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File 1994-0129

Name: Tri-plex - 2245 15th St. - PDR

P r e s e n t	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 ISYS retrieval system. In some instances, items are found on the list but are not present in the scanned electronic development file because they are already scanned elsewhere on the system. These scanned documents are denoted with (**) and will be found on the ISYS query system in their designated categories.</p> <p>Documents specific to certain files, not found in the standard checklist materials, are listed at the bottom of the page. Remaining items, (not selected for scanning), will be listed and marked present. This index can serve as a quick guide for the contents of each file.</p>
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X	X	Table of Contents
		*Review Sheet Summary
X	X	*Application form
X		Review Sheets
		Receipts for fees paid for anything
X	X	*Submittal checklist
X	X	*General project report
		Reduced copy of final plans or drawings
X		Reduction of assessor's map.
		Evidence of title, deeds, easements
X	X	*Mailing list to adjacent property owners
		Public notice cards
		Record of certified mail
X	X	Legal description
		Appraisal of raw land
		Reduction of any maps – final copy
		*Final reports for drainage and soils (geotechnical reports)
		Other bound or non-bound reports
		Traffic studies
X	X	*Review Comments
X	X	*Petitioner's response to comments
X	X	*Staff Reports
		*Planning Commission staff report and exhibits
		*City Council staff report and exhibits
		*Summary sheet of final conditions

DOCUMENT DESCRIPTION:

X	X	Ordinance no. 2778 - **		
X	X	City Council Minutes – 9/21/94 - **		
X	X	Planning Commission Minutes – 9/6/94 - **		
X	X	Correspondence		
X	X	Posting of Public Notice Signs – 8/22/94		
X	X	Common Access Agreement – 1/25/95 – (not approved)		
X		Amendment to Easement Agreement - not conveyed to City-scanned – not recorded copy		
X	X	Warranty Deed – John/Elsie Combs to Steve/Lola Star - not recorded copy		
X	X	Site Plan		
X		Planning Commission Notice of Public Hearing mail-out – sent 8/26/94		

*SUBMITTAL CHECKLIST

PLANNED DEVELOPMENT REVIEW

Location: 24515th St.

Project Name: modify PR zone

ITEMS	DISTRIBUTION																						
DESCRIPTION	SSID REFERENCE	City Community Development	City Dev. Eng.	City Utility Eng.	City Property Agent	City Parks/Recreation	City Fire Department	City Attorney	City G.J.P.C. (8 sets)	City Downtown Dev. Auth.	County Planning	County Bldg. Dept.	Irrigation District	Drainage District	Water District	Sewer District	U.S. West	Public Service	GVRP	CDOT	Corps of Engineers	Walker Field	
● Application Fee	VII-1	1																					
● Submittal Checklist*	VII-3	1																					
● Review Agency Cover Sheet*	VII-3	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
● Application Form	VII-1	1	1	1	1	1	1	1	8	1	1	1	1	1	1	1	1	1	1	1	1	1	1
● 11"x17" Reduction of Assessor's Map	VII-1	1	1	1	1	1	1	1	8	1	1	1	1	1	1	1	1	1	1	1	1	1	1
● Evidence of Title	VII-2	1																					
○ Appraisal of Raw Land	VII-1	1			1	1																	
● Names and Addresses	VII-3	1																					
● Legal Description	VII-2	1																					
○ Deeds	VII-1	1			1		1																
○ Easements	VII-2	1	1	1	1			1									1	1	1				
○ Avigation Easement	VII-1	1			1		1																
○ ROW	VII-3	1	1	1	1		1										1	1	1				
○ Improvements Agreement/Guarantee	VII-2	1	1	1			1																
○ CDOT	VII-3	1	1																				
○ Industrial Pretreatment Sign-off	VII-4	1	1																				
● General Project Report	X-7	1	1	1	1	1	1	1	8	1	1	1	1	1	1	1	1	1	1	1	1	1	1
○ Elevation Drawing	IX-13	1	1																				
● Site Plan	IX-29	2	2	1	1																		
● 11"x17" Reduction of Site Plan	IX-29				1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
○ Grading and Drainage Plan	IX-16	1	2											1									1
○ Storm Drainage Plan and Profile	IX-30	1	2											1		1	1	1					
○ Water and Sewer Plan and Profile	IX-34	1	2	1			1							1	1	1	1	1					
○ Roadway Plan and Profile	IX-28	1	2											1									
○ Road Cross-Sections	IX-27	1	2																				
○ Detail Sheet	IX-12	1	2																				
● Landscape Plan	IX-20	2	1	1																			
○ Geotechnical Report	X-8	1									1												
○ Final Drainage Report	X-5,6	1	2											1									
○ Stormwater Management Plan	X-14	1	2											1								1	
○ Phase I and II Environmental Report	X-10,11	1	1																				
○ Traffic Impact Study	X-15	1	2																		1		

