



DEVELOPMENT APPLICATION

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

Receipt _____

Date _____

Rec'd By _____

File No. SUP-96-215

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 type="checkbox"/> Planned Development | <input type="checkbox"/> ODP <input type="checkbox"/> Prelim <input type="checkbox"/> Final | | | | |
| <input type="checkbox"/> Conditional Use | | | | | |
| <input type="checkbox"/> Zone of Annex | | | | | |
| <input type="checkbox"/> Variance | | | | | |
| <input checked="" type="checkbox"/> Special Use | | | 831 COLORADO | B-1 | LAW ENFORCEMENT / MENTAL REHAB CENTER |
| <input type="checkbox"/> Vacation | | | | | <input type="checkbox"/> Right-of Way <input type="checkbox"/> Easement |
| <input type="checkbox"/> Revocable Permit | | | | | |

PROPERTY OWNER ^{# See Attachment "A"} DEVELOPER REPRESENTATIVE

Name: Richard H. Bowman Name: _____ Name: _____

Address: 3551 G.4 Rd Address: _____ Address: _____

City/State/Zip: Palisade Co 81526 City/State/Zip: _____ City/State/Zip: _____

Phone No.: 464-7204 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.

[Signature] Director, DSSender Services, Inc 10-1-96
Signature of Person Completing Application Date

[Signature] 10-18-96
Signature of Property Owner(s) - attach additional sheets if necessary Date

Attachment "A"
to the Application for Special Use Permit for
Offender Services, Inc.

The Property Owner listed on the face of the application would change if the Special Use Permit is granted. The Sondart Co, a Colorado Partnership, has contracted to buy the property and lease it to Offender Services, Inc. The contract is contingent upon the Special Use Permit being granted. A copy of that contract has been attached as Attachment "B". Sondart's address and phone number is:

Sondart Co.
2209 Dakota Dr.
Grand Jct., CO 81503
Ph: 245-1352

Accordingly, the application has been signed by Lewis P Sonda, one of the listed partners of Sondart Co.

Attachment "A"

2945-144-20-006
Steven F Ganskow
Carolyn K Ganskow
320 Taos Dr
Grand Jct, Co 81503

2945-144-20-007
Theodore B Koeman
Linda A
769 Elm Ave
Grand Jct Co 81501-3027

2945-144-29-011
Jennifer L Stout
755 Colorado Ave
Grand Jct, Co 81501

2945-144-29-012
Edward D Ryken
Enda R
519 29 1/4 Rd
Grand Jct, Co 81504-5305

2945-144-29-013
Edith C Williams
B J Chapman&M L Columbia
756 Ute Ave
Grand Jct., Co 81501-3646

2945-144-32-010
Frank D Mueller
Florence-Family Trust
605 Hudson Bay Dr
Grand Jct, Co 81504

2945-144-32-011
Gerald L Billings
121 Mesa Vista Dr
Grand Jct, Co 81503-2726

2945-144-28-003
Darin J Carei
380 McFarland Ct
Grand Jct, Co 81501-2044

2945-144-28-001
Tad L Schurr
Klem L
805 Colorado Ave
Grand Jct, Co 81501

2945-144-28-002
Wesley McWherter
811 Colorado Ave
Grand Jct, Co 81501-3516

2945-144-28-007
Phyllis E Farris
845 Colorado Ave
Grand Jct, Co 81501-3516

2945-144-28-009
Virginia A Clary
863 Colorado Ave
Grand Jct, Co 81501

2945-144-28-010
Irene M Smith
806 Ute Ave
Grand Jct, Co 81501

2945-144-28-011
Kathy Lee McPhearson
812 Ute Ave
Grand Jct, Co 81501

2945-144-28-012
Juan Macias Rangel St
JUAN De Dios Rangel
822 Ute Ave
Grand Jct, Co 81501

2945-144-28-013
Charles J Treat
& Ernest A Treat
826 Ute Ave
Grand Jct, Co 81501

2945-144-28-014
Mildred E Whitten
Estate
836 Ute Ave
Grand Jct, Co 81501

2945-144-28-015
William L Stone
1111 S 9th St
Grand Jct, Co 81501

2945-144-28-008
ERTL Enterprises Ltd.
1600 North Ave
Grand Jct, Co 81501

2945-144-28-018
Mark D Shaffer
PO Box 1464
Grand Jct, Co 81502

2945-144-28-004
Dennis Haberkorn
Joan Elaine Haberkorn
877 25 Rd
Grand Jct, Co 81505

2945-144-28-016
Feeley Family Partnership
Donald Feeley
728 Horizon Dr
Grand Jct, Co 81506

2945-144-28-017
Feeley Family Ltd
Partnership
728 Horizon Dr
Grand Jct, Co 81506

2945-144-28-005
Richard H Bowman
3551 G.4 Rd
Palisade, Co 81526

2945-144-33-020
Orange Nation Bank
Cust FBO M Limberg c/o C
Bowen
803 Ute Ave
Grand Jct, Co 81501

2945-144-33-007
Erasmo Muniz
Sandra
123 Ute Ave
Grand Jct, Co 81501

2945-14433-008
Erasmo Muniz
Sandra
123 Ute Ave
Grand Jct, Co 81501

2945-144-33-016
Patrick Lee Belcastro
D L Watts & M M Belcastro Etal
341 S 9th
Grand Jct, Co 81501

2945-144-33-017
Julia Mc Donald
Etal
333 S 9th
Grand Jct, Co 81501

2945-144-33-018
Pauline E Martinez
Charles R Alires
337 S 9th St
Grand Jct, Co 81501

