

Subdivision Reszone R-3 to B-1

Date 1-6-77 Item # 1-77

Petitioner Donald H. Hutchinson

Preliminary Review Agencies Comments

Final Review Agencies Comments

City Eng. will require 50' R.O.W. S. of center line of R.O.W.

Multiple horizontal lines for handwritten notes, with a vertical column of small square checkboxes separating the two columns.



Action Taken

Action Taken

P.C. Approved 9 Feb. 77

P.C. _____

C.C. Approved 2 Mar 77

C.C. _____

Comments

Comments

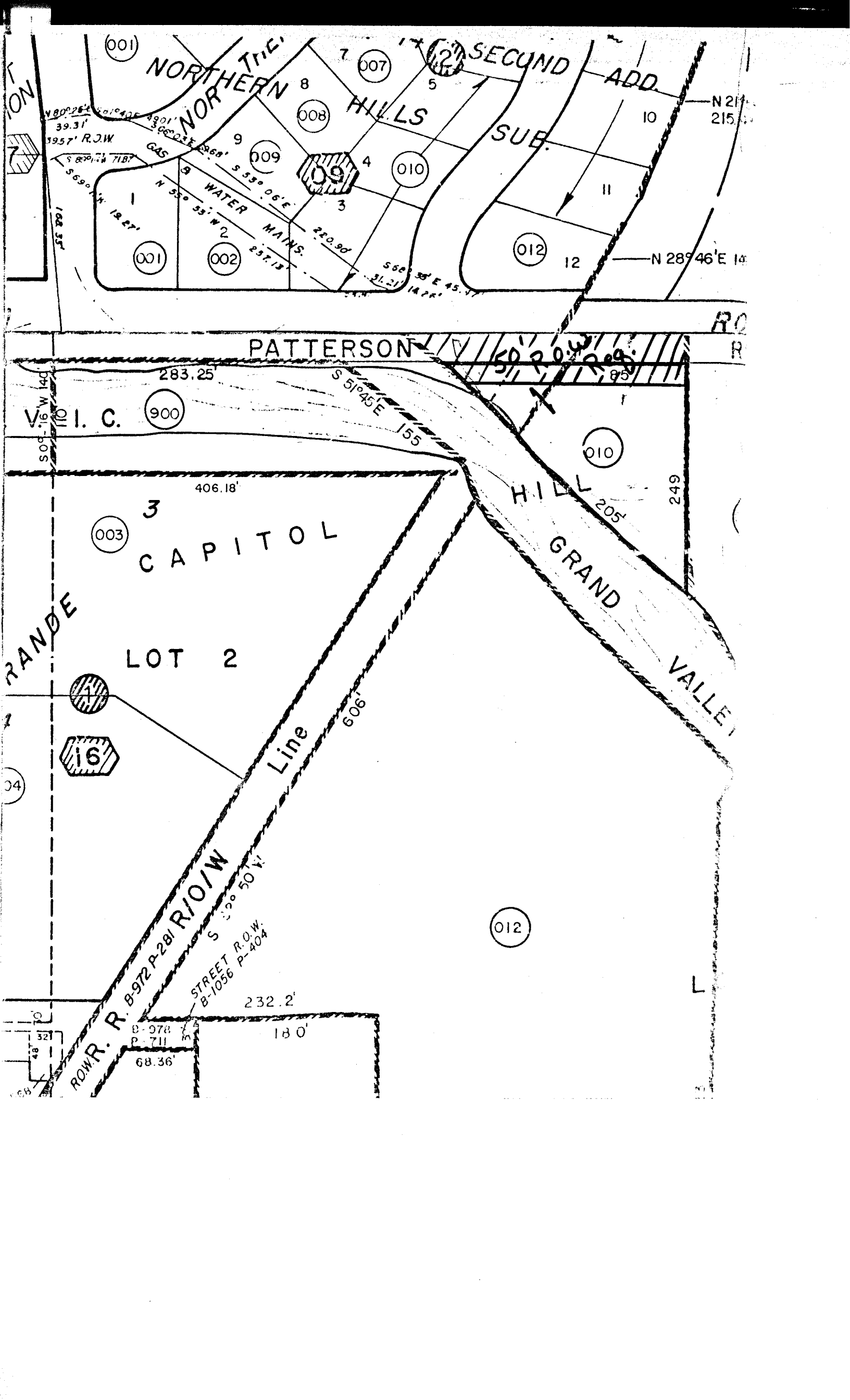
Multiple horizontal lines for handwritten notes, with a vertical column of small square checkboxes separating the two columns.



