





PRE-APPLICATION CONFERENCE

Date: 4/12/94
Conference Attendance: Kathryn P. Garry Smith
Proposal: 15700 E. 1st C-2 40' B-1
Location: 1000 blk of 1st - N side

Tax Parcel Number:
Review Fee: \$330.00

(Fee is due at the time of submittal. Make check payable to the City of Grand Junction.)

Additional ROW required?
Adjacent road improvements required?
Area identified as a need in the Master Plan of Parks and Recreation?
Parks and Open Space fees required? Estimated Amount:
Recording fees required? Estimated Amount:
Half street improvement fees required? Estimated Amount:
Revocable Permit required?
State Highway Access Permit required?

Applicable Plans, Policies and Guidelines

Located in identified floodplain? FIRM panel #
Located in other geohazard area?
Located in established Airport Zone? Clear Zone, Critical Zone, Area of Influence?
Avigation Easement required?

While all factors in a development proposal require careful thought, preparation and design, the following "checked" items are brought to the petitioner's attention as needing special attention or consideration. Other items of special concern may be identified during the review process.

- Access/Parking, Drainage, Floodplain/Wetlands Mitigation, Other, Screening/Buffering, Landscaping, Availability of Utilities, Land Use Compatibility, Traffic Generation, Geologic Hazards/Soils

Related Files:

It is recommended that the applicant inform the neighboring property owners and tenants of the proposal prior to the public hearing and preferably prior to submittal to the City.

PRE-APPLICATION CONFERENCE

WE RECOGNIZE that we, ourselves, or our representative(s) must be present at all hearings relative to this proposal and it is our responsibility to know when and where those hearings are.

In the event that the petitioner is not represented, the proposed item will be dropped from the agenda, and an additional fee shall be charged to cover rescheduling expenses. Such fee must be paid before the proposed item can again be placed on the agenda. Any changes to the approved plan will require a re-review and approval by the Community Development Department prior to those changes being accepted.

WE UNDERSTAND that incomplete submittals will not be accepted and submittals with insufficient information, identified in the review process, which has not been addressed by the applicant, may be withdrawn from the agenda.

WE FURTHER UNDERSTAND that failure to meet any deadlines as identified by the Community Development Department for the review process may result in the project not being scheduled for hearing or being pulled from the agenda.

Signature(s) of Petitioner(s)
Signature(s) of Representative(s)



**DEVELOPMENT APPLICATION**  
 Community Development Department  
 250 North 5th Street Grand Junction, CO 81501  
 (303) 244-1430

Receipt 1278  
 Date 6-2-94  
 Rec'd By MAP  
 File No. 99 94

Original  
 Do NOT Remove  
 From Office

We, the undersigned, being the owners of property situated in Mesa County, State of Colorado, as described herein do hereby petition this:

PETITION	PHASE	SIZE	LOCATION	ZONE	LAND USE
<input type="checkbox"/> Subdivision Plat/Plan	<input type="checkbox"/> Minor <input type="checkbox"/> Major <input type="checkbox"/> Resub				
<input checked="" type="checkbox"/> Rezone			1000 blk <sup>N side</sup> of White	From: C-2 To: B-1	
<input type="checkbox"/> Planned Development	<input type="checkbox"/> ODP <input type="checkbox"/> Prelim <input type="checkbox"/> Final				
<input type="checkbox"/> Conditional Use					
<input type="checkbox"/> Zone of Annex					
<input type="checkbox"/> Text Amendment					
<input type="checkbox"/> Special Use					
<input type="checkbox"/> Vacation					<input type="checkbox"/> Right-of-Way <input type="checkbox"/> Easement

PROPERTY OWNER       DEVELOPER       REPRESENTATIVE

*attach petition*

Name <u>Cindy Smith</u>	Name	Name <u>Jerry Smith</u>
Address <u>1002 Ute Ave.</u>	Address	Address <u>1050 White Ave</u>
City/State/Zip <u>G. J. CO 81501</u>	City/State/Zip	City/State/Zip <u>Grand Jct. CO 81501</u>
Business Phone No. <u>241-2382</u>	Business Phone No.	Business Phone No. <u>241-2382</u>

NOTE: Legal property owner is owner of record on date of submittal.

We hereby acknowledge that we have familiarized ourselves with the rules and regulations with respect to the preparation of this submittal, that the foregoing information is true and complete to the best of our knowledge, and that we assume the responsibility to monitor the status of the application and the review comments. We recognize that we or our representative(s) must be present at all hearings. In the event that the petitioner is not represented, the item will be dropped from the agenda, and an additional fee charged to cover rescheduling expenses before it can again be placed on the agenda.