NOT Returned
From Office

NOTES: 1) An asterisk in the item description column indicates that a form is supplied by the City.
 2) Required submittal items and distribution are indicated by filled in circles, some of which may be filled in during the pre-application conference. Additional items or copies may be subsequently requested in the review process.
 3) Each submitted item must be labeled, named, or otherwise identified as described above in the description column.

PRE-APPLICATION CONFERENCE

Date: 1 August 1994

Conference Attendance: Steve Star Tom Dixon

Proposal: N. 15th Street Tri-plex

Location: Tri-plex in PR zone

Tax Parcel Number: 2945-122-09-001/65

Review Fee: ~~\$75~~ \$740

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

Additional ROW required? TCP \$400 / unit

Adjacent road improvements required? _____

Area identified as a need in the Master Plan of Parks and Recreation? _____

Parks and Open Space fees required? \$225 / unit 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.

Steve Star
Signature(s) of Petitioner(s)

Signature(s) of Representative(s)

Hilltop Special Services

Division, Inc.

1100 Patterson Rd.
Grand Junction, CO 81506-8219

Laura Venable
545 W. Greenwood Dr.
Grand Junction, CO 81503

Frank Wilson III
1250 NE Loop 410 Ste. 300
San Antonio, TX 78209

William Belger
2423 Meadow Lark Ln. #8
Glenwood Springs, CO 81601

Roger Malan
1529 Bookcliff Ct. Apt. C
Grand Junction, CO 81501

Frank Wilson III
1250 NE Loop 410 Ste. 300
San Antonio, TX 78209

James Cadez
P.O. Box 1082
Grand Junction, CO 81502

Roger Malan
1502 Bookcliff Ct.
Grand Junction, CO 81501

Paul Riga
3047 1/2 A 1/2 Rd.
Grand Junction, CO 81503

Sandy Severyn
2205 N. 15th St.
Grand Junction, CO 81501

Lucy Cosslett
2235 N. 15th St. Unit A
Grand Junction, CO 81501

Leonard Ronay
RR 1 Box 334
West Plains, MO 65775

Kenneth Smith
1406 Cedar Ave.
Grand Junction, CO 81501

John McArthur
P.O. Box 1419
Grand Junction, CO 81502

Frank Wilson III
1250 NE Loop 410 Ste. 300
San Antonio, TX 78209

Lawrence Sumner
P.O. Box 35010
Richmond, VA 23235

Rollo Hall
2235 N. 15th St. #C
Grand Junction, CO 81501

City of Grand Junction
Community Development Dept.
250 N. 5th St.
Grand Junction, CO 81501

Stanley Perino
533 N. Wahsaich Ave.
Colorado Springs, CO 80903

Hazel Willis
2235 N. 15th St. Unit D
Grand Junction, CO 81501

Steve Star
2854 Orchard Avenue
Grand Junction, CO 81501

P.H. Dickenson, Jr.
32 Wabash Ave.
Philippi, WV 26416

Clair and Maryann Longuevan
2208 Dakota Dr.
Grand Junction, CO 81503

Norman Keith
1308 Cedar Ave.
Grand Junction, CO 81501

Ronald Ashley
3047 1/2 A 1/2 Rd.
Grand Junction, CO 81503

Roger Malan
15 Rhine Ct.
Grand Junction, CO 81503

Frank Wilson III
1250 NE Loop 410 Ste. 300
San Antonio, TX 78209

General Project Report

B29 94

Proposed Tri-Plex Construction - 2145 N. 15th Street

We, Lola and Steve Star, owners of the .59 acres at the above captioned property plan to build an attractive single level tri-plex. The building, being designed by an architect, will be located on the west portion of the property to avoid cutting down the large healthy trees. Every effort is being made to retain as many of the existing healthy trees as possible and make the area park-like. An arborist has been retained to help accomplish this.