ITEMS REQUIRED FROM DEVELOPER

- Check
- Drainage
- Improvements
- Utility Agreement
- Landscaping
- Guarantee
- Title Investigation
- Covenants
- Annexation
- Other (Specify)

Multiple horizontal lines for handwritten notes.



NORTHERN HILLS SUB. SECOND ADD.

GAS WATER MAINS

PATTERSON

CAPITOL

LOT 2

HILL GRAND VALLEY

ROW R. R. B-972 P-281 RIO/W

STREET R.O.W. B-1056 P-404

001

007

010

001

002

009

008

012

900

010

003

012

68.36'

232.2'

180'

283.25'

606'

249'

ION

N 21° 21' 15"

N 28° 46' E 14''

39.31' 1957' R.O.W.

18.27'

N 55° 53' W 2'

S 53° 06' E 155'

257.13'

220.90'

S 58° 35' E 45.77'

31.21' 18.28'

50' 20' R.O.W.

S 0° 16' W 140'

32' 48' 30'

PETITION AND APPLICATION FOR REZONING

STATE OF COLORADO)
) ss.
COUNTY OF MESA)

TO THE PLANNING COMMISSION OF THE CITY OF GRAND JUNCTION

Gentlemen:

I ~~we~~, the undersigned, being the owners of the following described property, situated in the City of Grand Junction, County of Mesa, State of Colorado, to-wit:

Beginning at a point 691.4 feet West of the Northeast corner of Section 11, Township 1 South, Range 1 West of the Ute Meridian, thence South to the Northeasterly boundary of the right-of-way of Grand Valley Irrigation Company Canal, thence Northwesterly along said right-of-way of Grand Valley Irrigation Co. Canal to its intersection with the North line of said Section 11, thence East along said North line of said Section 11 to the point of beginning; EXCEPT the North 30 feet for road; now a part of the City of Grand Junction, Mesa County, Colorado.

Also known as 1001 F Road.

Containing .7 acres, more or less, do respectfully petition and request that the Planning Commission amend the zoning ordinance of the City of Grand Junction by changing said above described land from B-3 zone to B-1 zone.

Respectfully submitted,

Donald H. Hutchison
Donald H. Hutchison

STATE OF COLORADO)
) ss.
COUNTY OF MESA)

The foregoing instrument was acknowledged before me this 3rd day of January, 1977, By DONALD H. HUTCHISON, for the purposes therein set forth.

My commission expires: August 28, 1977

Marilyn C. Mitchell
Notary Public

*NOTE: Filing of a petition to rezone requires a deposit of \$270.00 with the Planning Office to defray the cost of the amendment.

January 5, 1977

Mr. Donald H. Hutchison
P. O. Box 2931
Grand Junction, CO 81501

Planning Commission of the
City of Grand Junction
Mesa County Courthouse
Grand Junction, CO 81501

Ladies and Gentlemen:

As petitioner and applicant for rezoning of a .7 acre tract known as 1001 F Road, and as more fully described on the Petition and Application for Rezoning submitted contemporaneously herewith, I make the following additional explanation concerning said Petition:

BACKGROUND AND ORIENTATION. The property in question is located on the southside of Patterson Road midway between Twelfth and Seventh Streets. Attached hereto is a survey performed in 1968 and also a copy of composite assessor's maps locating the property. The property, it will be noted, is isolated on the north by Patterson Road and on the south and west by the Grand Valley Irrigation Company Canal. On the eastern boundary of the property is a tract zoned B-1 which for the past five or six years has been utilized as a dental clinic.