X Jerry Smith Signature of Person Completing Application      5-25-94 Date

attach petition  
 Signature of Property Owner(s) - Attach Additional Sheets if Necessary

Petition

We, the landowners (listed below), hereby respectfully request our property (listed below), to be re-zoned from C-2 to B-1.

- X Cindy & Jay Smith 1002 UTE Ave.
- X ~~Jose Pacheco~~ 1010 UTE Ave.
- X Emma LaLerno Watson 1014 UTE Ave.
- X Bus & Nola Atherton 1020 UTE Ave.
- X ~~John Stobbs~~ 1024 UTE Ave.
- X 1028 UTE Ave.
- X 1032 UTE Ave.

999 94

Original  
Do NOT Remove  
From Office

# POSTING OF PUBLIC NOTICE SIGNS

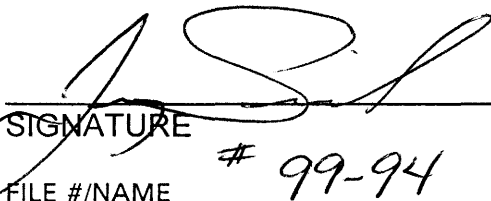
The posting of the Public Notice Sign is to make the public aware of development proposals. The requirement and procedure for public notice sign posting are required by the City of Grand Junction Zoning and Development Code.

To expedite the posting of public notice signs the following procedure list has been prepared to help the petitioner in posting the required signs on their properties.

1. All petitioners/representatives will receive a copy of the Development Review Schedule for the month advising them of the date by which the sign needs to be posted. IF THE SIGN HAS NOT BEEN PICKED UP AND POSTED BY THE REQUIRED DATE, THE PROJECT WILL NOT BE SCHEDULED FOR THE PUBLIC HEARING.
2. A deposit of \$50.00 per sign is required at the time the sign is picked up.
3. You must call for utility locates before posting the sign. Mark the location where you wish to place the sign and call 1-800-922-1987. You must allow two (2) full working days after the call is placed for the locates to be performed.
4. Sign(s) shall be posted in a location, position and direction so that:
  - a. It is accessible and readable, and
  - b. It may be easily seen by passing motorists and pedestrians.
5. Sign(s) MUST be posted at least 10 days before the Planning Commission hearing date and, if applicable, shall stay posted until after the City Council Hearing(s).
6. After the Public Hearing(s) the sign(s) must be taken down and returned to the Community Development Department within three working days to receive full refund of the sign deposit. For each working day thereafter the petitioner will be charged a \$5.00 late fee. After eight working days Community Development Department staff will retrieve the sign and the sign deposit will be forfeited in its' entirety.

Community Development Department staff will field check the property to ensure proper posting of the sign. If the sign is not posted, or is not in an appropriate place, the item will be pulled from the hearing agenda.

I have read the above information and agree to its terms and conditions.

  
SIGNATURE \_\_\_\_\_ DATE 6-17-94  
FILE #/NAME # 99-94 RECEIPT # 1322  
PETITIONER/REPRESENTATIVE: Jerry Smith PHONE # 241-2382  
DATE OF HEARING: 7/5/94 POST SIGN(S) BY: 6/24/94  
DATE SIGN(S) PICKED-UP 6-24-94  
DATE SIGN(S) RETURNED 7-22-94 RECEIVED BY: [Signature]

*Refunded \$50.00  
7-27-94  
V# HD 073239*

# REVIEW COMMENTS

Page 1 of 1

FILE #99-94

TITLE HEADING: Rezone from C-2 to B-1

LOCATION: portion of the N side of the 1000 block of Ute Avenue

PETITIONER: Jerry Smith

PETITIONER'S ADDRESS/TELEPHONE: 1050 White  
Grand Junction, CO 81501  
241-2382

STAFF REPRESENTATIVE: Michael Drollinger

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**NOTE: WRITTEN RESPONSE BY THE PETITIONER TO THE REVIEW COMMENTS IS REQUIRED ON OR BEFORE 5:00 P.M., JUNE 24, 1994.**

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CITY DEVELOPMENT ENGINEER  
Jody Kliska

6/9/94  
244-1591

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No comment.

