

Ruth & Dorothy Stewart
2844 Texas Ave.
City 81501

Phyllis I Sturm
2841 Mesa Ave.
City 81501

Rose Sundstrom
3054 1/2 Quailwood Ct.
City 81504

Donald G. Turley
Patricia Ann Turley
535 Willow Road
City 81501

James D. Vancil
Mary L. Vancil
2847 Elm Ave.
City 81501

Guy Wallace
Newell M. Wallace
527 1/2 - 28 1/2 Road
City 81501

Dorothy Wilder
538 1/2 Willow Road
City 81501

Hilltop Foundation
c/o Mary Trautman
2839 1/2 Texas Ave.
City 81501

Mesa Ave. Church of Christ
633 Melody Lane
City 81506

Nisley Apartments
P.O. Box 446
City 81502-0446

Jane D. Henderson
4528 Hillcrest Ave.
Oscoda, MI 48750

William A. Dewey
Gail M. Dewey
9245 Morningside Dr.
Silverdale, WA 98383

Rep. Richard F. Dewey
2236 Tiffany Ct.
City 81503

Harold H. Johnson
538 1/2 Willow Road
City 81501

Jeenie Allen
2844 1/2 Texas Ave.
City 81501

Mary Bennett
2850 1/2 Texas Ave.
City 81501

Kenneth D. Nelson
Shirley M. Nelson
530 1/2 - 28 1/2 Road
City 81501

#65-94

Eleanor J. Saddoris
Henry W.
2838 1/2 Elm Ave.
City, CO 81501

Mildred P. Collins
2845 Elm Ave.
City, 81501

Doris M. Davis
2842 Texas Ave.
City 81501

James V. Wilcox III
Nancy R. Anderson
2840 1/2 Texas Ave.
City, CO 81501

WG Devinentis
2604 Eastridge Dr. NE
Albuquerque, N.M. 87112

Larence K. Dowd
43921 Hwy 6
Gelnwood Spgs, CO 81601

Robert E. Anderson
Etal & Lois V. Green
c/o 721 Rainbow St.
Delta, CO 81416

Paul & Betty Dowdell
2984 B Road
City 81503

Mickey T. Drake
Joan V. Franz
P.O. Box 40543
City 81504-0543

Mary E. Bennett
2850 1/2 Texas Ave.
City 81501

Marjorie A. Fortney
2844 Elm Ave.
Grand Junction, CO 81501

Thomas J. Franklin
Alma M. Franklin
2843 Mesa Ave.
City 81501

Hazel P. Brasier
2916 Elm Ave.
City 81504

Michael A. Frick
Jannis G. Frick
634 S. Terrace Dr.
City 81503

Thomas D. Fry
523 - 28 1/2 Road
City 81501

Martha I Brown
2841 Texas Ave.
City 81501

Paul & Betty Goble
529 - 28 1/2 Road
City 81501

Andrew I. Gonzales
2843 Elm Ave.
City 81501

Cheryl A. Caldren
2840 1/2 Elm Ave.
City 81501

Lillian M. Hawkins
536 1/2 - 28 1/2 Road
City 81501

Albert T. Herring
Maria A. Herring
573 29 3/4 Road
City 81504

Julian Malgares
Lourdes A. Malgares
P.O. Box 583
City 81502-0583

Idona M. Miller
2840 Texas Ave.
City 81501

Faustina Pacheco
2842 1/2 Texas Ave.
City 81501

Edith C. Ramsey
Rada M. Steele
526 - 28 1/2 Road
City 81501

Edith C. Ramsey
526 28 1/2 Road
City 81501

Maydell E. Roberts
2846 Elm Ave.
City 81501

Gertrude I. Schultz
535 1/2 - 28 1/2 Road
City 81501

Helen Shults
2841 1/2 Mesa Ave.
City 81501

Jack & Virginia Sommers
2844 1/2 Texas Ave.
City 81501

Date: 3/23/94

To Whom It May Concern:

I (We) have been briefed by William A. Dewey on the proposed duplex addition at 2845 Texas Avenue. I (We) have no objection to the proposed planned residential development with the exception of the following comments.

Signed:

Nancy R Anderson

2840 1/2 Texas Ave

Date: 3/23/94

To Whom It May Concern:

I (We) have been briefed by William A. Dewey on the proposed duplex addition at 2845 Texas Avenue. I (We) have no objection to the proposed planned residential development with the exception of the following comments.

Signed:

Louis M. Davis

2842 Texas Ave

Date: 3/23/94

To Whom It May Concern:

I (We) have been briefed by William A. Dewey on the proposed duplex addition at 2845 Texas Avenue. I (We) have no objection to the proposed planned residential development with the exception of the following comments.

Signed:

Guy Waller

*I would like to see a buffer fence along my property line
327 1/2 28 1/2 Rd*

Date: 3-23-94

To Whom It May Concern:

I (We) have been briefed by William A. Dewey on the proposed duplex addition at 2845 Texas Avenue. I (We) have no objection to the proposed planned residential development with the exception of the following comments.

Signed: *Paul E. Stone*

529 28 1/2 Rd

Date: 3/23/94

To Whom It May Concern:

I (We) have been briefed by William A. Dewey on the proposed duplex addition at 2845 Texas Avenue. I (We) have no objection to the proposed planned residential development with the exception of the following comments.