Immediately across the street from the property there is a high density housing project and the Medicenter complex. To the east of the Medicenter complex, and diagonally across the street from my property, there is the newly built Centennial Plaza commercial complex.

I have owned the property for approximately 25 years. The property remained unimproved until 1968 when I erected four contiguous apartment units upon the property. Later, in 1970, I expanded the apartment complex to the total of six units which exist today. The patio units constructed on the east boundary of my property were, according to the R-3 zoning then in effect, constructed with an appropriate setback to such zoning pattern and designed with a patio-yard with an easterly view. At that time the adjoining property on the east was zoned R-3 and it was my expectation that the patio units would continue to enjoy a comparable setback of structures on the property to the east thereby insulating the essential residential character of the patio units.

Planning Commission of the
City of Grand Junction
January 5, 1977
Page Two (2)

However, in about 1972 the adjoining property was rezoned to a B-1 classification, and the back or service area of the clinic was constructed within five feet of my easterly property line.

It is my proposal and wish to obtain a change in the zoning classification of my property which would permit a use of my property similar to the use which is permitted on the immediately adjoining tract.

APPURTENANT INFORMATION. It is my belief that the need for the zone change is justified given the considerations mentioned in the preceding section, and also given my analysis of the demand for additional office space in the immediate vicinity. This is strengthened by the presence of the Medicenter complex and the expansion of medical office facilities in the vicinity of St. Mary's Hospital, a few blocks to the west. In general I find there is also a substantial demand for additional office space within the City of Grand Junction.

As regards the specific needs of the property, we find the property virtually isolated from the properties on the west and south by the Grand Valley Irrigation Canal, and sandwiched against the canal by a property having an existing office-type use. The continued viability and desirability of the property for residential purposes, in light of the changing character of the neighborhood and the specific circumstances of the business use next door, is severely diminished. I have also found that the desirability of the apartment complex for family purposes is diminished by the presence of and hazard created by the adjacent irrigation canal.

It is my judgment that the present and future impact of a change to B-1 zoning on the surrounding area would be minimal. The traffic flow along Patterson Road would not be substantially affected by an office use as compared with the present use for six residential dwellings. Also, given the high density usage of the neighborhood, and the rather extensively utilized situation of Patterson Road at the present, the impact of additional traffic flow would be minimal.

It is anticipated that the impact upon water and sewer would actually be to diminish usage of these facilities. The same may be said of the need for police and fire protection and trash disposal. The impact upon parks and schools would, of course, be reduced. The impact upon design changes to the

Planning Commission of the
City of Grand Junction
January 5, 1977
Page Three (3)

neighborhood would also be minimal as the existing structure is readily adaptable to minor modifications which would accommodate a change in use.

The impact upon the surrounding area by a use change contemplated by a B-1 zoning would be minimal. As stated above, the impact upon the adjoining property would be minor as the adjoining property enjoys a similar use. Insulation of the properties to the south is secured by the Grand Valley Irrigation Company Canal. Properties along the north are insulated by Patterson Road and, in fact, are in part used for similar purposes.

I will make myself available for questions you might have concerning this matter. If additional material or documentation is required prior to the hearing, I will be happy to supply the same.

Very truly yours,


Donald H. Hutchison

DHH:mac

Attachments

RESOLUTION

AUTHORIZING THE CONVEYANCE OF AN INTEREST IN LAND.

WHEREAS, an alley easement was obtained to provide access to another alley in Lots 27 and 28, Blk 23 Milldale Subdivision; and

WHEREAS, such other alley has been vacated, and there is no further need for this alley:

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

That the City Manager be authorized and directed to convey to the Grand Junction Steel Fabricating Company, the owner of the abutting property, the following:

All right, title and interest in Lots 27 and 28 in Block 23 of Milldale Subdivision in the City of Grand Junction, Mesa County, Colorado, as was established by instrument dated September 15, 1954, recorded October 15, 1954 at Block 621, Page 346, Mesa County records,

to eliminate the alley easement within said Lots.

