

Grand Junction, Colorado

July 18, 1984

The City Council of the City of Grand Junction, Colorado, convened in regular session the 18th day of July, 1984, in the City-County Auditorium at City Hall. Those present were Betsy Clark, Frank Dunn, Robert Holmes, Christine Kreissler, Gary Lucero, and President of the Council Pro Tem Ray Phipps. President of the Council Mike Pacheco was absent. Also present were City Manager Mark Achen, City Attorney Gerald Ashby, and City Clerk Neva Lockhart.

Council President Pro Tem Ray Phipps called the meeting to order and Councilman Lucero led in the Pledge of allegiance.

INVOCATION

Councilman Robert Holmes.

MINUTES

Upon motion of Councilwoman Clark, seconded by Councilwoman Kreissler and carried with Councilman LUCERO ABSTAINING, the minutes of the regular meeting July 5, 1984, were approved as submitted.

MEARLEN BROWN APPOINTED TO 3-YEAR TERM ON BOARD OF ADJUSTMENT & APPEALS

Upon motion of Councilwoman Clark, seconded by Councilman Dunn and carried, Mearlen Brown was appointed to a three-year term on the Board of Adjustment and Appeals.

BEER - LICENSE APPROVED FOR SEVEN-ELEVEN STORE, 459 NORTH AVENUE

Upon motion of Councilman Dunn, seconded by Councilwoman Kreissler and carried with Councilman HOLMES voting NO, the application by the Southland Corporation to renew the 3.2% beer license at the Seven-Eleven Store, 459 North Avenue, was approved.

LIQUOR - APPLICATION BY MELVIN SCOTT KRAMER, COURT APPOINTED RECEIVER, FOR HOTEL-RESTAURANT LIQUOR LICENSE AT JASPER'S SALOON, 718 HORIZON DRIVE

Upon motion by Councilman Dunn, seconded by Councilwoman Kreissler and carried with Councilman HOLMES voting NO, the application by Melvin Scott Kramer, Court Appointed Receiver, for a hotel-restaurant liquor license at Jasper's Saloon, 718 Horizon Drive, was approved (formerly Ramada Inn).

HEARING - CITY OF GRAND JUNCTION COMPREHENSIVE PLAN -  
TRANSPORTATION, CHAPTER 11

Upon motion by Councilman Dunn, seconded by Councilwoman Kreissler and carried, Chapter 11, Transportation, of the City of Grand Junction Comprehensive Plan was approved.

HEARING - FUOCO/TREECE MINOR SUBDIVISION APPROX 380 FT W OF FIRST STREET, APPROX 910 FT N OF WEST GRAND ADJACENT TO HIGHWAY 6 & 50

A hearing was held after proper notice on the petition by Ted and Lucile Treece for a minor subdivision of two lots on 1.62 acres in a Heavy Commercial Zone on property located approximately 380 feet west of First Street and approximately 910 feet north of West Grand adjacent to Highway 6 & 50. Mr. Keith Mumby, attorney for the petitioners, took exception to a review comment made by Public Service Company of Colorado who requested a utility perimeter of 10 feet all the way around the subdivision. Mr. Mumby stated that he met with Public Service Company, and he presented a letter which waived that particular requirement with respect to this subdivision. By way of the map, Mr. Mumby reviewed what had been proposed by Treece/Fuoco. He pointed out the location of Weberg Furniture which is owned by the Treeces, and the location owned by the Fuocos. In order to facilitate the building of the Fuoco Motor Company's new garage, the Treeces and the Fuocos got together and decided that it would be better if the boundary line between the two businesses was straight. Ted Treece sold a small piece of property to the Fuocos in order to accomplish this. Mr. Mumby said that he went to the Planning Commission and asked for a boundary line adjustment and he was told there was absolutely no way that a boundary line adjustment could be made. There was no way the two businesses could facilitate an additional business in Grand Junction and straighten a boundary line. Mr. Mumby said that had Public Service Company taken an easement around the outside perimeter, they would have gone right up the middle of the Treece property and right out through the middle of the Fuoco property for absolutely no reason in the world. Thus, the letter says that Public Service Company will accept an easement along Highway 50. Mr. Mumby stated that this had been a very frustrating experience, because this simple boundary line straightening consumed four months and cost the Fuocos \$4,000--\$750 to Parks and Recreation for the Subdivision; \$300 to Biber and Company to have it appraised to know how much to pay (Parks and Recreation); \$225 to City Planning Department to make the application for the mini-subdivision; \$1,800 to Western Engineering for surveying for the subdivision; and \$600 to Golden, Mumby, Summers & Livingston for the legal work. He thought that Council should look at its procedure if it wishes to encourage development in the City.

