

# Table of Contents

File RZP-1995-199

Date 11/18/99

P	S	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, not all entries designated to be scanned are present in the file. There are also documents specific to certain files, not found on the standard list. For this reason, a checklist has been included.
	e	Remaining items, (not selected for scanning), will be marked present on the checklist. This index can serve as a quick guide for the contents of each file.
	n	Files denoted with (**) are to be located using the ISYS Query System. Planning Clearance will need to be typed in full, as well as other entries such as Ordinances, Resolutions, Board of Appeals, and etc.
	e	
X	X	<b>*Summary Sheet – Table of Contents</b>
X	X	Application form
		Receipts for fees paid for anything
X	X	<b>*Submittal checklist</b>
X	X	<b>*General project report</b>
		Reduced copy of final plans or drawings
X		Reduction of assessor's map
		Evidence of title, deeds
X	X	<b>*Mailing list</b>
		Public notice cards
		Record of certified mail
X		Legal description
		Appraisal of raw land
		Reduction of any maps – final copy
		<b>*Final reports for drainage and soils (geotechnical reports)</b>
		Other bound or nonbound reports
		Traffic studies
		Individual review comments from agencies
X		<b>*Consolidated review comments list</b>
X	X	<b>*Petitioner's response to comments</b>
X	X	<b>*Staff Reports</b>
		<b>*Planning Commission staff report and exhibits</b>
		<b>*City Council staff report and exhibits</b>
		<b>*Summary sheet of final conditions</b>
		<b>*Letters and correspondence dated after the date of final approval (pertaining to change in conditions or expiration date)</b>

## DOCUMENTS SPECIFIC TO THIS DEVELOPMENT FILE:

X	X	Letter from Ken Jacobson to Bill Nebeker	X	Letter from Bill Nebeker to John Davis – 12/12/95
X		E-mail from Jody Kliska to Marcia Rabideaux – 11/23/95	X	Grand Junction Commission Meeting Agenda – 12/5/95
X	X	City Council Minutes - ** - 1/3/96, 1/17/96	X	Abstract & Title Co. of Mesa County, Inc. – Ins. Commitment
X		E-mail (Handwritten Notes) from Bill Nebeker to Dan Wilson - 11/15/95		
X	X	Ordinance No. 2889 - **		
X		Posting of Public Notice Signs		
X	X	Aerial Map		
X		Road Description		
X	X	Utility & Drainage Composite		
X	X	Preliminary Plan		
X	X	Planning Commission – Final Decision		
X	X	Acoustical Recommendations		
X	X	Memo to City Council Minutes from Bill Nebeker – 1/15/96		
X	X	Letter from Larry Beckner Bill Nebeker – 12/13/95		

**SUBMITTAL CHECKLIST** - RZP-95-199

**Rezone MAJOR SUBDIVISION: PRELIMINARY PLAN**

Location: 28 1/4 Rd, S of North Ave.

Project Name: Janus Manufacturing Plant

ITEMS	SSID REFERENCE	DISTRIBUTION																				TOTAL REQ'D.								
		● 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	○ Walker Field	● School District #51	● Irrigation District <u>G.V.</u>	● Drainage District <u>G.V.</u>	○ Water District	● Sewer District <u>Franklin</u>	● U.S. West	● Public Service	○ GVRP		● <del>305</del> <u>305</u>	● Corps of Engineers	○ Colorado Geological Survey	○ U.S. Postal Service	○ Persigo WWTF	● T-1 Cable		
Date Received																														
Receipt # <u>\$785</u>																														
File # <u>RZP-95-</u>																														
<b>DESCRIPTION</b>																														
● Application Fee <u>\$710 plus \$15/line</u>	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	
● Evidence of Title	VII-2	1		1			1																							
● Names and Addresses	VII-2	1																												
● Legal Description	VII-2	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	1	1	1	1	1	1	
● Location Map <u>- 1/4 acre map</u>	IX-21	1																												
● Preliminary Plan	IX-26	1	2	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	
○ 11"x17" Reduction of Prelim. Plan	IX-26	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	
● Preliminary Drainage Report	X-12	1	2																			1								

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

# DRAWING STANDARDS CHECKLIST

## PRELIMINARY PLAN

ITEM	GRAPHIC STANDARDS	OK	NA	
SECTION VIII	A	Scale: 1" = 20', 30', 40', or 50'		
	B	Sheet size: 24" x 36"		
	C	There are no primary features on this drawing		
	D	Notation: All non-construction text		
	E	Line weights of existing and proposed features per City standards		
	G	Horizontal control: Subdivisions tied to Section aliquot corners		
	H	Vertical control: Benchmarks on U.S.G.S. datum if public facilities other than SW are proposed		
	I	Orientation and north arrow		
	K	Title block with names, titles, preparation and revision dates		
	M	Legend of symbols used		
	N	List of abbreviations used		
	P	Multiple sheets provided with overall graphical key and match lines		
	Q	Contouring interval and extent		
R	Neatness and legibility			
ITEM	FEATURES	OK	NA	
DRAINAGE INFO.	1	Name of subdivision and <u>total site acreage</u>	✓	
	2	Show subdivision perimeter boundaries		
	3	Identify utility vendors to the site		
	4	Show existing and proposed lots, parcels, tracts, ROW and easements on and adjacent to site. For perimeter streets, show roadway width from curb to curb or edge of pavement to edge of pavement, ROW width and monument or section line	✓	
	5	Show and identify proposed ownership and use of common and public tracts	✓	
	6	Show existing and proposed drainage systems, including retention/detention basins and location of inflow to and outflow from the site, and directional flow arrows on streets and channels	✓	
	7	Show existing contours and any major proposed changes to site grading	✓	
	8	Show location of or reference to arterial and/or collector roads		
	9	Show 100-year floodplains per previous studies or reports <u>GOODWILL DRAIN</u>		
	10	Show other existing natural or <u>man-made drainageways</u> , wetlands, ponds, etc.	✓	
ADD'L INFO.	11	Indicate land use breakdown by percentage ( <u>lots, tracts, ROW</u> ), and number of lots	✓	
	12	Show adjacent properties and identify zoning and use	✓	
	13	Show and identify buildings and use which are on and/or immediately adjacent to the site	✓	
	14	Number lots and blocks consecutively		
	15	Show and identify streets, and identify proposed City standard street section	✓	
	16	Show and size existing and proposed water and sewer (not services) and irrigation facilities	✓	
	17	Show other existing utilities, including power, telephone, gas, and cable TV	✓	
DIM.	18	Dimension (approximate only) lot and tract boundaries and street and ROW widths		

### COMMENTS

- Items 1-10 may be used as a base for the Major Basin Drainage Map.
- Items 1-17 may be used (as subsequently revised) for the Composite Plan.



# DEVELOPMENT APPLICATION

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

Receipt 3136  
 Date 11-8-95  
 Rec'd By \_\_\_\_\_  
 File No. REP-95-199

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		<u>~8 acres</u>	<u>28 1/4 Rd &amp; North Ave</u>	From: <u>C-2</u> To: <u>PMH</u>	<u>proposed</u>
<input checked="" type="checkbox"/> Planned Development	<input type="checkbox"/> ODP <input checked="" type="checkbox"/> Prelim <input type="checkbox"/> Final	<u>16</u>	<u>6</u>	<u>"</u>	<u>Manufactured Home Park</u>
<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					

<input checked="" type="checkbox"/> PROPERTY OWNER	<input checked="" type="checkbox"/> DEVELOPER	<input checked="" type="checkbox"/> REPRESENTATIVE
<u>Mrs Florence Wilcox</u>	<u>John Davis</u>	<u>John Davis</u>
Name	Name	Name
<u>2700 G RD</u>	<u>1023 24 RD</u>	<u>CRANE CONST.</u>
Address	Address	Address
<u>Grand Jct Co 81506</u>	<u>65 Co. 81505</u>	<u>1129 24 RD</u>
City/State/Zip	City/State/Zip	City/State/Zip
	<u>970-243-3921/250-0720</u>	<u>81505</u>
Business Phone No.	Business Phone No.	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.

<u>[Signature]</u>	<u>10-17-95</u>
Signature of Person Completing Application	Date
<u>[Signature]</u>	<u>11-1-95</u>
Signature of Property Owner(s) - attach additional sheets if necessary	Date

## JAMES PARK, A PLANNED MANUFACTURED HOMES PARK

This Development Application is for a rezone from C-2 (Commercial-2) to PMH (Planned Manufactured Homes). The proposed park is for 56 rental spaces located at approximately 486 28 1/4 Road on approximately 8.25 acres. The property is legally described as Lot 2, Darwin Subdivision, Mesa County, CO, and known as Mesa County tax schedule no. 2943-182-09-002.

The intent for providing this development is to provide economical housing for those persons or families who want convenient, affordable, "detached" housing at costs below that generally now available. The local papers and other media have recently and frequently addressed the issue of the lack of "affordable" housing within our community as growth has continued and home prices have risen dramatically. This project will help meet that currently undersupplied need by providing spaces suitable for manufactured homes, built to currently in-force codes, in a quality development.

This central location will provide convenient access for:

- > ingress/egress via a stop-lighted intersection at 28 1/4 Road and North Ave.
- > close-by shopping at the many, convenient stores and restaurants on North Ave.
- > less than one mile travel to recreational facilities at Lincoln Park

The location also has the rather unique advantage of being in an area conducive to and compatible with a higher-density, single family development. As stated, the subject property is in a heavy commercial zone, so the proposal to rezone to a residential use is by most standards a "downzone" to a less severe use. The area immediately to the north is also a C-2 zone, to the east is again a C-2 zone but in fact is an existing manufactured housing development owned by the petitioner, to the south is industrial zone, I-1, and to the west is a mix of planned business and multifamily, PR-20, zones. All utilities are available or can be economically extended.

