

# Table of Contents

File 1989-0045

Name: Rezone of Nellie Bechtel from PR 12.3 to PR 21.4-Final Plan 3032 N. 15<sup>th</sup> St.

	S c a n n e d	<p>A few items are denoted with an asterisk (*), which means they are to be scanned for permanent record on the in some instances, not all entries designated to be scanned by the department are present in the file. There are also documents specific to certain files, not found on the standard list. For this reason, a checklist has been provided.</p> <p>Remaining items, (not selected for scanning), will be marked present on the checklist. This index can serve as a quick guide for the contents of each file.</p> <p>Files denoted with (**) are to be located using the ISYS Query System. Planning Clearance will need to be typed in full, as well as other entries such as Ordinances, Resolutions, Board of Appeals, and etc.</p>		
X	X	<b>Table of Contents</b>		
X	X	<b>Review Sheet Summary</b>		
		Application Form		
		Review Sheets		
		Receipts for fees paid for anything		
		<b>*Submittal checklist</b>		
		<b>*General project report</b>		
		Reduced copy of final plans or drawings		
		Reduction of assessor's map.		
		Evidence of title, deeds, easements		
X	X	<b>*Mailing list to adjacent property owners</b>		
		Public notice cards		
		Record of certified mail		
X		Legal description		
		Appraisal of raw land		
		Reduction of any maps – final copy		
		<b>*Final reports for drainage and soils (geotechnical reports)</b>		
		Other bound or non-bound reports		
		Traffic studies		
		<b>*Petitioner's response to comments</b>		
		<b>*Staff Reports</b>		
		<b>*Planning Commission staff report and exhibits</b>		
		<b>*City Council staff report and exhibits</b>		
		<b>*Summary sheet of final conditions</b>		
		<b>*Letters and correspondence dated after the date of final approval (pertaining to change in conditions or expiration date)</b>		
<b><u>DOCUMENTS SPECIFIC TO THIS DEVELOPMENT FILE:</u></b>				
X	X	Action Sheet	X	X
		Review Sheets	X	X
X	X	Development Summary – 10/9/89, 5/1/90	X	X
X		Development Application – 8/3/89	X	X
X		Notice of Public Hearing – 9/5/89, 5/1/90	X	X
X		Letter from Alan Hassler to Kathy Portner re: request for item to be removed from Commission agenda of 10/3/89 and continued to indefinite future date – 9/27/89	X	
X		Public Notice Posting – 8/24/89	X	
X		Letter from Mark Eckert to Karl Metzner re: request that rezone be conducted on property with result of PD 21.5 final zone developed usage of 96 units on 4.54 acres – 8/1/89	X	X
X		Letter from Alan Hassler to Kathy Portner re: confirm application to be tabled until 10/89 – 8/31/89	X	X
X	X	Planning Commission Minutes - ** - 9/5/89, 10/3/89, 10/18/89, 5/1/90	X	X
				Memo from Planning to City Council re: decision of Planning Commission to restrict property to elderly housing only – 10/16/89
				Memo from Kathy Portner to Mark Achen re: parking space issues – no date
				Letter from Karl Metzner to Mark Kareus re: zone confirmation – 12/15/89
				Letter from Jay L. Cooke to Karl Metzner re: revised site plan and request to be heard next Planning Commission – 4/12/90
				Letter from Mark S. Eckert, County Administrator to Planning Commission re: County's concerns as current seller of property- 5/1/90
				Planning Commission Agenda – 5/1/90
				Legal Ad - published 5/9/90
				Ordinance No. 2448 - **
				Memo from Karl Metzner to File re: Councilman Theobold wishes to appeal approval of revised plan for Nellie Bechtel Gardens – 5/3/90
				Parking Plan