COMMUNITY DEVELOPMENT DEPARTMENT  
Michael Drollinger

6/16/94  
244-1439

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1. The petition submitted by the applicant does not contain the signatures of all residential homeowners on the block. The applicant should clarify in writing which homeowners are petitioning for rezoning.
2. The rezoning request from C-2 to B-1 will result in the residences on the block becoming permitted uses (residential uses are not permitted in the C-2 zone). In addition, the B-1 zone permits less intense commercial uses more appropriate for the area. Adjacent lands to the north and east are already zoned B-1. We support the rezoning request.

Response from petitioner to review comments 6/22/94

Only those homeowners who signed the petition are petitioning for rezoning from C-2 to B-1.

Attached are the names and legal descriptions of the homeowners and properties.

Thank-you for your comments.

Judy Smith

1050 White Ave.

G.T. CO 81501

241-2382

Carol



STAFF REVIEW

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FILE: #99-94

DATE: June 29, 1994

REQUEST: Rezone from C-2 to B-1

LOCATION: N. side of 1000 Block of Ute

APPLICANT: Jerry Smith

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EXECUTIVE SUMMARY:

A proposed rezone of Lots 26 - 32, Block 131 from C-2 (Heavy Commercial) to B-1 (Limited Business). Residential uses on block are presently not a permitted use in the C-2 zone whereas residential uses are permitted in the B-1 district.

EXISTING LAND USE: Residential - Single Family

PROPOSED LAND USE: No change

SURROUNDING LAND USE:

NORTH: Residential - Single and Multifamily

SOUTH: Residential - Single and Multifamily

EAST: Residential Single-family and Quasi-public (Salvation Army)

WEST: Public (Emerson School)

EXISTING ZONING: C-2

PROPOSED ZONING: B-1

SURROUNDING ZONING:

NORTH: B-1

SOUTH: C-2

EAST: C-2

WEST: PZ

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RELATIONSHIP TO COMPREHENSIVE PLAN:

No comprehensive plan exists for this area.

STAFF ANALYSIS:

The applicants are requesting a rezoning of Lots 23-32, Block 131 from C-2 to B-1. Existing uses on the subject property consist of five (5) single family residences. Single family homes are not permitted uses in the existing C-2 zone whereas a rezone to B-1 would permit the homes to be conforming uses.

The following criteria must be considered for a rezoning request:

- A. **Was the existing zone in error at the time of adoption?**  
There is no evidence that the existing zone was in error at the time of adoption.
- B. **Has there been a change in character in the area due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc?**  
The subject properties have remained residential despite the C-2 zoning which does not permit residential uses.
- C. **Is there an area of community need for the proposed rezone?**  
No specific residential studies exist for the area. The block is part of an established residential neighborhood which extends to the north.
- D. **Is the proposed rezone compatible with the surrounding area or will there be adverse impacts?**  
The proposed rezone is compatible with the surrounding area.
- E. **Will there be benefits derived by the community, or area, by granting the proposed rezone?**  
A rezone of C-2 to B-1 would allow the residences to be conforming uses.
- 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?**  
The B-1 zone is designed to serve as a transitional or buffer zone of light business uses between residential areas and heavier business uses. The heavy commercial uses permitted in the C-2 zone are not permitted in the B-1 zone. Staff believes the B-1 zoning is more appropriate for the Ute corridor than the heavy commercial uses permitted in the C-2 zone and will be an enhancement to the corridor.
- G. **Are adequate facilities available to serve development for the type and scope suggested for the proposed use?**  
Adequate facilities are available.

Staff feels that the rezoning request of Lots 26-32, Block 131 is supported by the rezone criteria.

STAFF RECOMMENDATION:

Staff recommends approval of the request to rezone to B-1 from C-2 lots 26-32 in Block 131.

SUGGESTED PLANNING COMMISSION MOTION:

Mr. Chairman, on item #99-94, a request to rezone to B-1, I move we approve the request.

#99-94 REZONE: PART OF N. SIDE OF 1000 BLOCK OF UTE  
COMMUNITY DEVELOPMENT DEPARTMENT COMMENTS

1. The petition submitted by the applicant does not contain the signatures of all residential homeowners on the block. The applicant should clarify in writing which homeowners are petitioning for rezoning.

2. The rezoning request from C-2 to B-1 will result in the residences on the block becoming permitted uses (residential uses are not permitted in the C-2 zone). In addition, the B-1 zone permits less intense commercial uses more appropriate for the area. Adjacent lands to the north and east are already zoned B-1. We support the rezoning request.

