

Grand Junction, Colorado

January 15, 1986

The City Council of the City of Grand Junction, Colorado, convened in regular session the 15th day of January, 1986, at 7:30 p.m. in the City-County Auditorium at City Hall. Those present were John Bennett, James Leland, Steve Love, Gary Lucero, Tim Mannion, Reford Theobald, and President of the Council Ray Phipps. Councilman Gary Lucero was absent. Also present were City Manager Mark Achen, City Attorney Gerald Ashby and City Clerk Neva Lockhart.

Council President Phipps called the meeting to order and Councilman Theobald led in the Pledge of Allegiance.

INVOCATION

J.D. Lunsford, First Assembly of God Church.

MINUTES

Upon motion of Councilman Love, seconded by Councilman Mannion and carried with Councilman LUCERO ABSTAINING, the minutes of the January 2, 1986, meeting were approved as submitted.

PROCLAMATION DECLARING FEBRUARY, 1986, "SAFETY AWARENESS MONTH"

BOY SCOUT TROOP 388

Frank Gardner, Boy Scout Troop 388, was present and introduced to Council.

HEARING - CONDITIONAL USE - 3.2% BEER LICENSE FOR ON-PREMISE CONSUMPTION AT 1059 NORTH AVENUE

A hearing was held after proper notice on the petition by Manhattan Delicatessen, Inc., Walt Thoms, for a conditional use at 1059 North Avenue for a 3.2% Beer License for on-premise consumption. There were no opponents, letters or counterpetitions. Upon motion of Councilman Love, seconded by Councilman Leland and carried, the application was approved subject to conditions of the Planning Commission.

PROPOSED ORDINANCE - REZONE FROM PUBLIC ZONE TO RESIDENTIAL SINGLE-FAMILY, NE CORNER OF 22ND STREET AND OURAY AVENUE

A hearing was held after proper notice on the petition by the Grand Junction Planning Department to rezone from Public Zone to Residential Single-Family Zone approximately 8 units per acre, the northeast corner of 22nd Street and Ouray Avenue. There were no opponents, letters or counterpetitions. Upon motion of Councilman Love, seconded by Councilman Leland and carried, the petition was approved subject to the conditions of the Planning Commission.

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 of Councilman Love, seconded by Councilman Leland and carried, the proposed ordinance was passed for publication.

HEARING - CONDITIONAL USE - DRIVE-UP WINDOW IN A LIGHT COMMERCIAL ZONE AT 1122 N. 12TH STREET

A hearing was held after proper notice on the petition by Taco John's, John Temmer, for a conditional use for a drive-up window in a Light Commercial Zone at Taco John's, 1122 North 12th Street. This item was denied by the Planning Commission because of the turning radius that the allowable space provides at this location. Mr. Temmer discussed the stacking problem and the turning diameter problem, and his proposed solutions. He has agreed to eliminate a portion of the sidewalks to allow for a wider turning radius. Mr. Jim Kramer, Associate Professor of Engineering at Mesa College, was present to state that he sees no problem with this conditional use. There were no opponents, letters or counterpetitions. The President closed the hearing.

Upon motion of Councilman Mannion, seconded by Councilman Love and carried with Councilmembers BENNETT, LELAND and PHIPPS voting NO, the conditional use was approved on a six-month trial basis, and a review of the traffic situation at the end of said six-month period. This item will be brought back to City Council through the Planning Department.

PROPOSED ORDINANCE - HEARING - G.J. ZONING & DEVELOPMENT CODE TEXT AMENDMENT - RECREATIONAL VEHICLES, CHAPTER 7, SECTION 7-2-6, PLANNED RECREATIONAL VEHICLE RESORT, AND TO ADD DEFINITIONS TO CHAP 13

A hearing was held after proper notice on a petition by the Grand Junction Planning Department to amend the Grand Junction Zoning and Development Code, Chapter 7, Section 7-2-6, Planned Recreational Vehicle Resort, and add Definition to Chapter 13. There were no opponents, letters or counterpetitions.

The following entitled proposed ordinance was read: AN ORDINANCE PROVIDING FOR PLANNED RECREATIONAL VEHICLE RESORTS AND ADOPTING CERTAIN DEFINITIONS IN CONNECTION WITH SUCH USE. Upon motion of Councilman Love, seconded by Councilman Leland and carried, the proposed ordinance was passed for publication.

