

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

April 17, 1991

The City Council of the City of Grand Junction, Colorado, convened in regular session the 17th day of April, 1991, at 7:30 p.m. in the City/County Auditorium at City Hall. Those present were John Bennett, R.T. Mantlo, Paul Nelson, Earl Payne, Conner Shepherd, Reford Theobold, and President of the Council William McCurry. Also present were City Manager Mark Achen, City Attorney Dan Wilson, and City Clerk Neva Lockhart.

Council President McCurry called the meeting to order and Councilman Earl Payne led in the Pledge of Allegiance.

INVOCATION - Pastor Eldon Coffey

CONSIDERATION OF MINUTES

Upon motion by Councilman Shepherd, seconded by Councilman Nelson and carried, the minutes of the April 3, 1991, City Council Meeting were approved as submitted.

PROCLAMATION DECLARING MAY, 1991, AS "MENTAL HEALTH MONTH" IN THE CITY OF GRAND JUNCTION

PROCLAMATION DECLARING MAY 5 THROUGH MAY 11, 1991, AS "MUNICIPAL CLERKS' WEEK"

PROCLAMATION DECLARING APRIL 21, 1991, AS "DESERT CLEAN UP DAY"

PROCLAMATION DECLARING APRIL 24, 1991, AS "BIKE-TO-WORK DAY"

CONSIDERATION OF BIDS - AWARD OF CONTRACTS

Annual Bulk Gravel Purchase - Grand Junction Pipe and Supply - \$49,470

Automated Citation Management System - Cardinal Tracking - \$16,448

Materials and Installation of Sprinkling Systems for Lilac Park, Duck Pond, Spring Valley, and Pomona Park - Landscape Design - \$69,422

Upon motion by Councilman Theobold, seconded by Councilman Payne and carried, the bids on the above contracts were received, contracts were awarded in the amounts as noted, and the City Manager was authorized to sign said Contracts.

HEARING - DIAMOND SHAMROCK ANNEXATION, LOCATED ON THE SE CORNER OF BROADWAY (HIGHWAY 340) AND MONUMENT ROAD - RESOLUTION NO. 16-91 TO ANNEX - PROPOSED ORDINANCE

A hearing was held after proper notice on the Diamond Shamrock Annexation located on the southeast corner of Broadway (Highway 340) and Monument Road. City Community Development Planner Karl Metzner reviewed the proposed annexation. There were no opponents, letters or counterpetitions. The hearing was closed.

The following Resolution was presented and read: (See next page).

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

The following entitled proposed ordinance was presented and read: AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO (DIAMOND SHAMROCK ANNEXATION). Upon motion by Councilman Theobald, seconded by Councilman Mantlo and carried, the proposed ordinance was passed for publication.

HEARING - I.D. ST-91 - ALLEY IMPROVEMENTS - RESOLUTION NO. 17-91 CREATING AND ESTABLISHING DISTRICT

A hearing was held after proper notice on Alley Improvement District No. ST-91.

Those speaking in favor of the improvement district were:

Bill Tracey, 1437 Ouray Avenue, stating that there were two other property owners who are also in favor.

Carl Burley, representing First Baptist Church, 7th and Grand  
Cort Lyle, Texas Avenue  
Robert Traylor, 780 Elm Avenue

Terry Stevens, 748 Elm Avenue, spoke against the improvements stating that at present, school children tend to play in the alley, and installing new concrete would only encourage more play in the alley.

City Property Agent Tim Woodmansee reviewed the alleys to be improved giving the percentage of the property owners signed petition for improvements:

Alley from 5th to 6th between Ouray and Chipeta - 61%  
Alley from 7th to 8th between Grand and Ouray - 56%  
Alley from 14th to 15th between Grand and Ouray - 86%  
Alley from 7th to Cannell, between Texas and Elm - 56%

There were no other opponents, letters or counterpetitions. The hearing was closed.

