

Grand Junction, Colorado

November 9, 1960

ROLL CALL

The City Council of the City of Grand Junction, Colorado, met in recessed session to consider zoning matters. A hearing having been authorized by the Council on October 5, 1960 and duly advertised in The Daily Sentinel, and the Council furnished with amended copies of the proposed zoning ordinance. Councilmen present and answering roll call: Ray Meacham, Arthur Hadden, Ed Surface and Council President, Ed McCormick. Councilmen absent were: Herbert Wright, Warren Lowe and Harry Colescott. Also present were City Manager Joe M. Lacy, City Attorney Gerald J. Ashby and City Clerk Helen C. Tomlinson. Also present were Don Warner, Development Director for the City of Grand Junction and Gene Allen, Mesa County Planning Director.

HEARING Continued - on proposed new Zoning Ordinance

Mr. Lacy, City Manager, showed slides of areas which were controversial and desiring changes in zoning as follows:

The area around the Wiseheart property at 21st and Grand (on the north side of Grand). Mr. Wiseheart has requested that some of the lots in this area be zoned as R-2. A portion of Mr. Wiseheart's property has been recommended for B-1 zoning so that an electronics plant can be built.

Slides of the Riddle property at 22nd and Gunnison were shown, and also of 19th and Gunnison.

The Brach property and City Market, showing the controversial loading zone and door leading to the loading elevator, and the area recommended for a "P" zone was shown.

City Manager Lacy commented on the slides as he showed them.

The following changes in zoning had been advertised and were considered in the order in which they appeared in the advertisement, also being shown on maps furnished to the Councilmen.

(1) N½ Blk 5, East Main St. Addn (from 17th to 19th on the south side of the road) to be changed from R-2 to P. President McCormick asked if there was anyone in the audience who wished to speak concerning this change. As there was no one, he declared this hearing closed.

(2) Blocks 155 through 164, City of Grand Junction Blocks 1, 4, 5, 8 Mobley's Subdivision Blocks 5 and 8, Carpenter's Subdivision #2 Tracts 1 through 9, Little Bookcliff R.R. yards to be changed from C-2 to I-1. This property is located between Pitkin and South Avenue from 14th to 2nd, from Spruce to the Railroad, Grand to Colorado. President McCormick asked if there was anyone in the audience who wished to speak concerning this change. As there was no one, he declared this hearing closed.

(3) Blocks 87 and 90 - S½ Blk 68, N½ Blk 109, City of Grand Junction, from R 2 to R 3. This property is located between 10th and 11th from the alley north of Main to the alley north

of Grand. President McCormick asked if there was anyone in the audience who wished to speak concerning this change. As there was no one, he declared this hearing closed.

(4) Blocks 88 and 89, S½ Block 67, N½ Block 110 City of Grand Junction from R 1 C to R 2. This property is located between 11th and 12th from the alley north of Main to the alley north of Grand. President McCormick asked if there was anyone in the audience who wished to speak concerning this change. As there was no one, he declared the hearing closed.

(5) S½ of Block L, Keith's Addition from C 2 to R 2. This property is located from 14th to 15th north of Colorado. President McCormick asked if there was anyone in the audience who wished to speak concerning this change. As there was no one, he declared the hearing closed.

(6) Lots 11 through 20, Block 17, City of Grand Junction from R 2 to B 1. This property is located on the west side of 7th from Belford to the alley north of Belford. President McCormick asked if there was anyone in the audience who wished to speak concerning this change. As there was no one, he declared the hearing closed.

(7) Block 40, N½ Block 49, S½ Block 27, Lots 16 through 20, Block 28, Lots 11 through 21, Block 39, Lots 11 through 16, Block 50, City of Grand Junction, from R 1 C to R 2. This property is located from the alley north of Chipeta to the alley north of Hill between 8th Street and the alley west of 7th Street. President McCormick asked if there was anyone in the audience who wished to be heard concerning this change in zoning. As there was not, he declared the hearing closed.

(8) All that part of Lot 16 Grandview lying North of a line 157' South and parallel to the North line of the SW¼ of Sec. 12, T1S, R1W, U.M. except the W 167' thereof from R 1 C to R 2. This property is located on the south side of Orchard Ave. from 167' East of 12th Street to 13th Street. City Manager Lacy stated that this was an oversight in making up the map, and would be considered later when the "Jaros tract" was brought up for hearing.

