



MS  
 SUBMITTAL CHECKLIST RB-95-101

RESUBDIVISION *Minor Sub*

Location: NW corner of F & 25 Roads Project Name: Re-subdivision

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.	City Police	County Planning	County Bldg. Dept.	County Surveyor	Walker Field	School Dist. #51	Irrigation District <i>GI</i>	Drainage District <i>GU</i>	Water District <i>Wte.</i>	Sewer District	U.S. West	Public Service	GVRP	CDOT	Corps of Engineers	Colorado Geological Survey	U.S. Postal Service	Persigo WWTF	TCJ Cable	TOTAL REQ'D.
		● Application Fee \$ 400	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	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	1	1	1	1	1	1	1
● 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	1	1	1	1	1	1	1
● Evidence of Title	VII-2	1		1			1																							
○ Appraisal of Raw Land	VII-1	1		1	1																									
● Names and Addresses*	VII-2	1																												
● Legal Description*	VII-2	1		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							1																
○ ROW	VII-3	1	1	1	1		1															1	1	1						
○ Covenants, Conditions, & Restrictions	VII-1	1	1				1																							
○ Common Space Agreements	VII-1	1	1				1																							
● County Treasurer's Tax Cert.	VII-1	1																												
○ Improvements Agreement/Guarantee*	VII-2	1	1	1			1																							
○ CDOT, 404, or Floodplain Permit	VII-3,4	1	1																											
● General Project Report (narrative)	X-7	1	1	1	1	1	1	1	8	1	1	1		1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
○ Location Map	IX-21	1																												
○ Composite Plan	IX-10	1	2	1	1																									
○ 11"x17" Reduction Composite Plan	IX-10	1			1	1	1	8	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
● Final Plat	IX-15	1	2	1	1	1	1	8	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
● 11"x17" Reduction of Final Plat	IX-15	1					8	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
○ Cover Sheet	IX-11	1	2																											
○ Grading & Stormwater Mgmt Plan	IX-17	1	2															1							1					
○ Storm Drainage Plan and Profile	IX-30	1	2															1			1	1	1						1	
○ Water and Sewer Plan and Profile	IX-34	1	2	1														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									1														1				
○ Phase I & II Environmental Report	X-10,11	1	1																											
○ Final Drainage Report	X-5,6	1	2															1												
○ Stormwater Management Plan	X-14	1	2															1							1					
○ Sewer System Design Report	X-13	1	2	1																	1									
○ Water System Design Report	X-16	1	2	1														1												
○ Traffic Impact Study	X-15	1	2																									1		
○ Site Plan	IX-29	1	2	1	1		1	8																						

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NOTES: \* An asterisk in the item description column indicates that a form is supplied by the City.



# DEVELOPMENT APPLICATION

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

Receipt \_\_\_\_\_

Date \_\_\_\_\_

Rec'd By \_\_\_\_\_

File No. MG 118-95-101

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*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 checked="" type="checkbox"/> Subdivision Plat/Plan	<input checked="" type="checkbox"/> Minor <input type="checkbox"/> Major <input type="checkbox"/> Resub	2.99 acres	2499 F Road	Planned Commercial	Vacant
<input type="checkbox"/> Rezone				From: To:	
<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"/> Variance					
<input type="checkbox"/> Special Use					
<input type="checkbox"/> Vacation					<input type="checkbox"/> Right-of Way <input type="checkbox"/> Easement
<input type="checkbox"/> Revocable Permit					

PROPERTY OWNER

DEVELOPER

REPRESENTATIVE

Jon F. Abramson

Name

2543 N. Owl Creek Road

Address

Nashville, Indiana 47428

City/State/Zip

812-988-6628

Business Phone No.

Name

Address

City/State/Zip

Business Phone No.

Robert D. Emrich

Name

2499 US Hwy 6&50

Address

Grand Jct., CO 81505

City/State/Zip

970-243-0456

Business Phone No.

**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 required 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.*

[Signature]  
Signature of Person Completing Application

5/30/95  
Date

[Signature]  
Signature of Property Owner(s) - attach additional sheets if necessary

5/20/95  
Date

## NARRATIVE

Patterson Park West Subdivision met all the requirements for a commercial subdivision and was approved on June 25, 1990.

Two lots were created by plat. Lot 2 of approximately one acre is now occupied by Diamond Shamrock on the corner of 25 Road and F Road, and Lot 1 of 2.99 acres is to the west fronting on F Road.

The original plan was to attract a developer of a small retail center on Lot 1. That has not happened, but the demand for smaller lots for individual users has increased; hence, the need to replat Lot 1 into five smaller marketable lots.