Amenities will be provided for our customers. Each rental space will be landscaped by the developer, have its own paved driveway and walks, and will feature a carport and exterior storage shed. There will be a central, pressurized irrigation system for the landscaping, a central park including landscaping and children's playground equipment, and a common, fenced storage lot for extra vehicles and trailers. There will be an attractive masonry entrance to create feelings of quality and pride in location.

We believe that this request for a rezone is entirely compatible with the regulation established criteria. The "need" has been previously discussed, and the benefits are simply the meeting of a seriously unmet community need for affordable housing. The request is not in conflict with our understanding of the proposed new Master Plan. Together with the availability of utilities and access, the request is in line with code requirements.

James Park  
RZP-95-199  
use for VE-96-89

2943-182-09-001  
CAHOOTS PARTNERSHIP  
490 28 1/4 RD  
GRAND JUNCTION, CO. 81501-5182

2943-182-08-005  
KATHY'S KAR WASH  
2823 NORTH AVE  
GRAND JUNCTION, CO. 81501-5105

2943-182-00-951  
WORLD HARVEST CHURCH  
2825 NORTH AVENUE  
GRAND JUNCTION, CO. 81501-5105

2943-182-00-080  
MESA STEAKS INC  
2839 NORTH AVE  
GRAND JUNCTION, CO 81501-4918

2943-182-00-074  
KATHY'S KAR WASH INC.  
2823 NORTH AVENUE  
GRAND JUNCTION, CO. 81501-5105

2943-182-00-010  
JAMES A HUDSON  
SUZANNE I  
493 28 1/4 RD  
GRAND JUNCTION, CO. 81501-5164

2943-182-00-046  
MESA DEVELOPMENT COMPANY  
C/O CHANDLER + ASSO INC.  
475 17th ST.  
DENVER, CO. 80202-4011

2943-182-00-070  
MESA STEAKS INC  
2839 NORTH AVE  
GRAND JUNCTION, CO 81501-4918

2943-182-00-049  
JAMES F SQUIRRELL  
67595 HIGHWAY 50  
MONTROSE, CO 81401-9708

2943-182-00-009  
H.J. KENDRICK  
J.D. KENDRICK  
1705 CRESTVIEW DR  
GRAND JUNCTION, CO 81506

2943-182-00-081  
DEBRA J DAVIS  
1023 24 RD  
GRAND JUNCTION, CO. 81505-9637

2943-182-00-007  
CENTENNIAL SAVINGS BANK  
PO BOX 1590  
DURANGO, CO 81302-1590

2943-182-00-053  
2186501 MANITOBA LTD  
C/O EARL I ESSERS  
175 CARLETON ST-RLTON ST  
WINNIPEG R3C-3H9 CAN, FC 00062

Mrs. Florence Wilcox  
2700 G Road  
Grand Junction, CO 81506

2943-182-00-063  
STUART K SIDNEY  
MILLIE E  
PO BOX 1568  
VICTORVILLE, CA 92393-1568

John Davis  
1023 24 Road  
Grand Junction, CO 81505

2943-182-00-975  
GOODWILL INDUSTRIES  
475 28 1/2 RD  
GRAND JUNCTION, CO 81501-5162

Cronk Construction  
1129 24 Road  
Grand Junction, CO 81505

2943-182-08-006  
HILLTOP FOUNDATION INC.  
1100 PATTERSON RD.  
GRAND JUNCTION, CO 81506-8219

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

CAHOOTS  
NIGHTCLUB

PROJECT  
AREA

GUNNISON AVENUE

28 1/4 ROAD

2943-182-08-006

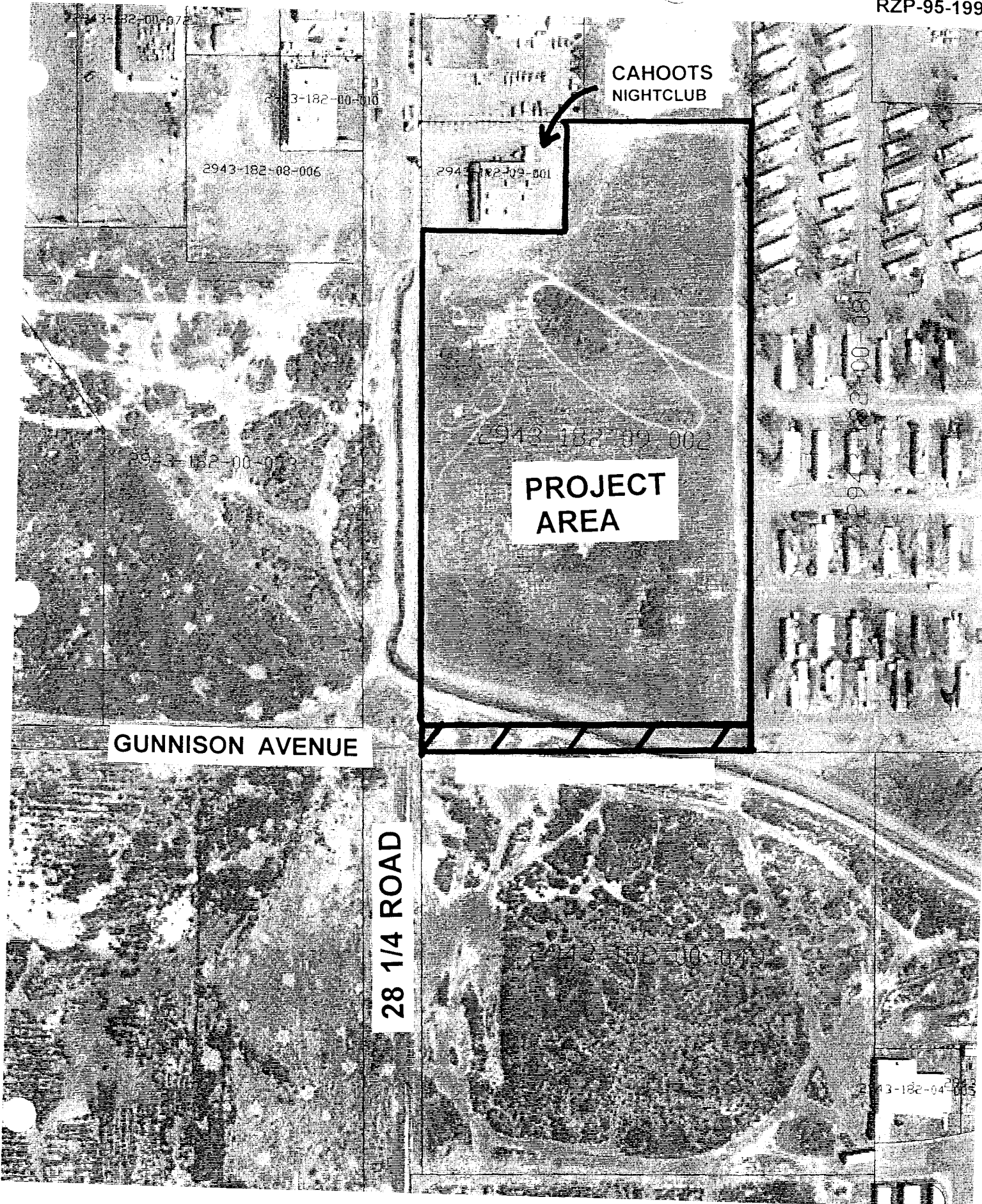
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2943-182-09-002