RESOLUTION NO. 16-91

WHEREAS, on the 6th day of March, 1991, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following described property

situate in Mesa County, Colorado, and described as follows:

Beginning N 46 deg. 25 min. E 1,476.40 feet and S 20 deg. 47 min. E 67.90 feet from the Southwest corner Section 15, T1S, R1W; thence S 20 deg. 47 min. E 212.10 feet; thence S 52 deg. 52 min. E 63.40 feet; thence N 38 deg. 43 min. E 165.46 feet; thence South 65.42 feet; thence N 36 deg. 02 min. E 348.35 feet; thence N 54 deg. 15 min. W 216.10 feet; thence North to the Northerly right-of-way line of a right-of-way described in Book 983, Page 95, of the records of the Mesa County Clerk and Recorder; thence Easterly along said right-of-way to the Southerly bank of the Colorado River; thence Westerly along said South bank to a point one foot East of the West line of the NE4SW4 Section 15, T1S, R1W; thence North to the existing Grand Junction City limits; thence West one foot; thence South along the West line of the NE4SW4, Section 15, T1S, R1W, to the South line of a right-of-way described in Book 985, Page 829, of the records of the Mesa County Clerk and Recorder; thence Westerly along said South line to a point which bears N 47 deg. 32 min. E 1,793.30 feet and N 66 deg. 45 min. W 150.00 feet from the Southwest corner Section 15, T1S, R1W; thence N 66 deg. 45 min. W to a point on the Easterly right-of-way line of Dike Road; thence S 69 deg. 13 min. E 24.50 feet; thence S 20 deg. 47 min. E to the Point of Beginning.

and

From the Southwest corner Section 15, T1S, R1W, N 10 deg. 18 min. E 1,676.90 feet; thence S 75 deg. 20 min. E 380 feet; thence S 75 30 min. E 141.00 feet; thence S 50 deg. 53 min. E 97.50 feet to the Point of Beginning; thence S 50 deg. 53 min. E 138.50 feet; thence S 66 deg. 45 min. E 99.50 feet; thence N 11 deg. 40 min. E 207.20 feet; thence N 78 deg. 35 min. W 267.20 feet; thence S 08 deg. 32 min. E 132.00 feet to the Point of Beginning except Right-of-Way as described in Book 786, Page 303 of the Mesa County Records.

and

That portion of State Highway 340 right-of-way lying West of the East right-of-way lines of Monument Road and Dike Road (Diamond Shamrock Annexation).

WHEREAS, a hearing on the petition was duly held after proper notice on the 17th day of April, 1991;

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 17th day of April, 1991.

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President of the Council

Attest:

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City Clerk

RESOLUTION NO. 17-91

CREATING AND ESTABLISHING ALLEY IMPROVEMENT DISTRICT NO. ST-91 WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, AUTHORIZING THE PAVING OF CERTAIN ALLEYS THEREIN AND PROVIDING FOR THE PAYMENT THEREOF

WHEREAS, on the 6th day of March, 1991, the City Council of the City of Grand Junction, Colorado, passed Resolution No. 11-91 authorizing the City Engineer to prepare details, plans and specifications for Alley Improvement District No. ST-91, and authorizing Notice of Intention to Create said District; and

WHEREAS, Notice of Intention to Create said District was duly published.

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

1. That said Alley Improvement District No. ST-91 be and the same is hereby created and established; and that the paving of certain alleys therein be, and the same are hereby, authorized and directed in accordance with said Resolution No. 11-91.

2. That the paving of said alleys shall be made by contract let to the lowest reliable and responsible bidder after public advertisement, except that if it is determined by the City Council that the bids are too high, and that the proposed improvements can be efficiently made by the City, the City may provide that the construction shall be made under the direction and control of the

City Manager by hiring labor by the day or otherwise, and by purchasing all necessary materials, supplies and equipment.

3. That the improvements in said District were duly ordered, after notice duly given, and that all conditions precedent and all requirements of the laws of the State of Colorado, the Charter of the said City, and Ordinance No. 178, as amended, being Chapter 18 of the Code of Ordinances of the City of Grand Junction, Colorado, have been strictly complied with.