RS-95-101  
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William I. Widdows  
743 W. Wilshire Court  
Grand Junction, CO 81506

Granite Construction Co.  
P.O. Box 50085  
Watsonville, CA 95077

2503 LLC  
2503 Foresight Circle  
Grand Junction, CO 81505

William S. Dawson  
P.O. Box 3737  
Grand Junction, CO 81502

HRB Partnership  
P.O. Box 1509  
Grand Junction, CO 81502

Phillip R. Capp  
684 Crest Court  
Grand Junction, CO 81506

Craig G. Colley  
594 27th Street  
Manhattan Beach, CA 90266

Ben E. Carnes  
2499 Hwy. 6 & 50  
Grand Junction, CO 81505

TTH Investments  
P.O. Box 1073  
Grand Junction, CO 81502

Donald Damron  
2482 F Road  
Grand Junction, CO 81505

Robert Ramirez  
2488 Commerce Blvd.  
Grand Junction, CO 81505

Alco Building Co.  
599 25 Road  
Grand Junction, CO 81501

Mark L. Gamble  
P.O. Box 2906  
Grand Junction, CO 81502

Robert D. Emrich  
1441 Patterson Road #902  
Grand Junction, CO 81501

Thomas C. Pinger  
624 Broken Spoke Road  
Grand Junction, CO 81504

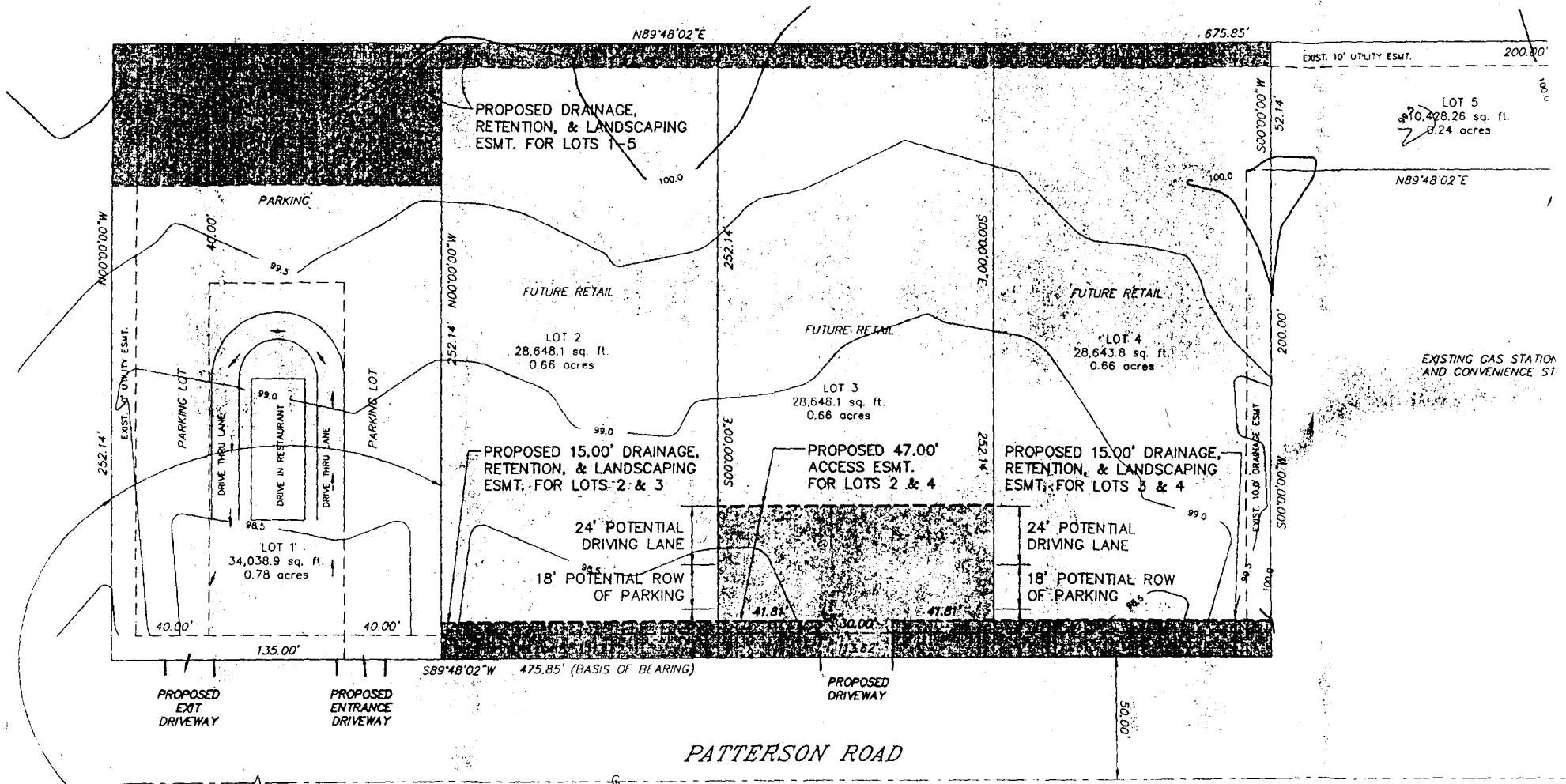
Jon Abrahamson  
2543 N. Owl Creek Road  
Nashville, Indiana 47448