2943-182-00-073

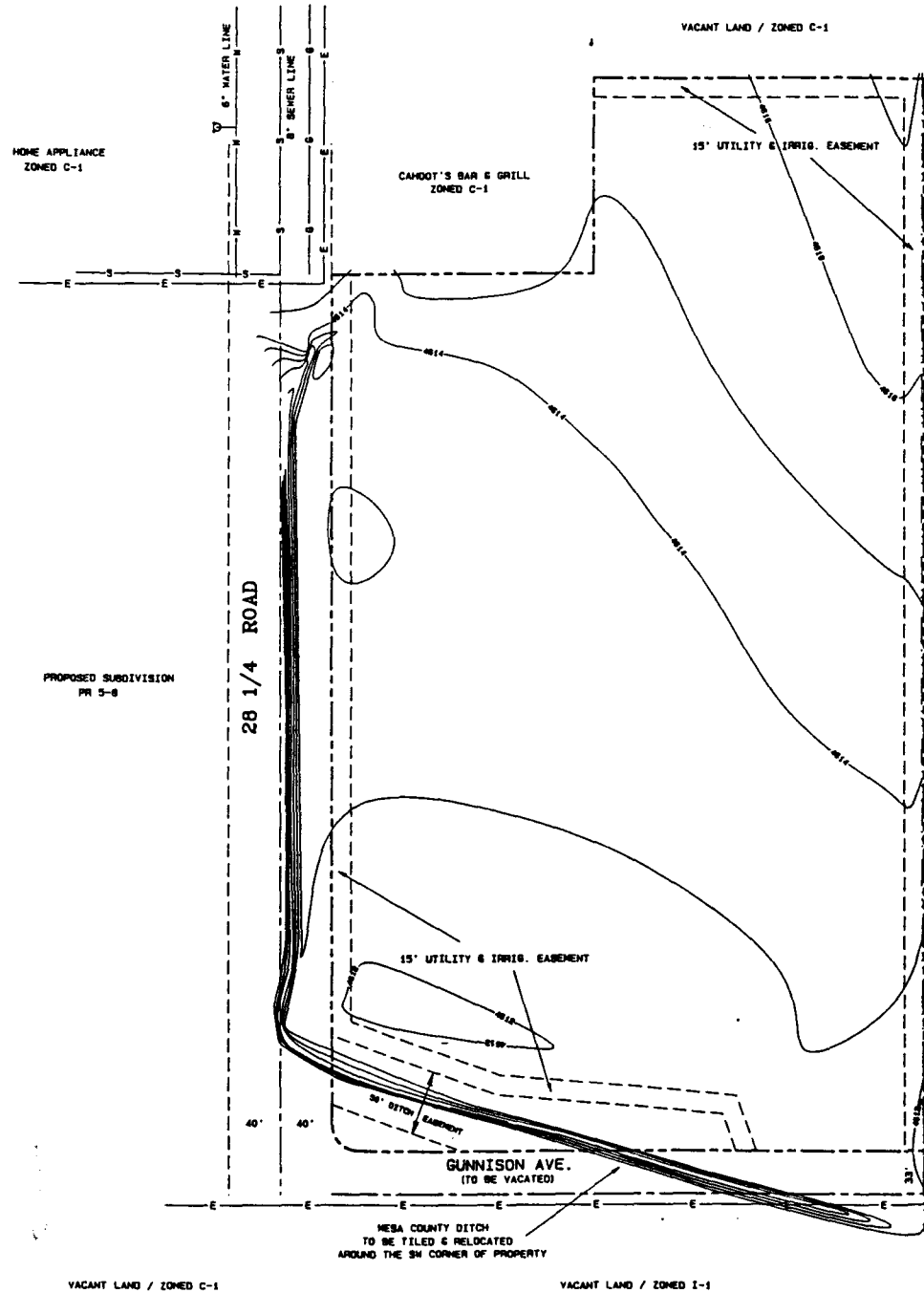
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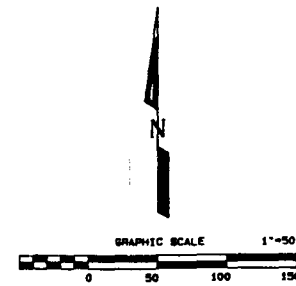


# JAMES PARK

## UTILITY & DRAINAGE COMPOSITE



A & H TRAILER PARK  
ZONED C-1



**UTILITY COMPANIES**

- PUBLIC SERVICE CO.
- S.J. WATER
- FRUITVALE SANITATION
- TCI CABLEVISION
- US WEST
- GRAND VALLEY IRRIGATION
- GRAND JCT. DRAINAGE DIST.

**JAMES PARK**  
**UTILITY & DRAINAGE COMPOSITE**

**D H SURVEYS INC.**  
118 OURAY AVE. - GRAND JUNCTION, CO.  
(970) 245-8749

Designed By	N.M.D.	Checked By	S.L.H.	Job No.	198-95-10
TMODEL	NOV. 1995	1 OF 1			

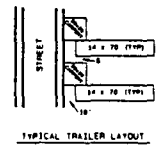
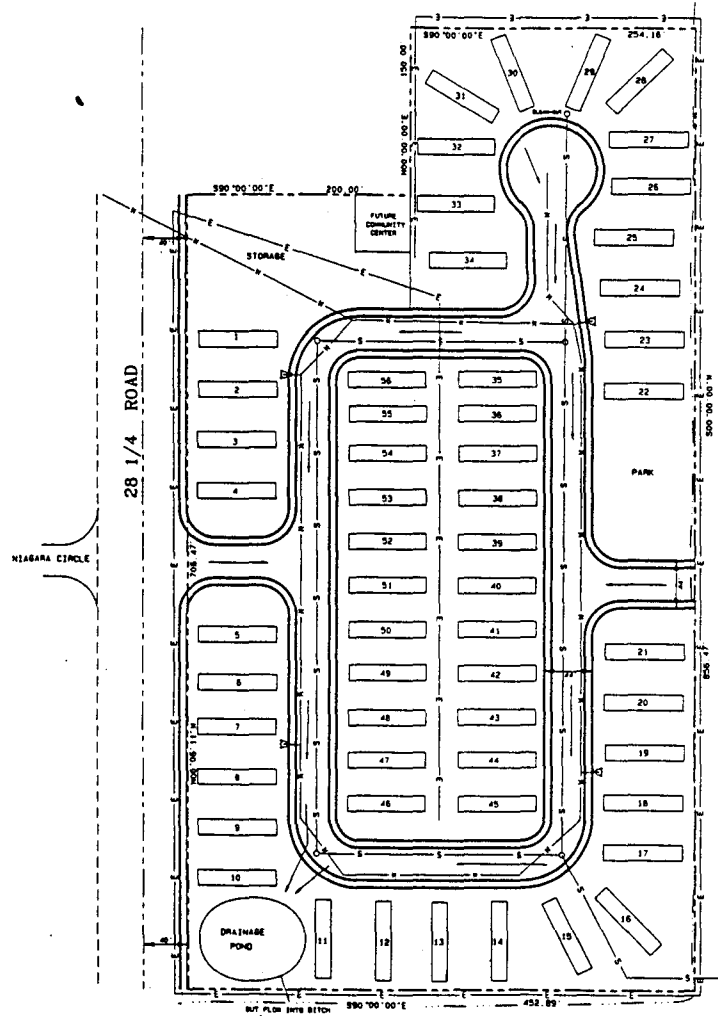
VACANT LAND / ZONED C-1

VACANT LAND / ZONED I-1



# JAMES PARK

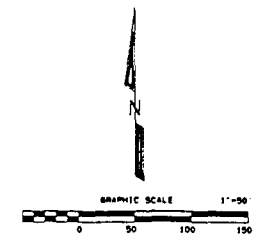
## LOT 2, DARWIN SUBDIVISION



**AREA SUMMARY**

5.42 ACRES IN ONE LOT  
 1.81 ACRES IN PRIVATE ROAD  
 8.23 ACRES TOTAL

NOTE: THIS PROPERTY IS UNDER PRIVATE OWNERSHIP  
 THERE WILL BE NO VEHICULAR ACCESS ALLOWED  
 TO 28 1/4 ROAD EXCEPT FROM THE DESIGNATED STREET



<b>JAMES PARK</b>			
PRELIMINARY PLAN			
D H SURVEYS INC.			
118 OURAY AVE. - GRAND JUNCTION, CO.			
(970) 245-8749			
Designed By	M.W.D.	Checked By	S.L.H.
Drawn By	THODEL	Date	NOV. 1995
Job No.	190-95-10		Sheet
			1 OF 1



CITY OF GRAND JUNCTION PLANNING COMMISSION  
GRAND JUNCTION, COLORADO

City of Grand Junction, Colorado  
250 North Fifth Street  
81501-2668  
FAX: (303) 244-1599

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FOR	)	FINAL DECISION
John Davis	)	RZP-95-199
1023 24 Road	)	
Grand Junction, CO 81505	)	

An application by John Davis, requesting a rezoning, preliminary plan and street vacation for development of a 56 space manufactured home rental park, affecting the real property described below, was considered by the City Council of the City of Grand Junction on January 17, 1996.

The real property affected by said application is described as lot 2, Darwin Subdivision, located at the northeast corner of Gunnison Avenue and 28 1/4 Road; tax parcel number 2943-182-09-002.

After considering all the pertinent testimony and reviewing various data, the City Council approved ordinance #2889, which adopted Planned Mobile Homes (PMH) zoning for this parcel. The street vacation request was withdrawn by the applicant. Council also approved the preliminary plan for the mobile home park, with the conditions listed below, upon a finding that the proposal complies with Section 4-4-4 of the city's zoning code.

CONDITIONS

1. The preliminary plan will be modified to show Gunnison Avenue. (If Gunnison Avenue is vacated an easement will be retained over the entire right-of-way for utilities.)
2. An increase in density greater than 10 percent will require re-review of the preliminary plan by the Planning Commission.
3. No vehicular access will be allowed to 28 1/4 Road except from the designated street.
4. Half street improvements shall be constructed on 28 1/4 Road.
5. Open spaces fees equal to \$225 per mobile home space shall be required for this development.
6. The following standards are to be imposed as conditions of approval for the final plan:
  - a. The final plan shall show a "typical drawing" for each space, showing minimums; e.g. size and boundaries of each space, placement of carport with setbacks to street and

other structures, location and dimensions of driveway, walks, storage shed and proposed landscaping for each unit.