HEARING - GRAND JUNCTION ZONING AND DEVELOPMENT CODE TEXT AMENDMENT - SEVENTH STREET CORRIDOR GUIDELINES, FROM HORIZON DRIVE TO THE COLORADO RIVER - TABLED

Upon motion of Councilman Love, seconded by Councilman Leland and carried, the petition by Grand Junction Planning Department to

amend Chapter 3, Section 3-19-7 of the Grand Junction Zoning and Development Code - Seventh Street Corridor Guidelines, from Horizon Drive to the Colorado River, was tabled to a future meeting of Council.

HEARING - GRAND JUNCTION ZONING AND DEVELOPMENT CODE TEXT AMENDMENT - TWELFTH STREET CORRIDOR GUIDELINES, FROM HORIZON DRIVE TO THE COLORADO RIVER - TABLED

Upon motion of Councilman Love, seconded by Councilman Leland and carried, the petition by the Grand Junction Planning Commission to amend Chapter 3, Section 319-6 of the Grand Junction Zoning and Development Code - Twelfth Street Corridor Guidelines, from Horizon Drive to the Colorado River, was tabled to a future meeting of Council.

HEARING - RESOLUTION NO. 4-86 - PROPOSED ORDINANCE - PETITION FOR ANNEXATION, BELLA VISTA #1, NW CORNER OF 12TH ST AND G ROAD

A hearing was held after proper notice on the petition for annexation of Bella Vista #1, at the northwest corner of 12th Street and G Road. There were no opponents, letters or counterpetitions. The following Resolution No. 4-86 was presented and read:

RESOLUTION NO. 4-86

WHEREAS, on the 4th day of December, 1985, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

Beginning at a point on the E line of Sec 2, T1S, R1W, Ute Meridian, which point is 741.5 ft S of the NE Cor of said Sec 2, thence N along said E line of Sec 2 and along the E line of Sec 35, T1N, R1W, Ute Meridian, to a point of intersection with the Eerly projection of the N line of Blk 3, 1st Addition to bella Vista Sub, thence W along said N line and the N line of Lots 19 and 20 of Bella Vista Sub to the E line of Victor Dr, thence S along the E line of Victor Dr to the S line of Sec 35, T1N, R1W, Ute Meridian, thence E along said S line to a point 40 ft W of the SE Cor of said Sec 35, thence S along the W right-of-way line of 12th St to a point W of the point of beginning, thence E to the point of beginning;

and

WHEREAS, a hearing on the petition was duly held after proper notice on the 15th day of January, 1986; nd

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefor; that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City;

that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in single ownership has been divided by the proposed annexation; that no land held in identical ownership comprising more than twenty acres, which has an assessed value in excess of two hundred thousand dollars, is included without the landowner's consent, and that no election is required under the Municipal Annexation Act of 1965.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

That the said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

PASSED and ADOPTED this 15th day of January, 1986.

/s/ Raymond G. Phipps

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President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

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Deputy City Clerk

Upon motion of Councilman Love, seconded by Councilman Mannion and carried by roll call vote, the Resolution was passed and adopted as read.

The following entitled proposed ordinance was read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO. Upon motion of Councilman Love, seconded by Councilman Leland and carried, the proposed ordinance was passed for publication.

HEARING - CONDITIONAL USE - MEMBERSHIP CLUB AT 838 N. 7TH STREET

A hearing was held after proper notice on the petition by Alano of Grand Junction, Wayne Meineke, for a conditional use at 838 North 7th Street, and to waive Alano's obligation to upgrade the driveways at said location. Mr. Wayne Meineke, President of Alano of Grand Junction, was present. There were no opponents, letters or counterpetitions. Upon motion of Councilman Love, seconded by Councilman Leland and carried, the conditional use was approved and the Alano Club's obligation to upgrade the driveways was waived.

City Attorney Ashby clarified that there will be no obligation at this time on the part of the Alano Club, but they may be called upon at a later date if an improvement district is created in the future.

RESOLUTION NO. 5-86 SETTING DATE OF HEARING ON PETITION FOR PARADISE HILLS ANNEXATION #1, NEW CORNER OF H ROAD AND 27 ROAD

The following Resolution was presented and read:

RESOLUTION NO. 5-86

ACCEPTING A PETITION FOR THE ANNEXATION OF LANDS TO THE CITY OF GRAND JUNCTION, COLORADO, AND SETTING A HEARING ON SUCH ANNEXATION.

