

CITY OF GRAND JUNCTION, COLORADO MINUTES OF THE REGULAR MEETING OF  
THE CITY COUNCIL

July 6, 1988

The City Council of the City of Grand Junction, Colorado, convened in regular session the 6th day of July, 1988, at 7:30 p.m. in the City/County Auditorium at City Hall. Those present were LeRoy Kirkhart, R.T. Mantlo, Bill McCurry, Paul Nelson, O.F. Ragsdale, Reford Theobald, and President of the Council John Bennett. Also present were City Manager Mark Achen, City Attorney Dan Wilson, and City Clerk Neva Lockhart.

Council President Bennett called the meeting to order and Councilman Nelson led in the Pledge of Allegiance.

INVOCATION - Councilman Reford Theobald.

MINUTES

There being no corrections or additions to the minutes of the regular meeting June 15, 1988, they were approved as submitted.

PROCLAMATION DECLARING JULY, 1988, AS "RECREATION AND PARKS MONTH"  
IN THE CITY OF GRAND JUNCTION

HEARING #17-88 - ADOPTION OF DOWNTOWN RESIDENTIAL NEIGHBORHOOD  
GUIDELINES (AREA BOUND BY 1ST STREET AND 12TH STREET AND NORTH  
AVENUE AND GRAND AVENUE)

A hearing was held after proper notice on a petition by the Grand Junction Planning Department to adopt Downtown Residential Neighborhood Guidelines for the area bound by 1st Street and 12th Street and North Avenue and Grand Avenue.

Comments were had from the following people speaking for the Guidelines as proposed:

Lisa Ferguson, 738 N. 5th Street

Rags Gauley, 444 Hill Avenue

Lynn Peuse, 850 Ouray

Susan Swift, 450 Hill Avenue

Gretchen Bering, 540 Chipeta

Kirk Rider, Chairman of DDA

Speaking against the proposed Guidelines:

Jim Golden, owner of property in the area. He read a letter from Shari Raso, owner of property.

Basil Knight representing the Teachers Federal Credit Union

Herman Beard, Older American Center

Harold Zimmerman, 458 Chipeta

Chris Kanaly, Manager of properties in the area

The Hearing was closed.

It was moved by Councilman Ragsdale and seconded by Councilman Kirkhart that the Council accept the Guidelines set forth with the addition of paragraphs 9 and 10 as submitted this evening. Councilman Nelson felt that the Teachers Federal Credit Union should be permitted some lateral consideration. Councilman Kirkhart withdrew his second and Councilman Ragsdale withdrew his motion.

Councilman Ragsdale said he would like some specific drawings. It was moved by Councilman Ragsdale to postpone a decision on the Guidelines for two weeks. Motion lost for lack of a second.

The President declared a fifteen minute recess.

Upon reconvening, all Council members were present.

City Attorney Dan Wilson: "We left (10) as we just discussed it, dealing with the Older American Center. Nine (9) would read 'the 500 block of the North side of Ouray and the South side of Chipeta is recognized as the unique area with an existing business.' The new language is: 'Further encroachment of new business/commercial uses into this block is discouraged. Expansion of the existing Credit Union facilities to the north of the alley is discouraged.' Leaving open the room to expand east and west across the alley, or south."

Councilman Ragsdale: "Mr. Mayor, I would like to reenter my motion that we accept the original boundary guidelines that was proposed by the Planning Department and the DDA inasmuch as any deviation from the guidelines, no matter where we set them, in this particular area, would require a rezoning for any additional permits to expand. I would reenter that motion that we accept the original guidelines."

Councilman Theobold: "When you say the original guidelines, do you mean the original as they went through Planning Commission, or the 9 and 10 as submitted by the DDA?"

Councilman Ragsdale: "The 9 and 10 as we have them in front of us."

Councilman Theobold: "We should have a second before we go on."

President of the Council Bennett: "Hearing no second, the motion is lost."

Councilman Theobald: "I'm a little concerned that we're trying to be all things to all people, and we can't, and we're trying to make everybody happy and we can't, and we're trying to somehow use a crystal ball to determine which houses are going to deteriorate and which buildings are going to warrant expansion. We're really looking a big picture encompassing many blocks. Anything that happens with the OAC will require zoning and other changes and can be dealt with at that time as it comes up, and any changes with Credit Union will require zoning changes and other issues, and it can be dealt with at that time. I think we should try to get so specific in addressing specific blocks and even buildings and lots, and I would make a motion that we accept and approve the recommendation of the Planning Commission, which is the original 9 that they dealt with, not the DDA 9 and 10. Motion seconded by Councilman Ragsdale."

