and Set a Hearing for June 17, 2015*

### 3. **Revocable Permit for Access to City-Owned Property for Baker's Boutique, Located at 726 24 Road**

Baker's Boutique is requesting a Revocable Permit for access to city-owned property (Canyon View Park) for public ingress/egress to and from the business and to allow for the use of Canyon View Park traffic aisle for truck deliveries.

Resolution No. 29-15 – A Resolution Concerning the Issuance of a Revocable Permit to Baker's Boutique, Located at 726 24 Road

*Action: Adopt Resolution No. 29-15*

#### 4. **North Avenue Complete Streets Phase II - TIGER VII Grant Application**

In July of 2012, the City was awarded a Federal Transportation, Community, and System Preservation Program (TCSP) Grant in the amount of \$1,190,099 for the North Avenue (US Highway 6) Complete Streets Project which will construct a ¾ mile segment from 12<sup>th</sup> Street to 23<sup>rd</sup> Street later this Fall. This federal TIGER VII grant request for \$10 million would fund a second phase that proposes to transform the balance of the four mile thoroughfare by constructing ADA compliant active (bike/ pedestrian) transportation alternatives to the disadvantaged corridor and provide for future expansion of technological upgrades.

Resolution No. 30-15 – A Resolution Authorizing the City Manager to Apply for a Federal Transportation Infrastructure Generating Economic Recovery (TIGER) VII Grant for Construction Work on the North Avenue (US Highway 6) Complete Streets Project Phase II

*Action: Adopt Resolution No. 30-15*

### **ITEMS FOR INDIVIDUAL CONSIDERATION**

#### **Public Hearing – Vistas at Tiara Rado, Phase 2, Outline Development Plan, Located at 2063 South Broadway**

The applicant, Hatch Investments, LLC, requests approval of an Outline Development Plan (ODP) for Vistas at Tiara Rado, Phase 2 as a Planned Development (PD) zone district with a default zone of R-O (Residential Office) to develop 14 single-family detached and attached dwelling units on 3.16 +/- acres.

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

Scott D. Peterson, Senior Planner, presented this item. He described the site, the location, and the request. The applicant held a neighborhood meeting in January; there were 14 in attendance. Positive feedback was received although some concerns were expressed regarding possible loss of views and building heights; the attendees were more comfortable with the request after being able to speak with the applicant. Mr. Peterson said the Planning Commission (PC) recommended approval at their May 12<sup>th</sup> meeting. He explained the previous use of the property, the surrounding property uses, and the surrounding zoning and land use designations. The development will be a mixture of attached and detached single family units. The Comprehensive Plan Future Land Use Map designation is Commercial and current zoning for the property is B-1. In the applicant's request, it is proposed not to have commercial or office use and there will be no street parking allowed on either side of the private drive entrance into the property. The phased schedule was provided to Council. The proposal meets a number of long

term community benefits which Mr. Peterson detailed. Staff finds the ODP request meets the goals and policies of the Comprehensive Plan (CP) and the review criteria of the Zoning and Development Code. He listed the Findings of Fact and Conclusions. The applicant's representative was present and wanted to introduce himself.

Councilmember McArthur asked if Phase I has been built. Mr. Peterson said no, Phase I will be the first group of homes built in this Phase II development.

Councilmember Boeschstein wanted to clarify that the Fire Department had approved a private street to be stubbed with no cul-de-sac. Mr. Peterson said the Fire Department did approve this request and explained this is considered a private driveway with a hammerhead turnaround; parking will not be allowed along this section. Councilmember Boeschstein asked how it will be enforced. Mr. Peterson said the Homeowners Association would be responsible. Councilmember Boeschstein asked what kind of open space the development would have. Mr. Peterson said it will have landscaping and a detention pond.

Councilmember Kennedy asked for the aerial picture to be shown and asked what the property was zoned prior to the B-1 designation. Mr. Peterson said when the property was annexed into the City it was zoned Commercial (neighborhood business). Councilmember Kennedy asked how tall the structures of the new development would be since the neighbors expressed concerns regarding their views. Mr. Peterson said this property sits higher than surrounding areas; the neighbors were concerned the development would be along the east property line, but with the detention pond, the structures will be 50 to 70 feet back from that line. Councilmember Kennedy asked if the developer will address the concerns regarding weed abatement and landscaping. Mr. Peterson said the developer plans to remove the weeds and install the landscaping during Phase 1.