4. That the description of the improvements to be constructed, the boundaries of said Alley Improvement District No. ST-91, the amounts to be assessed, the number of installments and assessments, the time in which the costs shall be payable, the rate of interest on unpaid installments, and the manner of apportioning and assessing such costs, shall be as prescribed in Resolution No. 11-91 passed and adopted on the 6th day of March, 1991, and in accordance with the published Notice of Intention to Create said District.

PASSED and ADOPTED this 17th day of April, 1991.

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President of the Council

Attest:

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City Clerk

The following Resolution was presented and read: (See next page.).

Upon motion by Councilman Nelson, seconded by Councilman Payne and carried by roll call vote with Councilman BENNETT ABSTAINING from voting on the alley from 14th to 15th Street between Grand and Ouray Avenues, the Resolution was passed and adopted as read.

HEARING - S.S. 36-91 (SANITARY SEWER IMPROVEMENT DISTRICT) - O'NAN SUBDIVISION, 27 ROAD AND HORIZON DRIVE - RESOLUTION NO. 18-91

A hearing was held after proper notice on S.S. 36-91 (Sanitary Sewer Improvement District) for O'Nan Subdivision located at 27 Road and Horizon Drive. Utility Engineer Bill Cheney reviewed the improvements. He stated that the petition for improvements was signed by 82% of the homeowners living in the area, with two additional signatures from out-of-State residents resulting in a total of 87% of the property owners signing the petition. The City has agreed to pay \$2,000 per lot for each of the 39 lots in the area, totaling \$78,000. The total cost would be approximately \$162,486 with the property owners paying the balance. There will also be a \$750 Plant Investment Fee assessed to each property owner. Payment of assessments will begin in 1992 to be paid over a

10-year period.

There were no opponents, letters or counterpetitions. The hearing was closed.

The following Resolution was presented and read: (See next page.).

Upon motion by Councilman Theobold, seconded by Councilman Mantlo and carried by roll call vote, the Resolution was passed and adopted as read, and the expenditure of \$78,000 from the General Fund Contingency was authorized.

HEARING - COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION TO STATE OF COLORADO DEPARTMENT OF LOCAL AFFAIRS FOR \$250,000 TO \$300,000 FOR THE ACQUISITION OF LOW AND MODERATE INCOME HOUSING FROM THE RESOLUTION TRUST CORPORATION (RTC)

Mr. Dave Meyer, Executive Director of the Grand Junction Housing Authority was present and reviewed the Community Development Block Grant application to the State of Colorado Department of Local Affairs for \$250,000 to \$300,000 for the acquisition of low and moderate income housing from the Resolution Trust Corporation (RTC).

Councilman Elect, District B, James F. "Jim" Baughman, 2979 F Road, spoke against this grant for purchasing the Bass Apartments property at 2915 Orchard Avenue, stating he feels it is an improper use of public funds. Councilman Theobold explained that there would be no City funds involved. Funds would come from either the block grant from the State or from existing Housing Authority funds that have come from the money that the Housing Authority is paid by the City to administer other programs. So it would not be what would be called "City tax money" in any way. Mr. Baughman still objected to the grant. He feels government should not be involved in such things. There were no other opponents, letters or counterpetitions. The hearing was closed. No action was required at this time.

HEARING #21-91 - CONDITIONAL USE PERMIT FOR ST. NICHOLAS CHURCH, LOCATED AT 3585 NORTH 12TH STREET TO ALLOW A CHURCH IN AN RSF-4 ZONE - RESOLUTION NO. 19-91 CONCERNING THE REQUEST TO WAIVE THE CONDITION LIMITING THE NUMBER OF OCCUPANCY ALLOWED FROM 256 TO 189 PERSONS, A CONDITION BY PLANNING COMMISSION FOR THE CONDITIONAL USE PERMIT - APPROVED; AND RESOLUTION NO. 20-91 CONCERNING THE REQUEST TO WAIVE THE CONDITION OF REQUIRING HALF STREET IMPROVEMENTS ALONG 12TH STREET, A CONDITION BY PLANNING COMMISSION FOR THE CONDITIONAL USE PERMIT - DENIED.

A hearing was held after proper notice on the petition by St. Nicholas Church, Chris P. Jouflas, for a Conditional Use Permit for the church located at 3585 North 12th Street, to allow a church in an RSF-4 Zone (Residential Single-Family not to exceed four units per acre).