Signed:

Eleanor Sadderis
Henry Sadderis
2838 1/2 ELM AVE

We request that a fence be erected between our property and the proposed apartment complex.

Date: 3/23/94

To Whom It May Concern:

I (We) have been briefed by William A. Dewey on the proposed duplex addition at 2845 Texas Avenue. I (We) have no objection to the proposed planned residential development with the exception of the following comments.

Signed:

Maydell Roberts
2846 ELM AVE

TYPE LEGAL DESCRIPTION (S) BELOW, USING ADDITIONAL SHEETS AS NECESSARY. USE SINGLE SPACING WITH A ONE INCH MARGIN ON EACH SIDE.

Begining at a point 174 feet North of the Southwest Corner of the SE 1/4 SE 1/4 NE 1/4 SW 1/4 of Section 7, Township 1 South, Range 1 East of the Ute Meridian, thence North 156 feet, thence East 132 feet, thence South 156 feet, thence West 132 feet, to the point of Beginning, in the City of Grand Junction, Mesa County Colorado, TOGETHER with all water, water rights, ditches and ditch rights appurtenant thereto.



March 29, 1994

City of Grand Junction
City Council
Planning Commissions
250 North 5th. Street
Grand Junction, CO 81501

Dear Members:

Accompanying is a Zone Change Request and Outline Development Plan for Dewey Apartments. The requested change in zoning is from RSF-8 to PR "Planned Unit Development". The subject site is located on approximately one half acre located South of Texas Avenue and 200 feet West of 28 1/2 Road, commonly known as 2845 Texas Avenue.

The enclosed information is intended to provide sufficient data to assess the merits of the requested change in zoning and development plans.

Given the opportunity, the proposal demonstrates that a quality residential development coupled with a plan that is sensitive to the existing neighborhood, can be desirable for Grand Junction.

To proceed further with the development of Dewey Apartments requires a great deal of investment and risk to the petitioner. The owner and developers believe they will be introducing new rental housing which will prove to be profitable and desirable to the City of Grand Junction. They request that you, the City Council and Planning Commission give the petition and the owner of Dewey Apartments your best consideration, and trust you will make a knowledgeable and wise decision in this matter.

The petitioner and myself will be present at the scheduled public hearings to discuss the project and answer any questions which may arise.

Respectfully,


Thomas A. Logue

PROJECT NARRATIVE
ZONE CHANGE REQUEST AND
OFFICIAL DEVELOPMENT PLAN FOR
DEWEY APARTMENTS

March, 1994

INTRODUCTION - The accompanying narrative statement and maps will provide sufficient data to assess the merits of the requested Zone Change Request and Official Development Plan application. Information gained as a result of the review process will be utilized in the preparation of the Preliminary and Final Plans.

LOCATION - Dewey Apartments contains approximately one half acre. The subject property is located in the Northeast Grand Junction area, South of Texas Avenue, approximately 200 feet West of 28 1/2 Road. The property is located in part of the SW 1/4 of Section 7, Township One South, Range One East, of the Ute Meridian.

EXISTING LAND USE - About one half of the subject property is currently occupied by a non conforming multiple three unit apartment constructed in 1974. Topography of the property is considered to be "flat" in nature and landscaped with mature trees and turf ground cover. The subject property is zoned RSF-8 by the City of Grand Junction.

SURROUNDING LAND USE -The surrounding land use in the vicinity of the subject property is considered to be of moderate intensity. Predominate uses include single family dwellings, mobile homes and apartment complexes generally on subdivided tracts. The surrounding area is in transition with a mix of mature (30 to 80 years in age) single family residences and newer (14 to 20 years in age) apartment

complexes. One of which is the Nisley Apartments which adjoins the subject site and is zoned for 16 dwelling units per acre by the City. Non residential uses can be found along North Avenue. Columbine Park is located nearby along the east side of 28 1/4 Road south of Orchard Avenue. The attached Assessor's Map depicts the configuration of various properties in the area surrounding Dewey Apartments. Existing apartment complexes within 1300 feet of the site include:

EXISTING APARTMENTS		
NAME	LOCATION	UNITS
Terrace Apartments	575 28 1/2 Rd.	not known
Cedar Terrace	555 28 1/2 Rd.	not known
Nisley Apartments	527 28 1/2 Rd.	11
Glen Ellen	2854 Elm Crl.	36
Villa San Marcos	517 28 1/2 Rd.	28
Creekside	515 28 1/2 Rd	28
Briargate	623 28 1/4 Rd.	20
Eastgate Townhomes	524 Eastgate St	39

PROPOSED LAND USE - The proposal calls for the ultimate development of a new duplex consisting of two additional new units resulting in a total of five units on the site. The resulting density is one dwelling unit per 4118 square feet. The accompanying Official Development Plan depicts the relationship of the proposed duplex and existing units to the property boundary, parking areas, and other features of the proposed development.

ACCESS - Primary access to Dewey Apartments will be from Texas Avenue designated as local street by the City of Grand Junction. Review of the accompanying Assessor's Map reveal that access is available to North Avenue, a major east/west arterial via 28 1/2 Road which is classified as a collector street.

28 1/2 Road is included in the City's capitol improvement program from rebuilding between North Avenue and Orchard Avenue in 1995.

Proposed site improvements call for the construction of approximately 1500 feet of new public street. Streets will be constructed in accordance with the City's current standards for "Local Streets". The street right-of-way will also serve as a utility corridor.