2945-144-33-019
Patrick L Belcastro
341 S 9th St
Grand Jct, Co 81501

2945-144-33-004
Patricia K Nieto
823 Ute Ave
Grand Jct, Co 81501

2945-144-33-009
David Macias
MARIA Macias
861 Ute Ave
Grand Jct, Co 81501

2945-144-33-013
Shari A Raso
ETAL
627 Fletcher Ln
Grand Junction, Co 81505

2945-144-21-009
Jerry R Gould
Helen S
PO Box 280
Kila, MT 59920

2945-144-21-015
Ertl Enterprises Ltd
1600 North Ave
Grand Jct, Co 81501

2945-144-33-012
Gladys M McElhiney
Lorraine Knapp
808 Pitkin Ave
Grand Jct, Co 81501

2945-144-33-005
Joanquin Rodriguez
Maria L
833 Ute Ave
Grand Jct., Co 81501

2945-144-33-014
Thomas S Myers
Rocky W York
2680 B1/2 Rd Apt 2J
Grand Jct., Co 81503

2945-144-33-010
Robert W Uhl
Nancy L Uhl
1018 Lakeside Dr
Grand Jct, Co 81506

2945-144-21-017
Jann Ertl
1600 North Ave
Grand Jct, Co 81501

2945-144-21-016
Jann Ertl
1600 North Ave
Grand Jct, Co 81501

2945-144-33-003
Ray Martinez
817 Ute Ave
Grand Jct, Co 81501

2945-144-33-006
Federico Vargas
Blanca E
841 Ute Ave
Grand Jct, Co 81501

2945-144-33-011
Shari Raso ETAL
627 Fletcher Ln
Grand Jct, Co 81505

2945-144-33-015
Dale L Ely
Altha
1630 Patterson Rd
Grand Jct, Co 81506

2945-144-21-011
Janice L Brunswick
James L Brunswick
812 Colorado Ave
Grand Jct, Co 81501

General Project Report
Offender Services, Inc.
Request for Special Use Permit for
831 Colorado Ave., Grand Jct., CO. 81501

831 Colorado Ave., Grand Jct., CO is a three bedroom, two bath newly remodeled house on city lot E2 OF LOT 7 + ALL LOT 8 BLK 129 GRAND JUNCTION. The lot measures 125'x37 1/2.' The area around this house is older homes, most divided into apartments. Some have been upgraded, others not. Directly across the street is a parking lot, apparently for Radikin Towers, which faces onto Main street to the north. The property is serviced by the alley to the south, and by Colorado Avenue on the north. The house is serviced by Public Service, and the City of Grand Jct for utilities. There is a fire hydrant approximately 165 feet to the west and another approximately 200 feet to the east.

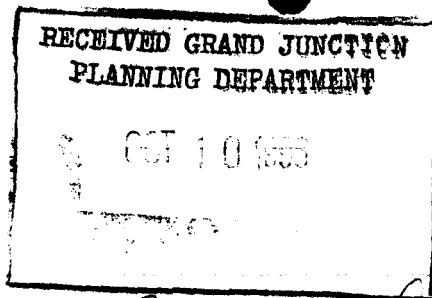
Offender Services, Inc. is a non-profit corporation that provides supervision and treatment for developmentally disabled criminal offenders. We are the only agency in either the Developmental Disabilities or the Criminal Justice systems on the western slope of Colorado that provides a residence, supervision, and treatment for this type of person. They are otherwise housed by Mesa Developmental Services group homes or the Grand Junction Regional Center, in both cases victimizing other DD clients. The Mesa County Community Corrections Center has attempted to house some of these clients, but found from experience that they are incapable of doing so because of intense individualized needs of these clients, lack of appropriate training of staff, and conflict with non-developmentally disabled clientele.

Housing for our clients is termed *Personal Care Alternative* by the Colorado Division of Developmental Disabilities. This means that the client is placed in a small home-like living environment, with on-site staff. A maximum of three clients per site is permitted. Thus, at 831 Colorado Ave., Grand Jct., CO we propose to house a maximum of three clients, plus one 24 hour per day staff person, for a total of four persons. Because of our attempt to provide a homelike atmosphere, no signs would be placed on the premises or on our vehicles. Because our clients are criminal offenders they are under intense supervision. All clients must be in the line of sight of staff at all times until they have reached high levels of performance over a period of approximately four years. Even then they are under surveillance although they don't know it. We have a high commitment to public safety. Our clients work in the community (under supervision) and attend counseling sessions at various counseling agencies in the community.

Hours are normal household hours: Our clients arise about 6:30AM, and depart for work or treatment between 8:00AM and 9:00AM. They return from work or treatment between 3:00PM and 5:00PM. They go to bed between 9:00 and 10:00PM. Lights are almost always out by 10:30PM. Although our clients are criminals, in our three years of operations at our site outside of the city limits, we have had to have the sheriff to the site only once. No special or unusual demands on utilities, and no impact on site geology or geological hazards are foreseen. The impact on fire, police, sanitation, roads, parks, schools, irrigation, etc., would approximate that of as a family of four persons.

Our clients are transported to and from work/counseling by Offender Services, Inc. We would have two, perhaps three vehicles at times, at the site; one staff personal vehicle, one OSI vehicle, and perhaps once in a while, a second staff vehicle as staff shifts occasionally overlap. There is ample room behind the house for parking for three vehicles. We are prepared to comply with whatever improvements would be required by building and zoning codes to use this space for parking. There is access to this area from the south alley. Traffic patterns would be effected to the extent a two, sometimes three, car household would effect them.

