

Grand Junction, Colorado

March 15, 1950

The City Council of the City of Grand Junction, Colorado, met in regular session at 7:30 P. M. o'clock March 15th. Councilmen present and answering at roll call were Hanson, Carson, Harper, Martin, Colescott and Dufford. President Hoisington was absent. Also present were City Attorney Banks, Acting City Manager Burton and City Clerk Tomlinson. It was moved by Councilman Carson and seconded by Councilman Dufford that Councilman Martin act as President of the Council in the absence of President Hoisington. Motion carried. Councilman Martin then took the chair and presided during the balance of the meeting.

The minutes of the regular meeting held March 1st and the special meeting held March 2nd were read and approved.

The property owners in the vicinity of North Avenue between 1st and 12th Sts. had been notified to be present at the meeting if they were interested in the policy of establishing a set-back on North Avenue for business buildings. The Board of Adjustment met on Monday afternoon and passed a Resolution as follows:

RESOLUTION

WHEREAS the district along North Avenue is fast becoming a business district, and, in our opinion, will eventually all become a business district, and

WHEREAS one of the purposes of zoning is to make such regulations as are proper in view of the character of the district and its peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of the land;

NOW, THEREFORE BE IT RESOLVED that we recommend to the City Council of the City of Grand Junction that all setback provisions be eliminated in Business "A" districts and that in doing so the Council protect, as far as possible, the owners of lots on which buildings have been erected in accordance with prior setback requirements.

Messrs. Hughs, Edar Roe, Ford, Davis, DeVoe, Zimmerman, Heckman, Frank Jaros, Detrick, Kane, Hall, Dowell, Otto Jaros, Wubben, Groves and Father King and Mrs. Stevens and Mrs. Jones, all spoke at length concerning the proposed construction of the City Market building on the property line at 9th & North. Most of the property owners on the south side of the street were in favor of allowing the building to be constructed on the property line Those on the north side of the street, favored a ten foot set-back. Petitions were filed agreeing to go along with the property line construction. After several hours of discussion, a proposed ordinance entitled, "An Ordinance Amending Ordinance No. 755, Concerning Zoning and Changing the regulations Concerning Setbacks in Business "A" Districts," was read. This ordinance provides that:

"Section 1. That Section 8 (h) of Ordinance No. 755 shall be and the same is hereby amended so as to read as follows:

"(h) FRONT YARDS IN BUSINESS DISTRICTS.

1. No front yard shall be required in Business "A" Districts; provided that in Business "A" Districts which are entirely surrounded by Residence Districts and whose greatest dimension does not exceed 1320 feet, there shall be a front yard of 10 feet measured back from the front property line along the side of any block in which 40 per cent or more of the frontage is improved with buildings having front yards of 10 feet or more.

2. In none of the cases provided for in this section where the proposed building is to be on a corner lot at the intersection of two streets shall a setback on more than one street be required."

It was moved by Councilman Carson and seconded by Councilman Hanson that the Ordinance be passed, adopted as an emergency ordinance, numbered 804 and published. Roll was called on the motion with all of the Council voting "AYE", including Councilman Hoisington who had come to the meeting at this time.

All of the members of the Council having voted "AYE," President Pro Tem Martin declared the motion carried and the ordinance duly passed and adopted.

Petitions for changing the zoning between 5th & 6th on Ouray Ave. were presented requesting that the property be changed from Residence D to Business A. Safeway Stores, Inc., are contemplating the construction of a super-market on these lots. One hundred per cent of the property owners in this area signed as being favorable to the change of zoning. Attorney Gene Mast and Mr. Tom Patterson, one of the officers of Safeway Stores, Inc., from Portland, Oregon, were present. Mr. Patterson stated that the building would cost in the neighborhood of \$250,000 and was of the very latest design. He also showed pictures of recently completed buildings in Denver and other places and also stated that they plan to pave the parking area and possibly the alley. The options to purchase the existing homes on this street expire on March 30th and he asked that the Council take action as quickly as possible on this change of zoning. It was moved by Councilman Carson and seconded by Councilman Colescott that a hearing be held on March 31st at ten o'clock and that an advertisement be placed in the Daily Sentinel and that all interested property owners be notified to be present at this time when the Council will consider this zoning change. Motion carried.

Mr. Hughs, owner of the Hughs Grocery Store, at Houston and North Avenues wants permit to construct a lay-back curb in front of his store. It was moved by Councilman Hanson and seconded by Councilman Harper that a revocable permit be granted to Mr. Hughs for a lay-back curb and that a permit be given to him to construct same upon the approval of the City Engineer and Chief of Police. Roll was called on the

motion with all members of the Council voting "AYE." President Pro Tem Martin declared the motion carried.