The tri-plex will create appreciably less density and impact to the area than the seventeen (17) units allowed on the ten (10) two story structures approved in 1982 but never built.

The multi-family building will be primarily occupied by our own family. The two of us in the larger unit and our Aunt in one of the smaller units. All of us are senior citizens and lead a very quiet life style.

Signed -
Steve Star

Original
Do NOT Remove
From Office

REVIEW COMMENTS

Page 1 of 2

FILE # 129-94

TITLE HEADING: Final Plan/Plat - Star Tri-plex

LOCATION: 2245 15th Street

PETITIONER: Steve Star

PETITIONER'S ADDRESS/TELEPHONE: 2824 Orchard Avenue
Grand Junction, CO 81501

PETITIONER'S REPRESENTATIVE: Steve Star

STAFF REPRESENTATIVE: Tom Dixon

NOTE: WRITTEN RESPONSE BY THE PETITIONER TO THE REVIEW COMMENTS IS REQUIRED ON OR BEFORE 5:00 P.M., AUGUST 25, 1994.

MESA COUNTY BUILDING DEPT.
Bob Lee

8/09/94
244-1656

A city licensed General Contractor is required for the project. Fire walls shall be constructed as required by code. No other comments.

CITY FIRE DEPARTMENT
Hank Masterson

8/08/94
244-1400

The Fire Department has no requirements.

GRAND VALLEY IRRIGATION CO.
Phil Bertrand

8/10/94
242-2762

The Grand Valley Irrigation Company adjoins the north side of this property. The canal in this area is subject to a 20' road right-of-way and/or to the toe of the slope. As always, no vertical or horizontal encroachment of the right-of-way will be permitted.

SPECIAL NOTE: The water table is high in this area and special care in building a structure should be addressed. Double check drainage plans!!

Revised

GRAND JUNCTION DRAINAGE DISTRICT
John L. Ballagh

8/11/94
242-4343

The property is subject to an easement to the Grand Junction Drainage District, granted 3/10/65, recorded in Book 976 at Pages 212 & 213. The legal gives a centerline description but does not specify a width; hence is somewhat of a cloud on the property. Any building on the site is within the easement because no width was identified. Mr. Star has been in the office talking about the easement width. The District's licensed surveyor has completed a survey of the tile line and will prepare a legal description which may be placed in an amendment to the easement.

It is up to the property owner(s) to come into the District office to get the corrective action started.

CITY DEVELOPMENT ENGINEER
Jody Kliska

8/09/94
244-1591

If at all possible, the existing access needs to be a shared access onto 15th St. A separate access would require a minimum separation of 10' from the existing and would require submittal of an engineered set of plans addressing the approach grade, relocation of the power pole, water and storm drain structure on 15th St.

Drainage is not addressed in this submittal. Ordinance does not allow discharge of stormwater runoff above the historic rate to private property. Detention/retention must be sized appropriately to collect 100 year event runoff.

CITY UTILITY ENGINEER
Bill Cheney

8/16/94
244-1590

Water: No comment.
Sewer: Show proposed location of sewer service.
Each unit will be required to have a separate sewer service into a main. Multiple services on one line are no longer allowed.

CITY PARKS AND RECREATION
Don Hobbs

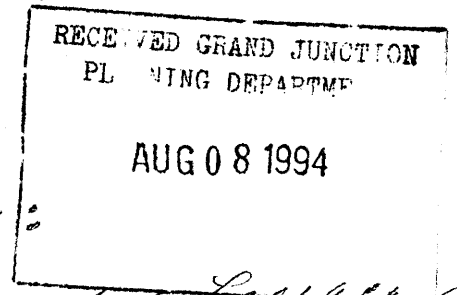
8/16/94
244-1542

* Open space fees based upon a tri-plex unit at \$225/unit = \$675.00

If there is an opportunity to acquire trail use adjacent to the canal through this parcel, it should be done now.