Councilmember Taggart said he appreciated the fact the developer is planning to put in a sidewalk along this development tract, and then asked if the sidewalk can be extended to go into Tiara Rado Golf Course; this stretch of South Broadway is dangerous. Mr. Peterson showed the area on the screen and explained who is responsible for the sidewalk along the different sections of South Broadway; the City recently acquired the property that Councilmember Taggart referred to. Mr. Peterson said a left turn lane will be developed along the City's property through the Transportation Capacity Payment program and the City could install that section of sidewalk then, but there is no timetable. He noted the lack of a sidewalk had been mentioned by many of the area residents.

Councilmember McArthur asked if the property owned by the City is maintained by the City and if it is part of Tiara Rado Golf Course.

City Attorney Shaver said this property has just been purchased and he is now in the process of bringing forward an annexation petition; questions like Councilmember McArthur's have not yet been addressed.

Councilmember Boeschstein saw what looked like a trail to the Tiara Rado Clubhouse and asked if it would be possible to connect a pedestrian path to that trail allowing pedestrian access to the Clubhouse. Mr. Peterson said the path Councilmember Boeschstein referred to is the golf cart path to hole #10 and is restricted to golf cart use during the golf course's operating hours. Councilmember Boeschstein clarified that the City owns the property the path is on and asked why pedestrians wouldn't be able to use it. Mr. Peterson said, although it is City owned, for the safety of pedestrians, the policy says the path is only to be used by golfers during the day within the golf course.

Les Crawford, project engineer, 191 University Blvd., Denver, CO 81206, who has been involved in this project since 2010 was available to answer questions. He referred to the screen and pointed out a blue lined section that is an 80 foot right-of-way; opposite that section, South Broadway will eventually be realigned and widened so it has more sight distance and the golf cart path will be brought to the driveway rather than at a more dangerous spot. He noted there are plans to build a left turn lane, but the cart path from the golf course to the driving range should remain.

Council President Norris asked if South Broadway is a City or County road and who will be responsible to construct the left turn lane. Mr. Peterson said the County owns it now, but eventually it will be part of the City and the turn lane will be the City's responsibility.

There were no public comments.

The public hearing was closed at 7:52 p.m.

Councilmember McArthur complimented the applicant and said that the homes he previously built are an attractive development.

Ordinance No. 4663 – An Ordinance Approving the Outline Development Plan as a Planned Development with a Default R-O (Residential Office) Zone District for the Development of 14 Dwelling Units to be Known as Vistas at Tiara Rado, Phase 2, Located at 2063 South Broadway

Councilmember Chazen moved to adopt Ordinance No. 4663 on final passage and ordered final publication in pamphlet form. Councilmember McArthur seconded the motion. Motion carried by roll call vote.

### **Public Hearing – Rezoning Property Located at 1020 Grand Avenue**

A request to rezone the property at 1020 Grand Avenue from an R-8 (Residential 8 du/ac) to an R-O (Residential Office) zone district.

The public hearing was opened at 7:53 p.m.

Brian Rusche, Senior Planner, presented this item. He described the site, the location, and the request. The property consists of two structures; the current tenant is a funeral home which necessitates a rezone to R-O. He described the surrounding uses noting some of the surrounding properties have already been rezoned R-O. The 2010 CP designated the property as Residential Medium which includes an option to request R-O zoning. Performance standards within this zone are intended to make buildings compatible and complementary in scale and appearance to a residential environment. Mr. Rusche said the rezone request is consistent with the CP and Economic Development Plan, and meets the criteria of the Zoning and Development Code; the request was recommended for approval by the PC.

Councilmember Kennedy said all of his questions were answered in the attachments.

Councilmember Traylor Smith asked if the tenants would like to change what they are doing or is this request in anticipation of possible changes. Mr. Rusche said he understands this request is in anticipation of changes since the tenant has not submitted an application requesting a change; the owner of the property was present and could answer questions.

Ted Ciavonne, Ciavonne, Roberts, & Associates, Inc., representing the applicant who is also the property owner, said he thought this property was grandfathered in for non-conforming use. Mr. Rusche said the tenant is only allowed to use the facility for memorial services which is consistent with the building's previous use as a church. The character of the business is the reason for the rezone request, regardless of the tenant's intent. Mr. Ciavonne said his office used to be in that area he has seen businesses increase the vitality of the area while preserving the neighborhood's character; these businesses make good neighbors as they are predominantly used from 8 a.m. to 5 p.m.