MATHESON, PARR, SCHULER, EWALD, ESTER & COOKE

ATTORNEYS AT LAW

2555 CROOKS ROAD, SUITE 200

TROY, MICHIGAN 48084

(313) 643-7900

(313) 334-5066

FAX (313) 643-0417

ALBERT D. MATHESON  
ROBERT A. PARR  
EUGENE C. EWALD  
ROBERT D. SCHULER  
JOHN W. ESTER  
TERENCE K. JOLLY  
JAMES D. OSMER  
JAY L. COOKE \*  
JOHN A. STEVENS  
KIM DANIEL COOKE  
JOHN P. WARREN, JR. \*\*

\* ALSO ADMITTED TO PRACTICE  
IN COLORADO

\*\* ALSO ADMITTED TO PRACTICE  
IN FLORIDA, NEW JERSEY  
AND NEW YORK

SUITE 105  
43000 NINE MILE ROAD  
NOVI, MICHIGAN 48050  
(313) 344-9509

P.O. BOX 1212  
ARVADA, COLORADO 80001  
(303) 422-6738 (DENVER)

OF COUNSEL  
CARNEY D. MATHESON  
WALTER N. BIENEMAN

October 4, 1989

City of Grand Junction  
520 Road Avenue  
Grand Junction, Colorado 81502

Re: Zoning Application No. 45-89  
Nellie Bechtel Apartments

To Whom It May Concern:

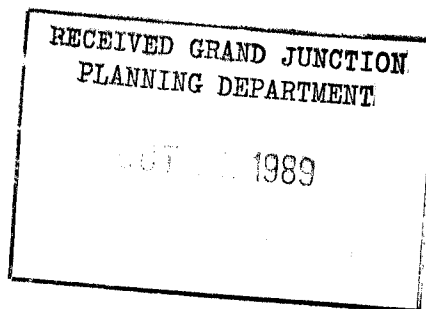
Please be advised that the undersigned and Richard W. Clyne have purchased the above captioned property. We intend to maintain senior citizen housing on the property. Should you have any further questions, please contact me.

Very truly yours,

*Jay L. Cooke*  
JAY L. COOKE

JLC:fp

cc: Alan Hassler, Esq.  
Richard Clyne



2945-013-06-018  
Micheal R Rarden  
3031 North 15th Street  
Grand Junction, CO. 81506

2945-013-06-019  
Frances Voytilla  
3041 North 15th Street  
Grand Junction, CO. 81506

2945-013-06-005  
Yamaha Motor Corp., USA  
6555 Katella Avenue  
Cypress, CA. 90630

2945-013-06-008  
Carolyn R Wilson  
2920 North 15th Street  
Grand Junction, CO. 81506

2945-013-06-003  
Dennis E & Shiela M Bodie  
7539 S Gallup Court  
Littleton, CO. 80120-4124

2945-013-06-015  
Jerry L & Margaret A Brabec  
2941 North 15th Street  
Grand Junction, CO. 81506

2945-013-00-044  
Robert P & Katherine Stokes  
626 27 1/4 Road  
Grand Junction, CO. 81506

2945-013-00-006  
C. Peterson  
647 27 1/4 Road  
Grand Junction, CO 81506

2945-013-06-007  
The Oversoul Foundation  
2680 Capra Way  
Grand Junction, CO. 81506

2945-013-06-004  
James P Armbruster  
3020 North 14th Street  
Grand Junction, CO. 81506

2945-013-00-006  
A Louise Antrim  
2940 North 14th Street  
Grand Junction, CO. 81506

2945-013-06-001  
Gary Lee & Joylien Weathers  
636 Leah  
Grand Junction, CO. 81504

2945-013-06-016  
Wlm E & Geraldine Styers  
3011 North 15th Street  
Grand Junction, CO. 81506

2945-013-00-016  
Angelina Mraule  
& Agness Tylanda  
Box 656  
East Carbon, Utah 84520

2945-013-06-014  
Eugene V & Jeannine Rome  
2931 North 15th Street  
Grand Junction, CO. 81506

Jay L. Cooke  
2555 Crooks Road, Ste 200  
Troy, MI 48084

Alan Hassler  
County Attorney's Office  
P O Box 20000-5004  
Grand Junction, CO. 81502-5004

2945-013-06-020  
Lena Snider  
3051 North 15th Street  
Grand Junction, CO. 81506