Grand Junction City Council
250 West 5th Street
Grand Junction, Co. 81501

Aug. 6, 1994



Dear Members of the City Council:

Recently my wife and I purchased a ~~half acre~~ piece of property on 15th Street just north of Orchard Ave. This parcel of ground is covered with trees - and, as senior citizens, we envisioned living the remainder of our lives in a Country setting right in the middle of the City.

We were hoping to get started immediately on the project when we were informed by Larry Simon, Community Development Director, that we would be required to go through the zoning process. The first round opened was the 740 feet and then all the packages of information that had to be put together for the ten (10) different agencies. We wait until September to find out what decisions will be made add salt to the wound.

The property is zoned for seventeen (17) units and, in 1982, the former owner received permission to build a ten (10) two story unit complex. The trees on the site would have assumedly have to have been cut to accomplish this. The owners, as I have been told, got caught up in the economic 'bust' that hit this valley in '82 and were not able to get the project off the ground.

It would appear to me that your honorable body would encourage the type of infill we proposed - and, provide for enough flexibility in your zoning

guidelines to accommodate our kind of project.

The current rigid zoning rules do not allow for special cases such as ours.

We plan to build a one-story tri-plex on property zoned, as earlier mentioned, for much higher density. Our unit will have much less impact on the area in every respect — and, be much more acceptable to surrounding neighbors and the general public. For one thing, we plan to save just about all of the healthy trees to make for the park-like setting we have in our plans.

My wife and I would appreciate that you, the City Council, give serious consideration to eliminating or reducing the \$740 fee we were required to pay — and, giving your professionals, the planning staff, the authority to make judgement calls in cases such as ours. Thus, avoiding penalizing or putting people through the unreasonable process that we are now subjected to.

I invite each of you to visit our site and give me an opportunity, first hand, to point out exactly what we intend to do. I am confident you will then more clearly understand our position. Please call me at 245-3946 and arrange for a meeting or I will gladly pick you up and drive to the property.

In your interest, attached is a copy of the site plan.

cc:

Mark Wilson, City Mgr.
Larry Jimm, CD Director
File

Respectfully,
Steve Star

Steve Star
2824 Orchard Ave.
Grand Junction, Co. 81501

STAFF REVIEW (Preliminary comments)

FILE: #129-94

DATE: August 16, 1994

STAFF: Tom Dixon

REQUEST: Triplex in a Planned Residential zone

LOCATION: 2245 15th Street

APPLICANT: Steve Star

EXISTING LAND USE: Vacant

PROPOSED LAND USE: Residential

SURROUNDING LAND USE: Residential

EXISTING ZONING: PR-17, (Planned Residential, 17 units per acre)

SURROUNDING ZONING:

NORTH: RSF-8

SOUTH: RSF-8

EAST: RMF-16

WEST: PR-20

RELATIONSHIP TO COMPREHENSIVE PLAN:

No such plan has been adopted for this area of the City.

STAFF ANALYSIS:

This proposal is for a triplex development on a vacant parcel of land containing approximately .5 acre of land. The parcel has the remnant of a foundation for a single-family residence which was removed at least 12 years ago. The Grand Valley Canal is directly north of the site, a four unit condominium development is to the south, and the Doubletree Apartments are directly west. On the east side, the property fronts 15th Street for some 61 feet.

This parcel had previously been rezoned to PR-17 and approved for a 10-lot subdivision in 1982. The parcel was never platted and the approved subdivision plan has now become null and void. The PR-17 zoning designation has been retained.

As proposed, the triplex would be a one-story structure with three attached units, all accessed from 15th Street via a common driveway. Each of the units would have an attached garage. The site has an abundance of mature deciduous trees, predominantly cottonwoods and Russian Olives, on its eastern half. The location of the triplex is proposed to be located on the western half of the site in order to maximize the retention of this grove of trees. In order to achieve this, a 2-foot setback is requested on the west property line. A setback of five feet is also proposed on the north side of the site to allow sufficient space for the driveway and turns into the garages. A 5-foot easement to benefit the Grand Valley Canal presently occurs on the north side of the property so the proposed setback would actually meet the easement.

The proposed setbacks can be justified due to site constraints and surrounding development. On the west side, a drainage ditch is located on the Doubletree Apartments site. The apartments themselves are located roughly 50 feet from the subject property and the side facing the proposed triplex contains no windows or wall openings. A parking lot and a portion of a carport are located between the apartment building and this property.