Brazos River Leasing  
P.O. Box 69600  
San Antonio, TX 78269-6000

Hoefner Family Trust  
636 S. Surrey Court  
Grand Junction, CO 81503

KS-95-101

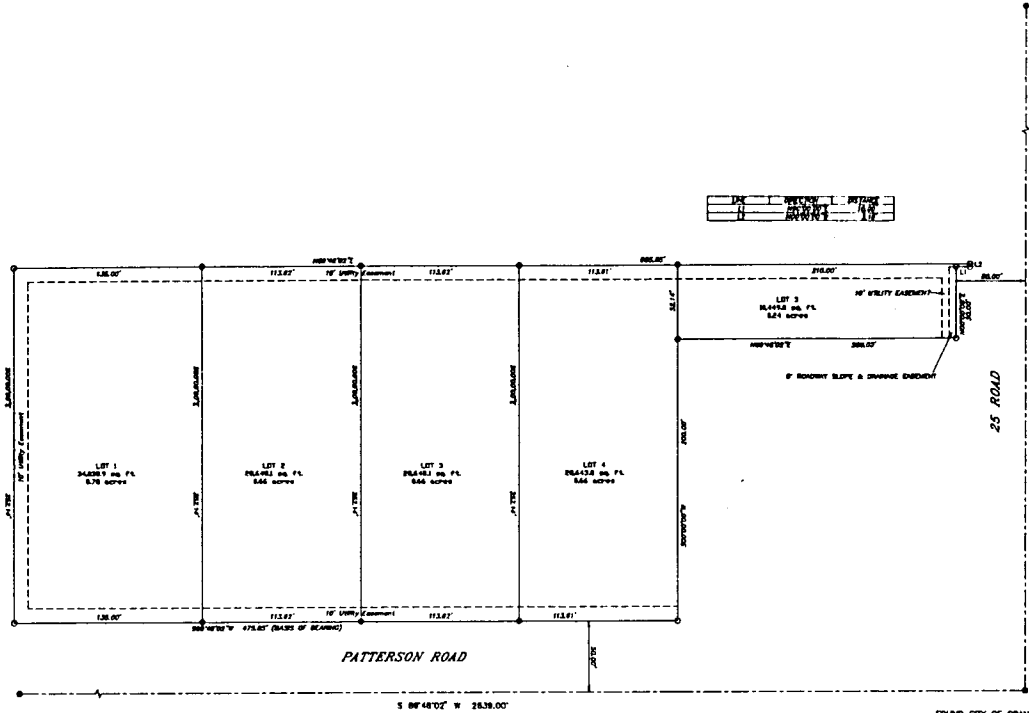
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PROPOSED BLANKET ACCESS EASEMENT ACROSS LOT 1 FOR THE PURPOSE OF MAINTAINING FACILITIES IN THE DRAINAGE RETENTION, & LANDSCAPING EASEMENT.

# REPLAT OF LOT 1 PATTERSON PARKWEST SUBDIVISION

FOUND MESA COUNTY SURVEY MONUMENT FOR THE NE CORNER OF THE SE 1/4 SEC. 17/4 OF SEC. 4, T. 1 S., R. 1 W. UTE MERIDIAN

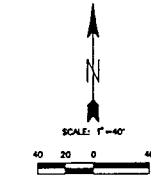


FOUND CITY OF GRAND JUNCTION SURVEY MONUMENT FOR THE SW CORNER OF THE SE 1/4 OF SECTION 4, T. 1 S., R. 1 W. UTE MERIDIAN

BASE OF BEARINGS FROM THE SOUTH LINE OF LOT 1, PATTERSON PARKWEST SUBDIVISION

FOUND CITY OF GRAND JUNCTION SURVEY MONUMENT FOR THE SE CORNER OF SECTION 4, T. 1 S., R. 1 W. UTE MERIDIAN

AREA SUMMARY  
AREA IN LOTS = 137,700 SQ. FT. OR 3.13 ACRES  
AREA IN STREETS = 6,000 ACRES



- = FOUND MONUMENT AS NOTED
- = FOUND PROPERTY CORNER IN CONCRETE L.S. 12901
- = SET 24" NO. 5 REBAR W/CAP MARKED L.S. 12901

NOTES: ACCORDING TO COLORADO STATE LAW YOU MUST EXAMINE ANY LEGAL ACTION BEFORE YOU BUY ANY PROPERTY. THIS SURVEY WAS PREPARED BY WILLIAM G. ROY, P.L.S., 12901. ANY MISTAKES OR OMISSIONS ARE THE SOLE RESPONSIBILITY OF THE SURVEYOR. THIS SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR.