Councilman Nelson: "The new Paragraph 9 is reworded, and I guess maybe it is as the City Manager mentioned, I spent five years on the County Planning Commission and maybe that's showing tonight. We hammered out a lot of stuff in those five years, including lots of policies for neighborhood guidelines for Clifton, the Redlands, and similar things to that. It's my feeling that right now the public has come to us and asked us to give them some direction, including this block, and if we don't give some direction, if we say 'oh well, this is just a general guidelines,' then we haven't sent a message. And I think we ought to send a message. That's what we're here for. That's why we're the leaders of the community, and that's what we ought to do, and that's why I think we ought to tackle this head on tonight, take care of it, and in a couple of years I hope it will be forgotten and we can then back off and then take a look at the neighborhood guidelines as a whole. But I think we're being asked to, and we ought do what we're elected to do, and that's lead. Let me try a motion."

Councilman Ragsdale: "May I say something to Councilman Nelson's comments. It is my understanding that the issue before us is not to determine the expansion of the OAC or of the Teachers Federal Credit Union or any other business that is in the boundaries of this guideline. The issue before us is to approve or disapprove a set of guidelines that has been brought before us. It is not to look into the future to determine whether or not the Mesa County Teachers Federal Credit Union should expand or the OAC should expand. As we have already commented, that would require a completely different type of meeting, and that is a rezoning in that particular residential area for them to expand one bit further. The issue at hand is whether or not we want to accept a set of guidelines that these people have spent many many hours on and brought before us. I would like Council to consider, we have these amendments because of the attention that has been given to the 500 block of Ouray, and in these guidelines, it don't mean a thing. But I would not like for them to forget the 500 block any

more than we would the 500 block of Main Street because it requires separate attention and another motion and another passage in another zoning situation."

Councilman Theobold: "I would disagree with Paul that we're not dealing with the issue. I think we are dealing with the issue."

Councilman Ragsdale: "The issue is 'guidelines.'"

Councilman Theobold: "Yes."

Councilman Mantlo: "But what guidelines are we . . . what guidelines are you going back to, the original ones that was presented tonight, the ones that Dan gave us . . . which guidelines are you talking about? Are we going back to the ones from Grand to North, 1st to 12th? Which ones are you going back to?"

Councilman Theobold: "We're talking about the ones that were approved by the Planning Commission or passed on to us by the Planning Commission which, as I understand, is 1st to 12th, and North to Ouray. Grand has its own corridor, doesn't it?"

Councilman Nelson: "Reford, I guess I would ask a question. If these were satisfactory the way they were written, then why has everybody said 'take this out, do this, and do that.' The public wants these to be modified, at least that's what I sense. So I am willing to supply modifications that will supply a message from City Council to the people who are residents, users, potential developers. That's why I asked for the revision of 9 as was read by the City Attorney."

Councilman Theobold: "I would not agree that it's unanimous that these should be revised as approved by the Planning Commission. Maybe I misread it. I do not agree with that. But I think the people who are unhappy with them, as written, are trying to fine-tune a block that we should not be trying to fine-tune at this time in the guidelines. Because that should be dealt with as a zoning issue and nothing more."

Councilman Nelson: "But that's what started this whole procedure was a rezone last year that we turned down. So I said if you're going to turn that down, then what can we do. So I'd like to send the message that . . . "

Councilman Theobold: "I think this sends that message."

Councilman Nelson: "Not clearly."

President of the Council Bennett: "Now, we have a motion and a second to adopt the guidelines as originally submitted by the Planning Commission. All those in favor."

AYE: RAGSDALE, THEOBOLD

All those opposed: KIRKHART, MANTLO, MCCURRY, NELSON, BENNETT. The President declared the motion lost.

Councilman Nelson: "My motion is to adopt Downtown Residential Guidelines, as amended, including the new paragraph 9 'The 500 block of the north side of Ouray and the south side of Chipeta is recognized as a unique area with an existing business. Further encroachment of new business/commercial uses into this block is discouraged; expansion of the existing Credit Union facilities to the north of the alley is discouraged.' and paragraph 10 'As a community facility, the Older American Center is recognized as an asset to the downtown. Expansion of the Center, compatible with the area, is encouraged to enhance further renovation of the residential neighborhood and support downtown facilities.'"