PASSED and ADOPTED this 20th day of July, 1977.

President of the Council

Attest:

City Clerk

It was moved by Councilman Tufly and seconded by Councilman Johnson that the Resolution be passed and adopted as read. Upon roll call all Council members voted AYE. The President declared the motion carried and the Resolution duly passed and adopted.

U

MBI TO LEGAL
DEBBI

PURCHASE AND SALES AGREEMENT

THIS AGREEMENT, made and entered into this 5th day of July, 1977 by and between ROBERT J. STACK of Grand Junction, Colorado, hereafter referred to as "Seller," and MISCHEL'S BOWLERO, INC. of Grand Junction, Colorado, hereafter referred to as "Buyer";

WITNESSETH:

WHEREAS the Seller is the owner of and desires to sell and Buyer desires to buy, upon the terms and conditions set forth herein, the following described real estate situate in the City of Grand Junction, County of Mesa, State of Colorado, to wit:

The ~~South 1/4 of Section 13~~ West 100 feet of the following described property: Beginning 721.5 feet South and 2,485.9 feet West of the East Quarter corner of Section 13, Township 1 South, Range 1 West of the Ute Meridian, thence North 89°43' East 330 feet along the Southerly right of way line of Rood Avenue, in the City of Grand Junction; thence South 00°19' East 234.76 feet to the Northerly right of way line of the Colorado State Highway, thence South 72°52' West 143.74 feet, thence West 342.4 feet, thence North 00°19' West 274.74 feet, thence North 89°43' East 150 feet to the point of beginning (approximately 15,000 square feet);

Meets & Bounds
Elevations, Drainage Utilities etc
For Planning Commission

September 2, 1977

MSI
c/o Mr. Jerry J. Mischel
P. O. Box 1986
Grand Junction, CO 81501

Re: APPLICATION FOR CONDITIONAL USE - MSI DRIVE-IN FILE #62-77

Dear Sirs:

The Grand Junction Planning Commission, at their regularly scheduled meeting of August 31, 1977, denied your application for a drive-in at 19th and Main. Denial was based on traffic considerations involved in egress and ingress to the site as shown in the submitted site plan.

I have been informed by Mr. Don Warner that you wish to be scheduled for the next available City Council meeting. You will therefore be placed on the City Council agenda for September 21, 1977. If you have any questions concerning this item, please contact our office prior to this date.

Yours truly,

Karl G. Metzner
Planner I
pl

KGM:dhw

CC: Don Rish
Steve McKee
Tom Logue, Paragon Engineering

October 31, 1977

MBI c/o Jerry J. Mischel
P. O. Box 1986
Grand Junction, CO 81501

Re: CONDITIONAL USE FOR MBI DRIVE-IN.

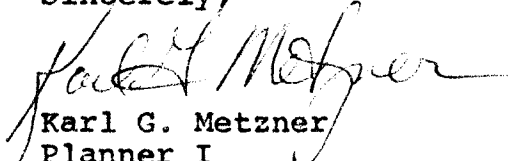
Dear Mr. Mischel:

The City of Grand Junction Planning Commission at the regularly scheduled meeting on October 26, 1977 approved the conditional use application for MBI Drive-In subject to the following conditions:

- (1) The sidewalk, curb, and gutter section should line up with the existing sidewalks, and curb and gutters on Main Street. Sidewalk will also be required on Road.
- (2) Entrance to MBI Drive-In must meet City standards.
- (3) Trash collection distribution point should be located in the parking lot in the southwest corner.
- (4) Main street should have Honey locust trees and landscaping along Road should meet city standards.

This item will appear on the Grand Junction City Council agenda for November 17, 1977. If you have any questions or comments concerning this approval, please contact our office prior to this date.

Sincerely,


Karl G. Metzner
Planner I

KGM:dlw