- b. Two off street parking spaces shall be provided for each dwelling. The "typical" drawing above should show where these spaces are located.
  - c\*. Show a numerical figure for minimum setbacks:
    - perimeter street setback: 15'
    - perimeter non-street setback: 12'
    - other setbacks:
      - carport to mobile home 6'
      - mobile home to mobile home 26'
      - mobile home to street (sidewalk) 10'
      - carport to street (sidewalk) to be determined
  - d. At least 10' of the perimeter street setback along 28 1/4 Road and Gunnison Avenue (unless vacated) shall be landscaped. A detailed landscape plan shall be submitted for review and approval prior to approval of the final plan for this site. The plan shall include trees spaced no further than 40' apart.
  - e. The perimeter of the storage area along 28 1/4 Road shall be screened with a 6' high sight-obscuring fence or wall. The fencing shall be set back at least 10' from 28 1/4 road and the remainder of the area (to the road) landscaped.
  - f. More detail will be required for the park and community center. Parking areas for the community center shall be paved. Long term parking within storage area may be gravel. The community center may be moved to the park location.
  - g. Maximum height for any structure is 32'.
  - h. Maximum lot coverage is 50%.
  - i. Adequate street lighting shall be provided on interior streets.
  - \*. Item 6c is considered advisory only with details being worked out at the final plan stage.
7. A wall shall be constructed on the property lines adjacent to Cahoots nightclub, designed to provide an adequate sound barrier between Cahoots and James Park and to meet requirements of the Uniform Building Code. The wall shall

have an appropriate setback from 28 1/4 Road. The final determination as to whether the design of the proposed wall will provide an adequate noise barrier between the uses will be determined at the time of Final Plan approval.

8. No residences shall be placed closer than 115 feet to the east property line of Cahoots or 95 feet to the south property line.
9. The park shall include the planting of at least 5 large trees along the west property line adjacent to Cahoots.
10. The lease agreements for the mobile home park shall contain a notice that warns persons of the noise generated from Cahoots.
11. The applicant may submit a final plan showing a revised road plan, subject to staff review.

The undersigned does hereby declare that the said City Council reached its decision as heretofore noted. Dated this 19th day of January, 1996.



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Bill Nebeker  
Senior Planner

c: Larry Beckner

TO: DAVE ANDERSON

FROM: [unclear]

4 Pages

1-19-96



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

January 19, 1996

John Davis  
1023 24 Road  
Grand Junction, CO 81505

Re: James Park (RZP-95-199)

Dear John:

Attached is a copy of City Council's final decision and conditions regarding James Park Mobile Home Park. The next step in the process is to schedule a pre-application conference to discuss submittal of the final plan, which requires Planning Commission approval.

As part of your submittal, staff will be looking for detailed plans for the wall surrounding Cahoots. The design for the wall should be approved by the owners of Cahoots prior to submittal to the City. If an agreement cannot be reached with Cahoots then be sure that your proposed design of the wall has been prepared and stamped by an engineer, stating that the wall will provide a sufficient noise barrier. The City will not be responsible for reviewing your plans and assuring that the wall works. The final plan for James Park will not be approved until the design of the wall is resolved.

If you have any questions please call me at 244-1447.

Sincerely,

A handwritten signature in cursive script that reads "Bill Nebeker".

Bill Nebeker  
Senior Planner

c: Larry Beckner

# REVIEW COMMENTS

Page 1 of 3

FILE #RZP-95-199

TITLE HEADING: Rezone, Vacation of Right-of-Way  
and Preliminary Plan - James Park

LOCATION: NE corner of 28 1/4 Road & Gunnison Avenue

PETITIONER: John Davis

PETITIONER'S ADDRESS/TELEPHONE: 1023 24 Road  
Grand Junction, CO 81505  
250-0720

PETITIONER'S REPRESENTATIVE: Cronk Construction

STAFF REPRESENTATIVE: Bill Nebeker

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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., NOVEMBER 27, 1995.**

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**PUBLIC SERVICE COMPANY**

**11/15/95**

**John Salazar**

**244-2781**

GAS & ELECTRIC: Require that all areas of said property not under a building footprint including, but not limited to, private roads, driveways, common areas, park area, be designated a utility easement. Will ensure that all areas, including portion of property behind homes in center section, can be reached with service. Also will require that developer either survey and stake the four corners of each building footprint or survey and stake the final locations for electric transformers, pedestals, street lights and gas main prior to installation of these facilities.

Public Service Company has overhead electric facilities in Gunnison Avenue – must be retained as a utility easement.

**CITY ATTORNEY**

**11/10/95**

**Dan Wilson**

**244-1505**

Need some form of consent from Florence Wilcox, e.g. copy of a purchase contract, is needed before this should proceed.

**CITY UTILITY ENGINEER**

**11/13/95**

**Trent Prall**

**244-1590**

1. SEWER - Fruitvale Sanitation District - Please contact Art Crawford at 243-1494 for FAD requirements for this proposal.
2. WATER - City - In order to meet fire protection standards, system will be required to loop through to water line extended down west side of property along 28 1/4 Road.

**CITY FIRE DEPARTMENT**

**11/16/95**

**Hank Masterson**

**244-1414**

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1. The four fire hydrant locations are acceptable as shown. The fire line supplying these hydrants is a dead end line exceeding 1,000 feet in length. Lines exceeding 1,000 feet must be looped. To accomplish this, extend the fire line south down 28 1/4 Road to the entrance to this site and connect to the 8" line proposed within the site. This will also allow you to eliminate the 8" line along the private road between space 2 through space 6.
2. Fire department access is adequate as shown.
3. *NO COMMENT PER LOCATION*

**GRAND JUNCTION DRAINAGE DISTRICT**

**11/16/95**

**John L. Ballagh**

**242-4343**

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The Goodwill Drain is a GJDD facility. That drain begins just south of the present end of pavement in 28 1/4 Road. There has been considerable discussion and planning on what to do with the Goodwill Drain as a part of Niagara Village. There has been no in depth discussion between the developer of James Park and the Drainage District concerning the relocation of the Goodwill Drain.

Long term surface drainage solutions for the area south of North Avenue on both sides of 28 1/4 Road need to be developed. The District is willing to participate in the discussion.

**FRUITVALE SEWER DISTRICT**

**11/15/95**

**Art Crawford**

**243-1494**

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1. After reviewing the plans it does not appear that the FWSD would have any problem providing sewer service.
2. There is however one consideration that may be looked into and that is going straight south to the bypass with the outfall line.
3. The district will not consider vacating the Gunnison easement. *But this is not a problem*

**CITY PARKS & RECREATION DEPARTMENT**

**11/20/95**

**Shawn Cooper**

**244-3869**

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Collection of open space fees at \$225 per space / 56 spaces equates to a total of \$12,600. The included park in the development will remain as private space and be perpetually maintained by the property owners.

**U.S. WEST**

**11/16/95**

**Max Ward**

**244-4721**

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Please see the utility plan and the preliminary plan for required easements (ATTACHED).

**COMMUNITY DEVELOPMENT DEPARTMENT**

**11/21/95**

**Bill Nebeker**

**244-1447**

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See attached comments.

CITY DEVELOPMENT ENGINEER

11/23/95

Jody Kliska

244-1591

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1. Half-street improvements to 28 1/4 Road will be required with this development.
2. Gunnison right-of-way will not be vacated. The City is in the process of developing a major street plan which includes this area and the preliminary recommendation is to retain the Gunnison right-of-way.
3. The entry on 28 1/4 Road needs to line up with the entry to Niagara Village. The other option is to offset it by a minimum of 150'.
4. Please show how the entry to the east fits in with the adjacent property's circulation.
5. The detention pond area shown on the drawing does not appear large enough to be consistent with the drainage report. Any outlet design must be done in accordance with the Grand Junction Drainage District criteria, as they have plans for possible realignment and piping of the drain.

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

City Property Agent

City Police Department

Mesa County School District #51

Grand Valley Irrigation

Corps of Engineers

Soil Conservation Service



Generally rezoning/land use is okay and is at an appropriate density. Very little "planning" has gone into this Planned Mobile Home Park regarding development standards. The following information should be shown on the plan for the mobile home park.

1. Provide a "typical drawing" for each space, showing minimums; i.e. size, placement of carport with setbacks to street - must be at least 20' and other structures, location & dimensions of driveway, walks, storage shed and proposed landscaping for each unit.
2. 2 off street parking spaces should be provided for each dwelling. The "typical" drawing above should show where these spaces are located.
3. Show a numerical figure for minimum setbacks:  
front yard setbacks (to interior streets): at least 5'  
setbacks between principle structures: at least 12'  
perimeter rear yard setbacks: at least 12'  
perimeter street setbacks (to 28 1/4 and Gunnison Avenue): at least 15'
4. At least 10' of the perimeter street setback along 28 1/4 Road and Gunnison Avenue (unless vacated) shall be landscaped. A detailed landscape plan shall be submitted for review & approval prior to approval of the final plan for this site. The plan shall include trees spaced no further than 50' apart.
5. The perimeter of the storage area shall be screened with a 6' high sight obscuring fence or wall. The fencing shall be set back at least 10' from 28 1/4 road and the remainder of the area (to the road) landscaped.
6. Provide more information regarding the future community center and park; i.e. parking, use, amenities provided, surface treatment (grass, gravel, etc.). Place a note on the plan that the park will remain private and will be maintained privately.
7. Maximum height for any structure is 32'.
8. Place a note on the plan that no vehicular access will be allowed to 28 1/4 Road except from the designated street.
9. Maximum lot coverage is 50%.
10. Adequate street lighting shall be provided on interior streets.

11. Align main entrance road with proposed Niagara Circle to the west. The centerline of Niagara Circle is 365' north of the centerline of Gunnison Avenue.
12. Even though the streets are private, they should be named.
13. Show relationship of this park to the mobile home park to the east (show street layout).
14. Gunnison Avenue Vacation - The general consensus of participants in the city development review meeting 11-21-95, was that Gunnison Avenue should be retained for future use as a street.

City Development Engineer should specify half street improvements for 28 1/4 Road.