According to the City of Grand Junction's Trip Generator, approximately 32.5 average total daily trips would occur after site development is complete.

UTILITY SERVICE

DOMESTIC WATER - All lots within Dewey Apartments will be served by a domestic water distribution system. An existing X inch water main is located within Texas Avenue and will be used to provide water service to the new units within Dewey Apartments. The existing water main is owned and maintained by the City of Grand Junction. Fire hydrants are located in the vicinity of the subject site.

SANITARY SEWER - Sewer service will be extended from an existing main located in Texas Avenue. It is estimated that peak sewage flows generated by all the units within the development will be 7500 gallons per day. The site is located within the Fruitvale Sanitation District.

ELECTRIC, GAS, PHONE & CATV - Electric, gas, and communication lines will be extended to the new duplex from existing lines located adjacent to the proposed development.

DEVELOPMENT SCHEDULE - The rate at which development of Dewey Apartments, will occur is dependent upon the City's future growth and housing

needs. At this point in time it is anticipated that construction will begin on the duplex units this year.

REZONE CRITERIA

The City of Grand Junction has established seven criteria for evaluation of zone change requests. A response to each follows:

A. Since the underlying zone was established an error in the existing zone could be considered to have occurred. Some of the property in the area surrounding the request exceeds the established zone. Additionally, the existing three unit apartment was granted a building permit in 1974, and is considered to be a non-conforming use.

B. Substantial changes in the character of the surrounding area have occurred since the development of eight separate apartment complexes within a quarter mile radius of the property. The area surrounding the subject site is in a transitional state between mature single family residences and newer apartment complexes.

C. It is widely accepted fact that any community that does not have some new development activity will wither and die economically. It is important for any community to encourage development of new housing which help maintains its economic stability.

D. Other than economic impacts to the City of Grand Junction, the proposed site in its present state does not present major adverse impact on the adjoining areas. However, once development of Dewey Apartments is completed, some impact of the adjoining properties would most likely be realized. Utilizing the "Planned Unit Development" (PUD) zone concept, any such negative impacts can be minimized.

The PUD zone allows for specific site plan reviews of the proposed development plans by the general public and various governmental agencies.

Preparation of the Official Development Plan meets its primary goal in development of the site in a manner which protects the adjoining uses from any adverse impacts.

In order to meet the goals established above the following key design elements were incorporated within the Official Development Plan:

1. Preserving the residential character of the neighborhood with 51% of the total site area as landscaping.
2. Proposed setbacks that are compatible with those which exist in adjoining properties.
3. Adequate parking for the residents has been provided.
4. The entire site is fenced to match existing fencing adjoining the property as requested by adjoining property owners.
5. The proposed duplex is limited to a single story level and will have the same architectural style and character of other dwelling in the neighborhood.
6. The proposed setbacks for the new duplex meet those which exist for the RSF - 8 zone requirements

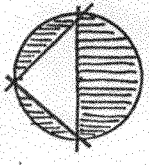
E. Revenues generated by the proposed use should than off-set costs incurred by the City and other public entities which provide services. Revenues generated will be from the following:

1. Property Taxes
2. Sales Taxes
3. Special Use and Tap Fees

In addition to monetary benefits to the City, the proposal will provide modern rental units in a market which currently has a severe shortage of available rental housing units.