I, WILLIAM G. ROY DO HEREBY CERTIFY THAT THE ACCOMPANYING PLAT OF THE REPLAT OF LOT 1, PATTERSON PARKWEST SUBDIVISION HAS BEEN PREPARED UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS A FIELD SURVEY OF SAME.

WILLIAM G. ROY P.L.S. 12901  
DATED THIS 30th DAY OF May, 1995

## DEDICATION

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, JON F. ABRAHAMSON is the owner of that real property situated in the SE 1/4 of Section 4, Township 1 South, Range 1 West of the Ute Meridian County of Mesa, State of Colorado as recorded in Book 1804 of Page 512 in the records of the Mesa County Clerk and Recorder Office, being more particularly described as follows:

### LOT 1, PATTERSON PARKWEST SUBDIVISION

That said owner has caused the said real property to be laid out and surveyed as the REPLAT OF LOT 1 PATTERSON PARKWEST SUBDIVISION.

That said owner does hereby dedicate and set apart real property as shown and labeled on the accompanying plat as follows:

All utility easements to the City of Grand Junction for the use of public utilities as perpetual easements for the installation, operation, maintenance and repair of utilities and appurtenances thereto including, but not limited to electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, water lines and telephone lines.

All Streets and Rights-of-way to the City of Grand Junction for the use of the public forever.

All easements include the right of ingress and egress on, along, over, under, and through and across by the beneficiaries, their successors, or assigns, together with the right to trim or remove interfering trees and brush, and in Drainage and Detention/Retention easements, the right to dredge; provided, however, that the beneficiaries of said easements shall utilize the same in a reasonable and prudent manner. Furthermore, the owners of lots or tracts hereby platified shall not burden nor overburden said easements by erecting or placing any improvements thereon which may prevent reasonable ingress and egress to and from the easement.

IN WITNESS WHEREOF said owner has caused that name to be hereunto subscribed this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 1995

STATE OF COLORADO } S.S.  
COUNTY OF MESA }  
The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 1995  
by \_\_\_\_\_  
My Commission expires: \_\_\_\_\_ History Public

### CLERK AND RECORDERS CERTIFICATE

STATE OF COLORADO } S.S.  
COUNTY OF MESA }  
I hereby certify that this instrument was filed in my office at \_\_\_\_\_ o'clock \_\_\_\_\_ M this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 1995 and is duly recorded in Plat Book No. \_\_\_\_\_ Page \_\_\_\_\_  
Clerk and Recorder Deputy Fees \$ \_\_\_\_\_

### CITY APPROVAL

This plat of the Replat of Lots 1, PATTERSON PARKWEST SUBDIVISION is a subdivision of a part of the City of Grand Junction, County of Mesa, State of Colorado is approved and accepted on this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 1995.  
\_\_\_\_\_  
City Manager President of Council

## REPLAT OF LOT 1 PATTERSON PARKWEST SUBDIVISION

LOCATED IN THE SE 1/4 OF SEC. 4, T. 1 S., R. 1 W. UTE MERIDIAN  
PREPARED FOR JON F. ABRAHAMSON

JOB NO. 8413 SHEET 1 OF 1

# REVIEW COMMENTS

Page 1 of 3

FILE #MS-95-101

TITLE HEADING: Minor Subdivision - Lot 1,  
Patterson Parkwest Subdivision

LOCATION: NW corner F & 25 Roads

PETITIONER: Jon Abrahamson

PETITIONER'S ADDRESS/TELEPHONE: 2543 N Owl Creek Road  
Nashville, IN 47428  
812-988-6628

PETITIONER'S REPRESENTATIVE: Robert Emrich

STAFF REPRESENTATIVE: Kathy Portner

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**NOTE: THE PETITIONER IS REQUIRED TO SUBMIT FOUR (4) COPIES OF WRITTEN RESPONSE AND REVISED DRAWINGS ADDRESSING ALL REVIEW COMMENTS ON OR BEFORE 5:00 P.M., JUNE 27, 1995.**

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**GRAND VALLEY IRRIGATION**  
**Phil Bertrand**

**6/8/95**  
**242-2762**

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Since the commercial subdivision was approved on **June 25, 1995**, there are greater concerns about surface water discharge back into our canal system. We now have a **discharge agreement** that needs to be signed and acknowledged on the new replat.

