

# Table of Contents

File PDR-1996-200

Name: Auto Repair Garage – 2699 Unawweep Avenue

<b>P r e s e n t</b>	<b>S c a n n e d</b>	<p>A few items are denoted with an asterisk (*), which means they are to be scanned for permanent record on the ISYS retrieval system. In some instances, items are found on the list but are not present in the scanned electronic development file because they are already scanned elsewhere on the system. These scanned documents are denoted with (**) and will be found on the ISYS query system in their designated categories.</p> <p>Documents specific to certain files, not found in the standard checklist materials, are listed at the bottom of the page. Remaining items, (not selected for scanning), will be listed and marked present. This index can serve as a quick guide for the contents of each file.</p>
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X	X	<b>Table of Contents</b>
		<b>*Review Sheet Summary</b>
X	X	<b>*Application form</b>
X		Review Sheets
X		Receipts for fees paid for anything
X	X	<b>*Submittal checklist</b>
X		<b>*General project report</b>
		Reduced copy of final plans or drawings
X	X	Reduction of assessor's map.
		Evidence of title, deeds, easements
X	X	<b>*Mailing list to adjacent property owners</b>
		Public notice cards
		Record of certified mail
X	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 non-bound reports
		Traffic studies
X	X	<b>*Review Comments</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>

**DOCUMENT DESCRIPTION:**

X	X	Planning Commission Minutes – 10/1/09 - **	X	X	Posting of Public Signs Notice – 9/16/96
X	X	Petition in favor of the PDR – no date	X	X	Aerial map
X	X	Letter against the PDR	X	X	Site Photos – quite dark
X	X	Correspondence			
X		E-mails			
X	X	City Council Minutes - ** - 11/6/96			
		Temporary Construction Easement Agreement – draft – not signed			
X	X	Newspaper Articles – Daily Sentinel / Business Times			
X		Two Warranty Deeds - draft – not signed			
X		Grant of Easement - draft – not signed			
X		Temporary Construction Easement Agreement – draft – not signed			
X	X	Site Plan			
X		Notice of Land Use Application – sent 10/25/96			



# DEVELOPMENT APPLICATION

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

Receipt \_\_\_\_\_  
Date \_\_\_\_\_  
Rec'd By \_\_\_\_\_  
File No. PDR-96-200

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 type="checkbox"/> Rezone				From:            To:	
<input checked="" type="checkbox"/> Planned Development	<input type="checkbox"/> ODP <input type="checkbox"/> Prelim <input checked="" type="checkbox"/> Final	22,500 SF	2699 Unawep Ave	PB (Planned Business)	Commercial
<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>Karl A. Antunes</u>	<u>SAME</u>	<u>SAME</u>
Name	Name	Name
<u>2916 Dawn Dr. #3</u>	<u>* (mailing address - P.O. Box 1536 Grand Jct CO 81502)</u>	
Address	Address	Address
<u>Grand Jct CO 81504</u>	<u>SAME</u>	<u>SAME</u>
City/State/Zip	City/State/Zip	City/State/Zip
<u>none 257-7898</u>	<u>none</u>	<u>none</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>Karl A. Antunes</u>	<u>8-4-96</u>
Signature of Person Completing Application	Date
<u>Karl A. Antunes</u>	<u>8-4-96</u>
Signature of Property Owner(s) - attach additional sheets if necessary	Date

# SUBMITTAL CHECKLIST

## PLANNED DEVELOPMENT

Location: 2699 UNAWEEP AVE.

Project Name: KARL'S AUTOMOTIVE

ITEMS		DISTRIBUTION																				TOTAL REQ'D.			
DESCRIPTION	SSID REFERENCE	City Community Development	City Dev. Eng.	City Utility Eng.	City Property Agent	City Parks/Recreation	City Fire Department	City Attorney	City G.J.P.C. (8 sets)	City Downtown Dev. Auth.	County Planning	County Bldg. Dept.	Irrigation District	Drainage District	Water District - JTE	Sewer District	U.S. West	Public Service	GVRP	CDOT	Corps of Engineers		Walker Field	Persigo	TCL Cable
Application Fee \$ 350	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
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
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
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										1	1	1				1	
Easements	VII-2	1	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				1	
Improvements Agreement/Guarantee*	VII-2	1	1	1				1																	
CDOT	VII-3	1	1																						
Industrial Pretreatment Sign-off	VII-4	1		1																					
General Project Report	X-7	1	1	1	1	1	1	1	8	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Elevation Drawing	IX-13	1	1																						
Site Plan	IX-29	2	2	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 Site Plan	IX-29				1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Grading and Drainage Plan	IX-16	1	2											1								1			
Storm Drainage Plan and Profile	IX-30	1	2											1			1	1	1					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				8																	
Geotechnical Report	X-8	1											1												
Final Drainage Report	X-5,6	1	2											1											
Stormwater Management Plan	X-14	1	2											1							1				
Phase I and II Environmental Report	X-10,11	1	1																						
Traffic Impact Study	X-15	1	2																		1				

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

**PRE-APPLICATION CONFERENCE**

Date: 8/2/96  
Conference Attendance: M. Jollinger  
Proposal: KARL'S AUTOMOTIVE  
Location: 2099 UNAWEEP AVE

Tax Parcel Number: 2945-261-00-015  
Review Fee: \$350

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

Additional ROW required? \_\_\_\_\_  
Adjacent road improvements required? \_\_\_\_\_  
Area identified as a need in the Master Plan of Parks and Recreation? \_\_\_\_\_  
Parks and Open Space fees required? \_\_\_\_\_ Estimated Amount: \_\_\_\_\_  
Recording fees required? \_\_\_\_\_ Estimated Amount: \_\_\_\_\_  
Half street improvement fees/TCP required? \_\_\_\_\_ Estimated Amount: \_\_\_\_\_  
Revocable Permit required? \_\_\_\_\_  
State Highway Access Permit required? \_\_\_\_\_  
On-site detention/retention or Drainage fee required? \_\_\_\_\_

Applicable Plans, Policies and Guidelines \_\_\_\_\_

Located in identified floodplain? FIRM panel # \_\_\_\_\_

Located in other geohazard area? \_\_\_\_\_

Located in established Airport Zone? Clear Zone, Critical Zone, Area of Influence? \_\_\_\_\_

Avigation Easement required? \_\_\_\_\_

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

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

Related Files: \_\_\_\_\_

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

**PRE-APPLICATION CONFERENCE**

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

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

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

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

x Karl A. Antunes  
Signature(s) of Petitioner(s)

x Karl A. Antunes  
Signature(s) of Representative(s)



PRE-APPLICATION CONFERENCE

Date: 12/29/97
Conference Attendance: Kristen Ashbeck, Karl Antunes
Proposal: Auto Repair Shop
Location: 2699 Unawep Ave

Tax Parcel Number: 2945-261-00-015
Review Fee: \$350
(Fee is due at the time of submittal. Make check payable to the City of Grand Junction.)

Additional ROW required?
Adjacent road improvements required?
Area identified as a need in the Master Plan of Parks and Recreation?
Parks and Open Space fees required? Estimated Amount:
Recording fees required? Estimated Amount:
Half street improvement fees/TCP required? Estimated Amount:
Revocable Permit required?
State Highway Access Permit required?
On-site detention/retention or Drainage fee required?

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

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

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

Related Files: PPR-1996-200

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

PRE-APPLICATION CONFERENCE

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

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

2945-243-28-001  
GREGORY S INGLE  
2702 1/2 UNA WEEP AVE  
GRAND JUNCTION, CO 81503

2945-252-00-098  
PAUL RIGA  
DONNA M % GREG & TENA  
DEMERS  
3047 1/2 A 1/2 RD  
GRAND JUNCTION, CO 81503-9660

2945-261-03-008  
AMETEK INC/DIXSON  
STATION SQUARE  
PAOLI, PA 19301

2945-234-00-021  
CYNTHIA G ANDERSON  
2696 UNA WEEP AVE  
GRAND JUNCTION, CO 81503

2945-234-15-002  
MARY LOU KENNEDY  
2034 BROADWAY  
GRAND JUNCTION, CO 81503-9773

2945-243-00-085  
WM J GEARY  
LOIS L  
2704 UNA WEEP AVE  
GRAND JUNCTION, CO 81503-2053

2945-234-14-010  
MARY LOU KENNEDY  
2034 BROADWAY  
GRAND JUNCTION, CO 81503-9773

2945-252-00-001  
JUDITH A KRUSE  
2703 UNA WEEP AVE  
GRAND JUNCTION, CO 81503-2052

2945-252-00-099  
AMETEK INC/DIXSON  
STATION SQUARE  
PAOLI, PA 19301

2945-261-05-002  
PAUL P SCHLEISMAN  
ETAL C/O LOUIS L HOTCHKISS  
3262 E RD  
CLIFTON, CO 81520-7901

2945-234-00-032  
RICARDO AMBRIZ  
NELLY & GUADALUPE AMBRIZ  
2698 1/2 UNA WEEP AVE  
GRAND JUNCTION, CO 81503

2945-234-15-003  
JOE LLOYD RODRIQUEZ  
PO BOX 4146  
GRAND JUNCTION, CO 81502-4146

2945-234-14-008  
MARY LOU KENNEDY  
2034 BROADWAY  
GRAND JUNCTION, CO 81503-9773

Karl A. Atunes  
P.O. Box 1536  
Grand Junction, CO 81504

2945-252-00-085  
CHARLES R SWEET  
CARLA G  
2701 1/2 UNA WEEP AVE  
GRAND JUNCTION, CO 81503-2052

2945-261-03-002  
C AND W INVESTMENTS  
295 27 RD  
GRAND JUNCTION, CO 81503-1905

2945-261-05-003  
THOMAS V CHADEZ  
JOHN V CHADEZ  
539 DODGE CT  
GRAND JUNCTION, CO 81504

2945-234-15-001  
MARY LOU KENNEDY  
2034 BROADWAY  
GRAND JUNCTION, CO 81503-9773

2945-243-00-084  
R W INGLE  
2702 1/2 UNA WEEP AVE  
GRAND JUNCTION, CO 81503

2945-234-14-009  
MARY LOU KENNEDY  
2034 BROADWAY  
GRAND JUNCTION, CO 81503-9773

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

# KARL ' S AUTOMOTIVE

## General Project Report

### **Project description and information:**

My name is Karl Antunes and I purchased a vacant building on a 22,500 sq. Ft. Lot at 2699 UnawEEP Avenue, Orchard Mesa. The building was constructed in 1962 as a two bay auto repair and gas station. The building is constructed in cinderblock and has a 56 ft. Canopy that faces UnawEEP Avenue. Three quarters of the property is in asphalt and one quarter is gravel (behind the building). I plan to re-open it as an auto repair station. The gas pumps and storage tanks were removed in the early 1980's and there is no underground tanks on the property. I plan only cosmetics to the building (paint, replacement of broken glass and doors etc.). My business will be an independently run and neighborhood friendly one not a franchise.

### **Location:**

2699 UnawEEP Ave, Orchard Mesa (corner of UnawEEP and 27 Road)

### **Acreage:**

22,500 sq. Ft.

### **Proposed use:**

Auto repair

### **Land use in surrounding area:**

South (commercial) Bowling Alley, Dixson's  
West (commercial) Microwave Elec., Ceramics, Gas Station  
North (residential)  
East (residential)

### **Site access and traffic patterns:**

The property is a corner lot with 150' of accessible frontage on UnawEEP Ave (North side of property). UnawEEP Ave is a divided roadway with traffic flowing east and west. The east side of the property has 150' of accessible frontage on 27 Road. 27 Road is a two-way street that traffic flows north and south. There is also 150' of access from the rear of the property via an alley on the south side.

### **Hours of operation:**

Monday thru Friday 8:00 am - 5:00 pm occasionally Saturday.

### **Number of employees:**

Present - 1 (owner) Future - 2 or 3





# REVIEW COMMENTS

Page 1 of 2

**FILE #PDR-96-200**

**TITLE HEADING:** Auto Repair Garage

**LOCATION:** 2699 UnawEEP Avenue

**PETITIONER:** Karl A. Atunes

**PETITIONER'S ADDRESS/TELEPHONE:** P.O. Box 1536  
Grand Junction, CO 81502  
257-7898

**STAFF REPRESENTATIVE:** Mike Pelletier

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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., SEPTEMBER 23, 1996.**

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**CITY COMMUNITY DEVELOPMENT**

9/12/96

**Mike Pelletier**

244-1451

1. This application will also have to receive a rezone to planned commercial. While this requires no action by you, it does require City Council approval. This will delay your application by at least one month.
2. The rest of my comments are concerned with making the use compatible with the neighborhood. Creating a site plan that uses screening, landscaping, etc. for compatibility will better your chances for the rezone required in #1 above. Check with me after 9/17/96 and we can sit down and discuss how to meet the following comments.
3. The pole sign should be replaced with a monument sign.
4. Storage of vehicles should be restricted to areas to the south and west of the building. These areas should also be screened with fencing and/or landscaping from the residential areas to the north and east.
5. The site will need street trees and shrubbery along UnawEEP and 27 Road. I'll help explain what the Code requires. First step is to determine with Public Works where access points can be placed.
6. Show on the plan where customer/employee parking will be located. The Code requires one space per employee on the largest shift, plus two spaces per service bay, plus one space for each vehicle use in operation of the use (service bay or pumping area is not a parking area).

**CITY DEVELOPMENT ENGINEER**

9/6/96

**Jody Kliska**

244-1591

1. Access to this property will be allowed on 27 Road only, in accordance with the City TEDS Manual which requires corner properties to access on the lower level street. The drive needs to be located as far south as possible on the property to allow for safe turning movements. The TEDS Manual requirement for corner clearance from UnawEEP is 50'.
2. Access is required to be paved.
3. The UnawEEP improvements will eliminate access to UnawEEP in accordance with comment 1.

**CITY UTILITY ENGINEER**

**9/12/96**

**Trent Prall**

**244-1590**

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1. Please contact Jodi Romero of the City Customer Service Division at 244-1520 for information regarding potential changes in sewer plant investment fees.
2. Please contact Dan Tonello with the Industrial Pretreatment section (244-1489) at the Persigo Sewer Treatment Plant for industrial waste review.

**CITY FIRE DEPARTMENT**

**9/16/96**

**Hank Masterson**

**244-1414**

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Provide two minimum 4A:20BC fire extinguishers for shop area.

**MESA COUNTY BUILDING DEPARTMENT**

**9/5/96**

**Bob Lee**

**244-1656**

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Restroom facilities must be provided for employees. No other comments.

**UTE WATER**

**9/13/96**

**Gary Mathews**

**242-7491**

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No objections. Policies and fees in effect at the time of application will apply.

**TO DATE, NO COMMENTS RECEIVED FROM:**

City Property Agent

City Attorney

## Response to Review Comments

Page 1 of 2

City Community Development  
Mike Pelletier

1. I have no problem with going with a rezone if the rezone is the only way. I would like an explanation of why a rezone is required if the city zoned the lot Planned Business back in 1973 and the use of the property was a Gas Station/Auto Repair Shop until 1977. I feel that I should not need the rezone because I am a small neighborhood business the same as it was until 1977.
2. I met with you and we did discuss compatibility with the neighborhood.
3. I will remove the sign pole entirely and locate a sign on the canopy above the bay doors and possibly on the canopy that extends towards Unawep Avenue.
4. I intend to install a chain link fence with screening that will enclose the rear of the property with a gate on the east side of the property. The fence will start flush with the east side of the building. I ask for 6 months to a year after opening to put the fence up so that I will have the funds necessary to do so. I do not think this is unreasonable.
5. I will agree to landscape the north east corner of the property with shrubs and/or greenery but to my understanding the city is about to start the Unawep project which will change the shape and look of the corner and according to the Orchard Mesa Plan, I understand, that 27 Road is to be started in the year 2000 so I would like to wait on this until all the road work is complete so the landscaping will fit better with the new sidewalks and roads.
6. We discussed parking at our meeting and I will change my site plan to include the parking.