Councilmember Chazen asked if this is being used as a funeral home now. Mr. Rusche said some elements, such as pre-funeral preparations, are being conducted off-site since the current zoning prohibits them. If the R-O zone is approved, those elements could be added with administrative approval. Councilmember Chazen clarified that if the tenant wanted to have a full service funeral at that location, they would have to apply for administrative approval; he then asked if community input would be a part of that approval process. Mr. Rusche said the request would only be an administrative review; no formal hearing would be required, but area residents would be notified.

Mr. Ciavonne said a neighborhood meeting was held and the details of the business were discussed; the neighbors understood what the full service business would entail.

There were no public comments.

The public hearing was closed at 8:01 p.m.



Ordinance No. 4664 – An Ordinance Rezoning Property from R-8 (Residential 8 du/ac) to R-O (Residential Office), Located at 1020 Grand Avenue

Councilmember Traylor Smith moved to adopt Ordinance No. 4664 on final passage and ordered final publication in pamphlet form. Councilmember McArthur seconded the motion. Motion carried by roll call vote.

### **Public Hearing – Amending the Zoning and Development Code Regarding Industrial Loading Dock Standards**

This is a proposed amendment to the Performance Standards for Industrial Districts found in the Grand Junction Municipal Code (GJMC), Section 21.03.080. The proposed amendment would remove a restriction on the location of loading docks in the Industrial Districts and remove another redundant provision.

The public hearing was opened at 8:02 p.m.

Brian Rusche, Senior Planner, presented this item. He described the request was to amend the Zoning and Development Code regarding the location of loading docks. Restrictions in the various neighborhood plans would not be pre-empted.

Councilmember Taggart said he is uncomfortable with this request. The FedEx example included in the Staff report did a good job at showing how they addressed the issue of front facing loading docks with the landscaping. If this is approved, he is worried that an owner who may have plenty of room to put loading docks in the back of a building would still put them in the front; he would prefer requests to deviate from placing loading docks in back be addressed on case-by-case basis. He commented that loading docks are the ugliest part of a building.

Councilmember Kennedy asked if this is approved and plans were presented to put the docks in the front of the building because it is cheaper, would this be reviewed as part of the administrative process. Mr. Rusche said as part of the administrative review, it is incumbent upon the City to make good planning decisions and suggest options that would benefit both the City and the owner. Regarding landscaping, those provisions would remain as many of the older buildings do not have enough room in the back and the transportation engineer standards would not allow this type of access. Mr. Rusche said there are also other mechanisms in place to guide development that take into account both safety and aesthetic concerns. Councilmember Kennedy asked Mr. Rusche, as a Senior Planner, if he felt the language is unnecessary and if it wouldn't be needed during the design phase. Mr. Rusche said if the language is stricken, the City couldn't require businesses to move the docks to the back. He then noted there had been instances where the City required the docks be located on the back or side of a building and there were negative unintended consequences. Mr. Rusche said there are a number of ways

planners and developers can work together toward good design, but Council could also rewrite the Code in ways they think are more appropriate. During the workshop sessions, this point was addressed and the consensus was to allow planners and developers the flexibility to evaluate each situation individually and not be constricted by too much language in the Code.

Councilmember Kennedy said with that explanation, he is comfortable with the change.

Councilmember Chazen noted this proposal came before the PC on May 12<sup>th</sup> and asked if the PC had the opportunity to discuss this at both a workshop and at a meeting. Mr. Rusche said there was a formal hearing on May 12<sup>th</sup> and prior to that, it was discussed at two workshops. At the earlier workshop, the consensus was to strike the section rather than define a loading dock, distinguishing it from a bay door, and providing specific exceptions. There are still restrictions in Neighborhood Plans and Commercial zones.

Councilmember Chazen clarified that the PC had three different opportunities to vet this issue and then asked if this was a unanimous recommendation. Mr. Rusche said yes.

There were no public comments.

The public hearing was closed at 8:15 p.m.

City Attorney Shaver said Council could request to have the City Manager and Staff bring this issue back with a sunset provision or an affirmative review; in light of the questions asked, it may be an issue Council would like to review further as it would be consistent with the efforts to streamline the Code and periodically assess changes. A review period could also be established as part of the approval.

Councilmember Chazen asked what a standard review period was. City Attorney Shaver said it varies; he suggested two years for this type of issue.

Councilmember McArthur commented this Council has made Economic Development a priority and part of that is making the Development Code more flexible. He commended Staff for bringing this issue forward.