**GRAND JUNCTION FIRE DEPARTMENT**  
**Hank Masterson**

**6/7/95**  
**244-1414**

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The Fire Department has no problem with this Minor Subdivision. Buildings constructed on these lots may require additional fire hydrants, depending upon Fire Department access provided.

**GRAND JUNCTION DRAINAGE DISTRICT**  
**John L. Ballagh**

**6/6/95**  
**242-4343**

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The nearest Grand Junction Drainage District facility is in the 25 Road right-of-way. There are no existing or planned Grand Junction Drainage District facilities which would require easements to be granted on the plat at this time.

**CITY POLICE DEPARTMENT**  
**Dave Stassen**

**6/9/95**  
**244-3587**

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What are the plans for vehicle access? Will additional curb cuts be required on F Road, and how many? In the interest of traffic safety, limiting the number of curbcuts would be a good idea.



**CITY PROPERTY AGENT**  
**Steve Pace**

**6/15/95**  
**244-1452**

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1. Do we require a 14' multi-purpose easement along Patterson Road and 25 Road?
2. The 5' roadway slope and drainage easement should be described in the dedication.
3. On the original Patterson Parkwest Subdivision Plat there is a 10' drainage easement along the east line of lot 1, does this easement still exist? If so, it should be shown & described in the dedication and if vacated it also should be shown and labeled as to how it was dedicated.
4. Dedicate the easterly 10.00' x 2.18' portion of Lot 5 to City for right-off-way.
5. In area summary - 130,4288.7 s.f. = 2.99 acres.
6. Are the monuments for the S.E. Cor. S.4 and the S.W. Cor of the SE1/4 of S.4 City of Grand Junction or Mesa County monuments?

**CITY DEVELOPMENT ENGINEER**  
**Jody Kliska**

**6/15/95**  
**244-1591**

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1. Patterson Road Corridor Guidelines call for limiting access to Patterson Road and consolidating driveways wherever possible. Any subdivision or use of this property must provide access locations and a common access agreement/easement. Access to these parcels from Patterson Road will be limited to a single drive with co.,on access easement to the parcels.
2. Lot 5 is an awkward, and possibly not useful, parcel and a driveway will take up half the frontage.
3. Drainage for the site must be addressed as part of the subdivision. A drainage fee will **NOT** be accepted as the Ranchman's Ditch is already over capacity.
4. A utility composite showing existing and proposed utilities is required.

**UTE WATER**  
**Ralph W. Ohm**

**6/14/95**  
**242-7491**

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1. An existing 12-inch water main is located in Patterson and 25 Roads.
2. Fire protection requirements per City of Grand Junction.
3. Ute Water policies and fees in effect at the time of application will apply.

**COMMUNITY DEVELOPMENT DEPARTMENT**  
**Kathy Portner**

**6/16/95**  
**244-1446**

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1. The proposed minor subdivision is within a Planned Commercial (PC) Zone District. A specific site development plan with proposed uses is required to be submitted, reviewed, and approved with any proposal for the site, including further subdivision.
2. The City is concerned with additional access points onto Patterson Road. Future access to this site will be limited to one on Patterson Road. Common ingress/egress must be maintained for the property onto 25 Road and Patterson Road. Access and internal circulation must be addressed in the plan.
3. A grading and drainage plan and utility composite must be submitted for review.
4. Lot 5 appears to be very limited for development.

5. The surveyors certificate on the plat must also state that the plat conforms with all applicable requirements of the Zoning and Development Code.

**CITY UTILITY ENGINEER**

**6/16/95**

**Trent Prall**

**244-1590**

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Utility composite required before approval.

**TO DATE, COMMENTS NOT RECEIVED FROM:**

City Attorney  
Mesa County Surveyor  
U.S. West  
Public Service Company

**RESPONSE TO REVIEW COMMENTS**

**REPEAT OF LOT 1, PATTERSON PARKWEST SUBDIVISION**

**FILE #MS-95-101**

**GRAND VALLEY IRRIGATION:**

DISCHARGE AGREEMENT WILL BE SIGNED AND ACKNOWLEDGED ON PLAT.

**CITY PROPERTY AGENT:**

EASEMENT ON PATTERSON AND 25 ROADS WILL BE DETERMINED FROM UTILITY COMPOSITE.

5' ROADWAY SLOPE AND MAINTENANCE EASEMENT IS RECORDED IN BOOK 1499 AT PAGE 778.

10' DRAINAGE EASEMENT WILL BE SHOWN ON FINAL PLAT.

EASTERLY 10' X 2.18' PARCEL WILL BE DEDICATED TO CITY.

AREA SUMMARY AND MONUMENT DESCRIPTIONS WILL BE CORRECTED.