We now have a contract to buy the premises contingent upon this application being granted. We would close and move in with two clients plus the one on-site staff within 30 days of approval.



Grand Jct. Colo -
OCT - 9 - 1996

Grand Jct. Community Development Dept.
250 North 5th St -
Grand Jct, Colo - 81501

Dear Sirs -

I am writing about the request for a permit to locate a Law Enforcement Mental Rehabilitation Center at 831 Colo. Ave. - and especially after talking to you about this on the phone - I am certainly against locating such a facility in this neighborhood - and I would request there be a public hearing on this matter -
Sincerely,

Virginia O. Calary
863 Colo. Ave. -
Grand Jct - Colo. -
81501
A concerned
citizen -

REVIEW COMMENTS

Page 1 of 2

FILE #SUP-96-215

TITLE HEADING: Law Enforcement / Mental
Rehabilitation Center

LOCATION: 831 Colorado Avenue

PETITIONER: O.S.I.

PETITIONER'S ADDRESS/TELEPHONE: 2004 N 12th Street, #47
Grand Junction, CO 81501
241-6500

STAFF REPRESENTATIVE: Bill Nebeker

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., OCTOBER 23, 1996.

CITY COMMUNITY DEVELOPMENT

10/16/96

Bill Nebeker

244-1447

1. Show and dimension parking spaces in rear of lot. Note on site plan that the parking shall be paved.
2. Note surface treatment of remainder of backyard not used for parking.
3. What type of fence is along the west property line? height? wood or chain link? Does it provide screening of the parking area?
4. Please respond to the general criteria for Special Use Permits (Section 4-8-1A-G) Return your response with your response to comments.
5. Please submit a reduced (11" X 17") copy of the revised site plan with your response to comments.
6. NOTE: 2 letters in opposition of this use have been received. They are available in the file for your perusal.
7. Where is the location of your other facility? You may call me with this information.

NOTE: Per Code, this Special Use Permit will not be automatically scheduled for the November 5, 1996 Planning Commission hearing unless an administrative decision to approve or deny the SUP has been appealed. To allow for the 3 day appeal period prior to the deadline for Planning Commission staff reports (Oct 30), your response to comments are due October 23, 1996. A decision will be made on October 24th. The 3 day appeal period will end October 29th. You and neighbors who wrote letters opposed to this use will be notified by phone (or mail if phone # is unavailable) of the decision. If you have any questions please call me at 244-1447.

CITY DEVELOPMENT ENGINEER

10/14/96

Jody Kliska

244-1591

Site plan did not indicate parking area.

CITY POLICE DEPARTMENT

Lisa Dicamillo

10/7/96

244-3587

No comment.

LUCIANO R. GATTO D.C.
CHIROPRACTOR

835 Colorado Ave.
Grand Junction, CO 81501

Tel. (970) 242-5506

Fax (970) 242-5068

RECEIVED GRAND JUNCTION
PLANNING DEPARTMENT

APR 14 1983

To whom it may concern.
ATT. Bill

I understand that a Request For an Application AND APPROVAL OF A special permit to locate a Law enforcement mental Rehabilitation center on 831 Colorado Ave G.J. AS been under consideration by the G.J. community development department.

I Luciano R. Gatto have many concerns and objections, too many to list, but to mention a few:

I'm a doctor of chiropractic and practice next door AT 835 Colorado Ave G.J.

I have patient and their family members including children coming in and out throughout the day and early evening. I understand that these people were and are convicted criminals.

One point is: would you refer any members of your family to me with criminals living next to my practice?

Furthermore, I Luciano R. Gatto DO NOT particularly care to have criminals next to my practice especially on a day to day basis. I think its not a good

LUCIANO R. GATTO D.C.
CHIROPRACTOR

835 Colorado Ave.
Grand Junction, CO 81501

Tel. (970) 242-5506
Fax (970) 242-5063

IDEA, AND THINK IT'S NOT GOOD FOR THE
ENTIRE AREA.

I BELIEVE THAT FOR EVERYBODY'S SAKE A
MORE SECLUDED AREA WOULD BE APPROPRIATE.

PLEASE GIVE IT SOME THOUGHT AND CONSIDER
THE POSSIBLE NEGATIVISM IT CAN BRING
NOT ONLY ON MY STREET BUT TO ALL
THE DOWNTOWN AREA.

Respectfully

Luciano R. Gatto D.C.

RECEIVED GRAND JUNCTION
PLANNING DEPARTMENT

OCT 28 1996

SEPTEMBER 28, 1996

BILL NEBEKER
CITY OF GRAND JCT
FAX : 244-1599

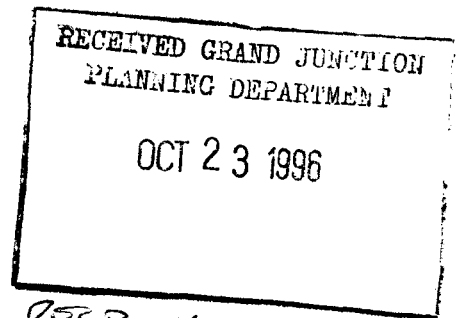
DEAR MR. NEBEKER,

PLEASE ACCEPT THIS LETTER. AS THE
WRITTEN APPEAL YOU NEED TO SET
A HEARING DATE FOR FILE # SUP-96-21.

THE REASONS FOR THE APPEAL ARE STATED
ON THE NEIGHBORHOOD PETITION OBJECTING
TO THE SPECIAL USE PERMIT WHICH WAS
DELIVERED TO YOUR OFFICE LAST WEEK.

