

CITY OF BRUSH!

MINUTES OF THE AUGUST 31, 2015

JOINT CITY COUNCIL AND PLANNING COMMISSION MEETING

The City Council and Planning Commission of the City of Brush, Colorado met in a special session on August 31, 2015. Mayor Pro Tem Vicky Quinlin called the meeting to order at 5:30 p.m. The meeting was held at Brush City Hall. The pledge of allegiance was given.

Planning Commission Present on roll call were: Tim Oakley, Chair
 Richard Biren
 Steve Treadway
 Rick Bain
 Mark Smith
 Monty Torres

City Council Present on roll call were: Mayor Pro Tem Vicky Quinlin
 Councilor Jeanine Anderson
 Councilor Rick Bain
 Councilor Mark Smith

Absent: Mayor Chuck Schonberger, Councilor Heath Becker and Councilor Kimberly Dykes

Also present were City Attorney Bo Chapin, Assistant Administrator Karen Schminke and City Clerk Andrea Strand.

Planning Commission Chair, Tim Oakley, was designated as the Chair for the joint public hearing.

Chair Tim Oakley stated that this would be a combined public hearing of the Planning Commission and the City Council on proposed revisions of the city's sign regulations; specifically revisions to Chapter 16, Article 12, and Article 14 of the Brush Municipal Code. Staff would provide a summary and public comment would be taken from those in support and those in opposition. He asked that the public come to the podium, state their name and address. Each party would be given one opportunity to speak and must direct all questions to the Meeting Chair. There would be a 3 minute time limit per person.

Chair Oakley opened the Planning Commission public hearing regarding revisions to Chapter 16, Article 12 and Article 14 of the Brush Municipal Code concerning sign regulations.

Mayor Pro Tem Quinlin then opened the City Council public hearing regarding revisions to Chapter 16, Article 12 and Article 14 of the Brush Municipal Code concerning sign regulations.

Chair Oakley asked for the staff report. Assistant Administrator Karen Schminke introduced for the record, an exhibit copy of the published notice of the combined hearing. She then provided a history of the sign regulations and this update project. She highlighted how transparent this process has been with a project website always available to the community and numerous articles in the Brush News Tribune; she also recapped the opportunities that had been available for the community to actively participate in the drafting of the new standards.

Ms. Schminke also provided some procedural guidance to both the Planning Commission and City Council, by drawing the Boards' attention to the Planning Commission Resolution and Ordinance No. 836-15. She then introduced the project consultant, Plan Tools, Martin Landers and Jerry Dahl who provided an overview of the proposed revised Code.

Public Comment:

Dean Graham, 1018 Colorado Avenue, was present and voiced his concerns of conflicting wording on signs obstructing windows on page 3. He also felt that the interest rate that could be charged against an owner should be 8% not 10% as written in the Code. He also questioned the process on page 25 concerning wall sign area calculations.

Mario Palombo, 121 Clayton Street, was present and voiced concerns about current signs that would be nonconforming under the new Sign Code. He felt it would be expensive for some property owners to repair their signs. He also commented on the confusion with the window obstruction wording.

Ron Prascher, 2320 Emerson Street, was present and was concerned that the size of the Sands Theatre marque sign would not conform under the new regulations. He asked for clarification of the calculation of area for A-frame signs; expressed concern that the prohibition on trailer signs would be a hardship for promotion of the Chamber's special events; and asked for clarification on window obstruction provision.

Chair Oakley then asked the consultants to respond to the concerns raised in the public testimony. Regarding the concerns raised that current signs would become non-conforming under the new regulations, the consultants responded that great efforts had been taken throughout the regulation development process to legitimize the signs that are already in place. They also noted that page 4 (Sec. 16-12-40) of the proposed regulations contained provisions that allow business owners to change copy on a sign as well as maintain and continue using existing signs. It is when a business wants to alter or change a non-conforming sign that it will need to be made conforming at that time.

Mr. Landers and Mr. Dahl stated they would look at clarifying the perceived conflict regarding window signs; they would clarify the 8% versus 10% interest charge; and the size of the Sand's Theatre sign would be confirmed and any modification necessary would be made. They also confirmed with the Planning Commission and City Council that direction from the group that was provided at the August 3rd joint work session supported the proposed language to prohibit trailer signs.

Mr. Dahl then made the procedural note that the approval documents before the Boards allow for technical revisions and corrections such as these being discussed and that if the Boards are comfortable the approval process can continue with such direction from the Boards.

Planning Commission

With the public comments concluded, Chairman Tim Oakley closed the Planning Commission public hearing at 6:23 p.m.

Commissioner Steve Treadway moved, second by Commissioner Rick Bain to recommend approval of Resolution No. 2015-PC 01 Resolution Adopting and Recommending the Revision of Chapter 16 Article 12 and Article 14 of the Brush Municipal Code, Concerning Signs as the final report of the Commission under CRS 31-23-306 with the recommended changes as confirmed by the Consultants. It was approved unanimously by a roll call vote.

City Council

Mayor Pro Tem Quinlin declared the final report of the Planning Commission received by the Council. She closed the City Council public hearing at 6:25 p.m.

Councilor Jeanine Anderson Introduced Ordinance No. 836-15, an “Ordinance Repealing and Reenacting Chapter 16, Article 12 of the Brush Municipal Code concerning signs and Adopting and Amending Certain Definitions in connection Therewith”

Councilor Smith moved, second by Councilor Anderson to approve Ordinance No. 836-15 on first reading for publication with the amendments recommended by Planning Commission and identified by the Consultant. It was approved unanimously by a roll call vote.

Both the Planning Commission and City Council members thanked the public for attending and providing comments.

ADJOURNMENT

The August 31, 2015, joint meeting of the Planning Commission and City Council was adjourned at approximately 6:30 p.m.

ATTEST:

/s/ City Clerk Andrea Strand

/s/ Mayor Pro Tem Vicky Quinlin
Brush City Council

/s/Tim Oakley, Chair
Planning Commission