Community Development Planner Dave Thornton reviewed the petition listing the following conditions placed by the Planning Commission:

1. Concerning the request to waive the condition limiting the number of occupancy allowed from 256 to 189 persons;
2. Concerning the request to waive the condition of requiring half-street improvements along the 200 foot frontage on 12th Street.

Mr. Chris Jouflas was present and requested the above waivers by Council.

Donna Oliver, Manager of Horizon Towers, 1111 Horizon Drive, expressed some concerns regarding the impact St. Nicholas Church has had on Horizon Towers. The church members have been using the Horizon Towers access to Horizon Drive and 12th Street, tracking mud and gravel onto the Horizon Towers driveway entrance. Remodeling and expanding on the part of the church will further impact Horizon Towers in a negative manner. Ms. Oliver felt the church should be required to have its parking lot paved before any construction begins, should be required to landscape its premises, and have its own entrance off of 12th Street in order to relieve Horizon Towers of the mud and gravel on its driveway. She felt St. Nicholas Church should be required to escrow the money for street improvements on 12th Street.

There were no other opponents, letters or counterpetitions. The hearing was closed.

The following Resolution No. 19-91 waiving the condition limiting the number of occupancy allowed from 256 to 189 persons was presented and read: (See next page.).

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

#### RESOLUTION NO. 18-91

CREATING AND ESTABLISHING SANITARY SEWER IMPROVEMENT DISTRICT NO. 36-91 WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, COLORADO, AUTHORIZING THE CONSTRUCTION OF A SANITARY SEWER DRAINAGE SYSTEM THEREIN AND PROVIDING FOR THE PAYMENT THEREOF

WHEREAS, on the 20th day of March, 1991, the City Council of the City of Grand Junction, Colorado, passed Resolution No. 14-91 authorizing the City Engineer to prepare details, plans and specifications for Sanitary Sewer Improvement District No. 36-91, and authorizing notice of Intention to Create said District; and

WHEREAS, Notice of Intention to Create said District was duly published.

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

1. That said Sanitary Sewer Improvement District No. 36-91 be and the same is hereby created and established; and that the installation and construction of a sanitary sewer drainage system therein be, and the same is hereby, authorized and directed in accordance with said Resolution No. 14-91.

2. That the installation and construction of said sanitary sewer drainage system shall be made by contract let to the lowest reliable and responsible bidder after public advertisement, except that if it is determined by the City Council that the bids are too high, and that the proposed improvements can be efficiently made by the City, the City may provide that the construction shall be made under the direction and control of the City Manager by hiring labor by the day or otherwise, and by purchasing all necessary materials, supplies and equipment.

3. That the improvements in said District were duly ordered, after notice duly given, and that all conditions precedent and all requirements of the laws of the State of Colorado, the Charter of the said City, and Ordinance No. 178, as amended, being Chapter 18 of the Code of Ordinances of the City of Grand Junction, Colorado, have been strictly complied with.

4. That the description of the improvements to be constructed, the boundaries of said Sanitary Sewer Improvement District No. 36-91, the amounts to be assessed, the number of installments and assessments, the time in which the costs shall be payable, the rate of interest on unpaid installments, and the manner of apportioning and assessing such costs, shall be as prescribed in Resolution No. 14-91 passed and adopted on the 20th day of March, 1991, and in accordance with the published Notice of Intention to Create said District.

5. That the City Manager is hereby authorized to appropriate the sum of \$78,000.00 from the City's General Fund Contingency Fund to pay for the City's share of this project.

PASSED and ADOPTED this 17th day of April, 1991.

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President of the Council

Attest:

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City Clerk

RESOLUTION NO. 19-91



RESOLUTION CONCERNING THE REQUEST TO WAIVE THE CONDITION LIMITING THE NUMBER OF OCCUPANCY ALLOWED FROM 256 TO 189 PERSONS, A CONDITION BY PLANNING COMMISSION FOR THE CONDITIONAL USE PERMIT FOR ST. NICHOLAS CHURCH AT 3585 NORTH 12TH STREET

WHEREAS, since the Planning Commission meeting held on April 2, 1991, the petitioner has redesigned the interior of the building, reducing the seating capacity of the chapel area, as determined by City and County Building Department, to 165 persons, which fits parking provided and therefore does not necessitate an appeal

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

That the condition of limiting the occupancy to 189 persons be removed since the new design of the chapel will permit an official capacity of 165 persons.