MARK SHAFFER
835 COLORADO AVE

10-23-96



Community Development Dept.
City of Grand Jct.
250 N 54th St
Grand Jct, Co 81501

RESPONSE TO
COMMENTS

Dear Sirs:

Enclosed is the "11x17" revised site plan requested by you. The following is our response to your request #4:

A. We propose this use as a residence for our clients. We, by program design, want to make this site as homelike as possible. Our clients go elsewhere for treatment, work, etc. As most residential people do.

B. We project no more increase in traffic than a family of four would cause. We have one company vehicle coming & going to this site regularly. A second company vehicle might come by intermittently. Staff would arrive & leave in their personal vehicle, but would be the operators of the company vehicles while there. Typical staff shifts are 48 hours on, five days off. We

do have some part-time fill-in staff on premises. But, as a rule, there is one staff on duty at a time.

C. We plan on using this as a residence.
(See A & B).

D. We don't see our use of public services being any more demanding than for the use this property is already approved for.

E. We see our proposed use as compatible with existing surrounding use. Our clients have committed criminal acts, typically against other Developmentally Disabled persons. Our clients are under line-of-sight supervision of staff & the residence will have alarms on doors & windows. The alarm system is no more intrusive to others than a standard burglar alarm system.

F. Our clients are required to maintain the residence as part of their vocational experience. The company has a sound record of maintaining a safe, attractive environment for our clients, staff, and neighbors.

G. We will conform to all plans, policies and requirements for loading

and parking, signs (none) and all other applicable regulations of this code. (3)

Yours truly,

Jim Cheney
Jim Cheney,
Director, OSI

PS: Our other site is 1225 18 1/2 Rd,
Groton, Co.

OCT 24 1996

PETITION

We, the undersigned citizens are all strongly opposed to the issuance of the Special Land Use Permit (SUP-96-215) to Offender services, INC. for the home located at 831 Colorado Avenue. And we are further apposed to any similar land uses in our neighborhood.

It is our collective opinion that this type of operation in this predominantly residential neighborhood will be dangerous to the residents and will negatively effect property values.

Our neighborhood has many existing challenges due to location, age and economic status and we feel somewhat exploited as a neighborhood to even be considered for the additional burden we perceive the proposed business would be to our area. We currently have higher incidence of crime, daily activity of transients, and a disproportionate share of existing social rehabilitation type operations.

Our neighborhood has improved in appeal considerably over the past couple years despite our challenges mentioned above and we see this new proposed business as being a step in the wrong direction.

Many of the undersigned would have difficulty attending a public hearing as they are elderly, ill, have children or work in the evenings. Please feel free to call any of us for further input. Thank you for considering our opinions in this matter.

Signed:

| <u>DATE</u> | <u>NAME</u> | <u>ADDRESS</u> | <u>PHONE</u> |
|-------------|------------------------|------------------|--------------|
| 10/24 | MARK SHAFFER | 835 COLORADO AVE | 243-5086 |
| 10/24 | GARRICK STONE | 840 UTE Ave | 245-5573 |
| 10/24 | MIKE PIRCE | 835 Colorado Ave | 243-5086 |
| 10/24 | RICHARD WEIGANS | 835 Colorado Ave | 243-5086 |
| 10/24 | RITA HOBACK | 225 S. 9th | 243-2709 |
| 10/24 | Virginia Perry | 863 Colo Ave. | 242-7304 |
| 10/24 | Diane Smith | 806 Ute | 242-0373 |
| | Mrs. Edith C. Williams | 756 Ute | 242-7509 |
| | Blanche Mallock | 742 Ute | 242-0571 |

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Signed:

| <u>DATE</u> | <u>NAME</u> | <u>ADDRESS</u> | <u>PHONE</u> |
|-------------|-----------------|---------------------|--------------|
| | Barbara Whitten | 836 Ute Avenue | 257-0964 |
| 10/24/96 | Paul [unclear] | 229 S. 9th | 242-3025 |
| 10/24/96 | Juanico Catto | 835 Colorado E J | 242 5506 |

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Signed:

| <u>Date</u> | <u>NAME</u> | <u>ADDRESS</u> | <u>PHONE</u> |
|-------------|--------------------|------------------|--------------|
| 10-23-96 | Ken Williams | 856 Col #B | 248-9344 |
| 10-23-96 | Donna Jeffries | 856 Colo. #B | 248-9344 |
| 10-23-96 | Donna L. Bedes | 848 Colo #1 | 245-7635 |
| 10/23/96 | Phyllis Torres | 845 Col. | 241-2653 |
| 10/23/96 | Alice Hight | 760 Colorado | 245-1506 |
| 10/23/96 | Manuel R. Marruffo | 760 Colorado Ave | 241-1422 |
| 10-23-96 | James Huckah | 760 COLORADO #6 | 257-7783 |
| 10-23-96 | Roderick S. Watt | 760 COLORADO #5 | |
| 10-23-96 | Ami Ann | 760 Colo | NA |
| 10/23/96 | JAMIE SPRINGS | | 256-7256 |