The 5-foot setback on the north side is appropriate because of the location of the proposed driveway. This will allow the maximum distance between the proposed triplex and the condominiums to the south. This setback will be approximately 30 feet.

Staff will recommend approval of the proposed triplex, subject to the following conditions:

- 1) The location of the proposed triplex shall be identical to or similar to that indicated on the submitted site plan.
- 2) The west setback shall be at least two feet.
- 3) The north setback shall be at least five feet.
- 4) The maximum height of present and future structures will be 30 feet.
- 5) The eastern half of the site shall remain predominantly as a landscaped area for the duration of this project.

NOTE: We may want to rezone this property to PR 5.1 with this application to reflect the actual density you are proposing. Please comment regarding this. If you do not object, the final staff report will recommend the rezone.

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 ~~five~~ 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.

Steve Star SIGNATURE Aug 22, 1994 DATE

p84 FILE #/NAME #129-94- STAR TRI-PLEX RECEIPT # 1510
PETITIONER/REPRESENTATIVE: Steve Star PHONE # 245-3946

DATE OF HEARING: 9/6/94 POST SIGN(S) BY: 8/26/94

DATE SIGN(S) PICKED-UP ?

DATE SIGN(S) RETURNED [scribble] RECEIVED BY: *p84*

Refund
\$50.00
10/17-
check #40-095134

Aug. 23, 1994

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

Attn: Tom Huxon

Re: File # 129-94 Title/Heading: Final
Plan/Plat - Star Iris - Plex

The following are my responses to the
review comments by the indicated agencies:

Mesa County Building Dept:

Selection process is now being conducted
for a City licensed General Contractor.

Fire walls will be included in the
architectural plans.

Grand Valley Irrigation Co:

Working very closely with Phil Bertrand
to ensure the needs of both parties are met.

His advise on drainage is well taken
and every effort will be made to allow
for proper drainage.

Community Development Department

There is no recorded 5 foot easement to Grand Valley Canal; however, the building is being designed to allow for a 5-foot setback.

The height of the building will be under 30 feet.

I would not be in favor of rezoning the property at this time. An option should be open to us to build an additional unit or two if family needs arise or there is a critical need for rental units in the valley.

Grand Junction Sewerage District

Close contact has been continued with John Balluff, Manager.

It has been agreed that our units will not be built any closer than 7 (seven) feet to the center line of the drainage pipe.

Every effort will be made, if possible, to construct the building no closer than 10 (ten) feet from the center line.

City Development Engineer

As stated to Jody Kliska, in person, we see no problem in sharing the existing access onto 15th Street.

In addition, an ADS drainage system brochure was shown to Mr. Kliska. The piping and tubing system will be placed around the perimeter of the building — and, yes, in response to Mr. Kliska's question, Mr. Ballage, Grand Junction Sewerage District, has given permission to tap into their mainline to allow for discharge.

City Utility Engineer

Power service will be shown in the final plans.

Darryl Gloyd, Finance Officer, has already informed me of separate sewer service.

City Parks and Recreation

Tom Wilson, CDD, had informed me of the open space fee.

There is no opportunity to acquire trail use to the canal through this parcel.

Respectfully submitted,

Steve Star
Steve Star

RECEIVED GRAND JUNCTION
PLANNING DEPARTMENT
AUG 29 1994

August 29, 1994

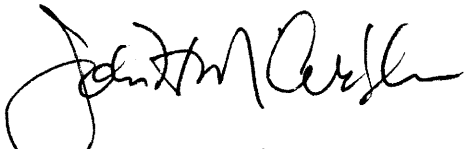
Community Development Department
250 North 5th Street
Grand Junction, CO 81501

Re: SHARED ACCESS: STAR TRI-PLEX, #129-94, 2245 N 15TH STREET.

To Whom It May Concern:

The Harcroft Condominium Association, Inc., 2235 North 15th St., owners of the property immediately adjacent along the south property line to the above referenced Star Tri-Plex, is desirous of having a written, binding and recordable agreement between the owners of the Star property and ourselves for shared access to the Star property.