STAFF REVIEW

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FILE: #99-94

DATE: July 13, 1994

REQUEST: Rezone from C-2 to B-1

LOCATION: N. side of 1000 Block of Ute

APPLICANT: Jerry Smith

STAFF: Michael Drollinger

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EXECUTIVE SUMMARY:

A proposed rezone of Lots 26 - 32, Block 131 from C-2 (Heavy Commercial) to B-1 (Limited Business). Residential uses on block are presently not a permitted use in the C-2 zone whereas residential uses are permitted in the B-1 district.

EXISTING LAND USE: Residential - Single Family

PROPOSED LAND USE: No change

SURROUNDING LAND USE:

NORTH: Residential - Single and Multifamily

SOUTH: Residential - Single and Multifamily

EAST: Residential Single-family and Quasi-public (Salvation Army)

WEST: Public (Emerson School)

EXISTING ZONING: C-2

PROPOSED ZONING: B-1

SURROUNDING ZONING:

NORTH: B-1

SOUTH: C-2

EAST: C-2

WEST: PZ

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RELATIONSHIP TO COMPREHENSIVE PLAN:

No comprehensive plan exists for this area.

STAFF ANALYSIS:

The applicants are requesting a rezoning of Lots 23-32, Block 131 from C-2 to B-1. Existing uses on the subject property consist of five (5) single family residences. Single family homes are not permitted uses in the existing C-2 zone whereas a rezone to B-1 would permit the homes to be conforming uses.

The following criteria must be considered for a rezoning request:

- A. **Was the existing zone in error at the time of adoption?**  
There is no evidence that the existing zone was in error at the time of adoption.
- B. **Has there been a change in character in the area due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc?**  
The subject properties have remained residential despite the C-2 zoning which does not permit residential uses.
- C. **Is there an area of community need for the proposed rezone?**  
No specific residential studies exist for the area. The block is part of an established residential neighborhood which extends to the north.
- D. **Is the proposed rezone compatible with the surrounding area or will there be adverse impacts?**  
The proposed rezone is compatible with the surrounding area.
- E. **Will there be benefits derived by the community, or area, by granting the proposed rezone?**  
A rezone of C-2 to B-1 would allow the residences to be conforming uses.
- 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?**  
The B-1 zone is designed to serve as a transitional or buffer zone of light business uses between residential areas and heavier business uses. The heavy commercial uses permitted in the C-2 zone are not permitted in the B-1 zone. Staff believes the B-1 zoning is more appropriate for the Ute corridor than the heavy commercial uses permitted in the C-2 zone and will be an enhancement to the corridor.
- G. **Are adequate facilities available to serve development for the type and scope suggested for the proposed use?**  
Adequate facilities are available.

Staff feels that the rezoning request of Lots 26-32, Block 131 is supported by the rezone criteria.

*Rezoning criteria support the requested rezoning.*

*for the entire area will be evaluated as part of the Growth Plans*  
*→ The zoning in the growth plan*

STAFF RECOMMENDATION:

Staff recommends approval of the request to rezone to B-1 from C-2 lots 26-32 in Block 131.

PLANNING COMMISSION RECOMMENDATION:

At the July 5, 1994 meeting, Planning Commission recommended approval of the rezoning.

CITY OF GRAND JUNCTION, COLORADO

Ordinance No. \_\_\_\_\_  
REZONING LANDS LOCATED AT 1002, 1010, 1014, 1020 AND 1024  
UTE AVENUE FROM C-2 TO B-1

Recitals:

A rezone from C-2 (Heavy Commercial) to B-1 (Limited Business) has been requested for properties known as 1002, 1010, 1014, 1020 & 1024 Ute Avenue to permit existing residential homes to be conforming uses. The Planning Commission at their July 5, hearing and the City Council find that the requirements for a rezone as set forth in Section 4-4-4 of the Zoning and Development Code have been satisfied and recommended approval of the rezoning.

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

That lots 26-32, Block 131, City of Grand Junction are hereby rezoned from C-2 to B-1.

INTRODUCED for FIRST READING and PUBLICATION this \_\_\_\_ th day of July, 1994.

PASSED on SECOND READING this \_\_\_\_ day of \_\_\_\_\_, 1994.

ATTEST:

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

\_\_\_\_\_  
President of City Council



Res

Gravel Alley

Residential  
Comm

Gravel Alley

Resource Center

~~Vacant~~  
Emerson School

Sal Army <sup>Storage</sup>  
Res  
SUBJECT

Vacant

Park

Residential  
Comm  
Comm

Comm