It was moved by Councilman Harper and seconded by Councilman Carson that Mr. Warren D. Toyne of Painesville, Ohio, be appointed as City Manager of the City of Grand Junction, Colo. at a salary of \$8,500 per year starting March 20th, 1950. Roll was called with all members of the Council voting "AYE." President Pro Tem Martin declared the motion carried.

An emergency ordinance entitled, "An Ordinance Concerning Salaries," was introduced and read. It was moved by Councilman Harper and seconded by Councilman Carson that the Ordinance be passed and adopted as an emergency ordinance, numbered 805 and ordered published. Roll was called on the motion with all members of the Council voting "AYE." The President Pro Tem declared the motion carried and ordinance duly passed and adopted.

Attorney Lincoln Coit and Louis Spector were present and stated that a Junk dealer's license had been issued to Ethington Brothers who do not have a place of business in the city limits of Grand Junction. He declared that the issuance of this license was illegal and demanded that it be revoked. It was moved by Councilman Colescott and seconded by Councilman Carson that the matter be referred to City Attorney Banks for investigation. Motion carried.

This was the date set for the hearing for the liquor license for Emil & Elmer Hose who have purchased Pete's Liquor Store at 101 No. 1st St. No protests were filed to the granting of this license. It was moved by Councilman Carson and seconded by Councilman Colescott that the license be granted. Motion carried.

No protests were filed against Geo. & Robt. Wieker who have purchased Moslander's Cigar Store. It was moved by Councilman Hanson and seconded by Councilman Dufford that the license be granted. Motion carried.

North Sunnyvale Acres plat is signed and ready for council consideration. This includes the area between 15th & 17th Sts. and Hall and Orchard Avenues. It was moved by Councilman Colescott and seconded by Councilman Hanson that the plat be advertised. Motion carried.

Mrs. Ray Remus, some weeks ago, requested that the Council prepare an ordinance designating the parks in the city be set aside as bird sanctuaries. City Attorney Banks replied to her that our present ordinance protects birds and that a new ordinance is not necessary. It was moved by Councilman Carson and seconded by Councilman Harper that all of the parks in the city be designated as bird sanctuaries and that signs approved by the park department designating them as such be allowed to be put up in the parks by the Woman's Club. Motion carried.

The D&RGW R. R. protested an excessive water bill for the month of February for their water tank. The meter apparently was dead when Mr. Loback figured the bill and he based their charges on those of Feb. 1949 water use. Mr. Wright, Superintendent of the D&RGW, protested as he felt that they did not have nearly as much business this year as in Feb. 1949 and requested that the bill be based on the Jan. 1950 water usage. It was moved by Councilman Dufford and seconded by Councilman Hanson that the request of the D&RGW R.R. for a settlement on their water bill be based on the usage of 1950. Roll was called on the motion with all members of the Council voting "AYE". President Pro Tem Martin declared the motion carried.

Father King of the Recreation Commission appeared before the Council and asked if anything might be done about fixing up the outside of the Westside Recreation building. The house was remodeled a year ago but nothing was done towards improving the outside or the grounds. The people in this locality have expressed their willingness to help with fixing up the grounds but would like to have the building improved so that it has a better outside appearance. It was moved by Councilman Harper and seconded by Councilman Hanson that the City Manager be instructed to cooperate with the Recreational Department in any way he feels he can in fixing up the outside of the building for the Recreation Department. Motion carried.

Letters of appreciation from the Mesa Co. Whitehouse Conference Committee for the use of the auditorium and the Brush & Palette Club for the use of the Exhibit Room were read. It was moved by Councilman Carson and seconded by Councilman Hanson that the letters be filed. Motion carried.

Members of the Lincoln Park Golf Club desire that an addition be built to the Golf Club House. They are very crowded for space for their caddy carts and equipment and request that the building be enlarged to take care of this crowded condition. It was moved by Councilman Harper and seconded by Councilman Colescott that the matter be referred to the City Manager and Superintendent of Parks to see if it is feasible and possible financially this year to build this addition. Motion carried.

City Attorney Banks reported that it would be necessary for him to go into Denver on March 24th to attend a meeting on Public Utilities which was being held at that time. He has been on a state committee for a number of months past and has been attending meetings concerning the power of the Public Utilities Commission to control sale of water outside of the city limits of the various Colo. towns and cities. It was moved by Councilman Carson and seconded by Councilman Dufford that the City Attorney be authorized to attend this meeting in Denver with his expenses paid by the City. Roll was called on the motion with all of the members of the Council voting "AYE." President Pro Tem declared the motion carried.

It was moved by Councilman Carson and duly seconded and carried that the meeting adjourn.

/s/ Helen C. Tomlinson
City Clerk