There were no opponents, letters or counterpetitions. The hearing was closed. Upon motion by Councilman Dunn, seconded by Councilwoman Clark and carried, the Fuoco/Treece Minor Subdivision was approved.

Council directed the City Attorney and the Staff to develop some recommendations to address the concerns expressed by Mr. Mumby and bring back to the City Council for its consideration.

BIDS - AWARD OF CONTRACT - 24TH STREET RECONSTRUCTION PROJECT FM GRAND AVENUE TO GUNNISON AVENUE - UNITED COMPANIES OF MESA COUNTY, INC. - \$272,975.71

Bids were received and opened July 11, 1984, for the 24th Street Reconstruction Project from Grand Avenue to Gunnison Avenue. Bidders were:

Elam Construction, Inc. \$375,153.50

Corn Paving Company \$297,725.20

United Companies, Inc. \$272,975.71

Engineer's Estimate \$355,479.00

Staff recommended award of Contract to United Companies, Inc.

There was discussion regarding the intersection of 24th Street and Belford and whether it should be concrete or asphalt. The City Manager suggested that the Contract be awarded so the work can proceed and the Staff can review the intersection and give a report to Council regarding concrete or asphalt.

Upon motion of Councilwoman Clark, seconded by Councilman Dunn and carried, the bids were accepted and the Contract was awarded to United Companies, Inc., with the stipulation that Staff come back to Council with a recommendation for concrete if they think it is appropriate, and authorized the City Manager to sign said Contract.

HEARING - APPLICATION BY LATIN ANGLO ALLIANCE FOR MALT, VINOUS AND SPIRITUOUS LIQUOR SPECIAL EVENTS PERMIT AUGUST 4, 1984, 8 P.M. TO 2 A.M. AT TWO RIVERS PLAZA - SPONSORING JOSE CRUZ COMPANY DANCE - APPROVED - 1ST PERMIT

A hearing was held after proper notice on the application by the Latin Anglo Alliance for a malt, vinous and spirituous liquor special events permit August 4, 1984, from 8:00 p.m. to 2:00 a.m. at Two Rivers Plaza, 159 Main Street, sponsoring Jose Cruz Company Dance. Mike Rodriguez was present for the hearing. There were no opponents, letters or counterpetitions. Upon motion by Councilwoman Clark, seconded by Councilwoman Kreissler and carried with Councilman HOLMES voting NO, the application was approved.

HEARING - PROPOSED ORDINANCE - REZONE FM RSF-4 TO PR-4 AND THE NORTHRIDGE ESTATES FILING #4 OUTLINE DEVELOPMENT PLAN, E OF 1ST STREET, N OF F RD, S OF F1/2 RD, W OF 7TH STREET

A hearing was held after proper notice on the petition by Northridge Estates, Inc., represented by Joseph C. Coleman, to rezone from Residential Single-Family Uses at 4 units per acre to Planned Residential Uses at 4 units per acre and an Outline