Additional information/standards may be required after resubmittal and/or for the final plan and may include the following:

15. Are pedestrian walkways provided?
16. Place a note on the plan that all off street parking including driveways, shall be paved.
17. Any skirting requirements?
18. How will trash be collected - individual containers or large common containers?
19. Any signage proposed?

ES - TBA  
1578A

LARRY BECKNER  
REP LUDWIG

STAFF REVIEW

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FILE: RZP-95-199  
DATE: December 5, 1995  
STAFF: Bill Nebeker  
REQUEST: 1. Vacation of Gunnison Avenue 452.89' east of 28 1/4 Road  
2. Rezone 8.23 acre parcel from C-2 to PMH (Planned Mobile Homes)  
3. Preliminary Plan for a 56 space mobile home park  
LOCATION: Northeast Corner 28 1/4 Road & Gunnison Avenue  
APPLICANT: John Davis

1023 24 RD

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EXECUTIVE SUMMARY: Applicant requests to construct a 56 space mobile home park with R.V. storage, a future (private) community center and park on a 8.23 acre parcel. Generally rezoning and land use is acceptable and is at an appropriate density. Staff recommends denial of the petitioner's request to vacate Gunnison Avenue due to preliminary recommendations of a proposed major street plan. If Gunnison is not vacated the applicant must submit a revised plan showing the street. The rezoning and preliminary plan should not be approved until the street vacation is decided.

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EXISTING LAND USE: Vacant

PROPOSED LAND USE: 56 space mobile home park

SURROUNDING LAND USE: North: Commercial  
East: Mobile Home Park  
South: vacant  
West: Proposed Manufactured Home Subdivision

EXISTING ZONING: C-2

SURROUNDING ZONING: North: C-2  
East: C-1  
South: I-1  
West: PR 5.8

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RELATIONSHIP TO COMPREHENSIVE PLAN: There is no comprehensive plan for this area of the city.

STAFF ANALYSIS: The applicant proposes to develop a 8.23 acre parcel into a 56 space mobile home park. The park is located within the existing lot 2 of Darwin Subdivision. No further subdividing or individual lot sales is proposed. The proposed rezoning and accompanying land use is appropriate for this area. Proposed density is approximately 6.8 dwelling units per acre. The rezone would eliminate a 8 acre C-2 zoned parcel and replace it with a planned mobile home park. Given the location of the similar uses to the west and east, residential is preferable here than commercial uses.

*CAHOOTS* There may be some conflict between this residential use and the existing nightclub "Cahoots" to the north of the storage area. The owner of the nightclub has expressed concerns that the club is noisy at night and may generate complaints from future residents. A six foot high sight obscuring fence is required to screen the storage area from adjacent uses and will act as a partial buffer for noise. A block wall would be more effective than a chain link fence with slats, however no determination has been made at this point if a block wall is required. Presently there is no proposed buffer between the nightclub and the trailers in spaces 30-33.

The revised preliminary plan shows the layout of the proposed mobile home park. Additional setbacks and standards shown below will apply to the final development plan. The carports shown on the "typical" drawing are too close to the sidewalk, even though the street and sidewalk are privately owned. A more appropriate setback can be determined during review and approval of the final plan for this park.

The proposed layout of the park is contingent upon Gunnison Avenue being vacated. If it is not vacated a minor adjustment of the plan will be required. This minor change should not require further Planning Commission review unless it also includes major changes such as a change in density greater than 10 percent and/or significant narrowing of the streets. Then resubmittal and approval before the Planning Commission would be required.

*VACATION* Staff recommends denial of the vacation of Gunnison Avenue. The City is in the process of developing a major street plan which includes this area. The preliminary recommendation is to retain the Gunnison Avenue right-of-way for future use. Gunnison Avenue to the west has been retained, although not constructed as a part of the Niagara Village Manufactured Home Subdivision. Fruitvale Sewer District has also requested that Gunnison Avenue be retained for future use. The Gunnison Avenue alignment is important as a thoroughfare between 28 Road and 28 1/2 Road, between North Avenue and U.S. Highway 6 & 24. If Gunnison Avenue is vacated an easement must be retained for utilities. Gunnison Avenue is unimproved east and west of 28 1/4 Road.

The rezoning proposal complies with the Section 4-4-4, the criteria for evaluating rezoning requests. The existing zoning was not an error at the time of adoption but there has been a change in character in the area due to changes in land use to the west and existence of a mobile home park in the C-1 zoned area to the east. There is a need for affordable housing in the city and this proposal helps fill that need. The proposal is compatible with surrounding area, although a noise buffer may be required

7' BLOCK WALL

in the northwest corner to buffer the noise from the existing nightclub. The final plan will exceed most requirements of the code for development of a mobile home park. Adequate facilities are available to serve the development.

The applicant has requested that the open space fees for this development be waived because, in his opinion, there is nothing being built on the property and affordable housing is proposed. Staff recommends that the fees be paid because there will be 56 dwelling units located on the site and there is currently no policy in place for reduced fees for developments constructing affordable housing.

STAFF RECOMMENDATION: Staff recommends denial of the vacation of Gunnison Avenue, but approval of the rezoning and preliminary plan approval, with the following conditions.

1. The preliminary plan will be modified to show Gunnison Avenue. (If Gunnison Avenue is vacated an easement will be retained over the entire right-of-way for utilities.)
2. ~~Narrowing of the streets and/or a change~~ <sup>change</sup> in density greater than 10 percent will require rereview of the preliminary plan by the Planning Commission (ST WIDTH MUST BE AT LEAST 20' WIDE.)
3. No vehicular access will be allowed to 28 1/4 Road except from the designated street. (A NOTE HAS BEEN PROVIDED ON THE PLAN)
4. Half street improvements shall be constructed on 28 1/4 Road.
5. Open spaces fees equal to \$225 per mobile home space shall be required for this development.

6. ~~The applicant shall present a drawing at the Planning Commission hearing showing the relationship of this park to the mobile home park to the east (show street layout).~~

The following standards are to be imposed as conditions of approval for the final plan:

- a. Final plan shall show a "typical drawing" for each space, showing minimums; i.e. size and boundaries of each space, placement of carport with setbacks to street and other structures, location and dimensions of driveway, walks, storage shed and proposed landscaping for each unit.
- b. Two off street parking spaces should be provided for each dwelling. The "typical" drawing above should show where these spaces are located.

20' ST CURBS SW 6' x 6 1/2'

DELETE MORE BOUNDARIES DETAIL

STIP # 8 - CARPORTS - 7' BLOCK WALL SHALL BE PROVIDED ADJACENT TO CARPORTS FOR NOISE BUFFER

TO BE ENGINEERED TO PROVIDE ADEQUATE NOISE BARRIER

SEE SITES...

ADVISORY - ONLY  
DETERMINES ON  
FINAL PLAN

Show a numerical figure for minimum setbacks:

perimeter street setback: 15' - OK

perimeter non-street setback: 12' 10'

other setbacks:

carport to mobile home 6'

mobile home to mobile home 26' (PROPOSED ON PLAN), 12' REC SIDE ZONE

mobile home to street (sidewalk) 10'

carport to street (sidewalk) to be determined

d. At least 10' of the perimeter street setback along 28 1/4 Road and Gunnison Avenue (unless vacated) shall be landscaped. A detailed landscape plan shall be submitted for review & approval prior to approval of the final plan for this site. The plan shall include trees spaced no further than 40' apart.

CHUBB

e. The perimeter of the storage area shall be screened with a 6' high sight obscuring fence or wall. The fencing shall be set back at least 10' from 28 1/4 road and the remainder of the area (to the road) landscaped. *ROAD 28 1/4*

f.

More detail will be required for the park and community center. Parking areas for the community center shall be paved. Long term parking within storage area may be gravel. *OK TO HAVE COMMUNITY CENTER TO PARK.*

g. Maximum height for any structure is 32'.

h. Maximum lot coverage is 50%. *REC*

i. Adequate street lighting shall be provided on interior streets. *REC*

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on item 95-199, I move that we:

1. Recommend denial of the request to vacate Gunnison Avenue, east of 28 1/4 Road *5-0*
2. Recommend approval of the request to rezone the 8.23 acre parcel at the northeast corner of 28 1/4 Road and Gunnison Avenue from C-2 to Planned Mobile Homes *3-2 TOM PAUL*
3. Approve the preliminary plan for James Park, a ~~50-space~~ mobile home park within lot 2, Darwin Subdivision, with the conditions in the staff recommendation. *4-1 TOM*  
*REBNSON*

*FOR SPACES*  
S NE CORNER BUFFER ZONE 30-34

STAFF REVIEW

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FILE: RZP-95-199  
DATE: January 3, 1996  
STAFF: Bill Nebeker  
REQUEST: 1. Vacation of Gunnison Avenue 452.89' east of 28 1/4 Road  
2. Rezone 8.23 acre parcel from C-2 to PMH (Planned Mobile Homes)  
3. Preliminary Plan for a 56 space mobile home park  
LOCATION: Northeast Corner 28 1/4 Road & Gunnison Avenue  
APPLICANT: John Davis

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EXECUTIVE SUMMARY: This is a request for a rezone from C-2 to PMH (Planned Mobile Homes), an appeal of the Planning Commission's denial of the request to vacate Gunnison Avenue and an appeal of two conditions of the preliminary plan. The appeals will be heard with the 2nd reading of the proposed ordinances.