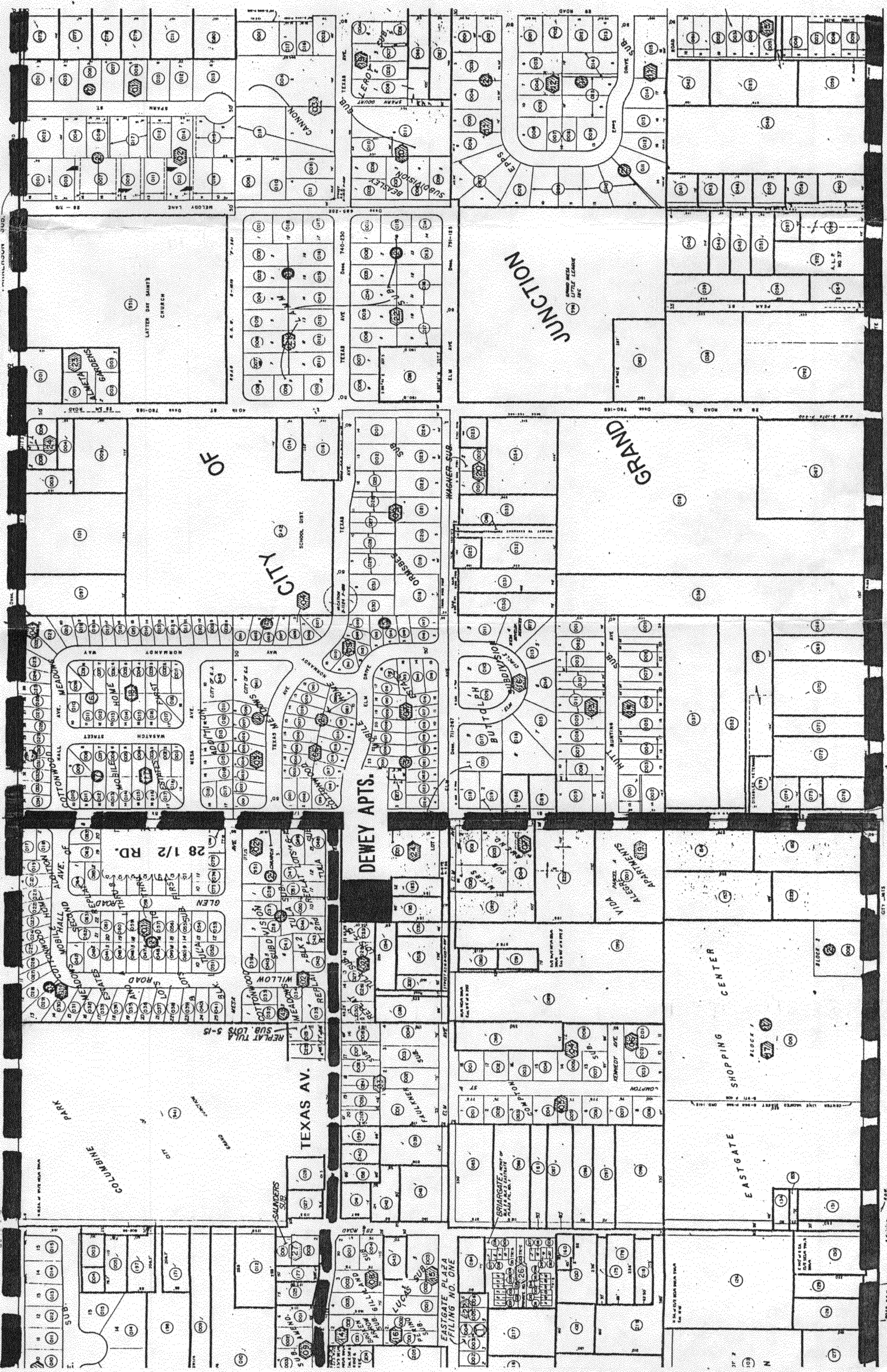
F. The City of Grand Junction has adopted numerous land use policies, none of which directly affect the subject site.

G. All public utilities required for the development of the subject property exists within the adjoining roadways and have the available capacity to serve the proposed use.



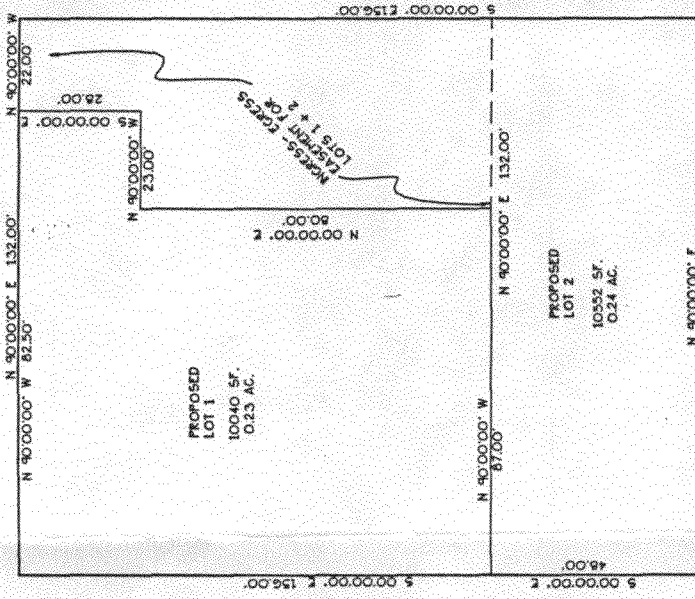
ORCHARD AV.

NORTH AV.