PASSED and ADOPTED this 17th day of April, 1991.

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President of the Council

Attest:

\City Clerk

RESOLUTION NO. 20-91

RESOLUTION CONCERNING THE REQUEST TO WAIVE THE CONDITION OF REQUIRING HALF STREET IMPROVEMENTS ALONG 12TH STREET, A CONDITION BY PLANNING COMMISSION FOR THE CONDITIONAL USE PERMIT FOR ST. NICHOLAS CHURCH AT 3585 NORTH 12TH STREET

WHEREAS, the longstanding policy of the City of Grand Junction has been to require either construction of or the guarantee of funds for half street improvements from development which will create traffic impacts on the City's roads;

WHEREAS, the applicant has not provided sufficient information to vary that policy.

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

For the reason stated, the request to waive half street improvements for 12th Street must be DENIED.

PASSED and ADOPTED this 17th day of April, 1991.

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President of the Council

Attest:

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City Clerk

The following Resolution No. 20-21 denying the waiver of the requirement of half-street improvements on 12th street was presented and read: (See next page).

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

HEARING #20-91 - PROPOSED ORDINANCE - REZONE AND FINAL PLAN FOR ST. MARY'S HOSPITAL LOCATED ON THE SE CORNER OF 7TH STREET AND PATTERSON ROAD FROM B-1 TO PB (PLANNED BUSINESS)

A hearing was held after proper notice on the petition by the Sisters of Charity to rezone property located on the southeast corner of 7th Street and Patterson Road from B-1 to PB (Planned Business) and a final plan on approximately eight acres at said location. Community Development Planner Karl Metzner reviewed the petition.

Mr. Larry Gebbart, Western Engineering employee, representing St. Mary's Hospital, was present to answer questions of Council. It was suggested that the right turn on red sign be eliminated at the intersection of 7th and Patterson.

There were no opponents, letters or counterpetitions. The hearing was closed. Upon motion by Councilman Payne, seconded by Councilman Bennett and carried, the final plan for St. Mary's Hospital located on the southeast corner of 7th Street and Patterson Road was approved.

The following entitled proposed ordinance was presented and read: CHANGING THE ZONING ON CERTAIN LANDS WITHIN THE CITY OF GRAND JUNCTION LOCATED ON THE SOUTHEAST CORNER OF 7TH STREET AND PATTERSON ROAD (F ROAD). Upon motion by Councilman Payne, seconded by Councilman Bennett and carried, the proposed ordinance was passed for publication. Final passage is scheduled on May 15, 1991.

The President declared a ten-minute recess. Upon reconvening, all members of Council were present.

HEARING #15-91 - RESOLUTION NO. 21-91 - HORIZON GLEN OUTLINE DEVELOPMENT PLAN AND PLAT FOR 33 RESIDENTIAL HOUSING UNITS ON 4.4 ACRES LOCATED NORTHWEST OF 12TH STREET AND HORIZON DRIVE

A hearing was held after proper notice on the petition by SL

Ventures, Inc., represented by Tom Logue, Armstrong Consultants, for Horizon Glen Outline Development Plan and Plat for 33 residential housing units on 4.4 acres located northwest of 12th Street and Horizon Drive. Kathy Portner, Senior Planner for the Community Development Department, reviewed the petition. She stated that two letters were entered into the Planning Commission record: Tom and Susan Meason, dated March 21, 1991, stating they didn't want to see through access into the subdivision directly to the north of Phase I, and a letter from Richard Roth, dated April 2, 1991, who was opposing the development).

Mr. Tom Logue was present and gave a slide presentation with explanations. Bill Foster of SL Ventures, Inc., also made comments.