City Development Engineer  
Jody Kliska

1. I disagree with your recommendation of a 27 Road only driveway. I explained at our meeting that the building has been in the same location since it was built in 1962, has always faced Unawep Avenue, has always had access from Unawep and 27 Road and I think it is in poor judgement to say that 27 Road is the safest and most feasible access to the property especially since people will have to maneuver around the canopy to the service bays and parking which is on the opposite side of the property. I have also told you of a future plan to build a submarine sandwich shop under the canopy which got no reply from you other than if it will meet the required distance from the center of the street. I looked up the code and it will. The safest and only logical solution is to keep access on both Unawep and 27 Road. I own 150 feet on both Unawep and 27 Road so placing a driveway on both the northwest corner of my property facing Unawep Avenue and the southeast of the property facing 27 Road would give more than the 50 feet from the corner plus good accessibility and safety.

I am calling on Monday, the 23rd of September 1996, to make an appointment with Don Newton to see if we can resolve this in his office. If we can not and it is not resolved at the council meeting, I am prepared and willing as a last resort to hire a lawyer and take it up in court.

2. I have no problem with paving the access.
3. I disagree with this and after researching the UnawEEP Plan I noticed you were planning a 30 foot driveway on the northwest side of my property on UnawEEP Avenue. It is already planned and if I did not buy this property and it was still vacant when your project went passed the property, there would be a 30 foot driveway to my property on UnawEEP Avenue. For some reason you failed to point this out to me at our meeting and I would like to bring this up at the City Council meeting. I have copies of the UnawEEP project plan.

**City Utility Engineer**

**Trent Prall**

1. I am contacting Jodi Romero of the City Customer Service regarding potential sewer fees on Monday, 09/23/96.
2. I am contacting Dan Tonello with Persigo Sewer for industrial waste review on Monday, 09/23/96.

**City Fire Department**

**Hank Masterson**

1. I have no problem purchasing 2 minimum 4A:20BC fire extinguishers for the shop area.

**Mesa County Building Department**

**Bob Lee**

1. There is a restroom for employees located inside the building accessed from the office.

**Ute Water**

**Gary Mathews**

1. There was no objections from him.

Hello, my name is Karl Antunes and I own the property at the corner of 27 Road and UnawEEP (2699 UnawEEP). I am planning on opening a small two bay automotive repair shop and would like your signature of approval so that I can meet with the City for their approval. My business hours will be Monday thru Friday 8:00am to 5:00pm. I will be repairing foreign and domestic cars and trucks. Thank you for your support.

Signature	Address
1 <i>Deane Dayhoff</i>	26 291 Pine St.
2 <i>Linda Watkins</i>	27 299 Cedar
3 <i>Nev Richert</i>	28 297 Cedar St
4 <i>Ann Hutton</i>	29 296 Cedar St.
5 <i>Tanna Bryant</i>	30 295 Cedar St.
6 <i>Koger Jones</i>	31 290 1/2 Cedar St
7 <i>Frank J. Russell</i>	32 291 Cedar St Grand Jct 1010
8 <i>David T. Pyke</i>	33 307 Cedar Street 2nd fl.
9 <i>Emilio Pagan</i>	34 309 cedar st G. J.
10 <i>Paul Mulhoney</i>	35 293 1/2 Pine St.
11 <i>Linda Feltz</i>	36 486 Grand Valley Dr
12 <i>Kay Rodriguey</i>	37 315 Cedar Street
13 <i>Pastor Carlos D. Lopez</i>	38 2711 UnawEEP Ave
14 <i>D. J. Boulin</i>	39 288 PINON ST.
15 <i>Chonor A. Keogle</i>	40 285 PINON ST.
16 <i>Therese Thayer</i>	41 284 1/2 Pinon
17 <i>Sgt. G. Moffitt</i>	42 282 pinon
18 <i>Dave Lutz</i>	43 280 Pinon
19 <i>Sgt. Hoffmeyer</i>	44 286 27 Rd
20 <i>Larry Wagner</i>	45 281-27 Rd.
21 <i>Dwight Marsh</i>	46 279 27 Rd. G. J. CO. 81503
22 <i>Curtis Smith</i>	47 277 27 R.d.
* 23 <i>Eric Laeb (Orchard Mesa bank)</i>	48 295 27 Rd GJ Co 81503
* 24 <i>John Miller (Mountain View)</i>	49 2695 UnawEEP
* 25 <i>George Chae</i>	50 2885 unawEEP Ave Co 81503

Hello, my name is Karl Antunes and I own the property at the corner of 27 Road and UnawEEP (2699 UnawEEP). I am planning on opening a small two bay automotive repair shop and would like your signature of approval so that I can meet with the City for their approval. My business hours will be Monday thru Friday 8:00am to 5:00pm. I will be repairing foreign and domestic cars and trucks. Thank you for your support.

Signature	Address
* 1 Robert Louallan	26 2696 UnawEEP Ave <sup>6 J</sup> #1523
2 Eva McKee	27 281 W. parker Ave. #1503
* 3 Rolao Ambriz	28 2698 UnawEEP AVE
* 4 Nelly Ambriz	29 2698 1/2 UnawEEP. H.W.
* 5 N. W. J. G. L.	30 2702 1/2 UnawEEP
6 John C. L.	31 2710 UnawEEP
7 Kathleen J. P.	32 2712 UnawEEP AVE
8 Ronald E. Prudden	33 2708 UNAWEEP AVE
* 9 Fred Owens	34 2701 UnawEEP Ave
* 10 Charles R. Sweet	35 2701 1/2 UnawEEP Ave
11 Maxella M. Ahles	36 2705 UnawEEP Ave
12 Dale B. Minter	37 2713 UnawEEP Ave
13 Cora Lee Butcher	38 2710 UnawEEP Ave
14 Marilyn J. Kimmerly	39 2717 UnawEEP Ave
15 Don J. Carter	40 2717 UnawEEP Ave
16	41 2720 UnawEEP Ave
17 Dwayne Mays	42 2727 UnawEEP
18 David J. Cox	43 2627 UnawEEP Ave
19 L. R. M. Sletzer	44 290 27 1/2 Rd.
20 Robert M. Kern	45 294 Pine St
21 Florence J. Kern	46 294 Pine St
22	47 297 Pine St
23 Katherine Kiggins	48 292 1/2 Pine St.
24 Danda Muldowney	49 293 1/2 Pine St
25 Gary McCormick	50 292 Pine
* 26 Christiana T. Jones	51 2691 UnawEEP Ave

THIS IS A COPY  
PDR - 1994 - 200

file in ~~book~~ 2699 Unawsep  
dev. file  
copy  
Scott H  
Johns.

MR. KARL ATUNES,

THIS LETTER IS IN REGARDS TO THE BUSINESS YOU ARE TRYING TO START. FIRST OF ALL I DON,T WANT YOU TO THINK OF THIS AS A THREAT, BECAUSE IT'S NOT. IT IS INFORMATION THAT WILL PROVE TO BE MOST HELPFUL IF YOU LOOK AT IT PROPERLY.

I HAVE LIVED IN GRAND JUNCTION FOR ALMOST 20 YEARS. IT IS WHERE I HAVE CHOSEN TO RAISE MY KIDS, AND HAVE A CAREER. MY MOTIVATION IS TO CREATE A SAFE AND GROWING ENVIRONMENT FOR MY FAMILY. I LIVED HERE DURING THE BOOM AND THE BUST, I KNOW ONLY TO WELL THE UPS AND DOWNS OF BOTH. ONE OF THE UPS IS THE AMOUNT OF PHYSICAL CHANGE THE CITY WENT THROUGH. NEW STREETS, NEW MALLS, NEW SCHOOLS, AND THE LIST GOES ON. A LOT OF BUSINESSES WENT UP, AND EVENTUALLY LEFT. ALL THIS COMES TO MY POINT.

WHEN YOU FIRST STARTED TO CLEAN UP THE CORNER GAS STATION I, AS WELL AS A LOT OF MY NEIGHBORS WONDERED WHAT KIND OF BUSINESS YOU WERE GOING TO OPERATE. I NEVER RECEIVED ANY KIND OF INFORMATION, NOR HAD ANY CONCEPT WHAT WAS GOING UP. THE USUAL PRACTICE FOR BUSINESSES IS TO PUT UP A SIGN INDICATING WHAT KIND OF BUSINESS IS GOING TO BE IN THAT LOCATION. THIS ALLOWS FOR INPUT AND FEEDBACK FOR INTERESTED PARTIES. YOU MAY THINK ONLY THE CITY COUNCIL HAS AN INTEREST IN THIS CITY. IF YOU THINK THAT YOU ARE FAR FROM BEING RIGHT. TOO MANY PEOPLE, INCLUDING THE CITY COUNCIL, HAVE LEARNED ABOUT PUTTING UP A QUICK BUSINESS. PATIENCE IS A WORD WE PRACTICE OUT WEST. BEING FROM THE EAST COAST JUST MEANS YOU MAY NOT UNDERSTAND HOW WE OPERATE. IN MY EYES AS WELL AS A LOT OF MY NEIGHBORS BELIEVE THE CITY COUNCIL HAS JUST DECIDED TO TAKE THEIR TIME TO SEE HOW THE PEOPLE TRULY FEEL AS WELL AS SEE WHAT KIND OF A PERSON YOU ARE.

I DON,T OBJECT TO NEW BUSINESS IN GRAND JUNCTION. I DO OBJECT TO HOW YOU ARE CONDUCTING YOUR PERSONAL VENDETTA AGAINST THE CITY COUNCIL. IF YOU HAVEN'T NOTICED THERE IS A NEW ROAD GOING THROUGH. THERE IS ALSO A NEW BRIDGE ACROSS THE RIVER, AS WELL AS A NEW FOOT BRIDGE ACROSS THE RIVER. THERE WILL BE A NEW SCHOOL GOING UP ON THIS SIDE OF THE RIVER. I POINT THIS OUT BECAUSE A LOT OF PEOPLE ARE INTERESTED IN SEEING ORCHARD MESA IMPROVE. WE ALSO KNOW THE CITY COUNCIL IS BEHIND A LOT OF THE NEW CONSTRUCTION. PEOPLE FOR THE MOST PART THOUGHT THE CITY COUNCIL DECISION TO NOT ALLOW A BUSINESS AT THE OLD GAS STATION IS BASED ON INFORMATION THAT THEY GAINED DURING THE BUST WHICH IS, TO MUCH TO SOON IS BAD BUSINESS.

IN MY EYES AS WELL AS OTHERS THE CITY COUNCIL WAS RIGHT. I SAY THAT BASED ON YOUR BEHAVIOR. THE SIGNS MADE A POINT, BUT NOW THEY ARE AN EYESORE. IF YOU EXPECT TO GAIN ANY SUPPORT FROM ANY ONE, POLLUTING THE NEIGHBORHOOD WITH GRAFFITI IS THE WRONG WAY TO GO. IF ANY THING YOU ARE LOOSING SUPPORT AT A RAPID RATE. THE OTHER THING IS OPERATING A BUSINESS DESPITE THE CITY DENYING YOU A PERMIT. I'M



SURE YOU HAVE EVERY EXCUSE UNDER THE SUN WHY YOU AREN'T OPERATING A BUSINESS BUT THINK OF THIS. WHEN I SEE AS MANY AS FIVE DIFFERENT CARS GO IN AND OUT OF YOUR GARAGE IN ONE DAY I THINK YOU ARE ONLY FOOLING YOURSELF. WHEN I SEE TEN TO FIFTEEN CARS GO IN AND OUT OF YOUR SHOP DURING THE WEEK I KNOW YOU ARE ONLY KIDDING YOURSELF. BEING FROM THE EAST COAST ONLY MAKES YOU AN OUTSIDER IF YOU CHOOSE TO BE. IN THE WEST WE BELIEVE IN TEAMWORK. AND SO FAR, I SEE YOU AS THE OPPOSING TEAM, NOT A TEAM MEMBER.

I BELIEVE IN PEOPLE, I BELIEVE IN THEIR ABILITY TO MAKE GOOD DECISIONS. I BELIEVE THE CITY COUNCIL HAS SO FAR PROVEN THAT THEY WERE RIGHT IN THEIR DECISION. IF YOU WANT ANY THING TO CHANGE I HAVE SOME SUGGESTIONS. FIRST GET RID OF THE SIGNS. THEY ARE AN EYESORE. SECOND, QUIT OPERATING A BUSINESS DESPITE THE COUNCIL RULING. IF YOU WANT THE SUPPORT OF THEIR PEOPLE YOU NEED TO THINK ABOUT WHAT YOU DO AND HOW IT AFFECTS ALL THE PEOPLE AROUND YOU. I WILL NOT SUPPORT YOU AND A LOT OF MY NEIGHBORS WON'T SUPPORT YOU AS LONG AS YOU CONTINUE DOWN THE SAME PATH. AS A MATTER OF FACT, I THINK YOU ARE GOING TO RUN INTO SOME SERIOUS OPPOSITION.

AGAIN THIS IS JUST INFORMATION AND SOME IDEAS. IT'S A FREE COUNTRY AND YOU CAN MAKE YOUR OWN CHOICES. I ALSO HAVE RIGHTS AND CAN MAKE CHOICES. RIGHT NOW MY SUPPORT FOR YOUR CAUSE IS DIMINISHING. I KNOW OTHER PEOPLE ARE STARTING TO FEEL THE SAME.

ED REED

**PLANNING COMMISSION STAFF REPORT**

FILE: PDR-96-200

DATE: October 1, 1996

STAFF: Mike Pelletier

REQUEST: Approval of Final Plan in a Planned Business Zone

LOCATION: 2699 Unawweep Ave.

APPLICANT: Karl Antunes

**EXECUTIVE SUMMARY:**

The applicant is requesting final plan approval to open an auto repair station in an unoccupied building that was used for a similar purpose in the 1970's. Also, the applicant desires to build a small sandwich shop as an accessory use in 5-10 years. The site, 2699 Unawweep Avenue, is located in a Planned Business zone with residential uses on the north and east sides. Staff requirements are for curb, gutter, and sidewalk on 27 Road, landscaping on street frontages, and screening of stored vehicles. The applicant has not agreed to these requirements, therefore, Staff recommends denial of the application.

EXISTING LAND USE: Vacant Service Station

PROPOSED LAND USE: Auto Repair and Small Sandwich Shop

**SURROUNDING LAND USE:**

NORTH: Residential  
SOUTH: Bowling Alley, Dixson's  
EAST: Residential  
WEST: Microwave Electric, Ceramics, Gas Station

EXISTING ZONING: Planned Business

**SURROUNDING ZONING:**

NORTH: RSF-8  
SOUTH: Planned Business  
EAST: RSF-8  
WEST: Planned Business

#### RELATIONSHIP TO COMPREHENSIVE PLAN:

The City/County Growth Plan recommends commercial for this property. However, the Growth Plan does not distinguish between commercial and neighborhood business. Therefore, it does not necessarily recommend commercial over neighborhood business.

The Orchard Mesa Neighborhood Plan shows the subject property and the surrounding businesses (including the bowling alley and Dixson Electronics) as residential. It is the opinion of Staff that a mapping error was made and therefore should not be used for guidance in this land use application.

---

#### STAFF ANALYSIS:

The applicant desires to open a auto repair business and a small sandwich shop at 2699 UnawEEP Avenue. The site was annexed into the City in 1973 and zoned Planned Business. The use at that time was called "Friendly Super Shell" and provided gasoline and auto repair. The use changed to a convenience store in 1977 and the gas pumps and tanks were removed in 1984. The building is currently vacant, however, the applicant has painted and cleaned up the site.

While the City's Code does not allow auto repair in any of the business zones, in this case it is probably appropriate. This is because the use at the time of annexation was an auto repair station and because the scale of the business is arguably at the neighborhood level.

The applicant is using the existing building and the proposed use has existed at this site in the past. The site does not meet several current Development Code requirements. Staff feels that the site needs to be brought up to current Development Code requirements since the site is located in a planned zone and has residential uses to the north and east sides. If this was a straight zone, such as B-3, then the Development Code would not require the improvements.

The applicant circulated a petition in the area seeking support for the auto repair business. He gathered 51 signatures from residences and businesses located in the area. It appears that the neighborhood is supportive of the applicant refurbishing the abandoned building and opening up an auto repair shop.

The City Public Works Department is granting access to the subject lot from 27 Road and from UnawEEP Avenue, although reluctantly onto UnawEEP due to access management issues. Engineering Staff is requiring (as per Code) that the applicant pay for curb, gutter, and sidewalk on 27 Road to increase safety by channeling access onto the site. A very rough estimate for this expense is \$6,600. Currently, 27 Road is scheduled for improvement by the City in the year 2002.