1945-013-00-062  
Calvary Bible Church  
888 Glenwood Avenue  
Grand Junction, CO. 81501

2945-013-06-013  
Carol Sue Stover  
4071 Edenhurst Avenue  
Los Angeles, CA 90039

2945-013-00-009  
Lee & David Johnson  
1920 Highway 13  
Rifle, CO. 81650

2945-013-06-017  
Dewaine W & Josephine Winch  
3021 North 15th Street  
Grand Junction, CO. 81506

Mark Eckert  
P O Box 20000-5001  
Grand Junction, CO.  
81502-5001

Original  
Do NOT Remove  
From Office

Revised  
4/17/40

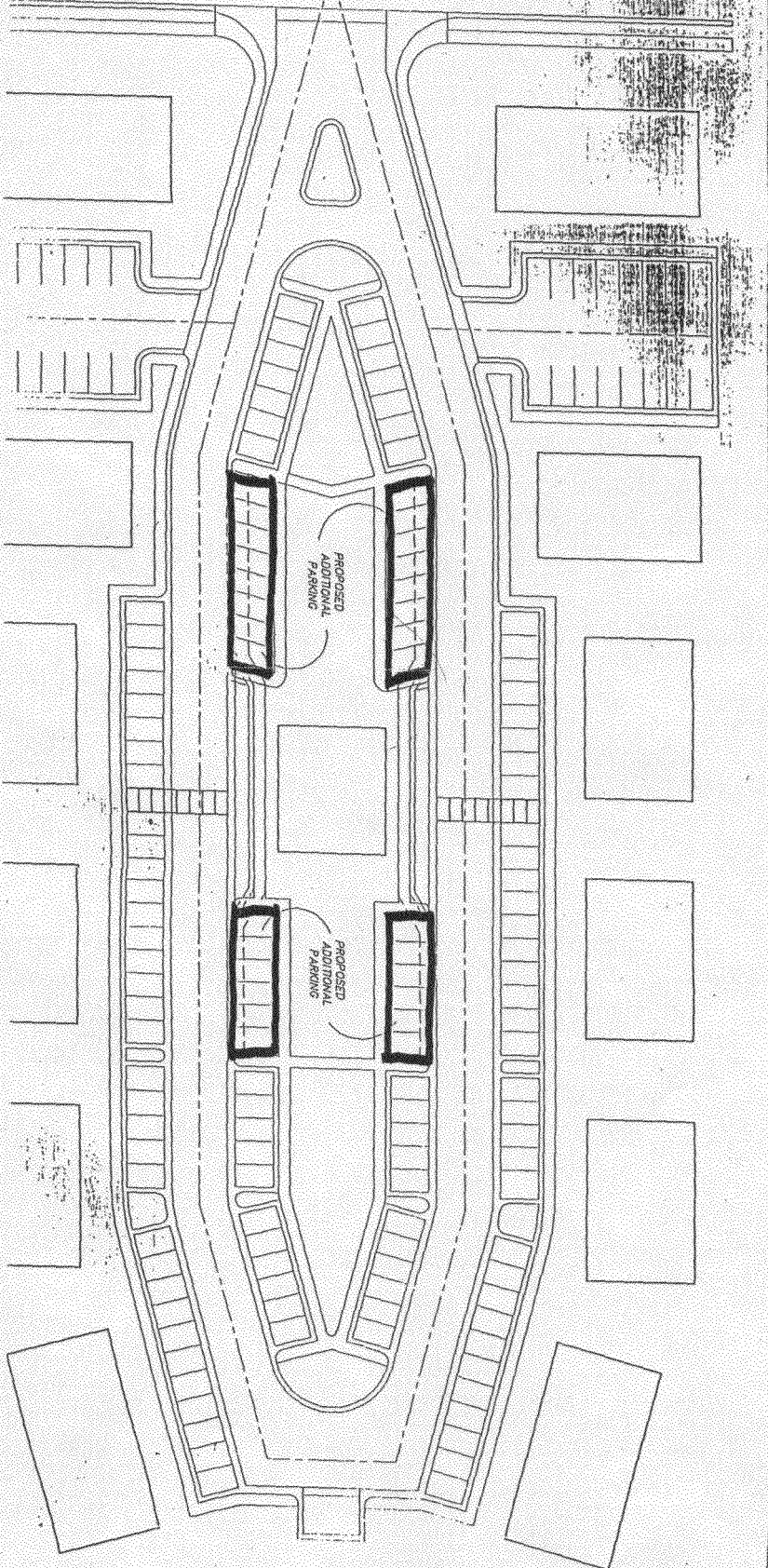
45-89

N00°00'00"E

329.84

27 1/4

ROAD



SET-A 5/27/2  
SECTION  
THE CIVIL LIA

599 53'00"E 660.38

# REVIEW SHEET SUMMARY

FILE NO. 45-89 TITLE HEADING Nellie Bechtel Rezone to PR21.4 DUE DATE 8/17/89

ACTIVITY - PETITIONER - LOCATION - PHASE - ACRES Petitioner: Mesa County Acres: 4.54

Location: 3032 North 15th Street Grand Junction, CO 81501

PETITIONER ADDRESS 750 Main Street Grand Junction, CO 81501

ENGINEER n/a

DATE REC.            AGENCY                    COMMENTS

NOTE: WRITTEN RESPONSE BY THE PETITIONER TO THE REVIEW COMMENTS IS REQUIRED  
A MINIMUM OF 48 HOURS PRIOR TO THE FIRST SCHEDULED PUBLIC HEARING.

8/17/89      City Planning

The final plat which was approved 12/16/88 must be recorded by 12/6/89.

A proposal for rezone of this property was approved by Planning Commission and City Council in November of 1988. The approved proposal was for a reduced number of units for a density of 12.3 units/acre. The County is now asking for a density of 21.4 units/acre to reflect the existing number of units.

Parking requirements for multi-family dwelling units, five and greater per structure: 1½ spaces per dwelling unit plus one additional space per every five spaces for recreational vehicles and/or visitor parking. Therefore, the parking requirement for the existing 96 units would be 173 spaces. This number was reduced to the existing 147 spaces because the development was to be used for the elderly. Approval of the proposed rezone to 21.4 units/acre should restrict the use and/or number of units to fit the reduced parking that is available.

A site plan noting the above restriction must be recorded after approval.

RESPONSE NECESSARY

by 9/1/89

*sent 8/25/89  
JL*

Electronic Mail

Sent To : KARLM  
Sent By : MARKA  