PETITION

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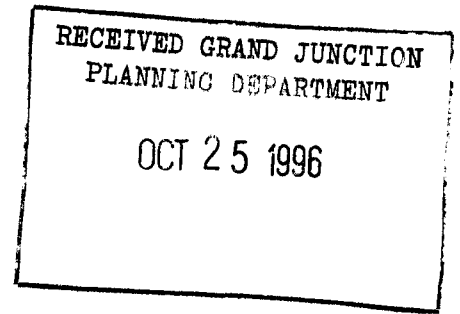
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Signed:

| <u>Date</u> | <u>NAME</u> | <u>ADDRESS</u> | <u>PHONE</u> |
|-------------|------------------|-------------------------|--------------|
| 10/23/96 | Jann Ertl | 1600 North 4 Av, GJ, Co | 245-5770 |
| 10-23-96 | Gina Sullivan | 864 Colorado Ave. | _____ |
| 10-23-96 | Casey Sullivan | 864 Colorado Ave | _____ |
| 10/23/96 | Bruce Catder | 905 Colorado Ave | 243-7375 |
| 10/23/96 | Diane Flow | 905 Colorado Ave | 243-7375 |
| 10/23/96 | Mike Pelletier | 918 Colorado Ave | 245-4640 |
| 10/23/96 | Ferris Pelletier | 918 Colorado Ave | 245-4640 |
| | Jane M. Muck | 905 Colorado | 245-2359 |
| 10/23/96 | Shawn Wagner | 856 Colorado | 257-2251 |
| 10/23/96 | Jancy Cooley | 856 Colorado | 257-7638 |

ERTL ENTERPRISES
1600 NORTH AVENUE
GRAND JUNCTION, CO 81501
970/245-5770



October 25, 1996

Bill Nebeker
Grand Junction Community Development Dept.
250 N. 5th Street
Grand Junction, CO 81501-2668

RE: Sup-96-21 on 831 Colorado Avenue, Grand Junction

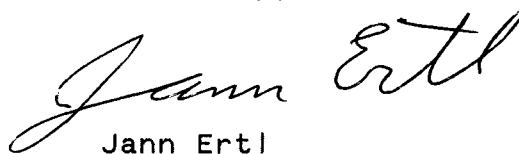
Dear Mr. Nebeker:

In response to your letter dated October 24, 1996, I would like to appeal the decision of the Community Development Department concerning the approval of a special use permit by OSI on 831 Colorado Avenue. A Law Enforcement Rehabilitation Center requires a B-1 zoning. Though the home located at 831 Colorado Avenue is Zone B-1, the community is entirely residential except for a church, a parking lot, and a realtor working out of his home.

The Law Enforcement Rehabilitation Center is incompatible with a residential neighborhood such as ours. If it is compatible with a residential neighborhood, then why don't we locate them in the Redlands or some more expensive residential area?

Thank you for your cooperation.

Sincerely,


Jann Ertl

JE/jlw

Richard I. Weigand
835 Colorado Avenue
Grand Junction, CO 81501
243-5086

October 29, 1996

Bill Nebeker, Senior Planner
Grand Junction Community Development Department
250 North Fifth Street
Grand Junction, CO 81501
(Hand Delivered)

Re: File #SUP-96-21

Dear Mr. Nebeker:

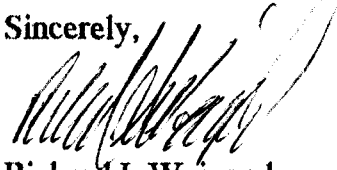
As a concerned occupant of property in the neighborhood of 831 Colorado Avenue, I had signed a petition against the proposed special use permit requested by OSI. I have received your letter of October 24, 1996 and in accordance with that letter, I hereby register my appeal of the Departments decision.

The reasons for the appeal are:

1. The degree of required supervision of the offenders as set forth in the application evidences the potential danger those offenders pose to others in the area.
2. There are families in the neighborhood with small children that should not be exposed to the dangerous conditions created by having the offenders requiring such close supervision nearby.
3. The U.S. West employee parking lot is across the street from the proposed location. The employees, many of whom are women, park and walk to work and return to their cars unaccompanied.
4. The clients of the nearby businesses will be uncomfortable when they are aware there are offenders nearby.

To summarize, it is felt that the required supervision stated in the application leads one to believe that the offenders have a strong potential to act out with unpredictable behavior causing risk of harm to the property owners, tenants and those who work in the neighborhood. Therefore this written appeal is registered with you.

Sincerely,


Richard I. Weigand

Received, Grand Junction Community
Development Department

By: 
Date: 10/29/96, Time: 2:50 PM

STAFF REVIEW - PLANNING COMMISSION REPORT - NOVEMBER 5, 1996 HEARING

FILE: SUP-96-215
DATE: October 30, 1996
STAFF: Bill Nebeker
REQUEST: Appeal of Administrative Approval of a Special Use Permit to allow a Law Enforcement Rehabilitation Center in a B-1 Zone.
LOCATION: 831 Colorado Avenue; Tax Parcel #2945-144-28-005.
APPLICANT: Jim Cheney for Offender Services Inc.

EXECUTIVE SUMMARY: The applicant proposes to locate a home for developmentally disabled criminal offenders in a three bedroom home at 831 Colorado. Clients will live at the home under intense, line-of-sight supervision. Staff recommends that only two clients be allowed on site so an additional bedroom does not have to be added to the home. Only slight modifications of the site will occur with the addition of three paved parking spaces in the rear. Staff's approval of this special use permit has been appealed by residents of the surrounding neighborhood.

EXISTING LAND USE: residential home

PROPOSED LAND USE: residential home

SURROUNDING LAND USE:

NORTH: parking lot for USWest & AT&T
SOUTH: single family residential
EAST: real estate & chiropractor's office
WEST: single family residential

EXISTING ZONING: B-1

SURROUNDING ZONING:

NORTH: B-1
SOUTH: C-2
EAST: B-1
WEST: B-1

RELATIONSHIP TO COMPREHENSIVE PLAN: The Growth Plan Map shows this area as Residential Medium Density 4-7.9 dwellings per acre.