Comments were had by the following:

Don Newton, City Engineer  
Councilman-Elect, City at Large, Bill Bessinger, 2919 Pheasant Run Street  
Ken Johnson, Fire Department  
Rich Krohn, 900 Valley Federal Plaza, Attorney for Walter Dalby and Gertrude Dalby, 555 Pinyon  
Dave Dardin, 698 Round Hill Drive  
Doug Simmons, 653 Round Hill Drive  
John Emerson, 662 Round Hill Drive  
Mike Thompson, Fire Chief

There were no other opponents, letters or counterpetitions. The hearing was closed.

The following Resolution No. 21-91 was presented and read: (See next page.).

Upon motion by Councilman Shepherd, seconded by Councilman Nelson and carried by roll call vote, the Resolution was passed and adopted as read, with the following stipulations:

1. That the planned access to Phase II as proposed be approved, with the understanding that things may change in the future depending on future development plans for that area (the access to Lot 1 would be off the Round Hill Subdivision, but not Lots 2 and 3); contingent upon further acceptable engineering work studies done on access for Phase II, but may come off of Horizon Drive, that the existing F 1/4 Road access to Lot 1 is sufficient;

2. That the Resolution be approved with the following road standards:

- a. That the one-way road be 14 feet wide with a 2-foot drain on one side and a 4-foot road level sidewalk on the other;

- b. That the hammerhead be dropped, just dead-end, with no on-street parking;

3. That the petitioner come back with another ODP (Outline Development Plan) for Phase II before the final plat and plan;

The President declared a ten-minute recess. Upon reconvening, all members of Council were present.

RESOLUTION NO. 21-91

WHEREAS, the petitioner has appealed the decision of Planning Commission on File #15-91, Horizon Glen Subdivision, to deny the Outline Development Plan (ODP) and approve the Preliminary Plan/Plat with conditions. The specific conditions being appealed are as follows:

1. The street section around the proposed loop will include 16' pavement width, 6' curb, gutter and sidewalk on the outside edge of pavement, and a 2' wide "V" pan on inside edge of pavement (wetlands side). To accommodate the required 20 foot fire lane, an additional 6.5 feet wide gravel shoulder inside the "V" pan will be required or parking will only be allowed along the wetlands side of the loop with an additional 2' of pavement width resulting in the 20' fire lane. Developer shall pay for all costs associated with the acquisition and installation of signage, striping, and the like needed to limit or control parking. Developer shall provide for ongoing enforcement of any required parking limitations by restrictive covenants.

2. Access for lot 1 and the property to the south, off of an F 1/2 Road cul-de-sac, is shown on the revised plans for Horizon Glen Subdivision. However, to build the cul-de-sac a stand of mature trees would have to be removed degrading the character of a well established subdivision. As an alternative to that access, staff recommends a hammer-head turn-around at the end of F 1/2 Road on the Horizon Glen property providing access for lots 1, 2 and 3 and the property to the south.

3. If development is to occur in the Phase II area, a through road should be platted through lot 17 (the precise location, i.e., through lot 17, 16, or 15, to be proposed by the developer), providing legal access to the property to the north and east. In selecting the location of the proposed road access, developer should avoid the wetlands as much as possible. At such time as the developer establishes that an alternative road access can be platted and constructed, the platted road across lot 17 can be vacated.

WHEREAS, the City has adopted certain standards to promote the health, safety and welfare of the citizens; and

WHEREAS, the Horizon Drive Corridor Guideline states: "Curb cuts and access points on Horizon Drive should be limited and consolidated to encourage shared access for proposed and future development. Wherever, possible, new accesses should be aligned

with existing accesses on the opposite side of the roadway to minimize traffic hazards and help the flow of traffic entering the roadway;" and

WHEREAS, the Outline Development Plan as proposed would encroach on the defined wetlands area and be in direct conflict with two stated purposes set forth in Chapter 6 of the Zoning and Development Code: 6-1-1.I.: "To preserve natural vegetation and cover, and to promote the natural beauty of the City;" and 6-1-1.L.: "To restrict building in areas poorly suited for building or construction".