Sincerely,



John H. McArthur

Harcroft Condominium Association, Inc.,
2235 North 15th Street, Unit "B"
Grand Junction, CO 81501

STAFF REVIEW (Final)

FILE: #129-94

DATE: August 30, 1994

STAFF: Tom Dixon

REQUEST: Triplex in a PR-17 zone and a Rezone to PR-7

LOCATION: 2245 15th Street

APPLICANT: Steve Star

EXISTING LAND USE: Vacant

PROPOSED LAND USE: Residential

SURROUNDING LAND USE: Residential

EXISTING ZONING: PR-17, (Planned Residential, 17 units per acre)

PROPOSED ZONING: PR-7, (Planned Residential, 7 units per acre)

SURROUNDING ZONING:

NORTH: RSF-8

SOUTH: RSF-8

EAST: RMF-16

WEST: PR-20

RELATIONSHIP TO COMPREHENSIVE PLAN:

No plan has been adopted for this area of the City.

STAFF ANALYSIS:

This proposal is for a triplex development on a vacant parcel of land containing approximately .59 acre of land. The parcel has the remnant of a foundation for a single-family residence which was removed at least 12 years ago. The Grand Valley Canal is directly north of the site, a four-unit condominium development is to the south, and the Doubletree Apartments are directly west. On the east side, the property fronts 15th Street for some 61 feet.

This parcel had previously been rezoned to PR-17 and approved for a 10-lot subdivision in 1982. The parcel was never platted and the approved subdivision plan has now become null and void. The PR-17 zoning designation has been retained.

As proposed, the triplex would be a one-story structure with three attached units, all accessed from 15th Street via a common driveway. Each of the units would have an attached garage. The site has an abundance of mature deciduous trees, predominantly Cottonwoods and Russian Olives, on its eastern half. The location of the triplex is proposed to be located on the western half of the site in order to maximize the retention of this grove of trees. In order to achieve this, a setback of two (2) feet is requested on the west property line. A setback of five (5) feet is proposed on the north side of the site to allow sufficient space for the driveway and turns into the garages. A 5-foot easement to benefit the Grand Valley Canal was thought to exist on the north side of the property. However, this easement is not recorded.

The proposed setbacks can be justified due to site constraints and surrounding development. On the west side, a drainage ditch is located on the Doubletree Apartments site. The apartments themselves are located roughly 50 feet from the subject property and the side facing the proposed triplex contains no windows or wall openings. A parking lot and a portion of a carport are located between the apartment building and this property.

The 5-foot setback on the north side is appropriate because of the location of the proposed driveway. This will allow the maximum distance between the proposed triplex and the condominiums to the south. Since the canal road is between the proposed triplex and the canal channel, the proposed setback should not be detrimental to either residents or canal right-of-way users.

Staff is also recommending that the property be rezoned to reflect actual or potential development. The present zoning, PR-17, would allow 10 units on the site. This density is not realistic and is misleading. A rezone to reflect actual carrying capacity of the site is more appropriate. In this instance, staff is recommending a zoning designation of PR-7, which would allow the three proposed units plus a future additional unit if development and/or market conditions warrant. The purpose of creating a zone designation adding an additional unit is to preserve the petitioner's options and flexibility. In the Zoning and Development Code, the City may initiate a rezone in a Planned Development zone under Section 7-5-7 B. Lapse of Plan and Rezone. This reads, in part, that the "[Community Development Director] may, if he/she deems it appropriate, initiate, without owner consent, a zoning change to the previous or another appropriate zone". In this instance, the more appropriate zone would be PR-7.

The petitioner has responded to staff and agency comments. All issues raised are being addressed with the responding agencies. The main issue with development of the site is the sharing of access onto 15th Street with the owners of the condominium units to the south. The petitioner has contacted those residents and is working to arrive at a mutually beneficial means of a common use of the curbcut and a portion of the existing driveway, part of which may be on the petitioner's property. Any common access and/or use of the driveways must be done through a written, binding and recorded easement which ensures the common use and maintainence of the driveway. Such an easement must be reviewed and approved through the City prior to recording.