(9) The South 350' of Block F and the South 350' of the East 80' of Block A, Mesa Gardens Subdivision, being the Northwest corner of 22nd and Grand from R 1 C and B1 to B 1. President McCormick asked if there was anyone in the audience who wished to speak concerning this zoning. As there was no one, he declared the hearing closed.

(10) Beginning at a point on the West line of Rose Hill Subdivision which is 500 feet south of the North line of Sec. 11, T1S, R1W, thence East 250 feet, thence South to the South line of said Subdivision, thence Southwesterly to the Southwest corner of said subdivision, thence North along the West line of said Subdivision to the Place of Beginning from R 3 to R 2. This property is located on the Southwest corner of St. Mary's Hospital Tract, and was suggested by the Planning Commission to protect the residences north and west of the St. Mary's Hospital tract. President McCormick asked if there was anyone in the audience who wished to speak concerning this zoning. As there was no one, he declared the hearing closed.

(11) North ½ of Blocks 112, 113 and 114 from B 1 to B 3, being the south side of Main Street from 8th to 11th. President McCormick asked if there was anyone in the audience who wished to speak concerning this zoning. As there was no one, he declared the hearing closed.

(12) South ½ Block 110 All of Block 111, and the North ½ of Block 132, from B 1 to R 2, located between 11th and 12th Streets from the alley north of Main to the alley south of Colorado. President McCormick asked if there was anyone in the audience who wished to speak concerning this zoning. As there was no one, he declared the hearing closed.

(13) Lots 1 to 5, and Lots 28 to 32, Block 107 from B 1 to B 3. This property is located on the east side of 8th Street between Main and Rood. President McCormick asked if there was anyone in the audience who wished to be heard on this zoning. As there was no one, he declared the hearing closed.

(14) Lots 2 to 6, Block 1, Mesa Gardens Subdivision from R 1 C to R 2, being the east side of 22nd Street south of Ouray Avenue. President McCormick asked if there was anyone in the audience who wished to be heard on this zoning. As there was no one, he declared the hearing closed.

City Manager Lacy stated that Mr. Blaine Ford and Mr. Lee Ford requested changing Lots 17, 18, and 19, Block 1, Parkland Subdivision from R 1 C to R 2. They purchased these lots with the idea of building duplexes on them, and might apply for permits before the zoning ordinance is passed. However, Mr. Ford expressed the wish that the zoning might remain so that the duplexes could be built at any time. The Planning Office recommends these lots to remain as R 1 C. Columbia Savings request that the Northwest corner of 23rd and Grand be kept as R 1 C. This is a proposed B 1 area.

Both of these requests will have to be advertised for later hearing.

Councilman Meacham reported that he had held many meetings with the owners of property on 1st and Orchard, and had been trying to work out some of the problems to the benefit of everyone concerned. He had done quite a lot of work, and thought that he was about to get everything to fall into line. There are still some questions, however, primarily regarding the large illuminated sign which would detract from the appearance of the neighborhood, as well as shine into the houses. One other point still to be resolved is the blocking off of the loading ramp. Mr. Meacham asked if the provision in the zoning ordinance providing for the fencing of the ramp would apply to this situation, and City Attorney Ashby explained that it was not the intent of this ordinance that this provision be retroactive, and thus it would not apply. There is a sign on the drug store, and the new zoning ordinance does not restrict the size of signs. He suggested a difference be made in the zoning, so that it would result in the same area be zoned as B 2 and P, but in a different shape. The B 2 would be an "L" shaped piece of ground with the P zone coming onto the newly purchased property, and moving the grocery store parking to the north. He concluded his report by saying that he was not sure whether they were closer or farther away to a solution. This is a change from the recommendation of the Planning Commission and the Council should indicate to them if they desire to make such a change.

Mr. and Mrs. Brach both spoke concerning the zoning on this corner and stated that they had tried to make improvements on this corner and cooperate with the people on the south side of the street. They were trying to utilize their property to the best possible use.

Mrs. Wilson stated that there were still three things that kept the residents on the south side of Orchard from reaching an agreement with the Brach property zoning; (1) A fence is

mandatory in a. Res. A district; (2) They would like to insist on some landscaping but have seemed to have reached a snag on this; (3) Some solution to the loading zone, such as screening or landscaping, and also a sign consistent with a residential district. A suggestion was made that a masonry fence be constructed, which apparently would be satisfactory to both sides. Mr. Knoll also spoke, concurring with Mrs. Wilson's remarks.