STAFF ANALYSIS: The applicant proposes to establish a Personal Care Alternative , classified under the City of Grand Junction Zoning and Development Code as a Law Enforcement

Rehabilitation Center. A Law Enforcement Rehabilitation Center is defined in the Code as, "A facility operated under the direction of a law enforcement agency whose primary purpose is the rehabilitation of adults (18 years of age or older) convicted of criminal offense(s). A center may include living quarters, in-house counseling services and education facilities. Residents of such a center may not necessarily be kept confined, but shall be under twenty-four hours supervision."

Offender Services, Inc. (OSI) is a non-profit corporation that provides supervision and treatment for developmentally disabled criminal offenders. OSI proposes to site a maximum of three clients within the home at 831 Colorado, plus one 24 hour per day staff person. OSI is required to provide intense supervision and all clients will be in the line of sight of staff at all times until they have reached high levels of performance over a period of approximately four years. Clients live at the home and are transported to work and to attend counseling sessions at various counseling agencies in the community. (See applicant's submitted general project report for more information.)

The home at 831 Colorado has three bedrooms and is large enough to site only two clients and one staff. Each client and staff require a separate bedroom. The applicant requests approval for three clients so if an additional bedroom is added in the future no additional approval would be required. The home sits on a 4712 square foot lot. An addition to the outside of the home is not feasible to keep it in character with other single family dwellings in the neighborhood. The floor plan of the inside of the home does not lend itself well to the addition of an additional bedroom. Staff recommends that this site be limited to two clients and one staff.

Parking for the facility is proposed in the rear off the alley. The submitted site plan shows four spaces, however the disabled space is smaller than code requirements (12' provided, 13' required). Parking requirement for this facility is three spaces. Staff recommends that only three spaces be provided in the rear on an asphalt surface so the residential character of the home is kept intact as much as possible. A disabled space will not be required.

By administrative review, staff approved the Special Use Permit with conditions per the following criteria in Section 4-8-1 of the Grand Junction Zoning and Development Code:

- A. The proposed use must be compatible with adjacent uses. Such compatibility shall be expressed in terms of appearance, site design and scope, as well as the control of adverse impacts including noise, dust, odor, lighting, traffic, etc.**

The proposed use is for a residence for 3-4 persons. Only one modification of site will occur with the addition of paved parking in the rear for 3 vehicles. Parking off the alley is not uncommon in this single family neighborhood. No Signage is proposed. Residents will come and go from the home, under supervision with much the same schedule as other adjacent residential uses.

- B. The use shall be approved only if the design features of the site, such as service areas, pedestrian and vehicular circulation, safety provisions, accessory uses, accessways to and from the site, buffering, etc., are sufficient to protect adjacent uses.**

No change is proposed in service areas or pedestrian circulation than that typical of a single family home. As indicated in A above, parking will be accommodated in the rear for 3 spaces. Parking in the rear of homes in driveways or detached garages is not uncommon in this neighborhood. A landscaped buffer will be installed between the parking area and the residential use to the west.

- C. Proposed accessory uses must demonstrate that they are necessary and desirable. Such proposed uses shall also comply with the requirements of A and B above. Undesirable impacts on these uses shall be controlled or eliminated.**

No accessory uses are proposed for the site.

- D. Adequate public services (e.g. sewage and waste disposal, domestic and irrigation water, gas, electricity, police and fire protection) must be available without the reduction of services to other existing uses.**

The use has no perceived impact on public utilities in the area above that associated with a standard single family residential home. The Police Department has verbally stated that they do not perceive any impact from the home on the services they provide the neighborhood. If the need does arise for law enforcement services, the Police Department is located in relatively close proximity to the use.

- E. Other uses complementary to, and supportive of, the proposed project shall be available including schools, parks, hospitals, business and commercial facilities, transportation facilities, etc.**

Being located in the downtown area, the site has good access to all of these facilities.

- F. Provisions for proper maintenance shall be provided.**

As part of their vocational experience, clients are required to maintain the residence.

- G. The use shall conform to adopted plans, policies, and requirements for parking and loading, signs and all other applicable regulations of this Code (see General Regulations, Chapter Five).**

The site plan as modified conforms to adopted plans, policies and requirements for parking. No signs are proposed.

STAFF RECOMMENDATION: Approval of this special use permit with the following conditions:

1. The site shall be limited to 2 clients.
2. Parking for 3 vehicles shall be provided in the rear on an asphalt surface. A minimum 5 foot wide landscaped buffer shall be maintained between the parking area and the property line to the west. Grass or shrubs and at least one tree shall be provided in this space.

MESA COUNTY VALLEY SCHOOL DISTRICT NO. 51

Emerson Building
930 Ute Avenue, Grand Junction, CO 81501
(970) 257-0287 FAX: (970) 257-7117

Your public schools...there's no better place to learn

Judy Thornburg
Executive Instructional Director
Elementary

November 5, 1996

TO GRAND JUNCTION PLANNING COMMISSIONERS:

This letter is written to inform you of our opposition to the establishment of a home for mentally disabled sex offenders at 831 Colorado Avenue. Our opposition is due to the proximity of this home to Emerson School, 930 Ute Avenue, which currently serves 53 students aged four to seven. We anticipate adding another classroom to the Emerson School in the fall of 1997.

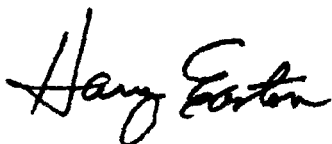
We understand that this home is intended to serve as a community corrections treatment program for offenders who cannot be appropriately treated at the corrections center due to their unique needs. While we understand the necessity to provide a treatment facility for Offender Services Inc. clients, we object to the proximity of this facility to a primary school.