WHEREAS, on the 15th day of January, 1986, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

Beginning at the SE Cor of Lot 12, Blk 2, Crossroads Colorado West, Filing #2, thence Werly along the N line of I-70 right-of-way to the W line of Sec 36, T1N, R1W, ute Meridian, thence N along said W line to the NW Cor of said Sec 36, thence N along the E line of Sec 26, T1N, R1W, Ute Meridian to the NE Cor of Lot 10, Blk 2, Paradise Hills Sub, Filing #6, thence Werly along the Nerly line of said Filing #6 to the E line of Lanai Dr, thence Serly along said E line of Lanai Dr to the intersection with the Nerly line of Mazatlan Dr, thence proceeding Eerly, S and W along the right-of-way of Mazatlan Dr (which is the property line for Blk 2, Paradise Hills Sub, Filing #6) to the intersection with the E line of Lanai Dr, thence S along said E line and said E line projected to the S line of Sec 26, T1N, R1W, Ute Meridian, thence E along said S line to a point 30 ft W of the SE Cor of said Sec 26, thence S along the W line of 27 Road right-of-way to the centerline of I-70 right-of-way, thence Eerly along said centerline to a point S of the point of beginning, thence N to the point of beginning;

and

WHEREAS, the Council has found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

That a hearing will be held on the 19th day of February, 1986, in the City/County Auditorium in City Hall of the City of Grand Junction, Colorado, at 7:30 o'clock p.m. to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated

with said City; that no land held in single ownership has been divided by the proposed annexation; that no land held in identical ownership comprising more than twenty acres, which has an assessed value in excess of two hundred thousand dollars, is included without the landowner's consent, and that no election is required under the Municipal Annexation Act of 1965.

PASSED and ADOPTED this 15th day of January, 1986.

/s/ Raymond G. Phipps

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President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

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Deputy City Clerk

Upon motion of Councilman Love, seconded by Councilman Leland and carried by roll call vote, the Resolution was passed and adopted as read.

RESOLUTION NO. 6-86 AUTHORIZING EXPENDITURE OF MONIES IN THE CML AND MOUNTAIN BELL RATE CASE - \$2,285 FROM CONTINGENCY FUND

The following Resolution was presented and read:

RESOLUTION NO. 6-86

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

That the City of Grand Junction contribute the sum of \$2,284.24 to the Colorado Municipal League fund for participation in the 1986 Mountain Bell Rate Increase Proceedings in the interest of the citizens of the City.

PASSED and ADOPTED this 15th day of January, 1986.

/s/ Raymond G. Phipps

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President of the Council

Attest:

/s/ Neva B. Lockhart, CMC

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Deputy City Clerk

Upon motion of Councilman Love, seconded by Councilman Mannion and carried by roll call vote, the Resolution was passed and adopted as read.

APPROPRIATION OF ADDITIONAL PARK EXPANSION FUNDS FOR TIARA RADO

GOLF COURSE - \$8100

Upon motion of Councilman Mannion, seconded by Councilman Love and carried with Councilman BENNETT voting NO, the appropriation of additional Park Expansion Funds (\$8100) for Tiara Rado Golf Course was approved.

AGREEMENT WITH BLACK & VEATCH, UTE WATER CONSERVANCY DISTRICT, CLIFTON WATER DISTRICT AND CITY OF GRAND JUNCTION FOR PHASE II OF UNIFIED CENTRAL GRAND VALLEY WATER SYSTEM STUDY - CITY'S SHARE NOT TO EXCEED \$2600

Upon motion of Councilman Love, seconded by Councilman Leland and carried, the Agreement with Black & Veatch, Ute Water Conservancy District, Clifton Water District and City of Grand Junction for Phase II of Unified Central Grand Valley Water System Study was approved, and the Mayor was authorized to sign said Agreement.

COLORADO ASSOCIATION OF SKI TOWNS

City Manager Achen announced the Colorado Association of Ski Towns' annual legislative tour to be held the first weekend in February.

STREETS

Councilman Lucero has recently viewed a subdivision at 24th and Walnut, Bookcliff, and Pinyon, and reported that the streets are in terrible condition. There seems to be a settling problem of some sort.

DDA WORKSHOP

Councilman Bennett reminded Council of the January 17, 1986, DDA Workshop where the proposed change at 7th and Main Streets (removal of a large tree) will be discussed. The workshop will be held at The Sandwich Factory & Mexicatessen, 541 Main Street, at 7:30 a.m.

ORCHARD MESA BUSINESS ASSOCIATION

Councilman Bennett reported that he and David Varley, Jim Shanks, and Karl Metzner met with the Orchard Mesa Business Association recently. The Association is asking for support from the City in whatever way the City sees fit.

PIAB

Councilman Mannion reported on a recent PIAB meeting where stadium improvements (ticket booths on the West end) were discussed. A \$10,000 appropriation was made as PIAB's share toward the improvements.

ADJOURNMENT

The President adjourned the meeting.

Neva B. Lockhart

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Neva B. Lockhart, CMC  
City Clerk