The Public Works Department needs 47.3 square feet of additional right-of-way at the corner of Unawep Avenue and 27 Road from the applicant for the Unawep improvement project. The dedication of right-of-way is required when the owner is seeking approval for a development project per Development Code. The applicant is agreeable to this requirement.

*Unawep Ave Reconstruction*

The applicant will remove the pole sign which is located on the northeast corner of the lot and place a flush wall sign above the service bays on the existing building. This should be an improvement to the site's aesthetics.

The applicant has agreed to screen storage of automobiles and locate them in the southwest corner of the lot behind the building. This will maximize buffering for the residential areas, while still screening businesses to the south and west. The applicant wishes to be allowed to start operations before installing the screening in order to generate money to pay for it. The Code requires that all improvements be installed prior to issuance of the planning clearance or that the applicant enter into an improvements agreement with the City. The latter requires either a letter of credit from a bank or for the City to secure a sum of money needed to cover improvement costs.

The applicant is reluctant to provide landscaping on north and east road frontages of the lot, which the Development Code requires. His concerns are upfront costs, maintenance costs, and the risks of damage or removal associated with Unawep Avenue and 27 Road reconstruction. The applicant is willing to landscape a portion of the northeast corner of the lot after the City has completed its Unawep reconstruction in the area. This will improve the aesthetics of the site and help buffer the residential areas to the north and east. However, Staff recommends that the applicant landscape the entire right-of-way and 75% of the first 5 feet along Unawep Avenue and 27 Road. This requirement is typical for the City's business zones.

*2 phone calls from OM residents wanting the project to be denied*

**STAFF RECOMMENDATION:**

Denial, unless the applicant agrees to the following conditions:

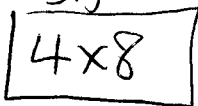
1. Applicant dedicates required right-of-way to City for reconstruction of Unawep Avenue.
2. Applicant builds curb, gutter, and sidewalk along the subject lot's 27 Road frontage.
3. Applicant screens automobile storage area, which is to be located behind the building.
4. Applicant landscapes the entire right-of-way and 75% of the first 5 feet along Unawep Avenue and 27 Road, per Development Code section 5-4-15.
5. *Signage 4x8, non illuminated*

*Signage + size? - lighted? ↑ recommends not illuminated*

**RECOMMENDED PLANNING COMMISSION MOTION:**

Mr. Chairman, on item #PDR-96-200, I move that we approve this item subject to Staff conditions (Staff recommends denial).

*PC recommends to deny based on items 1-5*

*Sign*  
  
*not illuminated*

allowed use. The distance is measured between the closest boundaries of the two (existing and proposed) trade zone districts; and

3. ~~Can be located only if the proposed use and existing uses will occupy not more than two quadrants of one of the intersecting streets (see Figure F4-2-10); and~~
4. Maximum land area permitted in a B-2 district shall be five (5) acres ~~is 50,000 square feet on a corner~~. The shorter dimension of this zone district on either corner shall not be less than fifty percent (50%) of the longer dimension; and
45. Business uses must be constructed and operated so as not to increase curb parking in front of abutting residential areas, i.e. on-site parking shall be provided; and
56. All business uses in this district shall cease operation and turn off illuminated signs not later than 11:00 p.m. daily; and
67. Service entrances and service yards shall be located only in the rear and side yard of the business use. Service yards shall be screened from adjacent residential zones and uses by the installation and maintenance of a solid wall or fence having a height of not less than four feet nor more than six feet.

**SECTION 4-2-11 B-3** This zone is primarily for areas of concentrated indoor retail and service business uses but not for major shopping centers or large outdoor sales areas. These areas shall be organized and developed to provide for pedestrian circulation among the uses from common parking areas. The formation of "parking districts" within adjoining areas is encouraged.

- D. A minimum of seventy-five percent (75%) of the required front building yard setback and a minimum of ten percent (10%) of the gross land area shall be landscaped. On any street where the required setback is less than five feet, the landscaping requirement shall be seventy-five percent (75%) of the first five feet along that street. The Administrator may allow landscaping to be located in areas other than the setback, or first five feet, so long as the total required square footage is provided and the intents of this Code are met. The landscaping requirement may be waived by the Director for any property fronting on Main Street, Colorado Avenue or Rood Avenue between 1st Street and 7th Street. . . .
- E.1. Residential uses approved through the conditional use permit process shall not exceed a maximum density of 64 units per acre or twice the maximum density permitted in abutting residential districts.

## SECTION 5-1-13 BUFFERYARDS

- A. Purpose.** The intent of bufferyard standards is to ensure that the use and design of new developments will be compatible with that of adjacent development. Bufferyards are intended to reduce noise and visibility between differing land uses. This section does not apply to property located within the Downtown Area or the construction of a single family home on an existing lot or parcel.
- B. Requirements.** If proposed development does not have the same zoning or use as abutting property, then the bufferyards shall be required as specified in Figures B5-1-13a and B5-1-13b.
1. To determine the appropriate type of bufferyard, the applicant shall identify the zoning district in which the proposed development is located at the top of Figure B5-1-13a. The intersection of the proposed development zoning column and the abutting zoning or use row identifies the type of bufferyard required for that development. [Example: a proposed development within a B-1 district which abuts a RSF-2 district is required to provide a Type D bufferyard.]
  2. After determining the appropriate type of bufferyard in Figure B5-1-13a, the applicant shall design a bufferyard that meets or exceeds the minimum requirements established in Figure B5-1-13b. The applicant may select between bufferyard options which provide greater space or greater planting densities.
  3. Approval of plant material and bufferyard design is required. The Community Development Director shall determine whether the proposed bufferyard design satisfies the purpose of the bufferyard requirements, and shall reasonably determine whether or not the specific planting criteria of this section have been met.
  4. All plant materials shall be selected from the City's plant lists and shall meet or exceed the City's minimum plant size landscape standards.
  5. All bufferyards shall be provided with an irrigation system adequate to sustain plantings in a healthy condition in accordance with the standards of the American Association of Nurserymen.
  6. Where required, bufferyards shall be provided in addition to required building setbacks.
  7. Where a dedicated bufferyard exists on the abutting property, and the abutting property owners provide a written agreement, the Director of Community

Development may approve a reduction in the required bufferyard, provided the net bufferyard satisfies the minimum bufferyard requirements of this section.

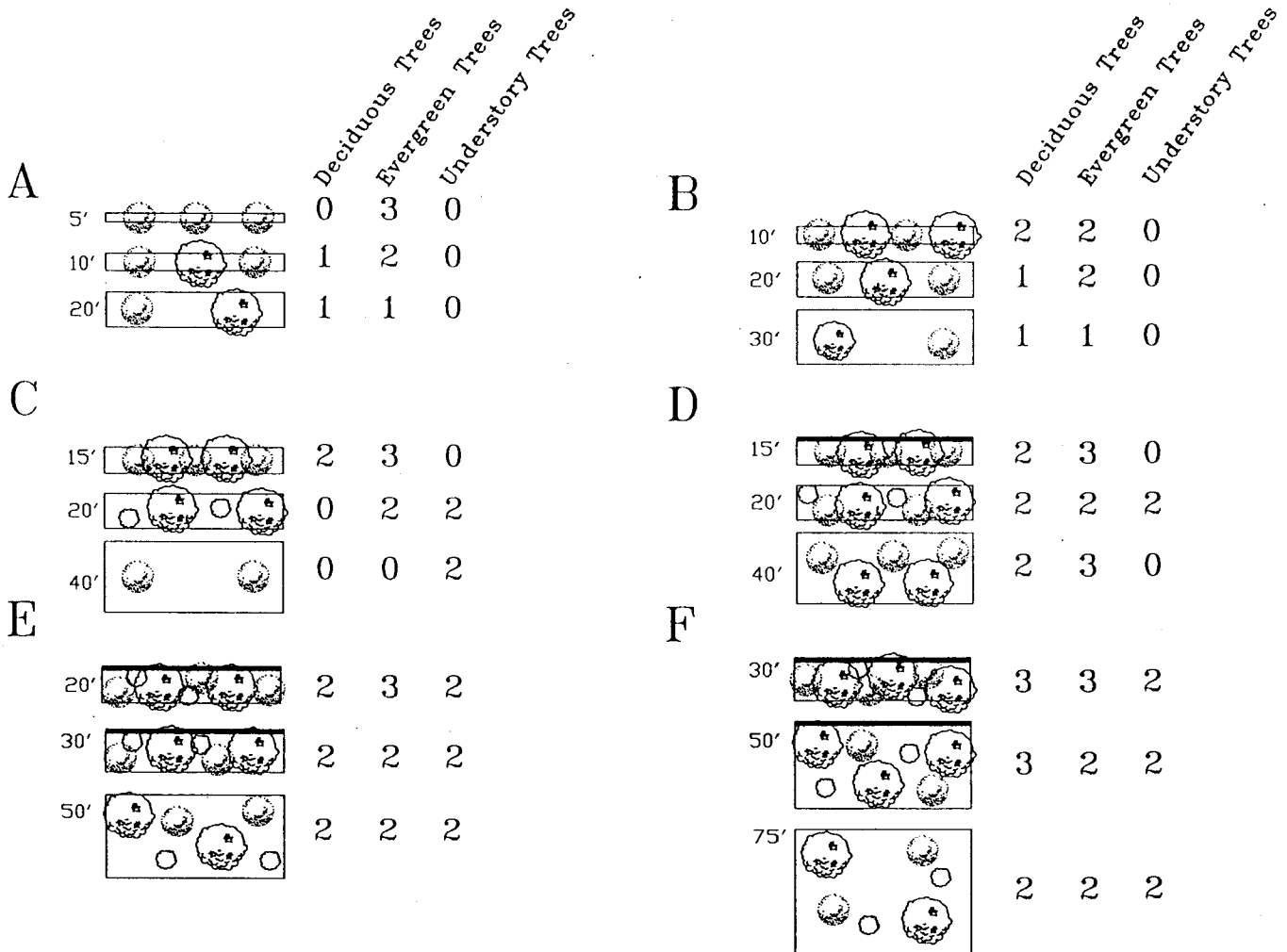
8. Bufferyards shall be designated as landscape areas on a site development plan and as landscape easements when shown on a subdivision plat.
9. When platting abutting lots, the applicant may dedicate a bufferyard that straddles the property line.
10. Plant materials shall be maintained in a healthy condition. Required bufferyard plantings which die shall be replaced by the property owner.

**Figure B5-1-13a: Required Bufferyards**

Abutting Zoning/ Land Use (1)	Proposed Zoning/Land Use (2)								
	RSF < 4 DU/A	RSF > 4 DU/A	RMF < 16 DU/A	RMF ≥ 16 DU/A	B-1, B-2 or B-3	C-1 or C-2	I-1	I-2	PZ
RSF < 4 DU/A	none	A	B	C	D	E	F	F	(3)
RSF ≥ 4 DU/A	none	none	B	C	D	E	F	F	(3)
RMF < 16 DU/A	A	A	none	A	C	D	E	E	(3)
RMF > 16 DU/A	B	B	A	none	B	C	D	E	(3)
B-1, B-2 or B-3	C	C	B	B	none	none	C	D	(3)
C-1 or C-2	D	D	C	C	none	none	B	C	(3)
I-1	E	E	D	D	A	none	none	B	(3)
I-2	E	E	E	E	A	none	A	none	(3)
PZ	(3)	(3)	(3)	(3)	(3)	(3)	(3)	(3)	(3)
Principal Arterial Street	D	D	C	C	none	none	A	B	(3)
Minor Arterial Street	C	C	B	B	none	none	A	B	(3)


- (1) Zoning of the abutting parcel shall be used in all cases except where the abutting property is part of a planned development or when the abutting property is a principal or minor arterial street. For these exceptions, abutting land use shall be referenced.
- (2) Zoning of the parcel on which the development is located shall be used in all cases except where the proposed development is part of a planned development. Proposed use shall be used for planned developments.
- (3) To be determined by the Director of Community Development based on proposed uses.


Figure B5-1-13b:  
Types of Bufferyards  
Plantings per 100 feet\*




Key

D Bufferyard Type

 Deciduous Tree

 Evergreen Tree

 Understory Trees

— Fence or Berm - note that fence or berm must be located on the side of the bufferyard abutting the proposed use

\* 4 Shrubs required per deciduous tree



Annexed 12/73 ☺

Central Orchard

Mesa Annexation

Path Directory for 1973

2699 Friendly Super Shell

## WAKE UP GRAND JUNCTION

Opinion of Karl Antunes = Tax payer, Citizen, Owner of 2699 UnawEEP Avenue.

Definition of Scum (Random House Dictionary) n. 3. A low, worthless person or persons.

Who fits this category? The City Planning Department and City Council, minus Jim Baughman who is the only City Council member who is for the average citizen and applies common sense.

### Questions for the Community

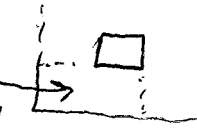
1. Is it right for the City Council to write on the top of the agenda sheet for public hearings that they encourage people to show up and participate in the meetings so that they can make better decisions and then say that the input from a neighborhood means nothing?
2. Does City Hall have the right to deny an Owner of a building any use of his property, public or private, and still collect property taxes?
3. Does City Hall have a right to label a person a developer when he has never broken ground and did not add on to his pre-existing building?
4. Does City Hall have the right to label you a new development when your building has been in the same location for 34 years and all you need is the utilities turned on in order to open (but the City will not allow them to be turned on)?
5. Is it proper for City Council to tell a citizen that his property is totally useless unless he complies to all their demands and then suggest he sell his property and locate elsewhere?

### Something To Think About

1. City Hall is extorting small businesses by telling them they have to do everything City Hall wants or else be denied building permits, even if it has nothing to do with safety, health, morals or general welfare (which makes it an abuse of authority).
2. City Hall does not give equal protection of the law (14th Amendment) and singles people out to be in compliance with certain codes.
3. City Hall collects 2 $\frac{3}{4}$ % sales tax for sidewalk and street construction then singles certain people out and makes them pay for sidewalks in front of their property. This means that these people are paying twice for the sidewalk: once - up front cost and twice - everytime they purchase something inside the City and pay the 2 $\frac{3}{4}$ % sales tax that goes into the sidewalk fund.
4. City Hall does not encourage any persons with a limited amount of start up capital to open a business in Grand Junction.
5. If you do not fit City Hall's future outlook plan, they do not want you in this city and try to discourage you.

Please help an average citizen get into business. Call up City Councilors and tell them that you want an Automotive Service Station at 2699 UnawEEP Avenue. It is time for us to stick together and knock City Hall back into their places.

Karl Antunes, P.O. Box 1536, Grand Junction, CO 81502.

- Karl does not want to put landscaping in until Unamep and 27 Roads are improved, ~~due to~~ so as not to put it in then having it destroyed by road improvements.
- Doesn't want rezoned <sup>to PC</sup> but would like straight commercial
- He will fence area  for storage of vehicles.  
 He does want to fence after opens business.
- Will show where parking is to be located
- Wants to remove pole sign and put sign on the building.

- He has signatures of all neighbors supporting his operation.

10-2-96 RSE

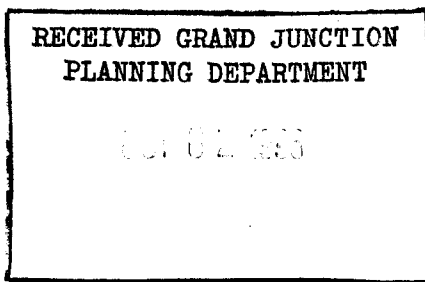
I Karl Antunes would like to appeal the decision of the planning Commission to deny me use of my property for not agreeing to all their demands. I would like a November 6 Council Meeting so that I would be able to seek legal council.

CASE PDR-96-200

Address 2699 Unaweeep Ave Orchard Mesa

Thank You.

Karl Antunes



Opening Statements

1. Was the property an eye sore before I purchased it? Yes.
2. Is the property presentable since I've purchased it? Yes.
3. Approximately how much of an improvement to the appearance since I've owned it? 80%
4. Who will benefit from the approval of the commission to allow me to open my business? Me, the general public, local auto parts stores, local tire wholesalers, local motor oil distributors, local tool distributors, local alternator and starter rebuilders, local auto dealerships, local hardware stores, local lumber yards, local overhead garage door company, local glass company, various tradesmen (electrician, roofer, plumber etc.), the City and State through sales tax.
5. Will my business benefit the economy? According to question 4. Yes.
6. Who will benefit if I'm denied approval? Nobody.