NOW, THEREFORE, BE IT RESOLVED, the City Council upholds the Planning Commission's denial of the ODP and the conditions imposed on the preliminary plan and plat, specifically that the roads be built to the above standards, that a cul-de-sac or hammer-head turn around, built to City approved standards, be provided at the end of F 1/2 Road, and that a right-of-way be provided through Lot 17, which could be vacated in the future if an alternative access is approved by the City.

PASSED and ADOPTED this 17th day of April, 1991.

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President of the Council

Attest:

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City Clerk

CONSIDERATION OF A PRE-ANNEXATION AGREEMENT BETWEEN THE CITY AND THE GORMLEY FAMILY - AREA AT FIRST AND PATTERSON

Upon motion by Councilman Theobold, seconded by Councilman Mantlo and carried, the Pre-Annexation Agreement between the City and the Gormley Family for area at First and Patterson was approved, and the City Manager was authorized to sign said Agreement.

PROPOSED ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 1991 BUDGET OF THE CITY OF GRAND JUNCTION

The following entitled proposed ordinance was presented and read: AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 1991 BUDGET OF THE CITY OF GRAND JUNCTION. Upon motion by Councilman Mantlo, seconded by Councilman Theobold and carried, the proposed ordinance was passed for publication.

Councilman Nelson left the meeting at this time.

ORDINANCES ON FINAL PASSAGE - PROOFS OF PUBLICATION

Proofs of Publication on the following Ordinances proposed for final passage have been received and filed. Copies of the Ordinances proposed for final passage were submitted to the City Council prior to the meeting.

ORDINANCE NO. 2515 - REVERTING THE ZONING ON CERTAIN LANDS IN THE CITY OF GRAND JUNCTION, COLORADO, TO A ZONE EQUIVALENT TO THE FORMER ZONING CLASSIFICATION- (GRAFF DAIRY - 29 ROAD)

Upon motion by Councilman Theobold, seconded by Councilman Bennett and carried, the following entitled proposed ordinance was called up for final passage and read by title only: AN ORDINANCE REVERTING THE ZONING ON CERTAIN LANDS IN THE CITY OF GRAND JUNCTION, COLORADO, TO A ZONE EQUIVALENT TO THE FORMER ZONING CLASSIFICATION.

There were no comments. Upon motion by Councilman Bennett, seconded by Councilman Payne and carried by roll call vote, the Ordinance was passed and adopted, numbered 2515, and ordered published.

ORDINANCE NO. 2516 - ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO - KNOCH ANNEXATION LOCATED IN THE VICINITY OF FIRST STREET ON THE EAST, COLORADO RIVER ON THE SOUTH AND WEST, TO HALE AVENUE ON THE NORTH

Upon motion by Councilman Theobold, seconded by Councilman Bennett and carried, the following entitled proposed ordinance was called up for final passage and read by title only: AN ORDINANCE ANNEXING TERRITORY OF THE CITY OF GRAND JUNCTION, COLORADO (KNOCH ANNEXATION).

There were no comments. Upon motion by Councilman Theobold, seconded by Councilman Shepherd and carried, by roll call vote, the Ordinance was passed and adopted, numbered 2516, and ordered published.

RESOLUTION NO. 22-91, ACCEPTING PETITION FOR INTERSTATE ANNEXATIONS 1, 2, 3, AND 4, AND GIVING NOTICE OF HEARING, LOCATED EAST OF 23 ROAD AND SOUTH OF I-70

The following Resolution was presented and read: (See next page.).

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

GRAND JUNCTION RURAL FIRE DISTRICT AGREEMENT

Upon motion by Councilman Bennett, seconded by Councilman Mantlo and carried, the Grand Junction Rural Fire District Agreement was approved and the City Manager was authorized to sign said Agreement.

HAZARDOUS MATERIALS MUTUAL AID AGREEMENT WITH COLORADO HIGHWAY PATROL

Upon motion by Councilman Payne, seconded by Councilman Theobold and carried, the Hazardous Materials Mutual Aid Agreement with Colorado Highway Patrol was approved, and the City Manager was authorized to sign said Agreement.