Sent Date: 10/10/89

Subject: Rezoning Nellie Bechtel property  
To: DanW  
From: Mark A  
10/10/89

The Oct 3rd Planning Commission minutes reflect the Commission's desire to strictly limit use of this property to elderly housing. This appears to be an example of the problems you and I have previously discussed about the City's approach to zoning.

My understanding of zoning law and precedents is that the City could not sustain such a restricted zoning classification. I assume the courts would likely sympathize with an owner who argues that if the land is appropriate for 21.4 residential units to the acre, the age of the residents should not be a matter of governmental concern. Thus the City's zoning effectively controls the density but not the demographics of occupants.

The Planning Commission and staff may be operating under the erroneous assumption that the City can classify property so specifically. The same principle would appear to apply where we defined the use of commercial property quite specifically, e.g. insurance office, rather than broadly, e.g. business office.

If my understanding is correct, the Commission and staff need to be advised so that they can make more informed decisions. This may require a new approach to zoning definitions that focusses more upon impacts to surrounding properties and public infrastructure instead of focussing upon type of business or industry.

mka c: JimS, KarlM, Council

**MEMORANDUM**

TO: City Council  
FROM: Planning  
DATE: October 16, 1989  
RE: Nellie Bechtel Rezone

The reason for restricting the Nellie Bechtel property for elderly housing is that the parking available is inadequate for general housing. When the housing complex was built, a reduced number of parking spaces was approved because it was for the elderly. There are 147 parking spaces existing. The Code requires 173 spaces for this type of complex. The complex does, however, meet the parking requirement for retirement centers. Staff recommendation was that the use be restricted to elderly housing or the number of units be reduced to fit the parking available. Planning Commission chose to restrict it to elderly housing only based on the input of the residents and the neighbors and the request by Mesa County.