**CITY DEVELOPMENT ENGINEER:**

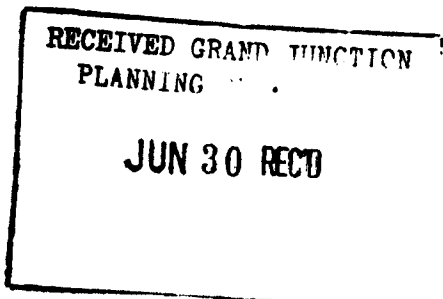
ACCESS WILL BE SHOWN ON DEVELOPMENT PLAN.

UTILITY COMPOSITE AND DRAINAGE PLAN WILL BE PROVIDED.

**COMMUNITY DEVELOPMENT DEPT.:**

DEVELOPMENT, GRADING, AND DRAINAGE PLANS WILL BE PROVIDED.

UTILITY COMPOSITE WILL BE PROVIDED.



 6/30/95

Robert Emrich, Representative

STAFF REVIEW

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FILE: #MS-95-101  
DATE: August 30, 1995  
STAFF: Kathy Portner  
REQUEST: 5 lot Minor Subdivision--Patterson Parkwest  
LOCATION: NW corner of F and 25 Roads  
APPLICANT: Jon F. Abramson

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EXISTING LAND USE: Undeveloped

PROPOSED LAND USE: Drive-through Restaurant and Retail

SURROUNDING LAND USE:

NORTH: Undeveloped  
SOUTH: Commercial  
EAST: Commercial (Diamond-Shamrock Convenience Store)  
WEST: Commercial (Mattress Factory/Outlet)

EXISTING ZONING: PC (Planned Commercial)

PROPOSED ZONING: No Change Proposed

SURROUNDING ZONING:

NORTH: PB (Planned Business)  
SOUTH: C-2 (Heavy Commercial)  
EAST: PC  
WEST: PC

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RELATIONSHIP TO COMPREHENSIVE PLAN:

The Patterson Road Corridor Guideline states that commercial and mixed-use development is appropriate on the north side of Patterson Road from 24 1/2 Road to 25 1/2 Road. The Guideline also states that access points onto Patterson Road should be limited and consolidated between properties where possible.

STAFF ANALYSIS:

The proposal is to resubdivide the 2.99 acre lot 1 of Patterson Parkwest Subdivision into 5 commercial lots. Patterson Parkwest was subdivided into 2 lots in 1990 prior to annexation to the City. Lot 2 is approximately 1 acre and has the Diamond-Shamrock facility on it. Lot 2 was originally created for a small retail center. This subdivision was approved by Mesa County in a PB (Planned Business) zone along with the final plan for Diamond-Shamrock (County Development File #C17-90). The specific development of lot 1 was not discussed at that time. It was just mentioned in the staff review that the proposal for lot 1 was a retail center.

### Proposed Uses

This property was annexed to the City in 1991 and zoned PC (Planned Commercial). The zoning ordinance (No. 2509) did not establish a list of allowed uses in the zone. Therefore, any proposed use requires review and approval through the City Council. The uses proposed by the petitioner for the 5 lots is a drive-through restaurant on one lot and retail uses on the remainder of the lots. Staff agrees that retail uses would be appropriate in this area but feels a drive-through restaurant is not compatible with surrounding uses and creates traffic problems that general retail uses would not.

### Proposed Subdivision

As currently configured lot 1 has frontage on 25 Road and Patterson Road. As one parcel it is entitled to one access point on Patterson Road. In addition, one access point on 25 Road is allowed and encouraged for good site circulation. The site plan submitted shows three driveways onto Patterson Road which conflict with the spacing requirements for Patterson Road. The City Transportation Engineering Design Standards address access in Section 4.2.2 Provision of Access, Section 4.2.4 Number of Access Points, and 4.2.5 Joint Access. Because the City is concerned with maintaining safe and efficient traffic flow on Patterson Road, driveways must be spaced a minimum of 200' apart. This spacing is also measured from adjacent property access points. In looking at this property and location of the driveways for adjacent properties, this standard supports the City's position that only one access point should be allowed onto Patterson Road for this parcel.

Recently the City Planning Commission and City Council have had the opportunity to discuss several proposals for development along the Patterson Road Corridor. Access has been a major issue with all of those proposals. The discussion has generally been that smaller parcels along the corridor are a problem and ideally parcels should be consolidated to provide for shared, efficient access and circulation. This subdivision as proposed is going in the opposite direction.

Staff is also reluctant to recommend approval of a subdivision in a Planned Commercial Zone when there is no specific plans for 4 of the 5 proposed lots. This parcel should be planned as a whole to address access and circulation concerns. As configured, lot 5 appears to have very limited development potential. A good overall plan for the parcel would include one access point on Patterson Road and one access point on 25 Road to serve the entire development. Businesses could be oriented toward Patterson Road with access and parking to the rear of the

buildings. Whether this subdivision is approved or not, future uses and design would require review and approval by the Planning Commission and City Council.