Questions and Statements

1. I thought the main reason for codes directed towards pre-existing structures was for safety, not cosmetics. Example: a code that requires a structures electrical to pass standards so it does not burn down makes sense. A code that requires landscaping on an already established property has no safety factor and is more of a personal interest. The City should not be concerned with this.
2. Explain why a code was made to put mandatory landscaping on a property that has been established for over 33 years and how does it benefit the Owner.
3. Landscaping has nothing to do with operating my business. Could you explain the reason for keeping a property owner from using his property because of a cosmetic issue as long as the intended use fits the zoning? Cosmetics should only be a suggestion.
4. The City offers no incentives for the owner of run down properties to beautify their property. If the City is so set upon landscaping, why do they not offer "no interest" or "low interest" loans or tax incentives for the owners of pre-existing buildings and properties they feel need beautification and landscaping?
5. Most of my hassle with the City Planning Department in the beginning revolved around the use. The department said that if the building was ever used as a repair shop then they would allow another one to open because the land had a history of that use but I would have to show proof. The same should apply to the City when making landscaping mandatory on pre-existing developed property especially if it is not funded by the City. Question: were there trees and or shrubs on this property before it was developed? Was there irrigation and of which type or did the land support trees and/or shrubs on its own? Can you show proof or a history of trees and/or shrubs?

6. For the City to order a tax paying property owner to plant trees and shrubs on his property that never had trees or shrubs on it and also require the property owner to pay out of pocket for the maintenance and care of the trees and shrubs and install pressurized irrigation or else deny the property owner the use of his land and ability to earn a living is extortion.  
(Random House Dictionary p. 317)  
extortion: n.= to force from a person by intimidation or abuse of authority.
7. To tell only one owner of pre-developed property on an entire street that only he has to pay for curbs, gutters and sidewalks in front of his property, on a street that the City has already planned and scheduled to have the sidewalks, gutters and curbs installed, is discrimination. If I end up leaving my property vacant for a few more years the City is going to install the sidewalks, gutters and curbs that they have already scheduled with no hassle to me.
8. The fencing of a storage area with screening should be the only concern of the City. The storage area will protect the neighbors from the sight of any disabled vehicles.

### Closing

I have been lied to by the City Planning Department. I have had to do all the footwork and research myself with no assistance for the Planning Department. I have only had cooperation from one Community Development Planner. I have been misinformed on issues and told there is no flexibility on issues discussed with me. The City's local news, real estate brokers and Chamber of Commerce build a false sense of security by saying that the City of Grand Junction tries to encourage growth and new business in the valley when to the new small business property owner, like myself, finds it the complete opposite. With all the "red tape" and dis-concern for the actual small business itself, the City will probably end another business before it is ever started.

I am very disappointed in the way the City of Grand Junction operates. Big business is not what keeps the local economy going, small business does. The City of Grand Junction's history proves this. Every ten years or so, Grand Junction's economy dies because another big business packed up and left. If the City's ongoing failure to work with and communicate with small business does not end, more people will relocate to other cities that do not dictate and complicate everything that they handle with "red tape". A little common sense goes a lot further than a college degree.

If this matter is not settled here and I lose in front of the City Council, my property will stand vacant again and I will be forced to go to work for another person instead of myself. The "American dream" of owning and operating ones own business will be dead. The end result, the neighborhood will still have vacant building with no landscaping and a loss to the local economy.

Karl A. Antunes

*file copy*



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

October 15, 1996

Karl Antunes  
2916 Dawn Dr. #3  
Grand Junction, CO 81504

RE: File #PDR-96-200

Dear Mr. Antunes:

This letter is being sent to you to clarify the status of your land use application.

At the October 1, 1996 hearing, the Planning Commission recommended approval of the proposed use and the revised site plan for 2699 UnawEEP Avenue with the following conditions:

1. Dedication of the required right-of-way to the City for reconstruction of UnawEEP Avenue.
2. Construction of curb, gutter and sidewalk along the subject lot's 27 Road frontage.
3. Screening of the automobile storage area which is to be located behind the building.
4. Landscaping the right-of-way behind required improvements and 75% of the first 5 feet along UnawEEP Avenue and 27 Road per section 5-4-15 of the Zoning and Development Code.
5. The allowed signage shall be the proposed flush wall signage, not to exceed 32 s.f.

Many of the questions raised by you at the PC hearing on October 1 concerned the prior use of the property. As you are aware from the staff presentation and the PC discussion concerning your application, the history of the use and approval of the property is very important. While I understand that you contend that the proposed use is consistent with historic use please do recall that the Zoning and Development Code requires that the staff consider the last previous use not all prior uses in determining the appropriateness of a proposed development plan. The history of property was that it was zoned PB (Planned Business) at the time of annexation into the City in 1973. The use at that time was



"Friendly Super Shell", a gasoline service station. Since then the site has been used for retail, most recently a thrift bakery, and has been vacant for the last several years. The ordinance zoning the property PB did not specify allowed uses or site requirements.

As per section 7-2-3.B of the Zoning and Development Code, uses allowed in any planned zone are generally those enumerated in the respective business, commercial and industrial zones and only those uses specifically approved are allowed in any planned zone. Gasoline service stations are allowed in two of the City's business zones. The Use/Zone Matrix of the Code defines Gasoline Service Stations as follows:

Consists of buildings and surfaced area where automotive vehicles may be refueled and serviced. Such service does not include tire recapping, body painting or repair, nor engine repair which requires removal of the head or pan of the engine.

Since no other list of uses was approved with the original zoning, the PB zoning is limited to the use at the time of the plan, a gasoline service station.

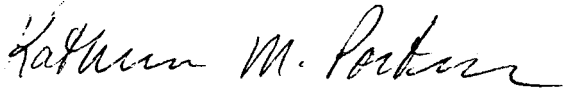
Section 7-2-3.B also states that the Administrator can approve other uses which are similar in scope and impact. The bread store that occupied the site as the most recently previous use was allowed under that provision. Because automotive repair is not an allowed use in the City's business zones and because a more intense commercial or industrial zone district is not a compatible or preferable zoning based on the master plan and staff's consideration of adjoining land use and zone districts, your proposed use was not approved administratively. As well, aside from the existing land use issues, a automotive repair garage and submarine sandwich shop is not similar in scope and impact to the prior approved uses. Only the Planning Commission and City Council can modify the list of approved uses for a planned zone.

Community Development staff has considered your application and is willing to support the proposed use of the site provided that adequate site improvements are made to address safety concerns and to make the use more compatible with the mix of nearby uses. Landscaping and screening are necessary to make the use more compatible with the surrounding neighborhood, as required in section 7-4-7.B of the Zoning and Development Code. Curb, gutter and sidewalk improvements along 27 Road are needed to provide safe access to and from the site for motorized and pedestrian traffic (See, Section 5-4-1.G of the Zoning and Development Code). As was discussed at the Planning Commission hearing, the improvements to 27 Road are currently scheduled for the year 2002; since you are developing the site now, the improvements are required contemporaneously with that development. Also as discussed at Planning Commission, if you have a proposal to secure and guarantee the improvements please present it; your position that you simply don't want to make the access and landscape improvements will continue to put you and

your project at odds with the staff recommendations and the legal requirements of the Code. It would be much preferable if you would present a proposal to delay the improvements or some other option allowing us to work toward an understanding and, if possible, accommodation of your situation.

Your appeal of the Planning Commission decision is presently scheduled for the November 6, 1996 City Council hearing. If you have any questions, please call me.

Sincerely,



Katherine M. Portner  
Acting Community Development Director

**PLANNING COMMISSION STAFF REPORT**

FILE: PDR-96-200

DATE: October 30, 1996

STAFF: Kathy Portner

REQUEST: Approval of Final Plan in a Planned Business Zone

LOCATION: 2699 Unawweep Ave.

APPLICANT: Karl Antunes

**EXECUTIVE SUMMARY:**

Appeal of Planning Commission conditions of approval to allow auto repair at 2699 Unawweep in a PB (Planned Business) zone. The conditions are landscaping, screening and street improvements to 27 Road.

EXISTING LAND USE: Vacant Service Station

PROPOSED LAND USE: Auto Repair and Small Sandwich Shop

**SURROUNDING LAND USE:**

NORTH: Residential  
SOUTH: Bowling Alley, Dixson's  
EAST: Residential  
WEST: Microwave Electric, Ceramics, Gas Station

EXISTING ZONING: Planned Business

**SURROUNDING ZONING:**

NORTH: RSF-8  
SOUTH: Planned Business  
EAST: RSF-8  
WEST: Planned Business

## RELATIONSHIP TO COMPREHENSIVE PLAN:

The City/County Growth Plan recommends commercial for this property. However, the Growth Plan does not distinguish between commercial and neighborhood business. The following goals and policies apply:

*Policy 1.10: The City and County will encourage building and landscape designs which enhance the visual appeal of individual projects and the community as a whole. Design guidelines should provide flexibility while promoting aesthetics, traffic safety and land use compatibility.*

*Policy 11.1: The City and County will promote compatibility between adjacent land uses by addressing traffic, noise, lighting, height/bulk differences, and other sources of incompatibility through the use of physical separation, buffering, screening and other techniques.*

*Policy 12.1: The City and County will encourage the retention of small-scale neighborhood commercial centers that provide retail and service opportunities in a manner that is compatible with surrounding neighborhoods.*

*Policy 13.3: The City and County will foster improved community aesthetics through improved development regulations addressing landscaping, screening of outdoor storage and operations, building orientation, building design signage, parking lot design and other design considerations.*

The Orchard Mesa Neighborhood Plan shows the subject property and the surrounding businesses (including the bowling alley and Dixson Electronics) as residential. A whole section of the plan is devoted to "Community Image/Character Action Plan" which stresses the need to improve the visual appearance of Orchard Mesa. One of the listed issues is "future visual quality of individual properties on Orchard Mesa". One of the stated goals is "to encourage attractive, well maintained, cohesive properties and neighborhoods and develop incentives for neighborhood cleanup".

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## STAFF ANALYSIS:

The request is to allow an auto repair business in an existing building at 2699 UnawEEP Avenue zoned PB (Planned Business). The property was zoned PB at the time of annexation into the City in 1973. The use at that time was "Friendly Super Shell", a gasoline service station. The pumps and tanks were remove in 1984. Since then the site has been used for retail, most recently a thrift bakery, and has been vacant for the last several years. The ordinance zoning the property PB did not specify allowed uses or site requirements.

As per section 7-2-3.B of the Zoning and Development Code, uses allowed in any planned zone are generally those enumerated in the respective business, commercial and industrial zones and only those uses specifically approved are allowed in any planned zone. Gasoline service stations are allowed in two of the City's business zones. The Use/Zone Matrix of the Code defines Gasoline Service Stations as follows:

Consists of buildings and surfaced area where automotive vehicles may be refueled and serviced. Such service does not include tire recapping, body painting or repair, nor engine repair which requires removal of the head or pan of the engine.

Since no other list of uses was approved with the original zoning, the PB zoning is limited to the use at the time of the plan, a gasoline service station.

Section 7-2-3.B also states that the Administrator can approve other uses which are similar in scope and impact. The bread store that occupied the site as the most recent use was allowed under that provision. Because automotive repair is not an allowed use in the City's business zones and because a more intense commercial or industrial zone district is not a compatible or preferable zoning based on the master plan and staff's consideration of adjoining land use and zone districts, the proposed use was not approved administratively. Only the Planning Commission and City Council can modify the list of approved uses for a planned zone.

Staff is willing to support the proposed use of the site provided that adequate site improvements are made to address safety concerns and to make the use more compatible with the mix of nearby uses. Landscaping and screening are necessary to make the use more compatible with the surrounding neighborhood, as required in section 7-4-7.B of the Zoning and Development Code. Curb, gutter and sidewalk improvements along 27 Road are needed to provide safe access to and from the site for motorized and pedestrian traffic (Section 5-4-1.G of the Zoning and Development Code). Improvements to 27 Road are scheduled in the City's plans for the year 2002; however, since the site is being developed now, the improvements are required contemporaneously with the development.

47.3 square feet of additional right-of-way is needed at the corner of Unawep Avenue and 27 Road from the applicant for the Unawep improvement project. The dedication of right-of-way is required when the owner is seeking approval for a development project per Development Code. The applicant is agreeable to this requirement.

The applicant will remove the pole sign which is located on the northeast corner of the lot and place a flush wall sign above the service bays on the existing building. This should be an improvement to the site's aesthetics.

The applicant has agreed to screen storage of automobiles and locate them in the southwest corner of the lot behind the building. This will maximize buffering for the residential areas, while still screening businesses to the south and west. The applicant wishes to be allowed to start operations before installing the screening in order to generate money to pay for it. The Code requires that all improvements be installed prior to issuance of the planning clearance or that the applicant enter into an improvements agreement and guarantee for the improvements.

The applicant is reluctant to provide landscaping on north and east road frontages of the lot as required by the Zoning and Development Code. His concerns are upfront costs, maintenance costs, and the risks of damage or removal associated with Unawep Avenue and 27 Road reconstruction. The applicant is willing to landscape a portion of the northeast corner of the lot after the City has completed its Unawep reconstruction in the area. This will improve the aesthetics of the site and help buffer the residential areas to the north and east. However, Staff recommends that the applicant landscape 75% of the first 5 feet along Unawep Avenue and 27 Road and any unused ROW as required in the Business Zones.

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#### STAFF RECOMMENDATION:

Staff recommends approval with the following conditions:

1. Dedication of required right-of-way for reconstruction of Unawep Avenue.
2. Construction of required half street improvements on 27 Road frontage.
3. Screening of automobile storage area to be located behind the building.
4. Landscaping a minimum area equal to 75% of the first 5 feet along Unawep Avenue and 27 Road and any additional ROW per Development Code section 5-4-15.
5. The allowed signage shall be the proposed flush wall sign, not to exceed 32 s.f.

---

#### PLANNING COMMISSION DECISION:

At their October 1, 1996 hearing the Planning Commission approved the proposed final plan with the listed staff conditions.

The applicant has appealed conditions 2, 3 and 4 to the City Council.

October 29, 1996

Grand Junction Community Development Department,

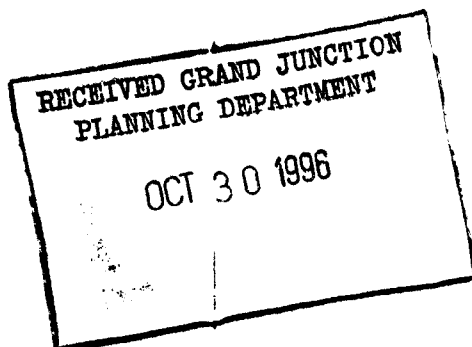
Concerning the request for a repair garage and sandwich shop at the location of 2699 Unawep Ave, I want to express my sincere objection to that type of business in a mostly residential area.

A good example for study is Dave's Automotive Repair shop located at 2732 Sherman Dr. and the junk car lot at the corner of B1/2 Rd. and Sherman Dr. I frequent that street often and am aware that the junk cars and buses used for repair parts continue to multiply. What a disgrace to that neighborhood.

Because the Orchard Mesa Area has been abused in the past, we must resist any misuse in the future.

Sincerely,

*Constance Schmitt*



MEMORANDUM

TO: City Council  
Mark Achen

FROM: Kathy Portner *KP*

DATE: May 21, 1997

RE: 2699 UnawEEP

Attached is a copy of the staff report and minutes regarding Karl Antunes proposal at 2699 UnawEEP. If you have questions or need additional information please call me at 244-1446.



November 10, 1997

Mr.  
UnawEEP Avenue  
Grand Junction, Colorado 81503

RE: Rezoning along UnawEEP Avenue

Dear Mr.

I am responding to your letter and those of your neighbors concerning future rezonings of your area. In your letter, you raised a number of issues that I will attempt to address.

First, the City Council initiated the petition to rezone your area to B-3 after lengthy public discussion during at least two public meetings. In addition, members of the Council have had discussions with at least one property owner in the area, and perhaps others.