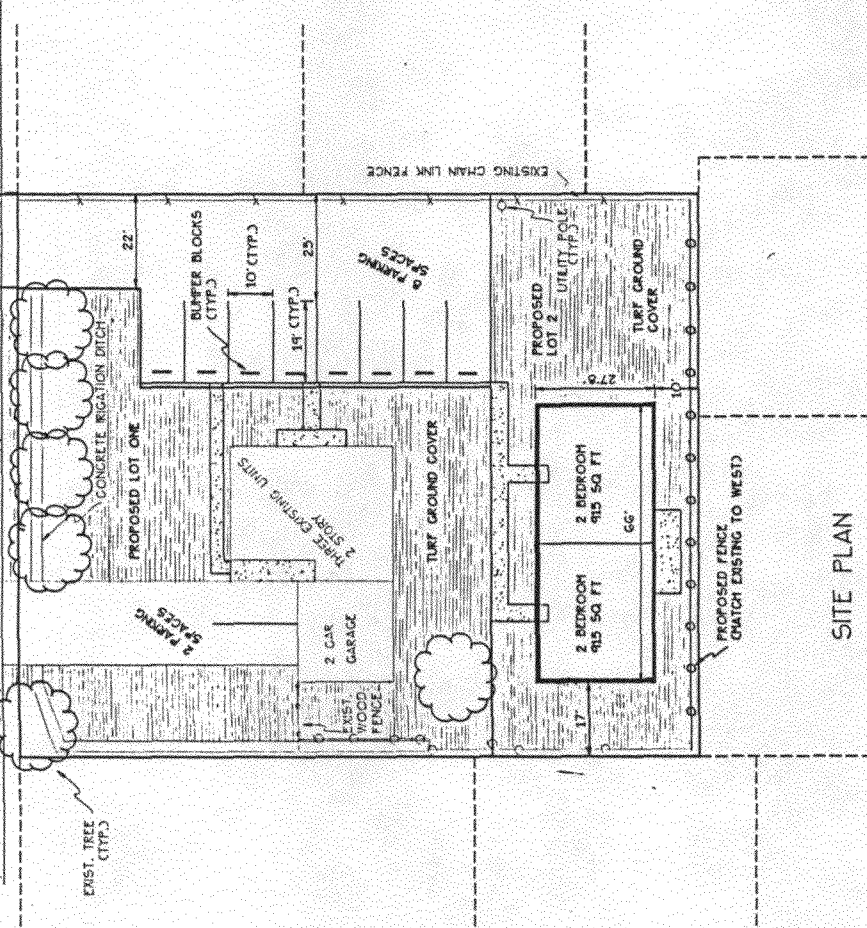


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T. S. R. I. E.

TEXAS AVENUE

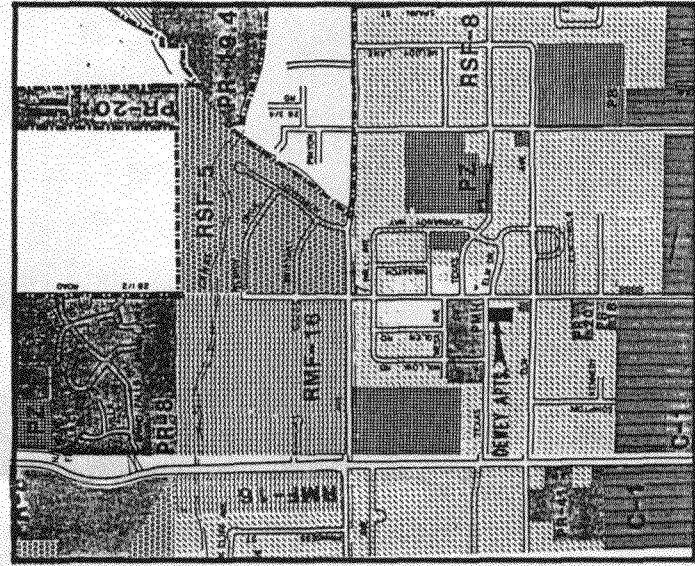


LOT LAYOUT



LAND USE SUMMARY	
Existing Units	3
Proposed Units	2
Total Units	5
Site Area	20592 SF
Total Parking	10 Spaces

SITE PLAN



SITE PLAN

DEWEY APARTMENTS

THOMAS A. LOGUE
LAND DEVELOPMENT CONSULTANTS

PROJECT NO. G-15312-NORTHWOODING SHEET OF
DATE: MARCH 1994

1	1
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REVIEW COMMENTS

Page 1 of 2

FILE #65-94

TITLE HEADING: Rezone from RSF-8 to PR
& Outline Development
Plan

LOCATION: 2845 Texas Avenue

PETITIONER: Dewey Family Trust

PETITIONER'S ADDRESS/TELEPHONE: c/o William A. Dewey
9245 Morningside Drive
Silverdale, WA 98383
(206) 692-0782

PETITIONER'S REPRESENTATIVE: Tom Logue

STAFF REPRESENTATIVE: Kathy Portner

NOTE: WRITTEN RESPONSE BY THE PETITIONER TO THE REVIEW COMMENTS
IS REQUIRED ON OR BEFORE 5:00 P.M., APRIL 26, 1994.

U.S. WEST
Leon Peach

4/6/94
244-4964

No comments at this time.

CITY DEVELOPMENT ENGINEER
Jody Kliska

4/11/94
244-1591

Page 3 of the "Project Narrative" says proposed site improvements call for construction of approximately 1500 feet of new public street. Where?

PUBLIC SERVICE COMPANY
Dale Clawson

4/11/94
244-2695

ELECTRIC & GAS: Request that the ingress-egress easement be dedicated also as utility easement.

CITY UTILITY ENGINEER
Bill Cheney

4/7/94
244-1590

WATER - City Water

1. Show proximity of fire hydrants to proposed building location. Additional hydrants may be required due to distance from the street.
2. What are the fire flow requirements?

SEWER - Fruitvale Sanitation District

1. Show proposed location and size of sewer services to line in Texas Avenue.
2. Contact Fruitvale Sanitation for sewer tap fee.

GRAND JUNCTION FIRE DEPARTMENT
George Bennett

4/12/94
244-1400

A fire flow survey needs to be conducted to determine the required flows and if additional fire protection is required. Submit a complete set of building plans to include a utility composite of the area (to scale) for our review. This is to include the location of existing fire hydrants.

PARKS & RECREATION DEPARTMENT
Don Hobbs

4/14/94
244-1542

Open space fee based upon 2 dwelling units at \$225 each = \$450.00 due.

GRAND JUNCTION DRAINAGE DISTRICT
John Ballagh

4/15/94
242-4343

There are no known existing or planned Grand Junction Drainage District facilities on this site.

COMMUNITY DEVELOPMENT DEPARTMENT
Kathy Portner

4/15/94
244-1446

See attached comments.