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EXISTING LAND USE: Vacant

PROPOSED LAND USE: 56 space mobile home park

SURROUNDING LAND USE: North: Commercial  
East: Mobile Home Park  
South: vacant  
West: Approved Manufactured Home Subdivision

EXISTING ZONING: C-2

SURROUNDING ZONING: North: C-2  
East: C-1  
South: I-1  
West: PR 5.8

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RELATIONSHIP TO COMPREHENSIVE PLAN: There is no comprehensive plan for this area of the city.

## STAFF ANALYSIS:

### Rezone

The applicant is proposing a 56 space manufactured home rental park. The proposed park is located in lot 2, Darwin Subdivision. No further subdividing or individual lot sales is proposed. The Planning Commission and staff found that the proposed rezoning and accompanying land use are appropriate for this area. Proposed density is approximately 6.8 dwelling units per acre. Approval of the rezoning would eliminate a 8 acre C-2 zoned parcel and replace it with a planned manufactured home rental park. Given the location of a mobile home park to the east and a manufactured home subdivision to the west, residential is preferable to heavy commercial uses.

The rezoning proposal complies with the Section 4-4-4, the criteria for evaluating rezoning requests. The existing zoning was not an error at the time of adoption but there has been a change in character in the area due to changes in land use to the west and existence of a mobile home park in the C-1 zoned area to the east. There is a need for affordable housing in the city and this proposal helps fill that need. The proposal is compatible with surrounding area, although a noise buffer will be required in the northwest corner to buffer the noise from the existing nightclub. The final plan will exceed most requirements of the code for development of a mobile home park. Adequate facilities are available to serve the development:

### Preliminary Plan

A potential conflict was found to exist between the proposed manufactured home park and the existing nightclub "Cahoots" to the north of the storage area. The owner of the nightclub has expressed concerns that the club is noisy at night and may generate complaints from future residents. Planning Commission required the following two conditions to alleviate these conflicts. 1) A block wall shall be engineered to provide adequate sound protection to the west and that a study to provide proof that the wall will work as intended be conducted, to be the burden of the petitioner, and the wall to be adjacent to the Cahoots nightclub on the south and east sides. 2) That a buffer zone on the northeast corner of spaces 30 to 34 be provided and properly landscaped.

The applicant has appealed the conditions of the preliminary plan approval, but to date, has not specified the extent of that appeal. The applicant has been encouraged to work with the owners of Cahoots to reach a mutual agreement before second reading of the proposed ordinance. A revised staff report will be provided at that time.

The revised preliminary plan shows the layout of the proposed manufactured home park. Additional setbacks and standards will apply to the final development plan.



## Gunnison Avenue Vacation

The proposed layout of the park is contingent upon Gunnison Avenue being vacated. If it is not vacated a minor adjustment of the plan will be required. This minor change should not require further Planning Commission review unless it also includes major changes such as a change in density greater than 10 percent. Then resubmittal and approval before the Planning Commission would be required.

Staff recommends denial of the vacation of Gunnison Avenue. The City is in the process of developing a major street plan which includes this area. The preliminary recommendation is to retain the Gunnison Avenue right-of-way for future use. Gunnison Avenue to the west has been retained, although not constructed as a part of the Niagara Village Manufactured Home Subdivision. The Gunnison Avenue alignment is important as a thoroughfare between 28 Road and 28 1/2 Road, between North Avenue and U.S. Highway 6 & 24. If Gunnison Avenue is vacated an easement must be retained for utilities. Gunnison Avenue is unimproved east and west of 28 1/4 Road.

**STAFF RECOMMENDATION:** Denial of the street vacation, approval of the rezoning request and approval of the preliminary plan request, with the following conditions:

1. The preliminary plan will be modified to show Gunnison Avenue. (If Gunnison Avenue is vacated an easement will be retained over the entire right-of-way for utilities.)
2. An increase in density greater than 10 percent will require re-review of the preliminary plan by the Planning Commission.
3. No vehicular access will be allowed to 28 1/4 Road except from the designated street.
4. Half street improvements shall be constructed on 28 1/4 Road.
5. Open spaces fees equal to \$225 per mobile home space shall be required for this development.
6. The following standards are to be imposed as conditions of approval for the final plan:
  - a. The final plan shall show a "typical drawing" for each space, showing minimums; e.g. size and boundaries of each space, placement of carport with setbacks to street and other structures, location and dimensions of driveway, walks, storage shed and proposed landscaping for each unit.

- b. Two off street parking spaces shall be provided for each dwelling. The "typical" drawing above should show where these spaces are located.
- c\*. Show a numerical figure for minimum setbacks:
  - perimeter street setback: 15'
  - perimeter non-street setback: 12'
  - other setbacks:
    - carport to mobile home 6'
    - mobile home to mobile home 26'
    - mobile home to street (sidewalk) 10'
    - carport to street (sidewalk) to be determined
- d. At least 10' of the perimeter street setback along 28 1/4 Road and Gunnison Avenue (unless vacated) shall be landscaped. A detailed landscape plan shall be submitted for review and approval prior to approval of the final plan for this site. The plan shall include trees spaced no further than 40' apart.
- e. The perimeter of the storage area along 28 1/4 Road shall be screened with a 6' high sight-obscuring fence or wall. The fencing shall be set back at least 10' from 28 1/4 road and the remainder of the area (to the road) landscaped.
- f. More detail will be required for the park and community center. Parking areas for the community center shall be paved. Long term parking within storage area may be gravel. The community center may be moved to the park location.
- g. Maximum height for any structure is 32'.
- h. Maximum lot coverage is 50%.
- i. Adequate street lighting shall be provided on interior streets.
- \*. Item 6c is considered advisory only with details being worked out at the final plan stage.

**PLANNING COMMISSION RECOMMENDATION:**

1. Denial of the request to vacate Gunnison Avenue east of 28 1/4 Road
2. Approval of rezoning request from C-2 to PMH (Planned Mobile Homes)
3. Approval of preliminary plan for the James Park (Mobile Home Park) subject to the staff conditions with the following additions:

7. A block wall shall be engineered to provide adequate sound protection to the west and that a study to provide proof that the wall will work as intended be conducted, to be the burden of the petitioner, and the wall to be adjacent to the Cahoots nightclub on the south and east sides.
8. That a buffer zone on the northeast corner of spaces 30 to 34 be provided and properly landscaped.

- DAVE ANDERSON  
256-9765 FAX (JAMES PARK PLANNING COMMISSION)

# James Park - Planned Mobile Homes File #RZP-95-199

ITEM 13

Staff recommends that the following conditions replace conditions 7 and 8 recommended by the Planning Commission.

Revised Conditions:

THIS PUTS BURDEN OF PROOF BACK ON APPLICANT TO CONVINCE THE PC THAT THE WALL WILL BE AN ADEQUATE SOUND BARRIER. IT ALSO GIVES THE OWNER OF CAHOOTS THE OPPORTUNITY TO APPEAL IF THEY'RE NOT SATISFIED THAT THE WALL WILL WORK.

- 7. A wall shall be constructed on the property lines adjacent to Cahoots nightclub, designed to provide an adequate sound barrier between Cahoots and James Park and to meet requirements of the Uniform Building Code. The wall shall have an appropriate setback from 28 1/4 Road. The final determination as to whether the design of the proposed wall will provide an adequate noise barrier between the uses will be determined at the time of Final Plan approval.
- 8. No ~~trailers~~ <sup>RESIDENCES</sup> shall be placed closer than 115 feet to the east property line of Cahoots or 95 feet to the south property line.
- 9. The park shall include the planting of at least 5 large trees along the west property line adjacent to Cahoots.
- 10. The lease agreements for the mobile home park shall contain a notice that warns persons of the noise generated from Cahoots.
- 11. The applicant may submit a final plan showing a revised road plan, subject to staff review.

8.10' Ht. Wall

The Planning Commission's conditions that are recommended to be replaced are as follows:

- 7. A block wall shall be engineered to provide adequate sound protection to the west and that a study to provide proof that the wall will work as intended be conducted, to be the burden of the petitioner, and the wall to be adjacent to the Cahoots nightclub on the south and east sides.
- 8. That a buffer zone on the northeast corner of spaces 30 to 34 be provided and properly landscaped.