/kp

# OFF ACTION SHEET

Acres 4.54 File No. \_\_\_\_\_  
 Units 96 Zone PR 12.3  
 Density 21.4 units/acre Tax Parcel Number 2945-013-00-933  
**REZONE & FINAL**  
 Activity Rezone from PR 12.3 to PR 21.4 & Final Plan  
 Phase Final  
 Common Location 3032 15th St.

Date Submitted \_\_\_\_\_ Date Mailed Out \_\_\_\_\_ Date Posted \_\_\_\_\_  
 \_\_\_\_\_ day Review Period Return by \_\_\_\_\_  
 Open Space Dedication (acreage) \_\_\_\_\_ Open Space Fee Required \$ \_\_\_\_\_ Paid Receipt # \_\_\_\_\_  
 Recording Fee Required \$ \_\_\_\_\_ Paid (Date) \_\_\_\_\_ Date Recorded \_\_\_\_\_

review agencies	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z	AA	BB	CC	DD	EE	FF	GA	
Development Dept.	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
City Public Works	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
City Engineer	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
Transportation Engineer	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
City Parks/Recreation	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
City Fire Dept.	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
City Police Dept.	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
County Planning	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
County Engineer	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
County Health	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
County Parks/Recreation	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
Comprehensive Planning	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
Floodplain Administration	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
G.J. Dept. of Energy	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
Walker Field	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
School District	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
Irrigation	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
Drainage	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
Water (Ute, Clifton)	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
Sewer Dist. (FV, CGV, OH)	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
Mountain Bell	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
Public Service (2 sets)	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
State Highway Dept.	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
State Geological	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
State Health Dept.	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
GJPC (7 packets)	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
CIC (9 packets)	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
OTHER <u>City Engineer/Planning</u>	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	
<b>totals</b>																																		

**BOARDS**

<u>PC</u>	<u>DATE</u> 10/2/89	- Recommend approval of rezone subject to Review Agency Summary Sheet and that the use be limited to elderly housing.
<u>CIC</u>	<u>DATE</u> 10/18/89	Approved final plan
<u>P.C.</u>	<u>DATE</u> 5/1/90	Revised plan for additional parking approved elderly housing restriction removed

**STAFF**

---



---



---

### APPLICATION FEE REQUIREMENTS

\$500.00 payable to City of M.J. at time of submission





# development summary



File # 45-89 Name Nellie Bechtel Rezone Date 10/09/89

PROJECT LOCATION: 3032 N 15th Street

## PROJECT DESCRIPTION:

A request to change from Planned Residential (PR) 12.3 to Planned Residential (PR) 21.4 and a Final Plan for 96 units on approximately 4.5 acres.

## REVIEW SUMMARY (Major Concerns)

POLICIES COMPLIANCE	YES NO*		TECHNICAL REQUIREMENTS	SATISFIED NOT SATISFIED*	
	Complies with adopted policies	X			Streets/Rights Of Way
Complies with adopted criteria	X		Water/Sewer	X	
Meets guidelines of Comprehensive Plan	N/A		Irrigation/Drainage	X	
			Landscaping/Screening	X	
			Other: _____		

\* See explanation below

## STATUS & RECOMMENDATIONS:

The property was rezoned one year ago from PZ to PR 12.3 to accommodate the proposal at that time to decrease the number of units from 96 to 56. This request is to rezone it to a density which fits the current number of units - 96 for 21.4 units per acre. Because of parking limitations, Staff recommended the use be restricted to elderly housing at that density.

### Planning Commission Action

- 10/03/89 - Recommended approval of the rezone to PR 21.4 subject to Review Agency Summary sheet and that the use be limited to elderly housing.
- Approved the Final Plan limiting the use to elderly housing.