Development Plan of 96 units on 28.1 acres for property located east of First Street, north of F Road, south of F1/2 Road, and west of 7th Street. Bob Goldin, City Planner, said that the Planning Commission recommended approval of the Outline Development Plan with three stipulations which the petitioner did not agree with: 1. Private Drives within the Subdivision itself. This private drive serving the majority of the townhomes along the east side of the property had not been shown to have the ability to accommodate the parking and the City Engineering Department requested that at least the width of the streets be provided as far as City Standards go. 2. Second access. The City Planning Commission requested that a second access be provided but no specifics as to where it would go. 3. Public park dedication. The Parks Department was very adamant about accepting the area proposed for public park dedication. The Planning Commission upheld the Parks Department recommendation and said if the Northridge people do want a park it should be private and maintained by the homeowners. Mr. Goldin stated that both proposals before Council (the retirement plan which follows and the Northridge Estates Filing No. 4) did not make any provision for the extension of Horizon Drive.

Joseph Coleman, 613 26 Road, was present representing the Northridge Development Company. Mr. Coleman outlined the proposed parks and ideas for development; he addressed the private drives as part of the access question; and requested approval of the outline development plan designed without consideration of the Horizon Drive extension.

William Putnam, resident of North Acres Subdivision, expressed concern about the higher-density zoning, and requested that the City require the developers to provide a barrier between the developments.

Clifford Curry, Architect for the Grand Junction Retirement residence, discussed access. He stated that his people are open and will work with whatever the City wants. They are interested in fitting the project in. They are willing to donate the land for the street access all the way through their property and to participate in the construction of a portion of that street if the City decides this would be the best location for the street. They have the funding for their project, and they would like to start the construction during this season.

Bob Goldin reviewed Staff comments regarding the access issue. He noted that the access across the Grand Junction Retirement property had not been reviewed, and they were not prepared to make any recommendations. With regard to Willowbrook, Mr. Goldin stated that the petitioners agreed to connect up with Willowbrook during the next phase of the project.

The hearing was closed. The following entitled proposed ordinance was read: AN ORDINANCE AMENDING THE ZONING MAP, A PART OF CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, BY

CHANGING THE ZONING OF CERTAIN LANDS WITHIN THE CITY. Upon motion by Councilman Holmes, seconded by Councilwoman Clark and carried, the proposed ordinance was passed for publication.

Upon motion by Councilwoman Clark, seconded by Councilman Dunn and carried with Councilman LUCERO voting NO, the Outline Development Plan for the Northridge Estates Filing No. 4 was approved subject to the conditions of the Planning Commission and subject to the following stipulations:

1. No private drives allowed except to the two land-locked parcels;
2. Developer to provide a second access, and the suggestion was made that the two property owners (Northridge developers and the Grand Junction Retirement Center developers) work together for some kind of access that would come out at 7th Street, subject to Staff recommendations; and
3. That the City accept the five (5) percent fee in lieu of the park offered by the developer.

Councilwoman Kreissler requested Staff to provide further clarification on Sage Court and that easement and which way it will be going.

The President declared a five-minute recess. Upon reconvening six members of Council were present.

HEARING - PROPOSED ORDINANCE - REZONE FROM RSF-4 TO PR-28 AND GRAND JUNCTION RETIREMENT RESIDENCE OUTLINE DEVELOPMENT PLAN - APPROX 1000 FT N OF F RD, W OF 7TH ST

A hearing was held after proper notice on the petition by Alfred B. Carrick for a rezone from RSF-4 to PR-28 and the Outline Development Plan of 101 retirement units on 3.65 acres located approximately 1000 feet north of F Road and west of 7th Street. Bob Goldin, Senior Planner, outlined and reviewed the area. He stated that the Planning Commission did recommend a design density of 28 units per acre be associated with the PR-Planned Residential. Clifford Curry, Architect for the project, was present along with the petitioner Mr. Alfred Carrick and Mr. Bill Colson, President of the Holiday Management Company who would be the developer and responsible for operating and managing the facility once it is completed. Mr. Curry indicated that the key issue was the access. During the break they met with the previous developer and came to a conclusion that they would provide right-of-way accessing to 7th Street next to the Ranchman's Ditch; they would provide that right-of-way through their entire development, and as part of their development develop the street for half of that distance. At some future time when the other developer is ready they (Northridge Estates, Inc.) would build the rest of that street.