Second, I apologize that the notice of cancellation of the Planning Commission meeting did not reach you before the meeting. The decision to pull the item from the agenda was made rather late in the process when it appeared that more analysis of the issue was needed. Please note that, as a result of your letters and other factors, the City now has decided to drop the B-3 rezoning request altogether.

I appreciate the difficulties you have with being zoned Planned Business without the benefits of the specific regulations and other stipulations normally associated with planned zones. While it is correct that the current Zoning and Development Code contemplates that such requirements be specified at the time the zoning change is made, it's quite possible the Code in place in 1973 did not. Although I have not had an opportunity to research this issue more fully, I can tell you that your situation is not unique. The presence of several similar planned zones throughout the City leads me to believe that previous planned zone regulations were quite different than those found in the Code today. It is our intention to address each of these properties in the near future through the revision of our Code and zoning map, future updates of our comprehensive plan and area/neighborhood plans.

Finally, what is the most appropriate zoning for your area? The Community Development Department believes the best forum for determining this is the update of the Orchard Mesa plan, scheduled for 1999. It is interesting to note that the when the

Mr.

Page 2

Orchard Mesa plan originally was prepared in 1995, no future commercial land uses were shown in your area. However, the city-wide Growth Plan adopted in 1997 does show commercial. Given these conflicting policy directions and the importance of Unaweeep Avenue to all of Orchard Mesa, we believe that significant zoning decisions in this area should be discussed as a part of the plan update. Any significant changes (such as the C-1 zoning you propose) made before the completion of the update would, in our opinion, be premature and counter to the benefits provided by the comprehensive overview permitted by the plan update process. At the time the update process is initiated, we will provide ample notice to all concerned.

Our opinion notwithstanding, you still may file a petition for a rezoning if so you desire. If you wish to pursue this option, please contact me to arrange a pre-application meeting. During the meeting, we will discuss the type and number of drawings, plans and documents that would need to be submitted, the notification and hearings process and all applicable fees.

I hope this letter addresses the issues raised in your letter. If you have further questions or believe a meeting is necessary, please do not hesitate to contact me.

Sincerely,

E. Scott Harrington  
Community Development Director

cc: Mayor Terry and Members of City Council  
Mark Achen, City Manager  
Dan Wilson, City Attorney

*original sent unclassified*  
*1/30/97*



**City of Grand Junction, Colorado**  
250 North Fifth Street  
81501-2668  
FAX: (970)244-1599

December 2, 1996

Karl Antunes  
P.O. Box 1536  
Grand Junction, CO 81502

RE: File #PDR-96-200

Dear Mr. Antunes:

This letter is being sent to you to summarize the City Council approval of your land use application.

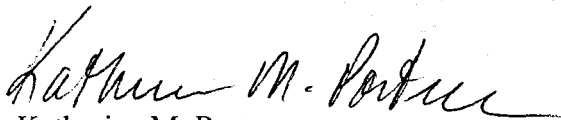
At the November 6, 1996 hearing, the City Council approved the proposed auto repair and sandwich shop at 2699 Unawep Avenue with the following conditions:

1. Dedication of the required right-of-way to the City for reconstruction of Unawep Avenue.
2. Construction of curb, gutter and sidewalk along the subject lot's 27 Road frontage.
3. Screening of the automobile storage area which is to be located behind the building.
4. Installation of a minimum of 563 sq.ft. of landscaping along the Unawep frontage and 563 sq.ft. of landscaping along the 27 Road frontage. All landscaped areas must be served by a underground, pressurized irrigation system.
5. The allowed signage shall be the proposed flush wall signage, not to exceed 32 sq.ft.
6. The 27 Road improvements and landscaping must be completed by November 6, 1997.
7. The petitioner shall execute a development improvements agreement of a form acceptable and recommended by City Staff and the City Attorney, including the provision for the creation of a lien sufficient to protect the City's interest in the fulfillment of the terms of the development agreement, with no other security.

Mark Relph, the City Public Works Manager, has indicated that the required curb, gutter and sidewalk construction on 27 Road could be included in the UnawEEP project to take advantage of the projects unit pricing. You would then be required to pay the City for the cost of those improvements. If you would like to pursue this option, please contact Don Newton, City Engineer, at 244-1559 by February 1, 1997.

If you have any other questions on the approval please call me at 244-1446.

Sincerely,



Katherine M. Portner  
Acting Community Development Director

xc: Don Newton, City Engineer  
John Shaver, Assistant City Attorney



# LOCAL NEWS

THE DAILY  
SENTINEL

SPORTS  
CLASSIFIED ADS  
OBITUARIES

TUESDAY, FEBRUARY 4, 1997

SECTION  
B

## Fed up

By PAUL LLOYD-DAVIES  
The Daily Sentinel

Lorri Stone is willing to sell her house in the Redlands rather than be surrounded and eventually absorbed by Grand Junction.

Although no timeline has been established, the City Council will face a decision on developer Ron Abelo's request for annexation of Country Meadows Subdivision: 182 lots on 49.53 acres north and west of Stone's house on about 2.5 acres and west of the city limits. That will leave Stone's property at 2042 F<sup>1</sup>/<sub>2</sub> Road in an enclave, which the City Council has a policy to annex.

Stone said today she'll sell her house rather than be surrounded by the city.

"I'm really tired of fighting the city," Stone said. "I want to spend more time on family and work."

The Country Meadows annexation will follow the annexation of the 126-acre Stassen property, which Stone and other Redlands residents oppose because it is several miles west of present city limits. The city annexed the Stassen property in January.

"If it were next to the city of Grand Junction borders, where city services are available, and it were a logical annexation, I would not be upset," Stone said.

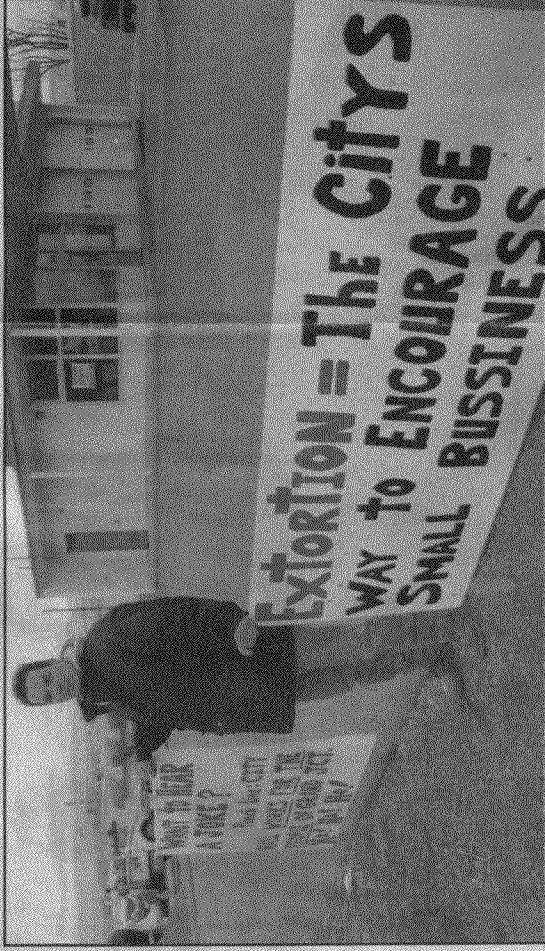
At the City Council's workshop Monday night, Councilwoman Janet Terry expressed concern about the enclave the Country Meadows annexation would create.

"Enclaves happen," Councilman Ron Maupin said. Housing projects such as Country Meadows should be annexed before the housing is built so that urban development occurs in the city, he said.

Mayor Linda Afman noted that council members are agreeable to meeting with Redlands residents to discuss their concerns before annexations occur, in line with the council's annexation policy. She pointed out that the council backed away from annexation of Country Meadows more than a year ago, in response to opposition by neighbors.

## "I'm really tired of fighting the city."

LORRI STONE, Redlands homeowner



CHRISTOPHER TOMLINSON/The Daily Sentinel  
KARL ANTUNES in front of his business at 2699 Unaweep Ave.

## City, auto repair shop owner disagree over landscaping

By PAUL LLOYD-DAVIES  
The Daily Sentinel

The Grand Junction City Council is expected on Wednesday to authorize filing suit for a right of way, utility easement and a temporary construction easement for the multi-million dollar rebuilding of Unaweep Avenue.

Karl Antunes, who wants to develop the property at 2699 Unaweep Ave., is locked in a dispute with the city over requirements that he put in landscaping before he opens a motor-vehicle repair business. Antunes refuses to landscape to the degree required by

city regulations and has refused to give the city the easements it needs.

"City Hall is extorting small business by telling them they have to do everything that City Hall wants, or else be denied building permits," Antunes says in a flier he distributed.

City property agent Tim Woodmansee told the City Council at its workshop Monday night that the eminent domain proceedings will delay the process of moving utility lines underground for the Unaweep rebuilding. The city offered Antunes \$1,044.40 for the easements, according to a memorandum from Woodmansee.

## Schools, cities would benefit from new law

By C. PATRICK CLEARY  
The Daily Sentinel

Western Colorado cities and school districts could receive thousands of dollars in mineral-royalty payments through legislation that has won preliminary committee approval.

State Rep. Russell George's House Bill 1123 would require that the distribution of state share of lease payments be changed to better represent the counties with the public land that produce most of the royalties.

The bill is now before the Appropriations Committee.

George, R-Rifle, said his bill would require that \$2.1 million be distributed to 21 counties in Colorado.

The bill also would shift the recipient of such money from the counties to the cities and school districts themselves so that any money received would not be deducted from county payment-in-lieu-of-taxes payments the next year, said Jim Evans of the Associated Governments of Northwest Colorado.

The money is currently distributed in a different fashion, with 50 percent to school districts, 15 percent to energy impact grants, 10 percent to the Colorado Water Conservation Fund and the remainder to local governments.

Counties, under the George formula, would come out neutral, because they would lose the royalty payments but gain in federal tax payments.

"My thinking is we have everything to gain and nothing to lose," George said.

Evans completed a study showing that more than 90 percent of minerals produced from public land in Colorado come from 21 counties, the majority on the Western Slope.

If the bill is approved, Mesa County, for instance, would get \$192,000 to be split between the city of Grand Junction and School District 51. Delta County would get \$245,230, Garfield County would get \$217,340, Montrose County would get \$15,008 and Rio Blanco County would get \$400,000 annually.

City shares would be divided in the cities based upon population. School districts would also split revenue based on enrollment.

"The federal government requires these funds to be given in the use of that a priority be given in the use of these funds to the local governments impacted by the leasing activities," George said. "This bill will help Colorado meet this priority."



Commission Staff Report  
Landscaping and screening  
necessary to make the use more  
compatible with the surrounding  
neighborhood...Curb, gutter and  
walk improvements along 27  
are needed to provide safe  
and from the site for motor-  
pedestrian traffic...Improvements  
to 27 Road are scheduled in  
the city's plans for the year 2002;  
however, since the site is being  
developed now, the improvements  
will be implemented contemporaneously with  
development."

Antunes appealed three of the  
conditions the Planning Com-

mission staff decided upon to the  
City Council. On Nov. 6, 1996, the  
City Council heard Antunes' argu-  
ments, then approved the Planning  
Commission's proposal with the  
conditions, though modified.

The City Council agreed to allow  
Antunes a year to make the landscap-  
ing and sidewalk improvements, but  
wanted him to sign a development  
improvement agreement for the City  
Attorney which would create a lien  
on the property in an effort "to pro-  
tect the City's interest in the fulfill-  
ment of the terms of the development  
agreement."

Antunes was not satisfied. "The  
meeting was a joke. Mayor Afman

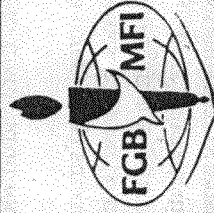
even suggested that I sell my prop-  
erty and look somewhere else. Is that  
how this town builds business?"

"The Council felt the improve-  
ments were critical," Portner said.  
"The Orchard Mesa Plan and the  
community plan call for beautifying  
and upgrading major corridors."

"I don't see the requirements  
changing."

Portner urges Antunes to go to  
City Hall and set up an agreement  
with the City Attorney, an agreement  
which works for him and the City of  
Grand Junction.

"I've been to City Hall,"  
Antunes commented. "That's where  
this whole mess started."



## Full Gospel Business Men's Fellowship International Grand Junction Chapter

### Come And Share The Power

Friday, February 7, 1997

Speaker:

Dr. Elias Malki

Founder and President of Miralba East Gospel Outreach

is a voice for the Black Com-  
of the Western Slope. We are  
fully and socially active, mutu-  
supportive, a cultural and edu-  
I resource. We encourage and  
new persons to our com-  
, and we plan for the future."  
own says the BCF has many  
such as: having an active and  
re voice in the community,  
positive youth involvement



IDE:

yes The Future  
onomy guarantees  
Canyon Country.

age 7

Report



or Good Health  
Health Library in  
ospital is helping  
ne right decisions.

age 9

Report



table Office  
key to comfort for  
in the 90s.

age 16

Bulk Rate  
U.S. Postage  
PAID  
Grand Jct, Co  
Permit No. 134

# 'I'm fed up!'

## Mechanic battles City to open business

Mark A. Borgard

Grand Valley Business Times

Karl Antunes had a plan, a rather simple plan to open an auto repair shop in Grand Junction. He saved a little money, purchased a building in Orchard Mesa, then set about fixing the place up for business.

It was a good plan and one that has worked for millions of Americans.

But not for Karl Antunes.

After working through the first two steps of his plan, Antunes hit a roadblock - a roadblock in the form of costly improvements which he would be required to make before opening his dream business.

"The improvements that are required are the minimum needed," explained Kathy Portner, acting Community Development Director.

According to Portner, Antunes' property at 2699 Unawep Ave. in Orchard Mesa is zoned planned business. Unfortunately, an auto repair service is not allowed in a planned business zone. Section 7-2-3.B of the Zoning and Development Code states that only uses specifically approved are allowed in any planned zone.

Because no list of uses were approved when Grand Junction annexed the area in 1973, Portner said land use must be limited to the original use of the property, which ironically, was a gasoline service station.

However, a service station is different from an auto repair shop in the eyes of the City of Grand Junction. Automotive repair is only allowed in commercial or industrial zones. Although other uses similar to the original use in scope and impact can be approved by the City, an auto repair shop is not considered similar to a service station, Portner said. This 'similar'

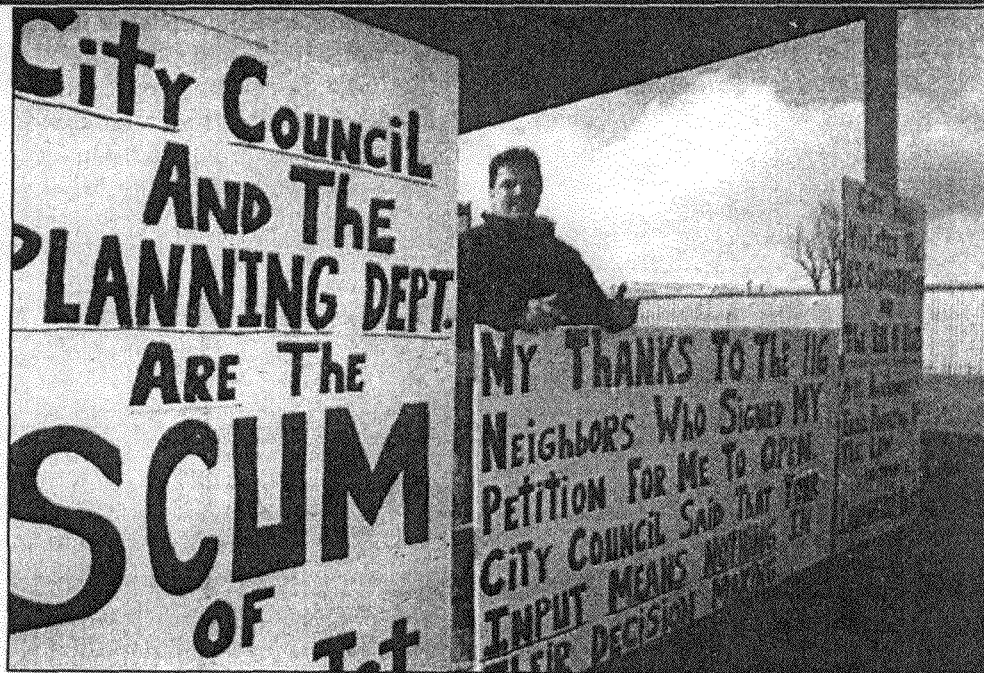


Photo by Gretel Daugherty

Karl Antunes gives a "thumbs up" to his sign campaign which criticizes the Grand Junction City Council. Antunes maintains the City is preventing him from opening an auto repair shop in Orchard Mesa.

provision allowed Holsum Bakery Thrift Store to set up business at the same location in the 1980s after the gas station closed. The bread store was close enough in scope to the service station so the city allowed it, Portner said.