Councilman McCurry: "I'll second that motion."

President of the Council Bennett: "All those in favor;

MANTLO, MCCURRY, NELSON, KIRKHART, BENNETT.

All those opposed: THEOBOLD, RAGSDALE.

The President declared the motion carried.

REQUEST FOR WAIVER OF OPEN-SPACE FEES AT SIZZLER RESTAURANT, 2440 HIGHWAY 6 & 50 - DENIED

Larry Follett, representing Sizzler Restaurant at 2440 Highway 6 & 50, was present with a request to waive the open-space fees. Mr. Follett stated the open-space fees will be approximately \$9,500. Linda Smith, Manager for Mesa Mall, spoke in favor of the petition. Bob Manfred from the Parks & Recreation Board was present in opposition to the petition. There were no other opponents, letters or counterpetitions. Upon motion by Councilman Theobold, seconded by Councilman Mantlo and carried, the petition to waive the open-space fee was denied.

ORDINANCE NO. 2386 - CORRECTING THE PROPERTY DESCRIPTION OF ORDINANCE NO. 2308

Upon motion by Councilman Nelson, seconded by Councilman Kirkhart and carried, the following entitled proposed ordinance was called up for final passage and read by title only: AN ORDINANCE CORRECTING THE PROPERTY DESCRIPTION OF ORDINANCE NO. 2308, WHICH ORDINANCE ERRONEOUSLY REZONED CERTAIN PROPERTY.

There were no comments. Upon motion by Councilman Nelson, seconded by Councilman McCurry and carried by roll call vote, the Ordinance was passed, adopted, numbered 2386, and ordered published.

ORDINANCE NO. 2387 - AMENDING SECTION 4-3-4 OF THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE

Upon motion by Councilman Nelson, seconded by Councilman Kirkhart and carried the following entitled proposed ordinance was called up for final passage and read by title only: AMENDING THE ZONING CODE TO PERMIT OUTDOOR SALES OF CARS, VANS AND LIGHT TRUCKS IN THE I-2 (HEAVY INDUSTRIAL ZONE).

There were no comments. Upon motion by Councilman McCurry, seconded by Councilman Mantlo and carried by roll call vote, the Ordinance was passed, adopted, numbered 2387, and ordered published.

ORDINANCE NO. 2388 - VACATING THAT PORTION OF HEATHER DRIVE LOCATED BETWEEN ASH DRIVE AND IVANHOE WAY

Upon motion by Councilman Nelson, seconded by Councilman Kirkhart and carried, the following entitled proposed ordinance was called up for final passage and read by title only: VACATING THAT PORTION OF HEATHER DRIVE LOCATED BETWEEN ASH DRIVE AND IVANHOE WAY.

There were no comments. Upon motion by Councilman Kirkhart, seconded by Councilman McCurry and carried by roll call vote, the Ordinance was passed, adopted, numbered 2388, and ordered published.

ORDINANCE NO. 2389 - REZONE FROM RSF-8 TO PR-16 PROPERTY LOCATED AT 2554 PATTERSON (F) ROAD

Upon motion by Councilman Nelson, seconded by Councilman Kirkhart and carried, the following entitled proposed ordinance was called up for final passage and read by title only: REZONING FROM RSF-8 TO PR-16 THE PROPERTY LOCATED AT 2554 PATTERSON ROAD AND LEGALLY DESCRIBED AS LOTS 1 AND 2, MILLER SUBDIVISION.

There were no comments. Upon motion by Councilman Mantlo, seconded by Councilman Nelson and carried by roll call vote, the Ordinance was passed, adopted, numbered 2389, and ordered published.

RESOLUTION NO. 22-88 - A JOINT RESOLUTION OF THE COUNTY OF MESA AND THE CITY OF GRAND JUNCTION CONCERNING ADOPTION OF THE FISCAL YEAR 1989 UNIFIED PLANNING WORK PROGRAM AND THE FISCAL YEARS 1989-1993 TRANSPORTATION IMPROVEMENT PROGRAM

The following Resolution was presented and read:

RESOLUTION NO. 22-88

MCM #88-67

A JOINT RESOLUTION OF THE COUNTY OF MESA AND THE CITY OF GRAND JUNCTION CONCERNING ADOPTION OF THE FISCAL YEAR 1989 UNIFIED PLANNING WORK PROGRAM AND THE FISCAL YEARS 1989-1993 TRANSPORTATION IMPROVEMENT PROGRAM