**STAFF RECOMMENDATION:**

Staff recommends denial of the proposed drive-through restaurant use and denial of the subdivision as proposed.

**RECOMMENDED PLANNING COMMISSION MOTION:**

Mr. Chairman, on item #MS-95-101, I move we forward the request for a drive-through restaurant use onto City Council with a recommendation of approval and that we approve the subdivision as proposed.

(Staff recommendation is to deny the motion)

STAFF REVIEW

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FILE: #MS-95-101  
DATE: September 28, 1995  
STAFF: Kathy Portner  
REQUEST: 5 lot Minor Subdivision--Patterson Parkwest  
LOCATION: NW corner of F and 25 Roads  
APPLICANT: Jon F. Abramson

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EXECUTIVE SUMMARY:

Appeal of Planning Commission denial of a request to subdivide a 2.99 acre parcel of land into 5 lots in a PC zone, located at the NW corner of F Road and 24 Road, and a request to amend the PC zoning ordinance to add drive-through restaurants as an allowed use.

EXISTING LAND USE: Undeveloped

PROPOSED LAND USE: Drive-through Restaurant and Retail

SURROUNDING LAND USE:

NORTH: Undeveloped  
SOUTH: Commercial  
EAST: Commercial (Diamond-Shamrock Convenience Store)  
WEST: Commercial (Mattress Factory/Outlet)

EXISTING ZONING: PC (Planned Commercial)

PROPOSED ZONING: No Change Proposed

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This property was annexed to the City in 1991 and zoned PC (Planned Commercial). The zoning ordinance (No. 2509) did not establish a list of allowed uses in the zone. Therefore, any proposed use requires review and approval through the City Council. The uses proposed by the petitioner for the 5 lots is a drive-through restaurant on one lot and retail uses on the remainder of the lots. Staff agrees that retail uses would be appropriate in this area but feels a drive-through restaurant is not compatible with surrounding uses and creates traffic problems that general retail uses would not.

#### Proposed Subdivision

As currently configured lot 1 has frontage on 25 Road and Patterson Road. As one parcel it is entitled to one access point on Patterson Road. In addition, one access point on 25 Road is allowed and encouraged for good site circulation. The site plan submitted shows three driveways onto Patterson Road which conflict with the spacing requirements for Patterson Road. The City Transportation Engineering Design Standards address access in Section 4.2.2 Provision of Access, Section 4.2.4 Number of Access Points, and 4.2.5 Joint Access. Because the City is concerned with maintaining safe and efficient traffic flow on Patterson Road, driveways must be spaced a minimum of 200' apart. This spacing is also measured from adjacent property access points. In looking at this property and location of the driveways for adjacent properties, this standard supports the City's position that only one access point should be allowed onto Patterson Road for this parcel.

Recently the City Planning Commission and City Council have had the opportunity to discuss several proposals for development along the Patterson Road Corridor. Access has been a major issue with all of those proposals. The discussion has generally been that smaller parcels along the corridor are a problem and ideally parcels should be consolidated to provide for shared, efficient access and circulation. This subdivision as proposed is going in the opposite direction.



Staff is also reluctant to recommend approval of a subdivision in a Planned Commercial Zone when there is no specific plans for 4 of the 5 proposed lots. This parcel should be planned as a whole to address access and circulation concerns. As configured, lot 5 appears to have very limited development potential. A good overall plan for the parcel would include one access point on Patterson Road and one access point on 25 Road to serve the entire development. Businesses could be oriented toward Patterson Road with access and parking to the rear of the buildings. Whether this subdivision is approved or not, future uses and design would require review and approval by the Planning Commission and City Council.

**STAFF RECOMMENDATION:**

Staff recommends denial of the proposed drive-through restaurant use and denial of the subdivision as proposed.

**PLANNING COMMISSION RECOMMENDATION:**

Planning Commission, at their September 9, 1995 hearing, denied the request to subdivide and denied the request for a drive-through restaurant.



Grand Junction Community Development Department  
Planning • Zoning • Code Enforcement  
250 North Fifth Street  
Grand Junction, Colorado 81501-2668  
(970) 244-1430 FAX (970) 244-1599

June 30, 1995

Jon F. Abramson  
2543 N. Owl Creek Road  
Nashville, Indiana 47428

RE: Patterson Parkwest Subdivision, Lot 1 Replat (MS-95-101)

Dear Mr. Abramson:

City staff has reviewed the response to comments submitted for the proposed replat of lot 1, Patterson Parkwest Subdivision and find it to be incomplete. The following responses were found to be inadequate:

1. A copy of the discharge agreement with Grand Valley Irrigation was not submitted.
2. A revised plat showing required plat corrections and notations was not submitted.
3. A utility composite was not submitted.
4. A grading and drainage plan was not submitted.
5. A development plan for the property was not submitted.