In an effort to avoid criticism from neighboring residents, Antunes collected signatures from his immediate neighbors before applying through the Planning Commission, he said. "I met my neighbors first, before any of this happened. I wanted their approval before going to the city."

"Most people do not want auto repair in their residential area," Portner said. "Admittedly, if there was not a building with bay doors on the property, the city wouldn't have approved Mr. Antunes' request." But the Planning Commission did approve his request...with stipula-

tions. These conditions included screening an area behind his building for automobile storage, making improvements such as sidewalks and gutters on 27 Road and landscaping his property.

"Holsum had to get special permission from the city before they started," Antunes explained, "so why weren't they required to landscape?" He believes he is being forced to pay for mistakes the city made in the past. "I'm getting screwed! The building on my property has been vacant for years. It was an eyesore. I've cleaned it up, put in new windows.

"It looks 80 percent better than it did," Antunes said.

Portner admitted that improvements to the property should have been made in the past. "I wasn't here then so I don't know why they weren't done."

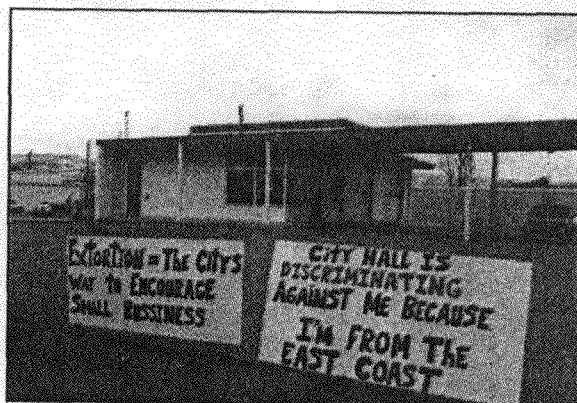


Photo by Gretel Daugherty

Landscaping and improvement costs have kept this small business closed.

See CITY page 19

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

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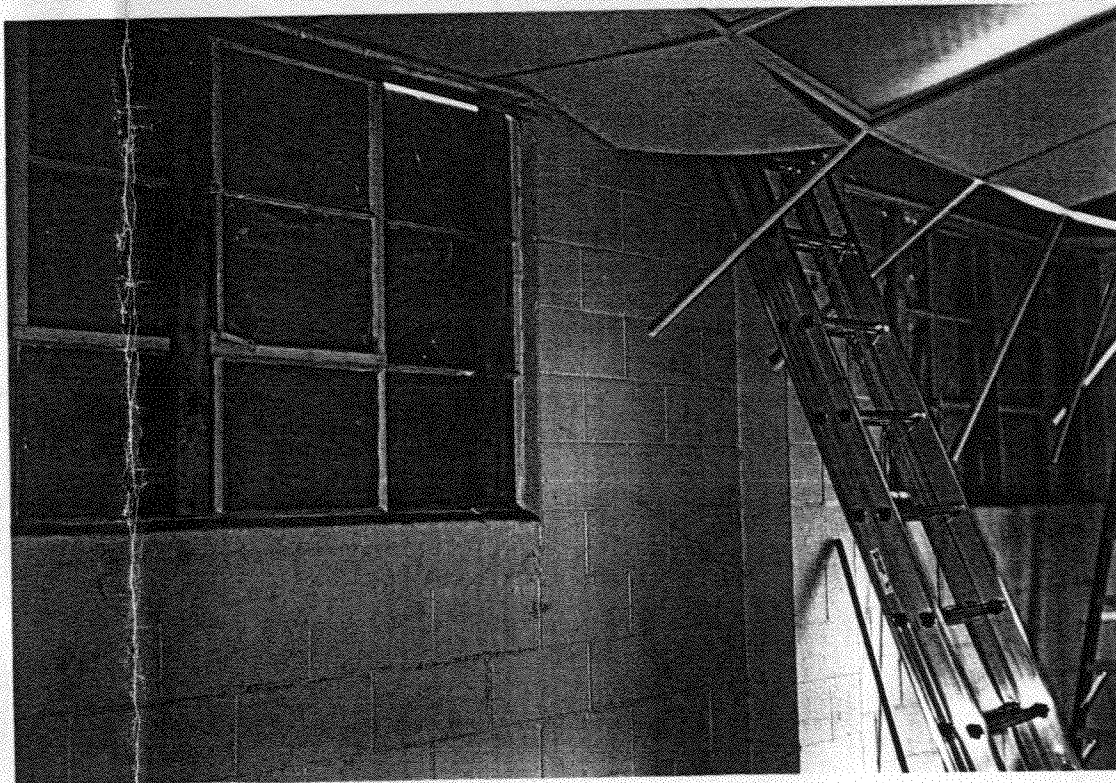
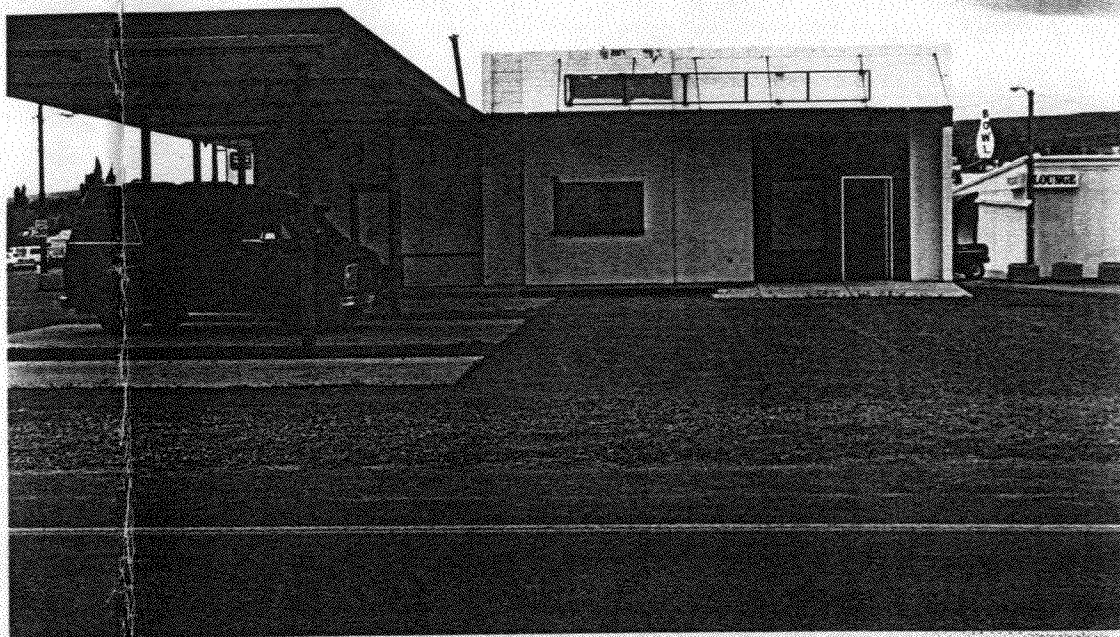
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**SCHEDULE A—Continued**

2. Covering the Land in the State of Colorado, County of Mesa  
Described as:

Beginning at a point 30 feet South and 30 feet West of the Northeast corner  
of Section 26, Township 1 South, Range 1 West of the Ute Meridian;  
thence South 150 feet;  
thence West 150 feet;  
thence North 150 feet;  
thence East 150 feet to the point of beginning,  
being a portion of Perkins Subdivision, according to the Plat recorded in  
Book 9 at Page 101.





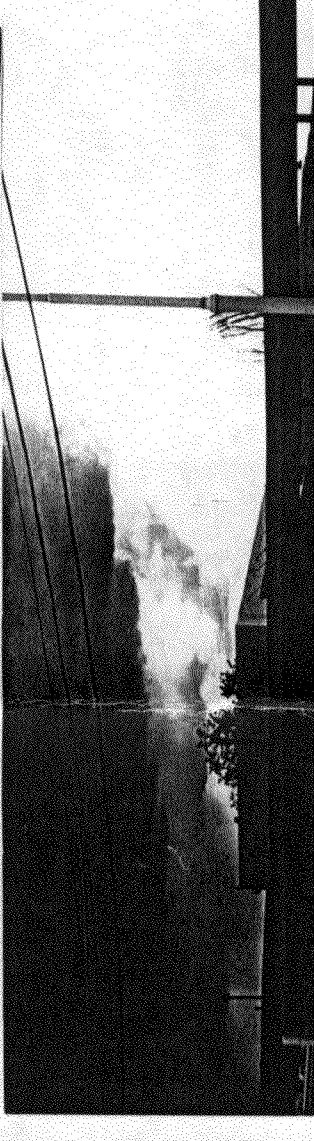
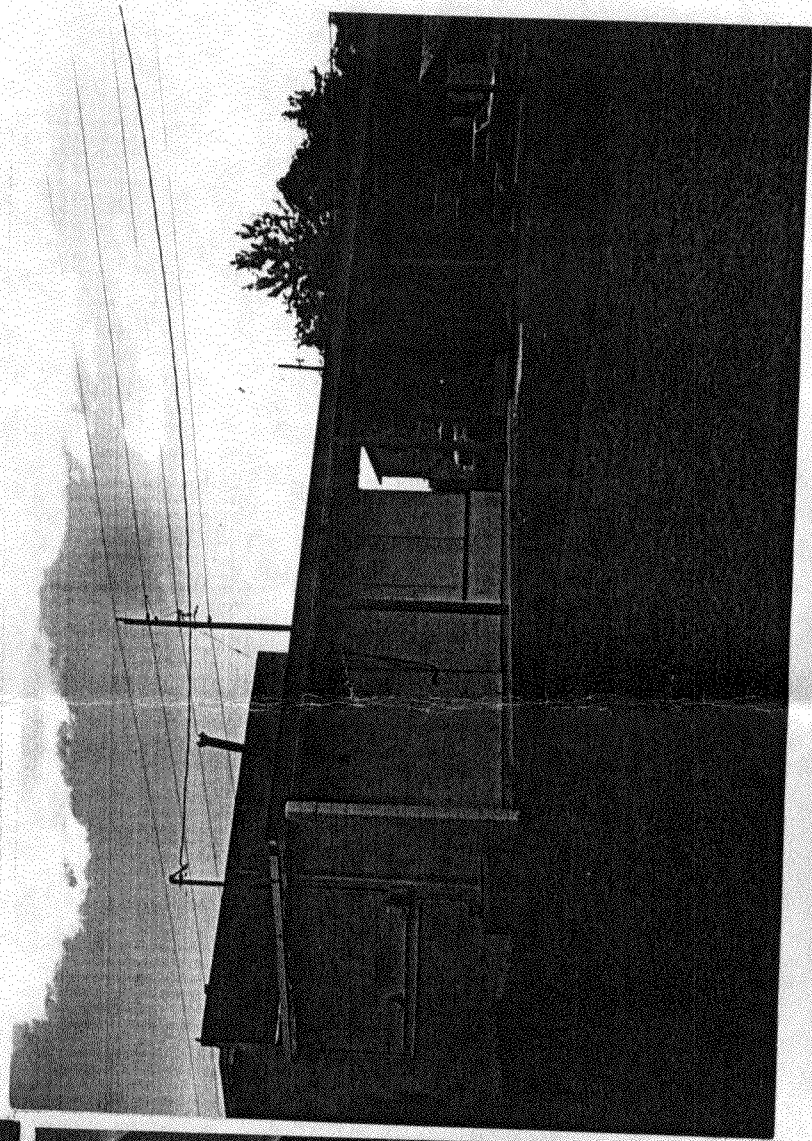


Right Side of my Building  
Across 27 Rd. I have their OK.

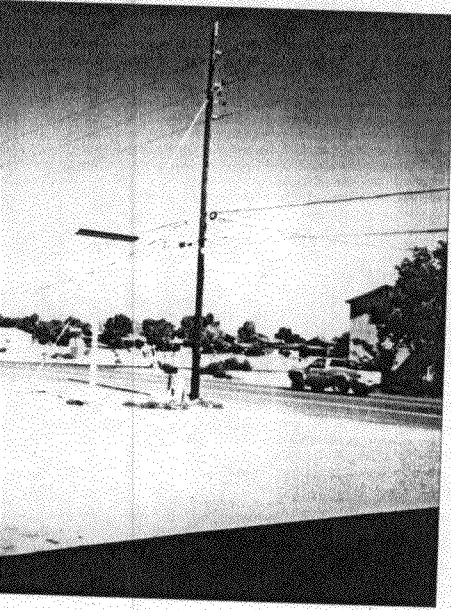
Behind My Bu  
Bowling Alley (The



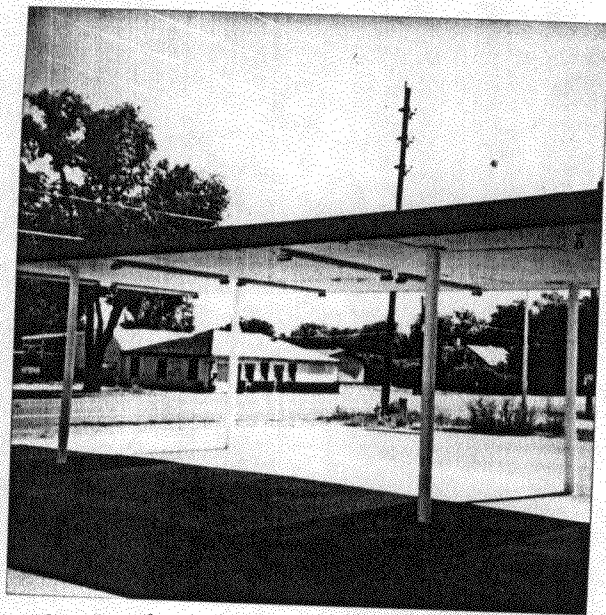
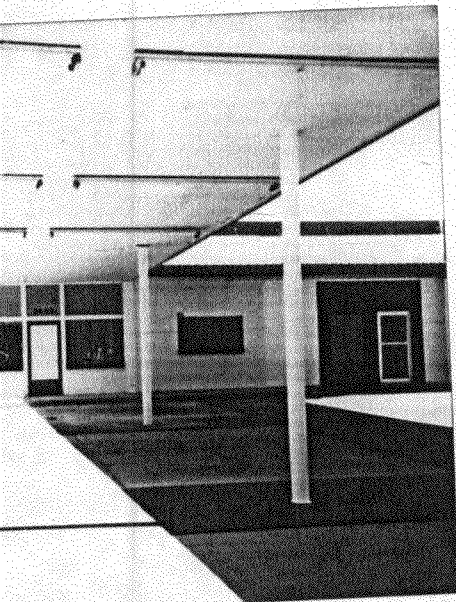
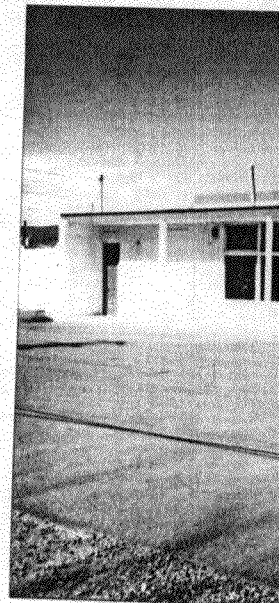
Unweep To The  
of My Building.  
Elec (then) Ceramic Studio