STAFF REVIEW

FILE: #65-94
DATE: April 12, 1994
STAFF: Kathy Portner
REQUEST: Rezone to PR and O.D.P.
LOCATION: 2845 Texas Avenue
APPLICANT: Dewey Family Trust

EXISTING LAND USE: Multi-family Residential (3 units)

PROPOSED LAND USE: Multi-family Residential (5 units)

SURROUNDING LAND USE:

NORTH: Residential Single family
SOUTH:
EAST:
WEST:

EXISTING ZONING: RSF-8

PROPOSED ZONING: PR-10.6 (Planned Residential, 10.6 units per acre)

SURROUNDING ZONING:

NORTH: PMH (Planned Mobile Home)
SOUTH: RSF-8
EAST: RSF-8
WEST: RSF-8

RELATIONSHIP TO COMPREHENSIVE PLAN:

No Comprehensive Plan exists for this area.

STAFF ANALYSIS:

The property located at 2845 Texas Avenue is currently zoned RSF-8 and is 20,590 square feet or .47 acres. There is currently a tri-plex on the property which is a non-conforming use in the zone. The property owner is proposing to rezone to a planned zone to bring the existing

tri-plex into conformance and also is proposing to add a duplex, resulting in a total of 5 units on the property.

The existing zoned density of 8 units per acre would allow 3 units as currently exists. The proposal to add two additional units bring the requested zoned density to 10.6 units per acre. The zoning and uses immediately surrounding the property is single family, 8 units per acre. There are some existing multi-family uses and zones along Elm Avenue and 28 1/2 Road. Given the densities immediately surrounding the property and in the absence of a plan, staff cannot support an increase in the density over the existing 8 units per acre. Staff would support, however, the rezone to Planned Residential-8 units per acre to bring the existing tri-plex into conformance.

General site plan comments:

1. Parking lot stalls should not extend into the required 20' front yard setback.
2. Parking lot should be screened from adjacent property with a privacy fence or landscaping.
3. The proposed 10' rear yard setback is not adequate. All of the multi-family zones in the Code require a minimum of 20'.
4. If approved, the parcel must be platted with the final plan.
5. If approved, open space fees of \$225 per unit would be required for the two additional units.

STAFF RECOMMENDATION:

RESPONSE TO REVIEW COMMENTS

April 26, 1994

Title: DEWEY APARTMENTS, Rezone and ODP

File No: 65-94

Location: 2845 Texas Avenue

RESPONSE TO U.S. WEST:

Comments do not require response.

RESPONSE TO DEVELOPMENT ENGINEER:

The Project Narrative should state that approximately 3575 square feet of new parking and driveway will be constructed

RESPONSE TO PUBLIC SERVICE CO:

The requested utility easement will be added to the proposed ingress and egress easement.

RESPONSE TO UTILITY ENGINEER

WATER:

1. Fire Hydrants in the proximity of the site include:

LOCATION	DIST. TO PROP. LINE
28 1/2 Rd. and Elm Ave..	250 ft.
28 1/2 Rd. and Mesa Ave..	350
Willow Rd. and Mesa Ave..	325 ft.

2. Until the building plans are finalized fire flow requirements can not be accurately determined.

SEWER:

1. The exact location and size of the sewer services will be shown on the final plat and plan.

2. Fruitvale Sanitation Dist. will be contacted prior of building construction for payment of the tap fee.

RESPONSE TO FIRE DEPARTMENT:

Until the building plans are finalized, fire flow requirements can not be accurately determined.

HYD. LOCATION	DIST. TO PROP. LINE
28 1/2 Rd. and Elm Ave..	250 ft.
28 1/2 Rd. and Mesa Ave..	350
Willow Rd. and Mesa Ave..	325 ft.

A complete set of building plans including a utility composite of the area will be submitted for review with the final plat and plan.

RESPONSE TO CITY PARKS:

\$450.00 will be paid to the City Parks and Recreation Department prior to the Recording of the Final Plat.

RESPONSE TO DRAINAGE DISTRICT:

Comments do not require a response.

RESPONSE TO COMMUNITY DEVELOPMENT:

As stated in the initial development application the subject property adjoins an existing multi-family development which is zoned PD-16. The requested density is approximately a 20 percent increase to the density what is currently on the property. The resulting density is 4118 square feet of land area per proposed and existing dwelling units. The RSF-8 zone allows for one dwelling unit on 4000 square feet.

Since the City does not currently have a comprehensive plan for the area, a survey of the surrounding neighborhood has been conducted by the applicant. The results of this survey indicates that the surrounding area is unquestionably in a *transitional* state.

The following charts illustrate the transition which has occurred within a 1/4 mile radius of the subject property:

USE	1974 % of Total Area	1994 % of Total Area
Single Family	50%	35%
Mobile Home	30%	30%
Multi-Family	0-1%	15%
Non-Residential	20%	20%

Response to Site Plan Comments:

1. The Final Plat and Plan will be modified so that the parking stalls will not extend into the 20 ft. front yard setback.
2. The proposed fencing plan is provided as requested by the adjoining neighbors. However, if the staff would prefer a wood privacy fence, the plan will be modified.
4. The proposed 10 ft. rear yard setback was proposed in order to provide as much open area between the proposed du-plex and the existing tri-plex. The final plan will be modified to incorporate a 20 foot setback.
4. A two lot Final Plat and Plan will be submitted.
5. Open Space fees will be paid prior to the recording of the final plat.