Joe Coleman confirmed the discussion about the road, and he realized they would be meeting with the City Engineering Staff and the precise location will be confirmed through the Staff. He thought the plan for the Retirement Residence would be an asset to the City.

Joan Rasor spoke in opposition to the plan because she had not seen the proposed access to 7th Street prior to this meeting.

Sharon Gordon said she would really appreciate it if Council would access off of F1/2 Road because she did not like either access off 7th Street.

The hearing was closed.

The following entitled proposed ordinance was read: AN ORDINANCE AMENDING THE ZONING MAP, A PART OF CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, BY CHANGING THE ZONING OF CERTAIN LANDS WITHIN THE CITY. Upon motion by Councilman Dunn, seconded by Councilman Holmes and carried, the proposed ordinance was passed for publication.

Upon motion by Councilman Holmes, seconded by Councilwoman Clark and carried, the Outline Development Plan for the Grand Junction Retirement Residence was approved subject to the conditions of the Planning Commission and subject to the same requirements imposed on the previous developer as it related to the traffic/access.

#### ORDINANCE ON FINAL PASSAGE - PROOFS OF PUBLICATION

The Proofs of Publication to the following Ordinances proposed for final passage had been received and filed. A copy of the Ordinances proposed for final passage had been submitted in writing to the City Council prior to the meeting.

#### ORDINANCE NO. 2198 - REPEALING AND REENACTING ARTICLE V, CHAPTER 17, CODE OF ORDINANCES CONCERNING THE REGULATION OF PAWNBROKERS

Upon motion by Councilwoman Kreissler, seconded by Councilman Holmes and carried, the following entitled proposed ordinance was called up for final passage and the title was read: CONCERNING THE REGULATION OF PAWNBROKERS

There were no comments. Upon motion by Councilwoman Clark, seconded by Councilwoman Kreissler and carried by roll call vote, the Ordinance was passed, adopted, numbered 2198, and ordered published.

#### ORDINANCE NO. 2199 - REZONE FROM RSF-4 TO PB THE PROPERTY LOCATED N OF F ROAD, APPROX 220 FT E OF 251/2 ROAD

Upon motion by Councilwoman Kreissler, seconded by Councilman Holmes and carried, the following entitled proposed ordinance was called up for final passage and the title was read: AN ORDINANCE

AMENDING THE ZONING MAP, A PART OF CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, BY CHANGING THE ZONING OF CERTAIN LANDS WITHIN THE CITY.

There were no comments. Upon motion by Councilwoman Kreissler, seconded by Councilman Holmes and carried by roll call vote, the Ordinance was passed, adopted, numbered 2199, and ordered published.

ORDINANCE NO. 2200 - AMENDING CHAPTER 4, ARTICLE I, CODE OF ORDINANCES, ALCOHOLIC BEVERAGES, APPLICATION FEES

Upon motion by Councilwoman Kreissler, seconded by Councilman Holmes and carried, the following entitled proposed ordinance was called up for final passage and the title was read: AN ORDINANCE INCREASING THE APPLICATION FEES FOR CERTAIN BEER AND LIQUOR LICENSES.

There were no comments. Upon motion by Councilwoman Kreissler, seconded by Councilwoman Clark and carried by roll call vote, the Ordinance was passed, adopted, numbered 2200, and ordered published.

1983 AUDIT

Upon motion by Councilwoman Clark, seconded by Councilman Holmes and carried, the 1983 Audit was accepted.

ACKNOWLEDGEMENT OF AWARDS TO 4 CITY EMPLOYEES FOR EFFORTS DURING RIVER FLOODING

The City Manager reported that the Mesa County Commissioners presented Citizen Service Awards to four City employees for their efforts in the recent river flooding: ART STOREY, RON STILES, DOUG CLINE, JOHN KENNEY.

ADJOURNMENT

The President Pro Tempore adjourned the meeting.

Neva B. Lockhart

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Neva B. Lockhart, CMC  
City Clerk