The petitioner is not supportive of a rezone at this time, as recommended by staff. The reason is that all options want to be preserved for the possibility of a future additional unit or two if market and development conditions warrant it. While staff recognizes this desire, more than one additional unit is not feasible and, furthermore, the recommended rezone to PR-7 allows some flexibility.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed triplex and approval of a Rezone from PR-17 to PR-7, subject to the following conditions:

- 1) The location of the proposed triplex shall be conform to the submitted and approved site plan.
- 2) The west setback shall be at least two feet.
- 3) The north setback shall be at least five feet.
- 4) The maximum height of present and future structures will be 32 feet.
- 5) The eastern half of the site shall remain predominantly as a landscaped area for the duration of this project.
- 6) A common driveway use and access easement with the property to the south shall be reviewed and approved by the City prior to planning clearance. Such an easement shall be recorded with Mesa County Clerk and Recorder.
- 7) One additional attached unit is allowed under this proposal providing that the petitioner gets approval through a Site Plan Review application process. This review will evaluate site design, circulation, and conformance to previous conditions of approval.

PLANNING COMMISSION MOTION:

Mr. Chairman, on item #129-94, I move that we approve this proposed triplex and recommend to the City Council to approve a rezone from PR-17 to PR-7, subject to the recommendations in the staff report.

RAY & COMPANY REALTORS
WARRANTY DEED

EXHIBIT A

- *Legal description*

129 94

That part of Lot 19 in Block 6 and of Lot 36 in Block 10 of
FAIRMOUNT SUDIVISION
and of vacated Bookcliff Avenue described as follows:
Beginning at a point 31.8 feet South of the Northeast corner of
Lot 19 in Block 6 of Fairmount Subdivision, thence North 61.8 feet;
thence North 81 25' West 304.1 feet; thence South 107.7 feet;
thence North 89 54' East 300.7 feet to the point of the beginning,
Mesa County, Colorado.

TAX SCHEDULE NO. #2945-122-00-165

Original
Do NOT Remove
From Office

STAFF REVIEW

FILE: #129-94

DATE: September 15, 1994

STAFF: Tom Dixon

REQUEST: Rezone from PR-17 to PR-7 (Ordinance)

LOCATION: 2245 15th Street

APPLICANT: Steve Star

EXISTING LAND USE: Vacant

PROPOSED LAND USE: Residential

SURROUNDING LAND USE: Residential

EXISTING ZONING: PR-17, (Planned Residential, 17 units per acre)

PROPOSED ZONING: PR-7, (Planned Residential, 7 units per acre)

SURROUNDING ZONING:

NORTH: RSF-8

SOUTH: RSF-8

EAST: RMF-16

WEST: PR-20

EXECUTIVE SUMMARY: A proposal to develop this site with a triplex has been approved by the Planning Commission (see Exhibit A). The proposed triplex replaces a prior approval for a 10-lot subdivision which was never platted. A rezone of the site has been initiated by staff to reflect the density being developed. Since the petitioner wanted to preserve some opportunity for one or two additional units, staff recommended a rezone to PR-7. This allows one additional unit on the site. The petitioner prefers the option of putting two additional units on the site. This will create an effective density of 8.5 units per acre. Planning staff has concerns about how more than one unit can be placed on the site given the area committed for the footprint of the development and the petitioner's desire to retain a substantial landscaped area on the eastern half of the site. The Planning Commission recommends a rezone to PR-8.5 to allow the potential for the two future units requested by the petitioner.

STAFF ANALYSIS: The proposed triplex development is for a vacant parcel of land containing approximately .59 acre of land. The Grand Valley Canal is directly north of the

site, a four-unit condominium development is to the south, and the Doubletree Apartments are directly west. On the east side, the property fronts 15th Street for some 61 feet.