NOISE COMPLAINT TO DATE  
2 AM - CLOSE BAR  
LIVE BANDS  
100-110 INSIDE DECKS

STAFF DIRECTION - TO USE LETTER TO PASTOR WALL  
6-1 FOR LETTER FROM CITY ATTORNEY TO CAHOOTS EXPRESSING SENTIMENTS

JAME

LOT 2, DA

PROPOSED LANDSCAPING

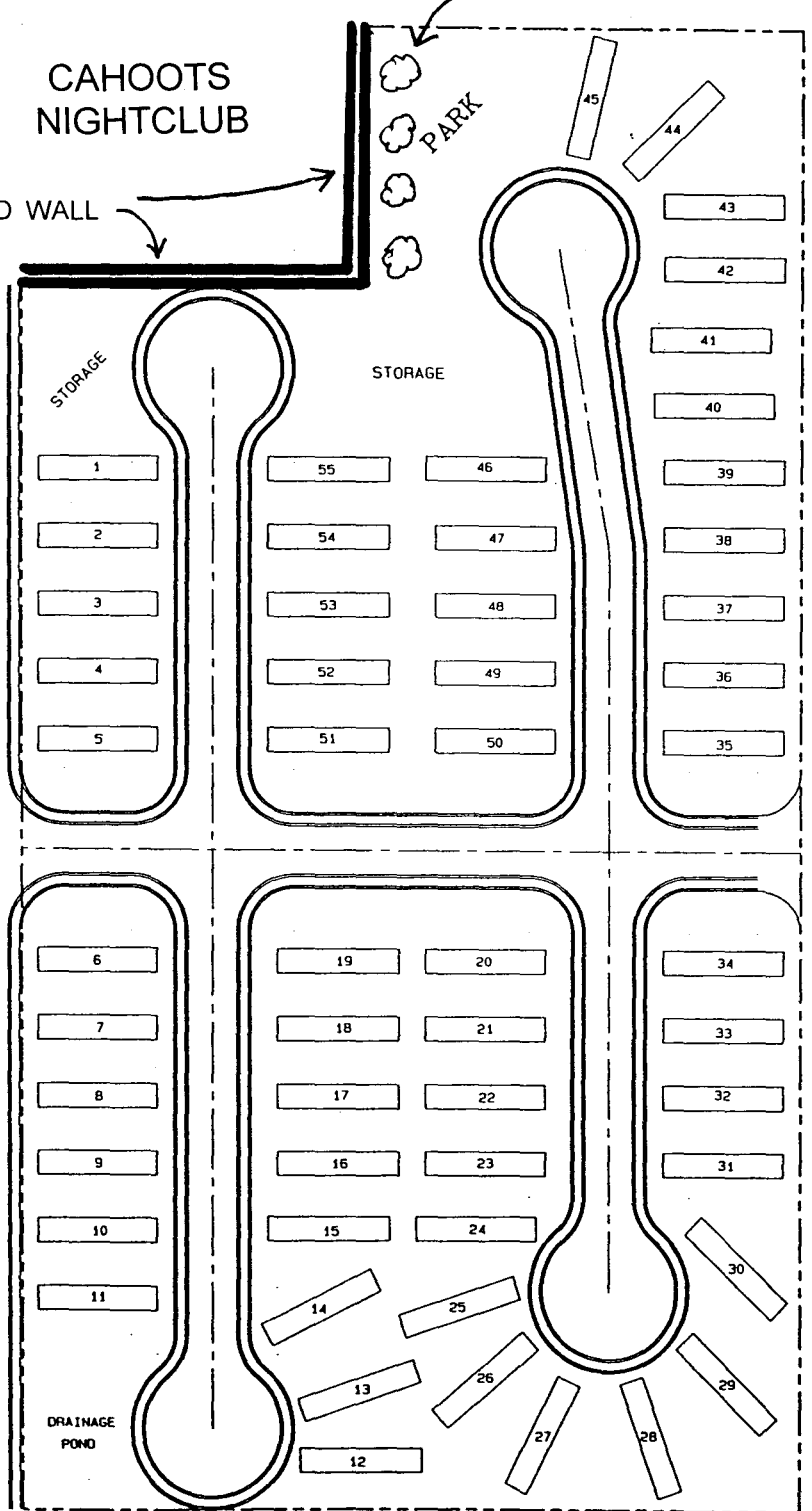
CAHOOTS NIGHTCLUB

PROPOSED WALL

PARK

NIAGARA CIRCLE

28 1/4 ROAD



STAFF REVIEW

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FILE: RZP-95-199  
DATE: January 17, 1996  
STAFF: Bill Nebeker  
REQUEST: 1. Vacation of Gunnison Avenue 452.89' east of 28 1/4 Road  
2. Rezone 8.23 acre parcel from C-2 to PMH (Planned Mobile Homes)  
3. Preliminary Plan for a 56 space mobile home park  
LOCATION: Northeast Corner 28 1/4 Road & Gunnison Avenue  
APPLICANT: John Davis

---

EXECUTIVE SUMMARY: This is a request for a rezone from C-2 to PMH (Planned Mobile Homes), an appeal of the Planning Commission's denial of the request to vacate Gunnison Avenue and an appeal of two conditions of the preliminary plan. The appeals will be heard with the 2nd reading of the proposed ordinances.

---

EXISTING LAND USE: Vacant

PROPOSED LAND USE: 56 space mobile home park

SURROUNDING LAND USE: North: Commercial  
East: Mobile Home Park  
South: vacant  
West: Approved Manufactured Home Subdivision

EXISTING ZONING: C-2

SURROUNDING ZONING: North: C-2  
East: C-1  
South: I-1  
West: PR 5.8

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RELATIONSHIP TO COMPREHENSIVE PLAN: There is no comprehensive plan for this area of the city.

## STAFF ANALYSIS:

### Rezone

The applicant is proposing a 56 space manufactured home rental park. The proposed park is located in lot 2, Darwin Subdivision. No further subdividing or individual lot sales is proposed. The Planning Commission and staff found that the proposed rezoning and accompanying land use are appropriate for this area. Proposed density is approximately 6.8 dwelling units per acre. Approval of the rezoning would eliminate a 8 acre C-2 zoned parcel and replace it with a planned manufactured home rental park. Given the location of a mobile home park to the east and a manufactured home subdivision to the west, residential is preferable to heavy commercial uses.

The rezoning proposal complies with the Section 4-4-4, the criteria for evaluating rezoning requests. The existing zoning was not an error at the time of adoption but there has been a change in character in the area due to changes in land use to the west and existence of a mobile home park in the C-1 zoned area to the east. There is a need for affordable housing in the city and this proposal helps fill that need. The proposal is compatible with surrounding area, although a noise buffer will be required in the northwest corner to buffer the noise from the existing nightclub. The final plan will exceed most requirements of the code for development of a mobile home park. Adequate facilities are available to serve the development.

### Preliminary Plan

A conflict was found to exist between the proposed manufactured home park and the existing nightclub "Cahoots" to the north of the storage area. The owner of the nightclub has expressed concerns that the club is noisy at night and will generate complaints from future residents. Planning Commission required the following two conditions to alleviate these conflicts. 1) A block wall shall be engineered to provide adequate sound protection to the west and that a study to provide proof that the wall will work as intended be conducted, to be the burden of the petitioner, and the wall to be adjacent to the Cahoots nightclub on the south and east sides. 2) That a buffer zone on the northeast corner of spaces 30 to 34 be provided and properly landscaped.

The applicant has appealed the conditions of the preliminary plan approval, but to date, has not specified the extent of that appeal. The applicant has not been able to reach an agreement with Jack Ludwig, the owner of Cahoots, on a proper buffer of the proposed mobile home park from Cahoots nightclub. Mr. Ludwig is concerned that regardless of the construction of a noise wall for sound buffering, or the planting of trees or removal of mobile home spaces 31-34, there will still be complaints of noise that will jeopardize the future operation of his business. He will be present at the hearing to recommend denial of the proposed rezoning.

The revised preliminary plan shows the layout of the proposed manufactured home park. Additional setbacks and standards will apply to the final development plan.

## Gunnison Avenue Vacation

The proposed layout of the park is contingent upon Gunnison Avenue being vacated. If it is not vacated a minor adjustment of the plan will be required. This minor change should not require further Planning Commission review unless it also includes major changes such as a change in density greater than 10 percent. Then resubmittal and approval before the Planning Commission would be required.

Staff recommends denial of the vacation of Gunnison Avenue. The City is in the process of developing a major street plan which includes this area. The preliminary recommendation is to retain the Gunnison Avenue right-of-way for future use. Gunnison Avenue to the west has been retained, although not constructed as a part of the Niagara Village Manufactured Home Subdivision. The Gunnison Avenue alignment is important as a thoroughfare between 28 Road and 28 1/2 Road, between North Avenue and U.S. Highway 6 & 24. If Gunnison Avenue is vacated an easement must be retained for utilities. Gunnison Avenue is unimproved east and west of 28 1/4 Road.

**STAFF RECOMMENDATION:** Upholding the Planning Commission's recommendation of denial of the street vacation, approval of the rezoning request and approval of the preliminary plan request, with the following conditions:

1. The preliminary plan will be modified to show Gunnison Avenue. (If Gunnison Avenue is vacated an easement will be retained over the entire right-of-way for utilities.)
2. An increase in density greater than 10 percent will require re-review of the preliminary plan by the Planning Commission.
3. No vehicular access will be allowed to 28 1/4 Road except from the designated street.
4. Half street improvements shall be constructed on 28 1/4 Road.
5. Open spaces fees equal to \$225 per mobile home space shall be required for this development.
6. The following standards are to be imposed as conditions of approval for the final plan:
  - a. The final plan shall show a "typical drawing" for each space, showing minimums; e.g. size and boundaries of each space, placement of carport with setbacks to street and other structures, location and dimensions of driveway, walks, storage shed and proposed landscaping for each unit.



- b. Two off street parking spaces shall be provided for each dwelling. The "typical" drawing above should show where these spaces are located.
- c\*. Show a numerical figure for minimum setbacks:
  - perimeter street setback: 15'
  - perimeter non-street setback: 12'
  - other setbacks:
    - carport to mobile home 6'
    - mobile home to mobile home 26'
    - mobile home to street (sidewalk) 10'
    - carport to street (sidewalk) to be determined
- d. At least 10' of the perimeter street setback along 28 1/4 Road and Gunnison Avenue (unless vacated) shall be landscaped. A detailed landscape plan shall be submitted for review and approval prior to approval of the final plan for this site. The plan shall include trees spaced no further than 40' apart.
- e. The perimeter of the storage area along 28 1/4 Road shall be screened with a 6' high sight-obscuring fence or wall. The fencing shall be set back at least 10' from 28 1/4 road and the remainder of the area (to the road) landscaped.
- f. More detail will be required for the park and community center. Parking areas for the community center shall be paved. Long term parking within storage area may be gravel. The community center may be moved to the park location.
- g. Maximum height for any structure is 32'.
- h. Maximum lot coverage is 50%.
- i. Adequate street lighting shall be provided on interior streets.
- \*. Item 6c is considered advisory only with details being worked out at the final plan stage.