AGREEMENT WITH STATE FORESTRY AND WITH THE BUREAU OF LAND MANAGEMENT FOR FIRE FIGHTING ASSISTANCE

Upon motion by Councilman Bennett, seconded by Councilman Mantlo and carried, the Agreement with State Forestry and with the Bureau of Land Management for Fire Fighting Assistance was approved, and the City Manager was authorized to sign said Agreement.

CONSIDERATION OF A CONTRACT TO PURCHASE A FIRE STATION SITE NEAR THE INTERSECTION OF PATTERSON ROAD AND 28 1/4 ROAD

A contract to purchase a fire station site near the intersection of Patterson Road and 28 1/4 Road was discussed. No action was taken at this time.

CONSIDERATION OF A PRE-ANNEXATION AGREEMENT BETWEEN THE CITY AND THE FOUNTAINHEAD DEVELOPMENT CORPORATION

Upon motion by Councilman Bennett, seconded by Councilman Theobold and carried, the Pre-Annexation Agreement between the City and the Fountainhead Development Corporation was approved, and the City Manager was authorized to sign said Agreement.

RESOLUTION NO. 22-91

ACCEPTING A PETITION FOR THE ANNEXATION OF LANDS TO THE CITY OF GRAND JUNCTION, COLORADO, AND SETTING A HEARING ON SUCH ANNEXATION WHICH SHALL BE ACCOMPLISHED IN A SERIES (INTERSTATE ANNEXATION NO. 1, NO. 2, NO. 3, NO. 4)

WHEREAS, on the 17th day of April, 1991, 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:

Interstate Annexation No. 1

The Southerly one foot of public right-of-way for Interstate 70 extending to a point which is 2,130 feet West of the intersection of the Southerly right-of-way line of Interstate 70 and the West right-of-way line of 24 Road.

Interstate Annexation No. 2

The Northerly one foot of the Southerly two feet of public right-of-way for Interstate 70 extending from the West right-of-way line

of 24 Road to a point 38 feet East of the West section line of Section 32, T1N, R1W; and one foot of right-of-way for Interstate 70 contiguous to Lots 3 through 15, Block 1 as platted in Interstate Commercial Park Subdivision; and all of the public right-of-way for 23 Road lying more than 39 feet East of the West section line of Section 32, T1N, R1W and extending 1,000 feet South of the South right-of-way line of Interstate 70.

Interstate Annexation No. 3

All of the public right-of-way of 23 Road lying more than 38 feet East of the West section line of Section 32, T1N, R1W, from the South right-of-way line of Interstate 70 to the North right-of-way line of G Road except that part described in Interstate Annexation #2.

Interstate Annexation No. 4

Lots 1 through 13, Block 1, Interstate Commercial Park Subdivision; and Lots 14A, 14B, 15A, and 15B of the Subdivision of Lots 14 and 15, Block 1, Interstate Commercial Park Subdivision; and Lots 3 and 4, Block 2 and Lots 1, 2, and 3, Block 3, of Interstate Commercial Park Subdivision together with that portion of Interstate Avenue and 23-1/4 Road adjacent to said Lots, and Lot 1 of Grand Park Plaza Subdivision; and Lot 1 of a Replat of the First Addition to Interstate Commercial Park.

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 5th day of June, 1991, 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; whether a community of interest exists between the territory and the City; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.

PASSED and ADOPTED this 17th day of April, 1991.



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President of the Council

Attest:

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City Clerk

AGREEMENT FOR PROFESSIONAL SERVICES OF LARMER TRAINING AND DEVELOPMENT FOR CITY COUNCIL RETREAT TO BE HELD ON APRIL 19, 20 AND 21, 1991

Upon motion by Councilman Payne, seconded by Councilman Bennett and carried, the Agreement for Professional Services of Larmer Training and Development for the City Council Retreat was approved, and the City Manager was authorized to sign said agreement.

WORKMAN'S COMPENSATION

Councilman Bennett reported on the status of Workman's Compensation Senate Bill No. 218.

ADJOURNED TO EXECUTIVE SESSION

The President adjourned the meeting to Executive Session.

Neva B. Lockhart

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Neva B. Lockhart, CMC  
City Clerk