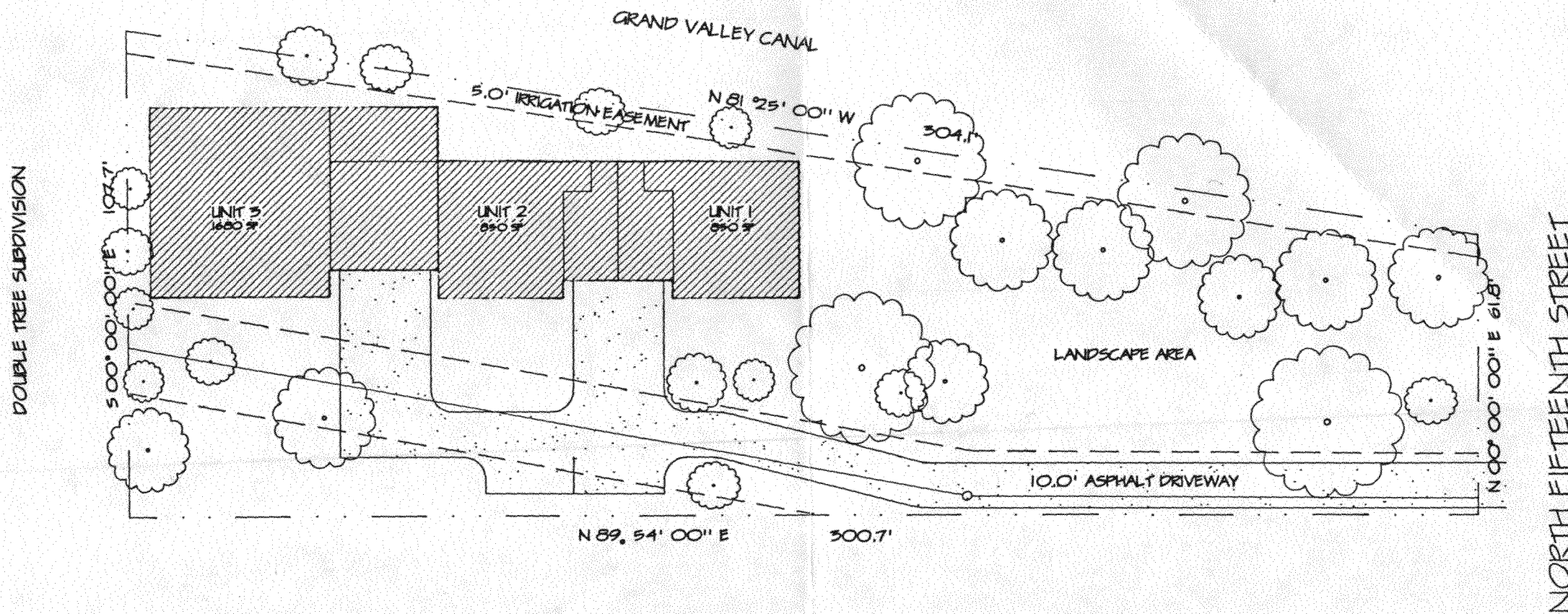
This parcel had previously been rezoned from RSF-8 to PR-17 and approved for a 10-lot subdivision in 1982. The parcel was never platted and the approved subdivision plan has now become null and void. The PR-17 zoning designation has been retained.

Staff has recommended that the property be rezoned to reflect actual or potential development. The current zoning, PR-17, would allow 10 units on the site. This density is unrealistic and misleading. A rezone to reflect actual carrying capacity of the site is more appropriate. In this instance, staff recommends a rezone to PR-7, a designation which would allow the three proposed units plus a future additional unit. Considering the size and location and size of the proposed triplex, it is difficult to imagine how more than one unit could be placed on the site without compromising the amenities associated with this proposal (i.e. retention of trees, reduced density, low-scale building profiles, etc.).

The petitioner was not supportive of a rezone because of the desire to retain a possibility for additional units in the future if market and development conditions warrant them. However, the rezone recommended by the Planning Commission, PR-8.5, would allow up to two additional units on this site. A Site Development Review will be required for either or both additional units.

STAFF RECOMMENDATION: Staff recommended approval of a Rezone from PR-17 to PR-7.

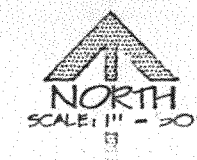
PLANNING COMMISSION ACTION: Recommended approval of a Rezone from PR-17 to PR-8.5.



N.E. COR. SW 1/4 NW 1/4
SEC. 12, T15, R1W, U.M.

SITE PLAN

HARCROFT CONDOMINIUMS



2245 NORTH 15TH

A RESIDENCE
FOR
MR. & MRS. STEVE STAR
GRAND JUNCTION, COLORADO

Original
Do NOT Remove
From Office

29 94