**PLANNING COMMISSION RECOMMENDATION:**

1. Denial of the request to vacate Gunnison Avenue east of 28 1/4 Road
2. Approval of rezoning request from C-2 to PMH (Planned Mobile Homes)
3. Approval of preliminary plan for the James Park (Mobile Home Park) subject to the staff conditions with the following additions:

7. A block wall shall be engineered to provide adequate sound protection to the west and that a study to provide proof that the wall will work as intended be conducted, to be the burden of the petitioner, and the wall to be adjacent to the Cahoots nightclub on the south and east sides.
8. That a buffer zone on the northeast corner of spaces 30 to 34 be provided and properly landscaped.

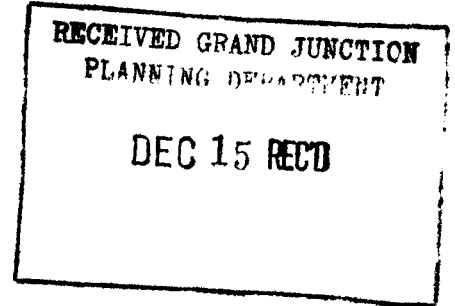
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Telephone (970) 245-4300  
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December 13, 1995

David B. Palo  
(special counsel)  
Miles Kara  
(special counsel)



William Nebeker  
City of Grand Junction  
Community Development Department  
250 North 5th Street  
Grand Junction, Colorado 81501

RE: John Davis Mobile Home Park Application

Dear Bill:

I was present at the Planning Commission hearing on Tuesday, December 5, representing the interests of Jack Ludwig, Dave Anderson and their business, Cahoots. The purpose of this letter is to memorialize the concerns raised at the hearing.

Cahoots has been in business for a number of years and was built where it was in part because of the surrounding zoning. It is no secret that a nightclub such as Cahoots raises a lot of noise into the night, particularly on nights when they have live bands. The historical zoning around Cahoots has been heavy commercial which was compatible with the nightclub use.

With the new proposed use, a mobile home park, we see two adjacent incompatible uses. The owners of Cahoots are not objecting to the construction of the mobile home park but do require that certain steps be taken to minimize potential problems.

1. Mr. Davis has agreed to insert language in all of his leases, advising of the existence of Cahoots and the fact that loud noise will occur late at night as a result of the operation of Cahoots.

2. We require a large sound wall to be constructed between Cahoots and the mobile home park. It is my understanding that the Planning Department has required Mr. Davis to have an engineer prepare a design for such a wall that will block most of the noise. It was my recommendation at the hearing that the wall be a double cinder brick wall with some sort of noise absorption material in between the two such as a foam barrier. I do not know how high the wall needs to be, but it would need to be at least as high as a mobile home.

3. There are five mobile home units that are designed to be parked immediately adjacent to the Cahoots property. The

William Nebeker

-2-

December 13, 1995

Planning Commission required that the five units closest to Cahoots be removed and that that be an open space area.

4. I recited to the Planning Commission the Grand Junction Noise Ordinance and the regulation under the State liquor laws prohibiting undue noise from a bar. Both the ordinance and the regulation prohibit noise that is annoying to the neighborhood. In this case, the historical neighborhood did not create a problem, but the new neighborhood will create a different standard. It was our request that it be placed in the record that in future years, Cahoots would not be penalized as a result of this rezone.

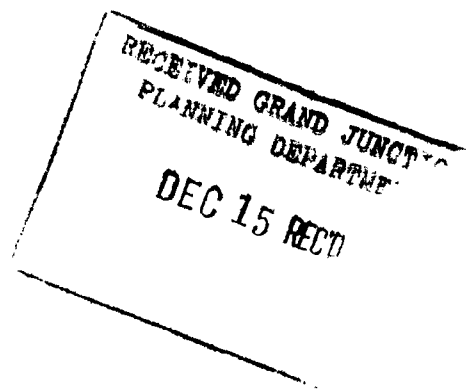
I would appreciate it if you would put me on your mailing list for any future hearings or meetings involving the proposed mobile home park.

Sincerely,



Larry B. Beckner

LBB:ms  
xc: Jack Ludwig

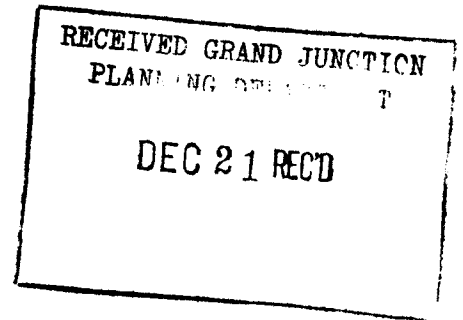




REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO  
CORPS OF ENGINEERS  
1325 J STREET  
SACRAMENTO, CALIFORNIA 95814-2922

December 19, 1995



Regulatory Branch (199575465)

Mr. Bill Nebeker  
City of Grand Junction  
Community Development Department  
250 North 5th Street  
Grand Junction, Colorado 81501

Dear Mr. Nebeker:

We are responding to your request for comment on the proposed James Park at 28 1/4 Road and North Street. The property is located within Section 18, Township 1 South, Range 1 East, Mesa County, Colorado.

Based on a site inspection by Mr. Randy Snyder of this office on December 13, 1995, we have determined that your project is not subject to our regulatory authorities. Therefore a Department of the Army permit will not be required for this project.

We have assigned number 199575465 to this project. Please refer to this number in any correspondence with this office. If you have any questions, please write to Mr. Snyder or telephone (970) 243-1199.

Sincerely,

Ken Jacobson  
Chief, Southwestern Colorado  
Regulatory Office  
402 Rood Avenue, Room 142  
Grand Junction, Colorado 81501-2563

Copies Furnished:

Mr. John Davis, 1023 24 Road, Grand Junction, Colorado 81505

COMMUNITY DEVELOPMENT DEPARTMENT

MEMORANDUM

DATE: January 15, 1996  
TO: City Council Members  
FROM: Bill Nebeker *BN*  
Senior Planner  
SUBJECT: James Park Manufactured Home Park  
Item #13; January 17, 1996 Council Hearing

.....  
Attached is a copy of a revised preliminary plan for James Park Manufactured Home Park, located on the east side of 28 1/4 Road, about 500' south of North Avenue. The revised plan incorporates the Planning Commission's recommendation to provide a buffer between the development and the Cahoots nightclub to the northwest of the site. A park site has been proposed where there was previously five mobile homes. Trees will be included as part of the buffering in the park site.

A 6-8' high block wall is also proposed on the property line. The applicant proposes to not engineer the wall, as recommended by Planning Commission, but to install a wall similar in design as the noise wall along Patterson Street between 1st and 7th Streets. This wall includes one inch of styrofoam on both sides of the wall and a stucco finish.

Staff has recommended denial of the vacation of Gunnison Avenue. If the street is vacated, the ordinance proposes that the entire right-of-way be retained as a utility, irrigation and drainage easement. If Council finds that Gunnison Avenue should be vacated, it is recommended that second reading of the ordinance be delayed to allow staff to revise the description of the utility, irrigation and drainage easement to reflect only what is needed.

If you have any other questions prior to Wednesday's hearing, please call me at 244-1447.

# **The Sound Co.**

REC 1-17-96  
CL EITZING

**Raetek Corp./ dba The Sound Co.  
2513 Belford Ave.  
Grand Jct., Co. 81501**

**Telephone (970) 243-9821  
Fax (970) 243-4984**

## **Acoustical Recommendations**

**Customer: Cahoots Crossin'  
490 28 1/4 Rd.  
Grand Jct., Co.**

**Consultant: Greg Killgore**

The following is a list of acoustical treatments recommended to reduce the effect of sound emanating from the above premises on businesses or residences in close proximity to the above address.

### **Required Treatments:**

1) Build a 10 foot (minimum height, 12ft. recommended) high wall constructed of cinder block with dry masonry sand filling all of the holes within the block. The wall should also be coated with an acoustically absorbent stucco such as Zonolite or an equivalent material at least 1/2 inch thick with 1 inch foam behind. The wall must be located on the south and east sides of the property, from the property line located at 28 1/4 Rd. running east to the east side property line. The wall would then turn north and continue north to the property line on the north side of the building. The angle of the corner, of the wall, should be 80 degrees or less.

2) Blanket the interior ceiling of Cahoots Crossin with fiberglass insulation. The insulation must be at least 4 inches thick and may be installed either directly above the existing drop ceiling grid or attached to the interior roof.

### **Optional Treatments:**

1) Fir one side of the wall out an additional 4 inches. Install 4 inch rockwool insulation blankets, and cover the rockwool with 5/8 inch plywood. This additional treatment will add significant attenuation to the frequencies below 250 hertz (bass).

# ***The Sound Co.***

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**Rastek Corp./ dba The Sound Co.  
2513 Belford Ave.  
Grand Jct., Co. 81501**

**Telephone (970) 243-9821  
Fax (970) 243-4984**

## **Acoustical Recommendations**

### **Cahoots Crossin' (Continued)**

**2) Install an additional reflective wall on top of the cinder block wall. This wall could be 2-4 feet tall made of a sound reflective material. The wall should be angled back toward Cahoots Crossin at approximately 55 degrees.**