City Manager Lacy commented on the three points brought up by Mrs. Wilson and suggested that a restriction on the size of signs in a district such as this, might solve the problem, possibly 150 square foot maximum. This could be taken back to the Planning Commission for its consideration.

President McCormick suggested that this matter was one in which both sides would have to give a little in order to get all of the problems resolved and closed the hearing.

City Manager Lacy reported that a meeting had been held on November 8th with the Jaros family and their Attorney, Mr. Creamer; with Mr. Groves; Mr. Ashby and other City officials in an attempt to get the zoning on 12th between Orchard and Mesa settled. A plan was drawn up recommending that 16 home sites be platted along 13th and Mesa, with a shopping center to the north and west of the home sites, in an "L" shape, and with parking inside of the "L". He stated that he would be in Denver on November 15th to consider this matter further, and that the Planning Commission would have to schedule a hearing on the proposed plan. The hearing was closed on this zoning.

At a meeting on October 13th of City officials and the Grand Junction Realtors, it was suggested that cards be mailed to the property owners where major changes in zoning were to be made. City Manager Lacy reported that 31 cards were mailed out requesting that if there were any questions about the zoning that City officials be contacted. Ten called in, with only one, Mr. Ford, requesting that the zoning be changed.

Mr. Ben Carnes, of the Realtors stated that the Board would like to have the other 21 property owners follow through with the request made on the cards. However, he stated that the Board of Realtors feel that the ordinance as it is now drawn presents workable plan for Grand Junction. There are, no doubt, minor changes that individuals will be wanting to discuss. He thanked Don Warner and Mr. Lacy especially for their cooperation. He told the Council that there are many things affected by zoning, and that their Board has tried to act in an unselfish manner and for the benefit of the public as well as real estate.

City Manager Lacy stated that there had been two requests made for changes in the text of the proposed zoning ordinance. Both of these requests were for changes in the Home Occupation section of the ordinance. Mrs. Vern Hunter, 2140 Linda Lane, wished to have a shorthand school in her home. She planned to have 18 students in each of two classes, meeting several times each week. It was explained to her that this was not in the scope of a "home occupation."

Mr. Tom Younge owns property at 13th and Gunnison which location is proposed as R 1 B. He would like to sell the property so that it could be used by a dentist. The purchaser wishes to build an addition for his dental office and live in the home. He requested that Sections 4, 6, and 7 be deleted from the regulations defining "Home Occupations."

There was considerable discussion among the Councilmen, Mr. Ashby, Mr. Lacy and Mr. Allen, as to what constitutes a "Home Occupation," and whether or not there is too much change in the regulations as they now exist, and the more stringent ones in the proposed ordinance. Both Mr. Lacy and Mr. Allen stated that the theory at present among professional planners, is to have the restrictions more stringent. At the present time, an addition could not be built onto the residence for a home occupation.

It was brought out that the City Council has the responsibility of protecting the neighborhood, and Mr. Lacy called attention to the fact that usually converting old homes to a lower category of zoning is the first downward start in a neighborhood.

City Manager Lacy stated that the reason home occupations are controlled is the external effects - noises, lights, parking, signs, and anything else that might detract from a residential area. The City Attorney stated that the regulations in the new ordinance are quite restrictive, as to who may have a business in a home. The ordinance could be changed making it permissible for a professional person to hire one or two or more helpers, who did not live in the home. Also the area requirement for the business could be changed.

Councilman Hadden stated that he thought there were several things involved that should be considered, such as parking. He cited the situation at 12th and North at Dr. Gould's office. The traffic pattern at this location is not good. He felt that the restrictions in the new ordinance were not too strong, as the property in the neighborhood should have some protection. He also cited instances in the past where difficulties have been encountered as to who is entitled to have a business in a home.

Councilman Surface stated that he liked the restrictions as they were now in the ordinance.

After considerable discussion pro and con concerning the restrictions, it was decided to give the matter further study and that it also be considered by the Planning Commission.

The hearing was declared closed.

It was moved by Councilman Surface and seconded by Councilman Meacham that all matters be referred to the Planning Commission, and that a hearing be advertised for the Planning Commission on November 30th. Motion carried, four members voting affirmatively.

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

/s/ Helen C. Tomlinson
City Auditor & Ex-Officio
City Clerk