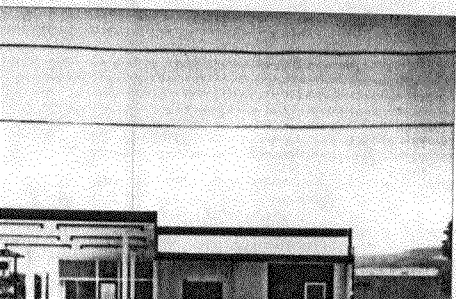
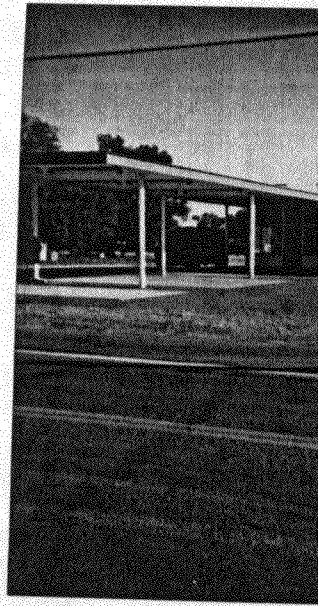




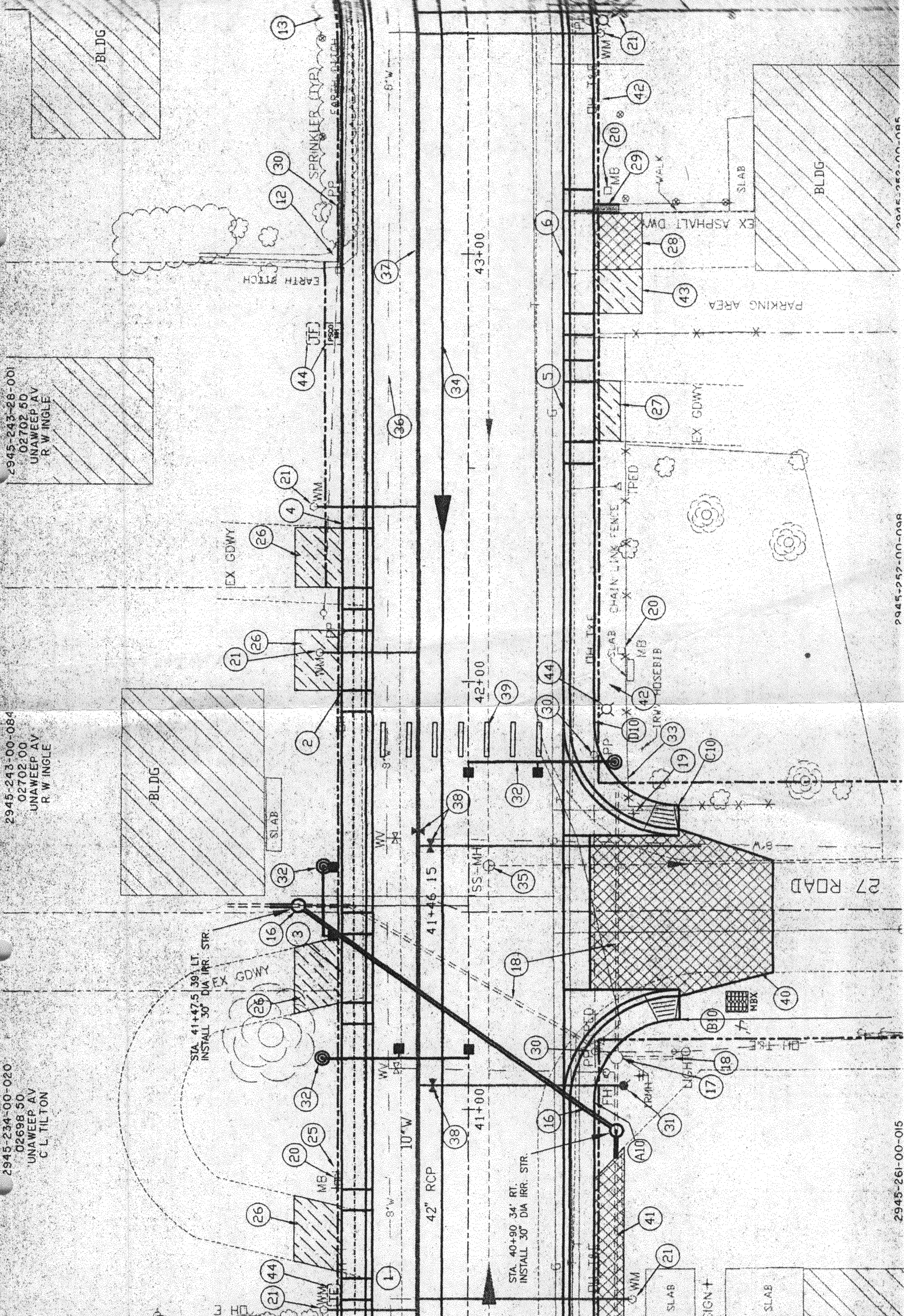
Left of Building  
is developing into  
Income Homes



Front Right of My Building  
Boarded up Building Use to be  
Repair Shop. I Have the owners of





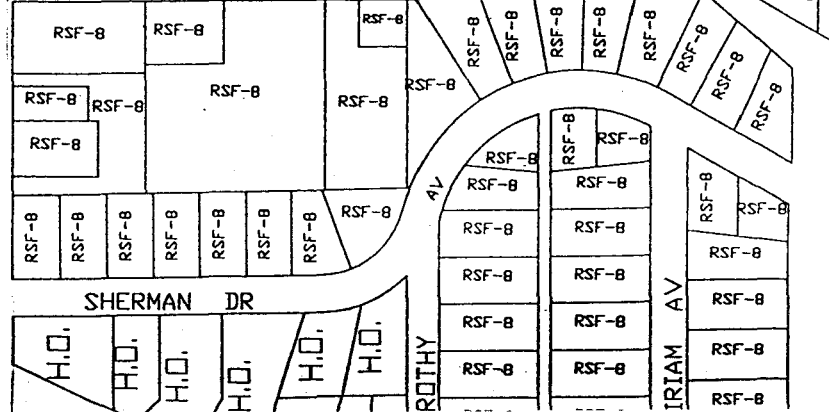
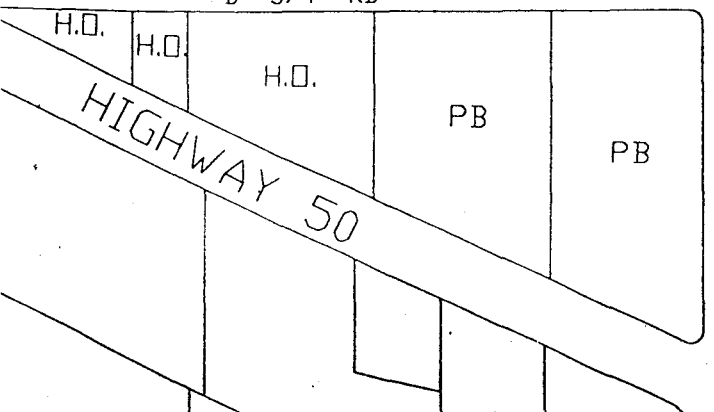
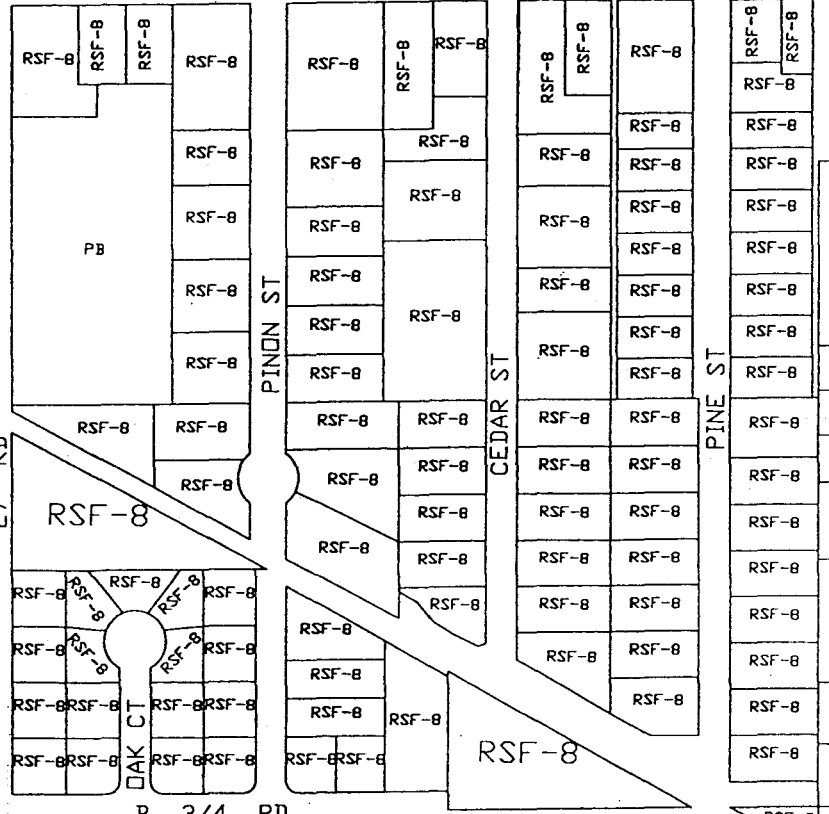
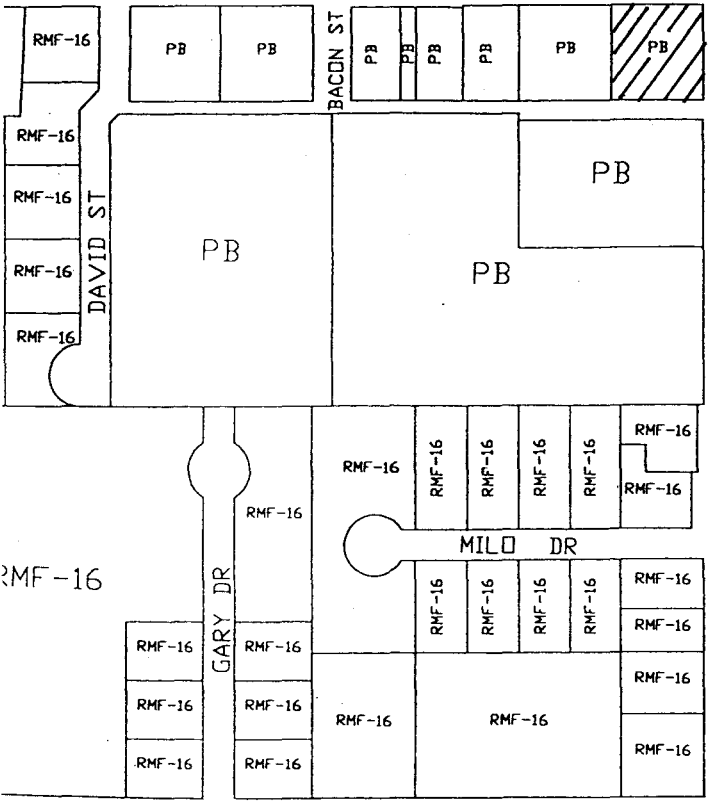
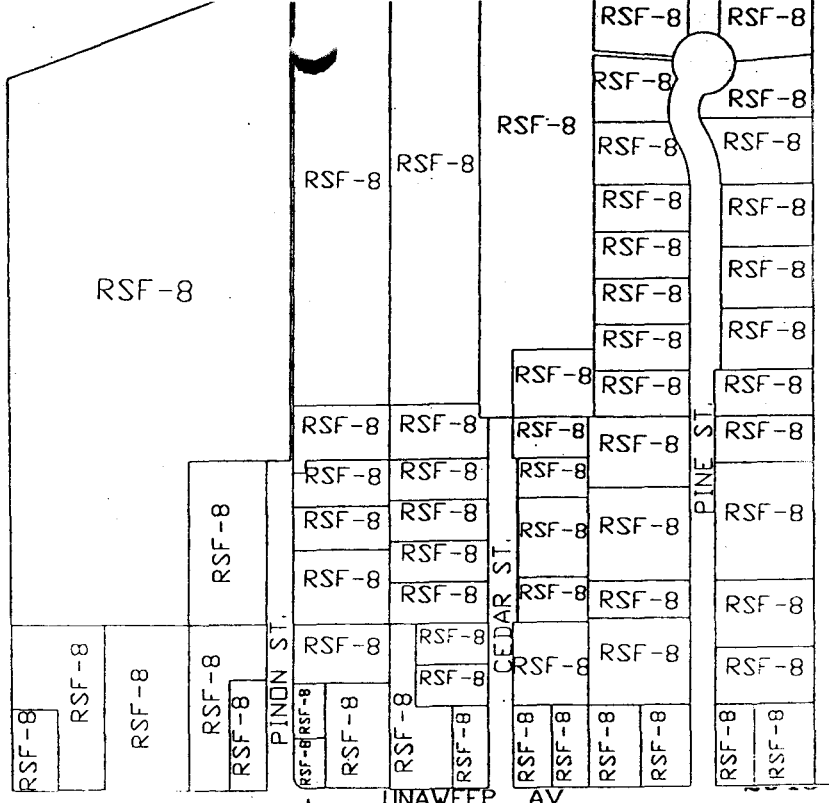
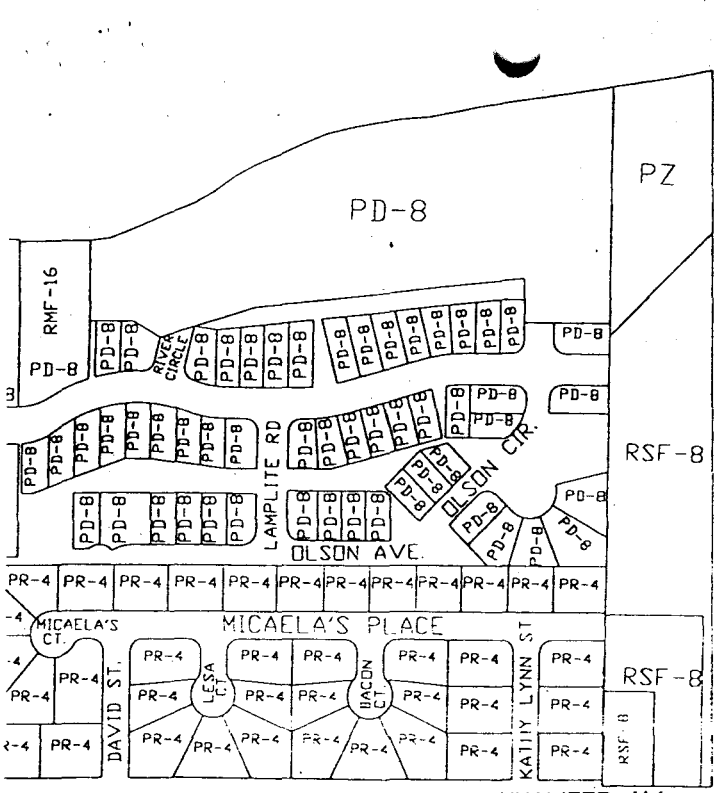


2945-234-00-020  
02698 50  
UNAWEEP AV  
C/L TILTON

2945-243-00-084  
02702 00  
UNAWEEP AV  
R/W INGLE

2945-243-28-001  
02702 50  
UNAWEEP AV  
R/W INGLE





Colorado River

Subject Site

Unaweep Ave.