STAFF REVIEW

FILE: #65-94
DATE: April 27, 1994
STAFF: Kathy Portner
REQUEST: Rezone to PR and O.D.P.
LOCATION: 2845 Texas Avenue
APPLICANT: Dewey Family Trust

EXISTING LAND USE: Multi-family Residential (3 units)

PROPOSED LAND USE: Multi-family Residential (5 units)

SURROUNDING LAND USE:

NORTH: Residential Single family
SOUTH: Residential Single family
EAST: Residential Single family
WEST: Residential Single family

EXISTING ZONING: RSF-8

PROPOSED ZONING: PR-10.6 (Planned Residential, 10.6 units per acre)

SURROUNDING ZONING:

NORTH: PMH (Planned Mobile Home)
SOUTH: RSF-8
EAST: RSF-8
WEST: RSF-8

RELATIONSHIP TO COMPREHENSIVE PLAN:

No Comprehensive Plan exists for this area.

STAFF ANALYSIS:

The property located at 2845 Texas Avenue is currently zoned RSF-8 and is 20,590 square feet or .47 acres. There is currently a tri-plex on the property which is a non-conforming use in the zone. The property owner is proposing to rezone to a planned zone to bring the existing

tri-plex into conformance and also is proposing to add a duplex, resulting in a total of 5 units on the property.

The existing zoned density of 8 units per acre would allow 3 units as currently exists. The proposal to add two additional units bring the requested zoned density to 10.6 units per acre. The zoning and uses immediately surrounding the property is single family, 8 units per acre. There are some existing multi-family uses and zones along Elm Avenue and 28 1/2 Road. Given the densities immediately surrounding the property and in the absence of a plan, staff cannot support an increase in the density over the existing 8 units per acre. Staff would support, however, the rezone to Planned Residential-8 units per acre to bring the existing tri-plex into conformance.

The following criteria must be considered for a rezoning request:

- A. **Was the existing zone an error at the time of adoption?**
There is no evidence that the existing zone was an error at the time of adoption.
- B. **Has there been a change of character in the area due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc?**
Staff feels there have not been significant changes in the neighborhood to warrant an increase in density at this site. There have been some multi-family developments to the south of this property, but not immediately adjacent along the Texas Avenue corridor.
- C. **Is there an area of community need for the proposed rezone?**
There may be a need for this type of housing in the community, however, specific locations have not been identified other than those areas already zoned appropriately.
- D. **Is the proposed rezone compatible with the surrounding area or will there be adverse impacts?**
The proposed rezone to increase the density is not compatible with the immediate surrounding area.
- E. **Will there be benefits derived by the community, or area, by granting the proposed rezone?**
Benefits are not apparent.
- F. **Is the proposal in conformance with the policies, intents and requirements of this Code, with the City Master Plan, and other adopted plans and policies?**
A comprehensive plan does not exist for this area.
- G. **Are adequate facilities available to serve development for the type and scope suggested by the proposed zone?**
Adequate facilities are available or could be reasonable extended.

Staff feels the request to increase the density is not supported by the rezone criteria.

The following comments on the proposed site plan for the additional duplex should be considered if the Planning Commission chooses to approve the request to rezone to a higher density:

1. Parking lot stalls should not extend into the required 20' front yard setback.
2. Parking lot should be screened from adjacent property with a privacy fence or landscaping.
3. The proposed 10' rear yard setback is not adequate. All of the multi-family zones in the Code require a minimum of 20'.
4. If approved, open space fees of \$225 per unit would be required for the two additional units.

STAFF RECOMMENDATION:

Staff recommends denial of the request to rezone to Planned Residential with a density not to exceed 11 units per acre and denial of the ODP for additional duplex on the property.

Staff recommends approval of the request to rezone to Planned Residential with a density not to exceed 8 units per acre with the condition that the rezone not be effective until the property is platted and recorded.

If Planning Commission chooses to approve the rezone and ODP for the additional duplex, staff recommends the conditions as stated in the staff review be included.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on item #65-94, a request to rezone to PR-11 and an ODP for an additional duplex, I move we deny the request.

Mr. Chairman, on item #65-94, a request to rezone to PR-8, I move we forward this onto City Council with a recommendation of approval with the condition that the rezone not be effective until the property is platted and recorded.

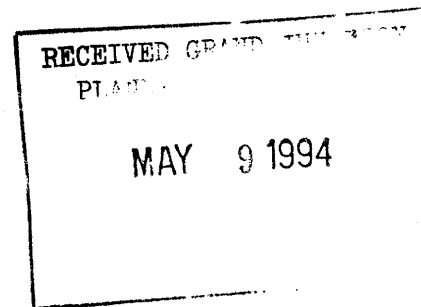
May 3rd, 1994
2843 Mesa Ave
Grand Jct, CO 8150

City Planning Commission,
250 North 5th St.
Grand Junction, Co 81501

Dear Planners:

We wish to vote "no"
on file # 65-94
at 2845 Texas Ave, G Jct, Co

Sincerely
Mr + Mrs Thomas
J. Franklin



May 9, 1994

Community Development Department
City of Grand Junction
250 North 5th. Street
Grand Junction, CO 81501

RE: Dewey Apartments, File No. 65-94


Dear Staff:

Consider this letter as a request to schedule a hearing with the City Council for consideration of the Dewey Family Trust request for a zone change and development plan.

The applicant and myself will be in attendance at the scheduled hearing.