Council President Norris thanked the PC and said they have been working hard reviewing and updating the Zoning and Development Codes.

Councilmember Boeschstein said there are enough safeguards with landscaping and other requirements; he will support the request.

Ordinance No. 4665 – An Ordinance Amending Section 21.03.080, Industrial Districts (Title 21 of the Grand Junction Municipal Code), Regarding Location of Loading Docks

Councilmember Boeschstein moved to adopt Ordinance No. 4665 on final passage and ordered final publication in pamphlet form. Councilmember Kennedy seconded the motion. Motion carried by roll call vote with Councilmember Taggart voting NO.

**Application for US Department of Justice Annual Justice Assistance Grant for Technology Enhancements for Information Sharing**

The Grand Junction Police Department has been solicited by the Bureau of Justice Assistance (BJA) Program of the US Department of Justice to apply for an annual grant for 2015 in the amount of \$25,557. If awarded, these funds will be used toward the purchase of software and hardware that will provide a platform to access data from several information systems involved in operations.

As part of the application process, the Bureau of Justice Assistance requires that City Council review and authorize receipt of the grant, and provide an opportunity for public comment. Therefore, a public comment opportunity is requested for the purpose of satisfying this requirement.

John Camper, Police Chief, presented the reason for the request and described the purpose. The grant will only cover about half of the funds needed so they will seek funding through other grants or in the upcoming budget process. He introduced Investigations Sergeant Bill Baker who has researched the proposed product and was available for questions.

Councilmember Traylor Smith asked if additional funding sources have been identified and if the City is prepared for the ongoing subscription costs. Chief Camper said they are currently looking for other grant sources to cover the other half of the initial cost; for the annual maintenance cost, they would charge that amount back through Information Technology's (IT) Interfund Service Charge. Councilmember Traylor Smith asked if there are any cost savings from using this type of software. Chief Camper deferred to Sergeant Baker.

Sergeant Baker said there will be some cost savings as it will reduce the need for other software, their maintenance fees, and vendors; it will also streamline their systems. Also, this one product has multiple functions along with the capacity to grow, so as future needs arise, they will be able to be addressed by this system.

Councilmember Traylor Smith asked if this system will help with the 911 texting issue. Sergeant Baker said it would not.

Councilmember Kennedy said information sharing can be dangerous; he then asked what type of information sharing would be used relative to privacy. Sergeant Baker said a Novell product is currently being used; the Teaming Site is an information sharing platform, but it was not designed for this type of use and has reached its limitations

leading to the review of options and platforms. The proposed product is totally scalable regarding the type, amount, and with whom the information is shared. For example, sensitive information is handled on a daily basis and controls are needed regarding its access; each component can have its own level of access.

Councilmember Kennedy asked who the gatekeepers will be and what security measures will be in place to maintain privacy. Sergeant Baker said the Police Department has its own IT team at the Command Level; they will be in charge of placing and maintaining the access levels.

Councilmember Chazen asked, if the City is successful in obtaining these funds, will they cover the purchase price. Chief Camper said this grant will only cover about one half of the purchase price and they are looking at other options for the remaining amount such as: waiting until 2016 to apply for another BJA grant, budgeting the additional amount, or seeking other grant opportunities. Councilmember Chazen asked, since this would be shared among other local agencies, will there be a cost sharing agreement. Chief Camper said cost sharing may be a possibility in the future, but procuring the equipment, establishing the maintenance costs, and assessing if the product will be used strictly in house or offered to other local agencies need to be determined first.

Council President Norris asked if this is purchased and offered to other agencies, would these agencies need to purchase additional equipment in order to use it. Sergeant Baker said with this system, the City would have the ability to share information and others to receive it; if the other agencies then want to share information, they would need to buy their own equipment.

Councilmember Kennedy asked if this is purchased, would any cost savings be realized with the replacement. Sergeant Baker said yes, this all-in-one system will replace several different systems currently in place along with their maintenance costs. As the system grows, it may cost more.

As required, Council President Norris asked if there were any public comments. There were no public comments.

Councilmember Chazen moved to authorize the City Manager to apply for these funds, and if awarded, to manage \$25,557. Councilmember Kennedy seconded the motion. Motion carried by roll call vote.

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

There were none.

**Other Business**

There was none.

**Adjournment**

The meeting was adjourned at 8:35 p.m.

Stephanie Tuin, MMC  
City Clerk