# development summary



File # 45-89 Name Nellie Betchel Date 05/01/90

PROJECT LOCATION: 3032 North 15th Street

**PROJECT DESCRIPTION:**

Revision of development plan to add 28 additional parking spaces, and a request that the limitation of elderly housing be removed.

## REVIEW SUMMARY (Major Concerns)

POLICIES COMPLIANCE	YES NO*		TECHNICAL REQUIREMENTS	SATISFIED NOT SATISFIED*	
	YES	NO*		SATISFIED	NOT SATISFIED*
Complies with adopted policies N/A			Streets/Rights Of Way N/A		
Complies with adopted criteria	X		Water/Sewer N/A		
Meets guidelines of Comprehensive Plan	N/A		Irrigation/Drainage N/A		
			Landscaping/Screening N/A		
			Other: _____		

\* See explanation below

**STATUS & RECOMMENDATIONS:**

This item qualified for final action by the Planning Commission. The Commission approved the request. Within the time period specified by the code an appeal of the Commission's decision was filed. City Council review and approval is now required.

**Planning Commission Action**

Approved (6-0)



Grand Junction Planning Department  
250 North Fifth Street  
Grand Junction, Colorado 81501-2668  
(303) 244-1430

December 15, 1989

Mr. Mark Kareus  
Coldwell Banker  
P.O. Box 3117  
Grand Junction, CO 81502

RE: Nellie Bechtel Gardens (File #45-89)

Dear Mr. Kareus:

This letter is to confirm that Nellie Bechtel Gardens at 3032 North 15th Street is zoned Planned Residential (PR) with a density of 21.4 units per acre. Because of the reduced parking requirement, the use is restricted to elderly housing. The zoning and use was approved by the Grand Junction City Council on October 18, 1989. As a legally approved use, any structures or other facilities which may be damaged or destroyed can be reconstructed in their current configuration. Any amendments to the approved plan must meet the applicable requirements of the Grand Junction Zoning and Development Code.

Please let me know if you have any additional questions concerning this development.

Sincerely,

Karl G. Metzner  
Director of Planning

xc: File #45-89

KGM/bd

JAY L. COOKE  
2555 Crooks Road, Ste. 200  
Troy, MI 48084  
(313) 643-7900

April 12, 1990

Planning Commission  
City of Grand Junction  
250 N. 5th Street  
Grand Junction, CO 81501-2643

ATTN: Mr. Carl G. Metzner  
Director of Planning

Re: Nellie Bechtel Garden Apartments

Dear Mr. Metzner:

Richard W. Clyne and I have an executory purchase agreement pending with the County of Mesa regarding the acquisition of the above apartments. As we move forward in our acquisition process, the lending entity we have submitted this loan to has requested that the property conform, in all aspects, to the current, existing zoning ordinances of the City of Grand Junction. It is my understanding that the property is currently zoned Planned Residential with a restriction of elderly housing because of the shortage of parking. I further understand that this property, to be in compliance with the current zoning, would need additional parking spaces.

Enclosed with this letter please find nine copies of a revised site plan showing the addition of parking spaces to the Nellie Bechtel Garden Apartments. We would ask that upon construction of the requisite parking spaces this property would be fully conforming with all zoning requirements, including parking and would allow for any residential use.

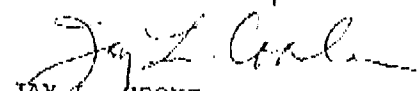
Finally, we hereby request to have this matter heard at your next Planning Commission meeting, which I understand is Tuesday,

Planning Commission  
City of Grand Junction  
Page 2  
April 12, 1990

May 1, 1990, at 7:30 p.m. Please contact the undersigned or our local representative Mark Kareus (243-0456) should you need further information. Enclosed also please find required fee.