We would like to take this opportunity and thank you in advance for your timely response to this request.

Respectfully,


Thomas A. Logue

xc: Bill Dewey

STAFF REVIEW

FILE: #65-94
DATE: May 12, 1994
STAFF: Kathy Portner
REQUEST: Rezone to PR and O.D.P.
LOCATION: 2845 Texas Avenue
APPLICANT: Dewey Family Trust

EXECUTIVE SUMMARY:

A rezone from RSF-8 to PR-11 has been requested for the property at 2845 Texas Avenue to allow the construction of a duplex in addition to an existing tri-plex. The petitioner is appealing the Planning Commission denial of the request.

EXISTING LAND USE: Multi-family Residential (3 units)

PROPOSED LAND USE: Multi-family Residential (5 units)

SURROUNDING LAND USE:

NORTH: Residential Single family
SOUTH: Residential Single family
EAST: Residential Single family
WEST: Residential Single family

EXISTING ZONING: RSF-8

PROPOSED ZONING: PR-10.6 (Planned Residential, 10.6 units per acre)

SURROUNDING ZONING:

NORTH: PMH (Planned Mobile Home)
SOUTH: RSF-8
EAST: RSF-8
WEST: RSF-8

RELATIONSHIP TO COMPREHENSIVE PLAN:

No Comprehensive Plan exists for this area.

STAFF ANALYSIS:

The property located at 2845 Texas Avenue is currently zoned RSF-8 and is 20,590 square feet or .47 acres. There is currently a tri-plex on the property which is a non-conforming use in the zone. The property owner is proposing to rezone to a planned zone to bring the existing tri-plex into conformance and also is proposing to add a duplex, resulting in a total of 5 units on the property.

The existing zoned density of 8 units per acre would allow 3 units as currently exists. The proposal to add two additional units bring the requested zoned density to 10.6 units per acre. The zoning and uses immediately surrounding the property is single family, 8 units per acre. There are some existing multi-family uses and zones along Elm Avenue and 28 1/2 Road. Given the densities immediately surrounding the property and in the absence of a plan, staff cannot support an increase in the density over the existing 8 units per acre. Staff would support, however, the rezone to Planned Residential-8 units per acre to bring the existing tri-plex into conformance.

The following criteria must be considered for a rezoning request:

- A. **Was the existing zone an error at the time of adoption?**
There is no evidence that the existing zone was an error at the time of adoption.
- B. **Has there been a change of character in the area due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc?**
Staff feels there have not been significant changes in the neighborhood to warrant an increase in density at this site. There have been some multi-family developments to the south of this property, but not immediately adjacent along the Texas Avenue corridor.
- C. **Is there an area of community need for the proposed rezone?**
There may be a need for this type of housing in the community, however, specific locations have not been identified other than those areas already zoned appropriately.
- D. **Is the proposed rezone compatible with the surrounding area or will there be adverse impacts?**
The proposed rezone to increase the density is not compatible with the immediate surrounding area.
- E. **Will there be benefits derived by the community, or area, by granting the proposed rezone?**
Benefits are not apparent.
- F. **Is the proposal in conformance with the policies, intents and requirements of this Code, with the City Master Plan, and other adopted plans and policies?**
A comprehensive plan does not exist for this area.

G. Are adequate facilities available to serve development for the type and scope suggested by the proposed zone?

Adequate facilities are available or could be reasonable extended.

Staff feels the request to increase the density is not supported by the rezone criteria.

The following comments on the proposed site plan for the additional duplex should be considered if the Planning Commission chooses to approve the request to rezone to a higher density:

1. Parking lot stalls should not extend into the required 20' front yard setback.
2. Parking lot should be screened from adjacent property with a privacy fence or landscaping.
3. The proposed 10' rear yard setback is not adequate. All of the multi-family zones in the Code require a minimum of 20'.
4. If approved, open space fees of \$225 per unit would be required for the two additional units.

STAFF RECOMMENDATION:

Staff recommends denial of the request to rezone to Planned Residential with a density not to exceed 11 units per acre and denial of the ODP for additional duplex on the property.

Staff recommends approval of the request to rezone to Planned Residential with a density not to exceed 8 units per acre with the condition that the rezone not be effective until the property is platted and recorded.

If City Council chooses to approve the rezone and ODP for the additional duplex, staff recommends the conditions as stated in the staff review be included.

PLANNING COMMISSION RECOMMENDATION:

At their May 3, 1994 hearing, Planning Commission denied the request for a rezone to PR-11, but recommended approval of the request to rezone to PR-8.

STAFF REVIEW

FILE: #65-94
DATE: June 9, 1994
STAFF: Kathy Portner
REQUEST: Rezone to PR and O.D.P.
LOCATION: 2845 Texas Avenue
APPLICANT: Dewey Family Trust

EXECUTIVE SUMMARY:

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If City Council chooses to approve the rezone and ODP for the additional duplex, staff recommends the conditions as stated in the staff review be included.

PLANNING COMMISSION RECOMMENDATION:

At their May 3, 1994 hearing, Planning Commission denied the request for a rezone to PR-11, but recommended approval of the request to rezone to PR-8.

CITY COUNCIL MOTION:

At their May 18, 1994 hearing, City Council approved the rezone to PR-10.6 with the staff conditions as stated and with the condition that the property not be subdivided.