Thank you for your consideration in this matter. We will be attending the public hearing this evening at the City Auditorium.

Sincerely,



Judy Thornburg
Executive Instructional Director



Harry Easton
Principal, Emerson School

RECEIVED GRAND JUNCTION
PLANNING DEPARTMENT
NOV 5 1996

KEY (as best as can be determined without accurate official tracking and reporting. There may be more facilities existing or proposed):

1. Proposed sex offender housing - 831 Colorado Avenue
2. Salvation Army Residential Drug & Alcohol Rehab. - 903 Grand Ave.
3. Salvation Army Women's & Children's Shelter
4. Proposed Youth Offender Group Home (formerly Horizon House)
5. State Dept. of Youth Corrections Group Home (16 live-in plus non-residential counseling for probation and parole violators - mostly alcohol and drug problems, but also the occasional sex offender)
6. Mesa Developmental Services - Administrative Offices
7. D.A.Y. House (Mesa County Social Services) - Provides a variety of non-residential counseling services including "...therapeutic services for children eight to twelve who are sexual offenders," according to DAY House brochure. 838 Grand Ave.
8. Columbine Elementary School - note closeness to potential danger
9. Group Home for mentally ill - 853 Ouray Ave. - Colorado West Mental Health Services
10. East Middle School - note closeness to potential danger
11. Colorado West Mental Health counseling center - 450 Ouray Ave.
12. Group Home for mentally ill - 738 N. Fifth - Colorado West Mental Health
13. Mesa County Corrections Work Release Facility
24. R-5 High School - note closeness to potential danger

November 5, 1996

We, the undersigned residents of Ratekin Tower located at 875 Main St. Grand Junction, Co. 81501, are opposed to Offender Services, Inc. opening a facility at 831 Colorado Ave. Housing developmentally disabled sex offenders is not in the best interest of our neighborhood and, poses a physical and mental threat to area residents. Ratekin Tower residents are elderly and/or handicapped/disabled and will no longer feel safe in the neighborhood.

Resident Name

Apt #

| Resident Name | Apt # |
|-------------------|-------|
| Jack Rainey | 4375 |
| May Ellen Mattson | 306 |
| Florence Samay | A 302 |
| Fred Montoya | 301 |
| Eva Chrises | 320 |
| Julia Rodriguez | |
| Esteban Lopez | |
| Lena McSwain | 21B |
| Isabel Bueno | |
| ANNA Bueno | |
| Chelsie Black | 609 |
| Eva Luna | |
| Don [Signature] | |

November 5, 1996

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Resident Name

Apt #

Heraldine Dowdy

515

Mary Ann Casner (F)

619

Fabian Monton

Erilyn Ott

105

Ruth King

220

John W. King

228

Chuck

303

Barbara Ward

111

Bernard H. Haley

613

November 5, 1996

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| Resident Name | Apt # |
|----------------------|-------|
| Rebecca Kaddy | 404 |
| Bonville P. Hastings | 517 |
| Theresa L. McCork | 309 |
| Penny Hampton | |
| Irene Rowe | 602 |
| Beverly Miller | |
| Walt Beck | |
| Faye Anderson | #611 |
| Jacqueline Aitell | - |
| Golda Hanson | |
| Ruby R. White | |
| Margaret M. Farland | 308 |
| Gene Brown | 614 |
| Oleta Howe | 505 |
| Ron Schenk | |
| Winnie Feugate | 403 |
| Doris Kess | |
| John D. Spor | 205 |
| W. Thompson | 108 |
| Stephen Matthews | |
| Golda Ruth | |
| Madeline Fox | 418 |

GJ planners reject sex-offender group home

By SHARYN WIZDA
The Daily Sentinel

A company that houses and treats developmentally disabled sex offenders is re-evaluating its options after the Grand Junction Planning Commission denied its request to move into a downtown neighborhood.

The commission's 3-2 decision Tuesday night came after scores of downtown residents begged the panel to reject Offender Services Inc.'s application to use the home at 831 Colorado Ave. as a residential center for two developmentally disabled

sex offenders.

"I guess my concern is for the church and the neighborhood," said Margaret French, who teaches at First Bible Presbyterian School, 800 Colorado Ave. "With the children in that area, I'm really concerned that even with one person supervising two people, there will be problems."

Ed Fortison, who lives on Ouray Avenue near Eighth Street, said the downtown area already bears a

disproportionate share of mental-health and rehabilitation centers. Offering commission members copies of a map he'd drawn showing the different centers, he reeled off the names of the facilities: the community-corrections and work-release center on Pitkin Avenue, a juvenile-rehabilitation facility on Grand Avenue, group homes for the mentally disabled.

"Isn't this enough already?" he

asked. "How much risk should one neighborhood bear?"

The commission also received a petition against OSI from residents of Ratekin Towers, 875 Main St., as well as a letter from School District 51 opposing the move because of the proximity of Emerson school.

OSI houses three clients in a location near Fruita. Its system calls for a maximum of three residents per site, so when a fourth client was

approved, the company explored expansion. OSI provides intensive supervision and a home for developmentally disabled criminals, who can't be housed with non-developmentally disabled people.

Jim Cheney, a former Mesa County probation officer who is OSI's executive director, said the commission's decision potentially paves the way for OSI to locate in a commercial-zoned area — which

Downtown neighborhood rallies to fight residential center

was what he and other OSI staffers originally wanted.

OSI had initially found suitable facilities in a commercially-zoned area, but chose the 831 Colorado site after being told by city planners that zoning rules only allowed such a center in two kinds of business zones — areas primarily located amid downtown residential neighborhoods.