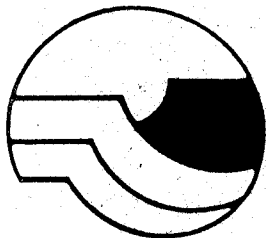
Very truly yours,

Apr. 13, 89 12:22 P.02

  
JAY L. COOKE

FR RDG DEV & FED MGT C TEL No.313-643-4005

JLC:nlm  
Enclosure  
cc: Mr. John Leano  
Mesa County Commissioner  
Mr. Larry Carnahan  
Federal National Finance Corporation  
Mr. Mark Kareus



BOARD OF  
**Mesa County**  
**Commissioners**

750 Main Street  
P.O. Box 20,000-5010  
Grand Junction, Colorado  
81502-5010

John M. Leane  
District No. 1  
(303) 244-1605

Richard C. Pond  
District No. 2  
(303) 244-1604

Doralyn B. Genova  
District No. 3  
(303) 244-1606

May 1, 1990

Grand Junction Planning Commission  
250 North Fifth Street  
Grand Junction, CO 81501

Re: File Number 45-89 -- Application  
for Minor Change for property at  
3032 North 15th Street (Nellie Bechtel Gardens)

Dear Commissioners:

The Mesa County Board of Commissioners wishes the following to be accepted as part of the record with regard to the rezone of Nellie Bechtel Gardens that is before the Grand Junction Planning Commission on May 1, 1990. The Board appreciates your consideration of this information in making a decision on the Cooke/Clyne application for removal of the zoning restriction based on number of parking spaces.

Mesa County is not a party to the request, but is interested as the current owner and seller under contract to the applicants. It is the County's understanding that the application is made as a requirement of financing imposed by the lending institution from which the buyers are seeking a loan.

The Mesa County Board of Commissioners determined that the County must sell Nellie Bechtel Gardens at the soonest possible time and for the highest possible price, for the benefit of all county taxpayers. Since the project came on line in 1984, the County used a combination of Payment in Lieu of Taxes (Pilt money) and property tax dollars to service the debt and subsidize the operation of the project. The subsidy between 1984 and 1989 totaled \$875,598. The budgeted 1990 subsidy is \$163,598. The debt for the facility is scheduled to run through the year 2002 at an annual cost of \$325,000. It is important to the County and the taxpayers that the County obtain a sale of the property.

The property is presently zoned PR 21.4, with a requirement that recognizes the property was originally approved for construction with fewer parking spaces than now required. ~~In its request, the applicant is proposing to add enough parking to meet the City's zoning requirements. When the property is approved by the City as complying with the City requirements, the proposed lender indicates it will lend the money so that applicants can complete the purchase.~~

Presently, the property is restricted to elderly housing uses by the bond documents. Once the property is sold, the bond restriction will be removed by defeasance of the bonds.

Mesa County respectfully requests that the Commission approve the minor change requested, so that the property can be brought into compliance with City zoning requirements.

Thank you for your consideration in this matter.

Yours truly,

*Mark S. Eckert*

Mark S. Eckert,  
County Administrator

5-1-90

*J. McNamee*  
Chairman Board of  
County Commissioners

Electronic Mail - MEMO

Created By: KATHYP  
Memo Name : NELLIEB

Subject: Nellie Bechtel Rezone

To: Mark Achen  
From: Kathy Fortner

The reason for restricting the Nellie Bechtel property for elderly housing is that the parking available is inadequate for general housing. When the housing complex was built a reduced number of parking spaces was approved because it was for the elderly. There are 147 parking spaces existing. The Code requires 173 spaces for this type of complex. Staff recommendation was that the use be restricted to elderly housing or the number of units be reduced to fit the parking available. Planning Commission chose to restrict it to elderly housing only based on the input of the residents and the neighbors. In fact, that was what Mesa County suggested.

cc: Dan Wilson

To: File #45-89  
From: Karl Metzner  
Re: Appeal from Planning Commission Decision  
5/3/90

Received verbal message from Dan Wilson that Councilman Theobald wishes to appeal the Planning Commission approval of the revised plan for Nellie Bechtel Gardens. This item will be placed on the May 16, 1990 City Council agenda as per section 2-2-2C.4.