WHEREAS, the City and County have been designated by the Governor as the Metropolitan Planning Organization for the Grand Junction/Mesa County Urbanized Area; and

WHEREAS, the City and County realize the importance of both short and long-range planning in the development of an efficient transportation system; and

WHEREAS, the City and County are aware that it is the responsibility of the Metropolitan Planning Organization to perform those planning functions; and

WHEREAS, the City and County, in their performance of those planning functions for the Urbanized Area, wish to use Federal Highway Administration transportation planning funds in coordination with the Colorado Department of Highways;

NOW, THEREFORE, BE IT JOINTLY RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF MESA, COLORADO, AND CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

That the Fiscal Year 1989 Unified Planning Work Program and the Fiscal Years 1989-1993 Transportation Improvement Program/Annual Element for the Grand Junction/Mesa County Urbanized Area, hereunto attached, was adopted by the Mesa County Board of County Commissioners on July 5, 1988, and by the Grand Junction City Council on July 6, 1988.

CITY OF GRAND JUNCTION

/s/ John W. Bennett

\_\_\_\_\_  
President of the Council  
Grand Junction

6th day of July, 1988

Attest:

/s/ Neva B. Lockhart, CMC

\_\_\_\_\_  
City Clerk

COUNTY OF MESA

/s/ Maxine Albers

\_\_\_\_\_  
Chairman of the Board of County  
Commissioners of Mesa County

5th day of July, 1988

/s/ Earl Sawyer

\_\_\_\_\_

County Clerk

Upon motion by Councilman Ragsdale, seconded by Councilman Kirkhart and carried by roll call vote, the Resolution was passed and adopted as read.

PARKING LOT LEASE LOCATED AT 1135 NORTH 18TH STREET FROM SPORTS PAGE, INC., TO CLEM CORPORATION - APPROVED

Upon motion by Councilman Kirkhart, seconded by Councilman Mantlo and carried, the Parking Lot Lease Located at 1135 North 18th Street from Sports Page, Inc., to CLEM Corporation was approved.

TRANSFER OF GENERAL FUND CONTINGENCIES FOR RIVERFRONT COMMISSION MISCELLANEOUS EXPENSES - \$5,000 - APPROVED

Upon motion by Councilman Ragsdale, seconded by Councilman Nelson and carried, the transfer of General Fund Contingencies for Riverfront Commission miscellaneous expenses in the amount of \$5,000 was approved.

ADJOURNMENT

The President of the Council adjourned the meeting.

Neva B. Lockhart

---

Neva B. Lockhart, CMC  
City Clerk



RESOLUTION

A JOINT RESOLUTION OF THE COUNTY OF MESA AND THE CITY OF GRAND JUNCTION CONCERNING ADOPTION OF THE FISCAL YEAR 1989 UNIFIED PLANNING WORK PROGRAM AND THE FISCAL YEARS 1989-1993 TRANSPORTATION IMPROVEMENT PROGRAM

- WHEREAS, The City and County have been designated by the Governor as the Metropolitan Planning Organization for the Grand Junction/Mesa County Urbanized Area; and
WHEREAS, The City and County realize the importance of both short and long-range planning in the development of an efficient transportation system; and
WHEREAS, The City and County are aware that it is the responsibility of the Metropolitan Planning Organization to perform those planning functions; and
WHEREAS, The City and County, in their performance of those planning functions for the Urbanized Area, wish to use Federal Highway Administration transportation planning funds in coordination with the Colorado Department of Highways;

NOW, THEREFORE, BE IT JOINTLY RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF MESA, COLORADO AND CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

That the Fiscal Year 1989 Unified Planning Work Program and the Fiscal Years 1989-1993 Transportation Improvement Program/Annual Element for the Grand Junction/Mesa County Urbanized Area, hereunto attached, was adopted by the Mesa County Board of County Commissioners on July 5, 1988, and by the Grand Junction City Council on July 6, 1988.

CITY OF GRAND JUNCTION

COUNTY OF MESA

John W Bennett
President of the Council
Grand Junction

Majine Alders
Chairman of the Board of County
Commissioners of Mesa County

6th day of July, 1988

5th day of July 1988

Attest:

Attest:

Neva B. Lockhart, CMC
City Clerk

Earl Sawyer
County Clerk