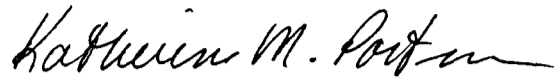
All of the above listed items are needed for the staff and Planning Commission to evaluate the proposed subdivision. Section 6-7-4 and 6-8-3 of the Zoning and Development Code states:

A submittal with insufficient information, identified in the review process, which has not been addressed by the applicant, may be withdrawn from the agenda by the Administrator.

Therefore, consideration of the replat of lot 1, Patterson Parkwest Subdivision has been pulled from the July 11, 1995 Planning Commission agenda. The above deficiencies must be addressed with a submittal of revised plans and reports by 5:00 p.m., July 19, 1995 for the subdivision to be put on the August 1st Planning Commission agenda. Because the item was already advertised for the July Planning Commission hearing, there will be a \$50.00 re-advertising fee for the August hearing. This fee must also be submitted by the July 19th deadline.

Please call me at 244-1446 if you have any questions. Thank you.

Sincerely,



Katherine M. Portner  
Planning Supervisor

xc: Robert D. Emrich

RECEIVED GRAND JUNCTION  
PLANNING DEPARTMENT

SEP 14 REC'D

September 14, 1995

Grand Junction Community Development Department  
250 North Fifth Street  
Grand Junction, CO 81501

Re: MS-95-101  
Minor Subdivision/Amended zoning  
Lot 1 Patterson Park West Subdivision

The above captioned item was heard by the Planning Commission on  
September 12, 1995, and was denied.

The petitioner, Jon Abrahamson, wishes to appeal this decision and have a  
hearing with City Council.

Please advise as to the dates available to be heard at a hearing.

Thank you.

Sincerely,



R. D. Emrich  
2499 US 6-50  
Grand Junction, CO 81505  
970-243-0456

# HOSKIN, FARINA, ALDRICH & KAMPF

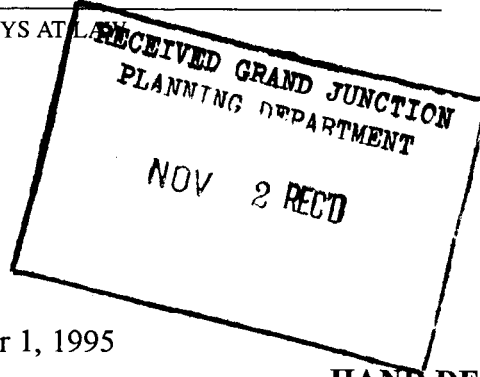
Professional Corporation

ATTORNEYS AT LAW

200 Grand Avenue, Suite 400  
Post Office Box 40  
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Facsimile (970) 241-3760

222 West Main Street  
Rangely, Colorado 81648



Gregory K. Hoskin  
Terrance L. Farina  
Frederick G. Aldrich  
Gregg K. Kampf  
Curtis G. Taylor  
David A. Younger  
David M. Scanga  
Michael J. Russell  
John T. Howe  
Matthew G. Weber  
William H. Nelson  
(1926-1992)

November 1, 1995

**HAND DELIVERED**

Stephanie Nye, City Clerk  
City of Grand Junction  
250 N. 5th Street  
Grand Junction, Colorado 81501

Re: MS-95-101, Minor Subdivision/Amended Zoning  
Lot 1, Patterson Park West

Dear Ms. Nye:

Please be advised that this firm represents Jon F. Abrahamson in connection with the captioned matter. The purpose of this letter is to give formal notification that Mr. Abrahamson withdraws his application in connection with the captioned matter. In that regard, please cancel the hearing presently scheduled before the Grand Junction City Council on November 15, 1995.

Kathy Portner of the Grand Junction Community Development Department has been informally advised of the foregoing, however, I am sending a copy of this letter to her so that she will know the formalities have been taken care of. Robert D. Emrich who contacted you about postponing the hearing before the Grand Junction City Council to November 15, 1995, is also aware of the foregoing and a copy of this letter is likewise being sent to him.

Mr. Abrahamson's present plans include a resubmission after certain engineering work has been completed. He understands that a new application fee will have to be paid.

Please advise me if any further action is necessary to terminate the pending application in connection with the captioned matter. Thank you in advance for your anticipated cooperation.

Sincerely,

HOSKIN, FARINA, ALDRICH & KAMPF  
Professional Corporation

  
TERRANCE FARINA

TF:sm

cc: Kathy Portner  
Robert D. Emrich  
Jon F. Abrahamson