Karls

Bowling Alley

Dixsons

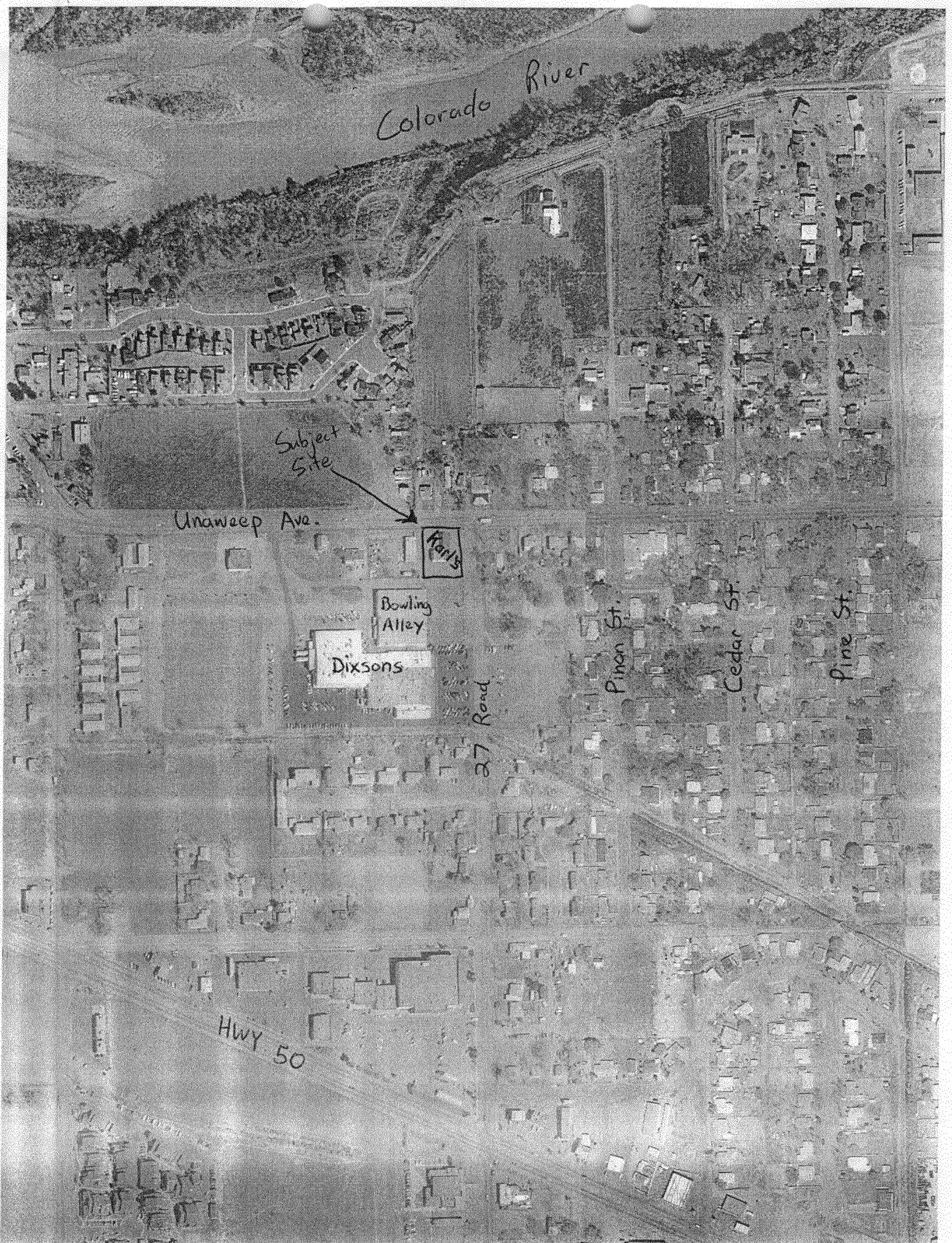
27 Road

Pinon St.

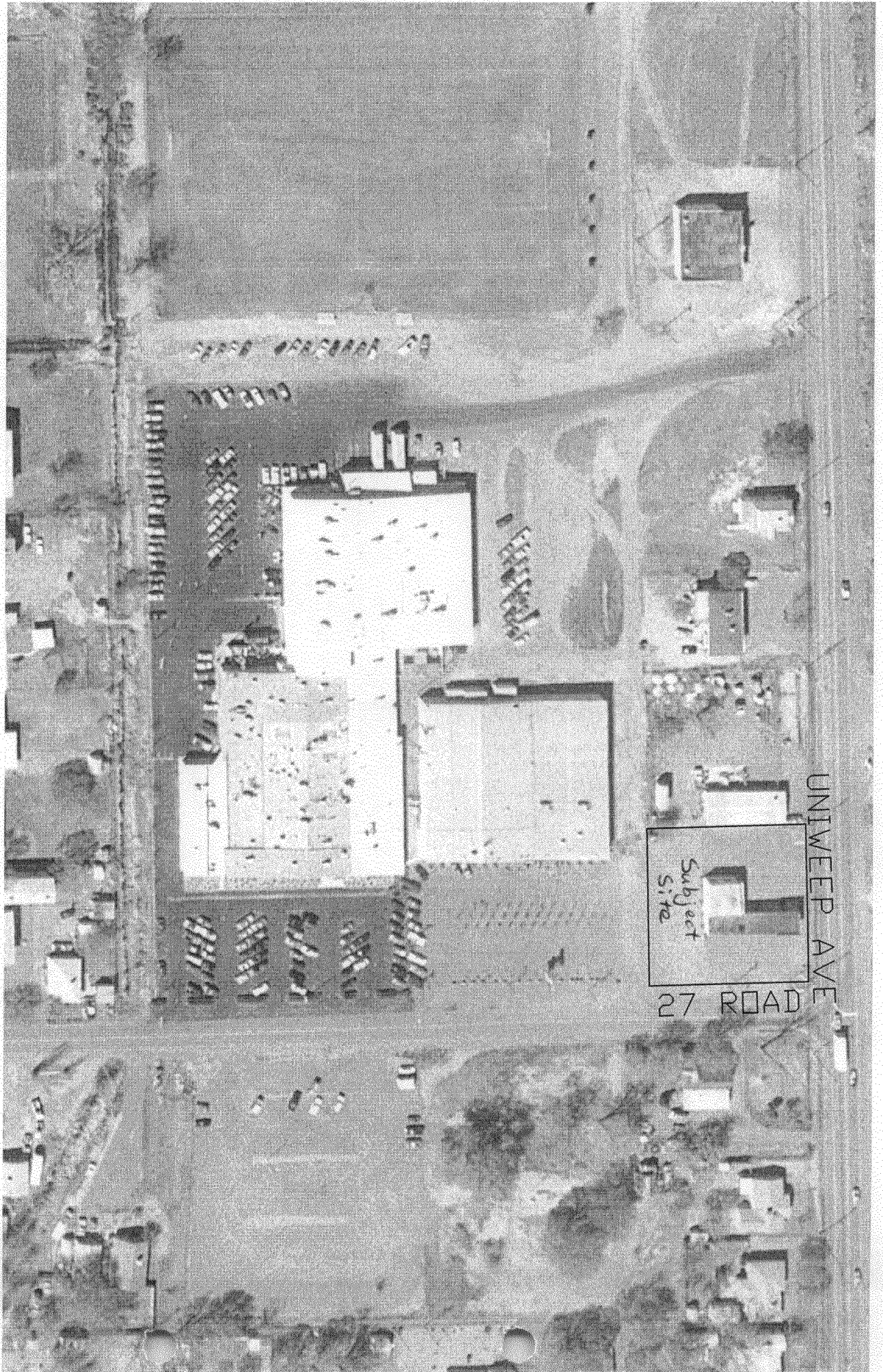
Cedar St.

Pine St.

Hwy 50







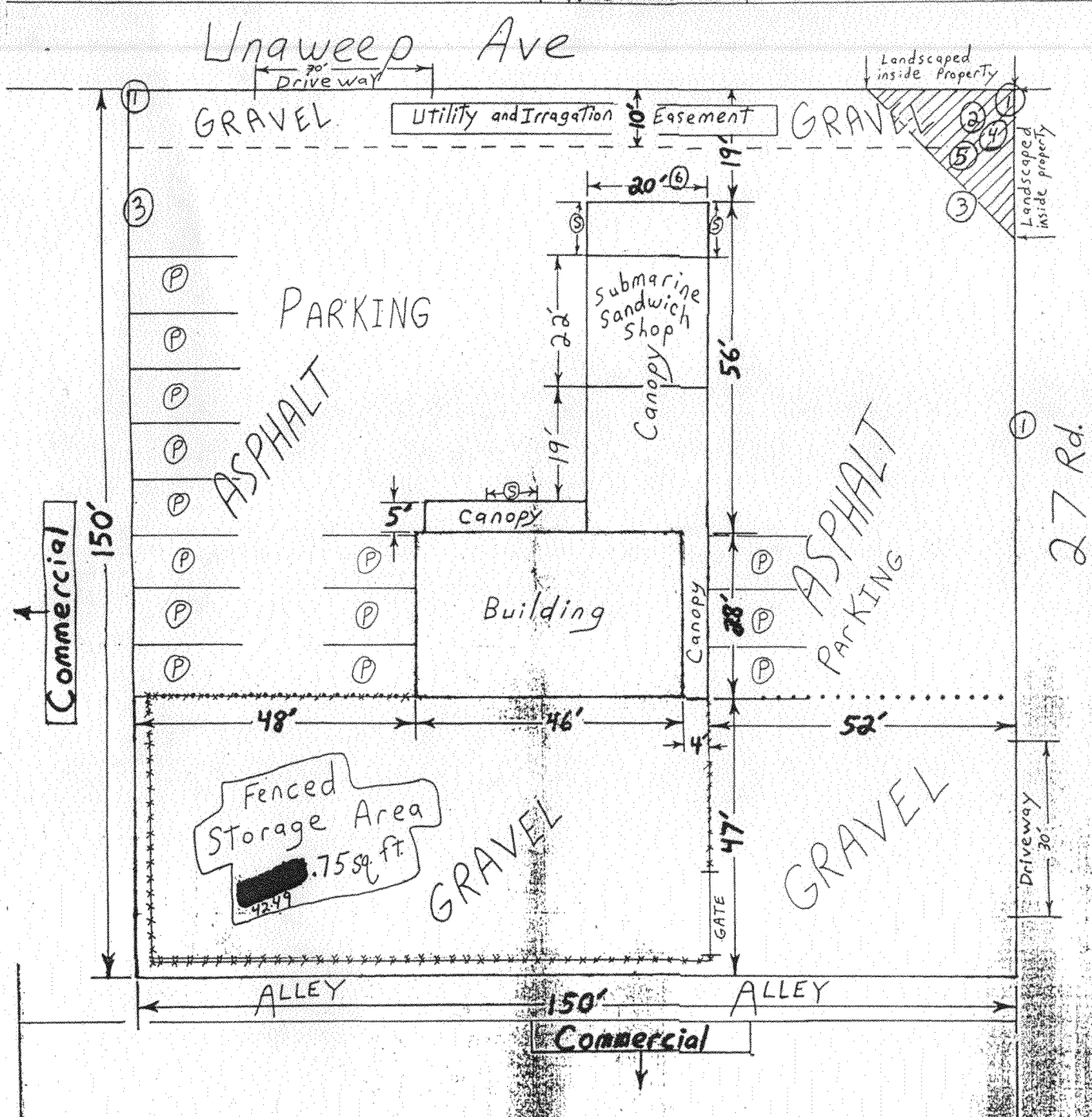
UNIWEEP AVE

Subject Site

27 ROAD

UNIWEEP AVE

Residential



1 in = 10 feet

"Note"  
Roads not to Scale

Location: 2699 Unawep Ave

Lot Size: 22,500 Sq. ft.

Zoning: Planned Business-Com

Use: Automotive Repair  
Sub. Shop

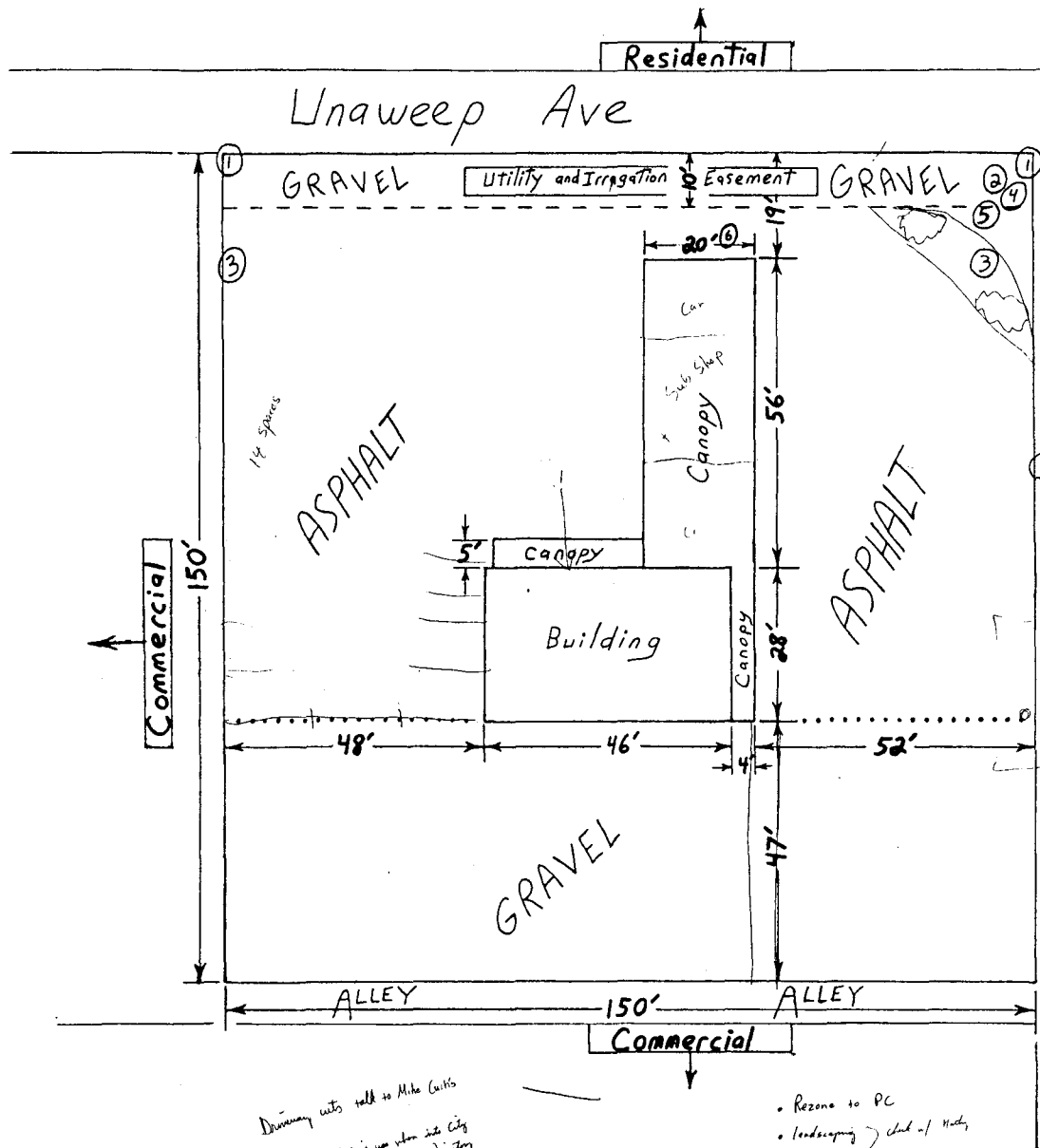
Legend

- ① = Utility Pole
- ② = Fire Hydrant
- ③ = Light Pole
- ④ = Irr. Man Hole
- ⑤ = Sign Pole (To Be Removed)
- ⑥ = WATER Meter
- P = PARKING
- Ⓢ = Trade Sign

NOTES

- Ⓐ Sub. Shop is planned to be built approx. 5-6 years in the future
- Ⓑ Landscaping will be in the Northeast corner
- Ⓒ Driveways located in Southeast (27rd) and Northwest (Unawep Ave.)
- Ⓓ Parking Shown includes Sub. Shop. Still room for additional parking





Residential

Unawweep Ave

GRAVEL Utility and Irrigation Easement GRAVEL

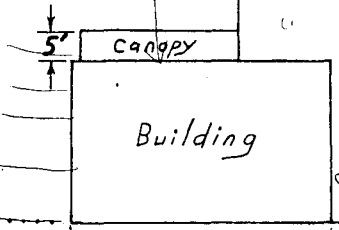
Commercial

150'

①  
③

14 Spaces

ASPHALT



GRAVEL

ALLEY 150' ALLEY

Commercial

①  
②  
④  
⑤  
③

①

27 Rd.

Residential



Karl's Automotive  
Owner  
Karl Antunes

1 in = 10 feet

Note: Roads not to Scale

Location: 2699 Unawweep Ave

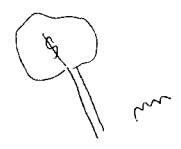
Lot Size: 22,500 Sq. ft.

Zoning: Planned Business-(Comm.)

Use: Automotive Repair

Legend

- ① = Utility Pole
- ② = Fire Hydrant
- ③ = Light Pole
- ④ = Irr. Man Hole
- ⑤ = Sign Pole
- ⑥ = Water Meter



Drainway cuts talk to Mike Curtis  
Determine what is run when into City  
Check Pole Directory  
PB no history

- Rezone to PC
- Landscaping } check w/ MWH
- screening
- restricting storage
- Signage - personal sign
- Parking rules