"This has shown a dilemma we already knew we had," Cheney said. "The planning commission may be more amenable to rezoning in a commercial area."

LOCAL NEWS

THE DAILY
SENTINEL
TELEVISION
CROSSWORD
OBITUARIES

SECTION
B

SUNDAY, NOVEMBER 3, 1996

Sex offenders worry neighbors

Proposed downtown home would treat developmentally disabled perpetrators

By **SHARYN WIZDA**
The Daily Sentinel

A company that treats and houses developmentally disabled sex offenders wants to open up shop at 831 Colorado Ave. — a move that has residents of that downtown area worried.

"We just don't need that in our neighborhood," said Virginia Clary, an 87-year-old retiree who lives a few houses away. "I am very much against it. I'm afraid they don't watch those people quite close enough."

Offender Services Inc., a nonprofit private company funded by the state, is designed for

the developmentally disabled perpetrator whose crimes aren't necessarily serious enough for prison but too serious for probation.

These offenders can't be housed with other developmentally disabled people who haven't committed crimes because they often victimize the other residents.

OSI began operations three years ago in a trailer on 18½ Road near Fruita. Headed by former Mesa County probation officer Jim Cheney and Grand Junction psychologist Carolyn Nelson-Sonda, the company offers round-the-clock supervision of clients referred by the courts.

Their system calls for a maximum of three clients at a site — a limit they'd already met in Fruita. So when a fourth client was approved, they started looking for another location.

The 831 Colorado house "wasn't our first choice," Cheney said.

Indeed, in a July letter to city planners, Cheney said OSI found suitable facilities in a commercial-zoned area.

"Because our clients are criminals, often predatory, we do not want to locate our new



JENNIFER WEBER/The Daily Sentinel

30 PEOPLE PETITIONED AGAINST a plan to house developmentally disabled sex offenders at this house at 831 Colorado Ave. Although approved by the Planning Commission, the plan can be appealed to the City Council, or in court.

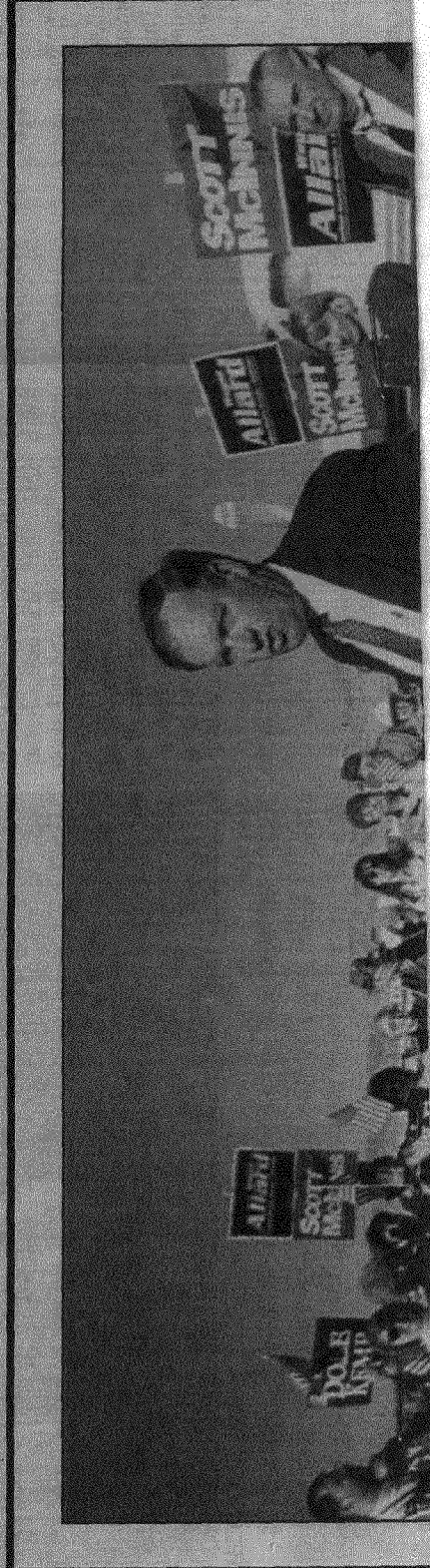
"Everyone is alarmed about it that I've talked to."

MARK SHAFFER
helped circulate petitions against the home

"We're not a do-gooder group. Our clients are in a real tight program."

JIM CHENEY
former Mesa County probation officer

Parental rights backers say plan returns control



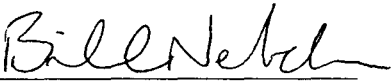
**CITY OF GRAND JUNCTION
PLANNING COMMISSION**

| | | |
|--------------------------|---|-----------------------|
| _____ |) | |
| FOR |) | FINAL DECISION |
| |) | |
| Jim Cheney |) | SUP-96-215 |
| Offender Services Inc. |) | |
| 2004 N. 12th St. #47 |) | |
| Grand Junction, CO 81501 |) | |

An application by Offender Services Inc., requesting a special use permit to allow a law enforcement rehabilitation center in a B-1 zone, affecting the real property described below, was considered by the City of Grand Junction Planning Commission on November 5, 1996.

The real property affected by said application is described as the east half of lot 7 and all of lot 8, block 129, City of Grand Junction; tax parcel number 2945-144-28-005. The address is 831 Colorado Avenue.

After considering all the pertinent testimony and reviewing various data, the Planning Commission denied the special use permit upon a finding that the proposal does not comply with Section 4-8-1 of the City of Grand Junction Zoning and Development Code.



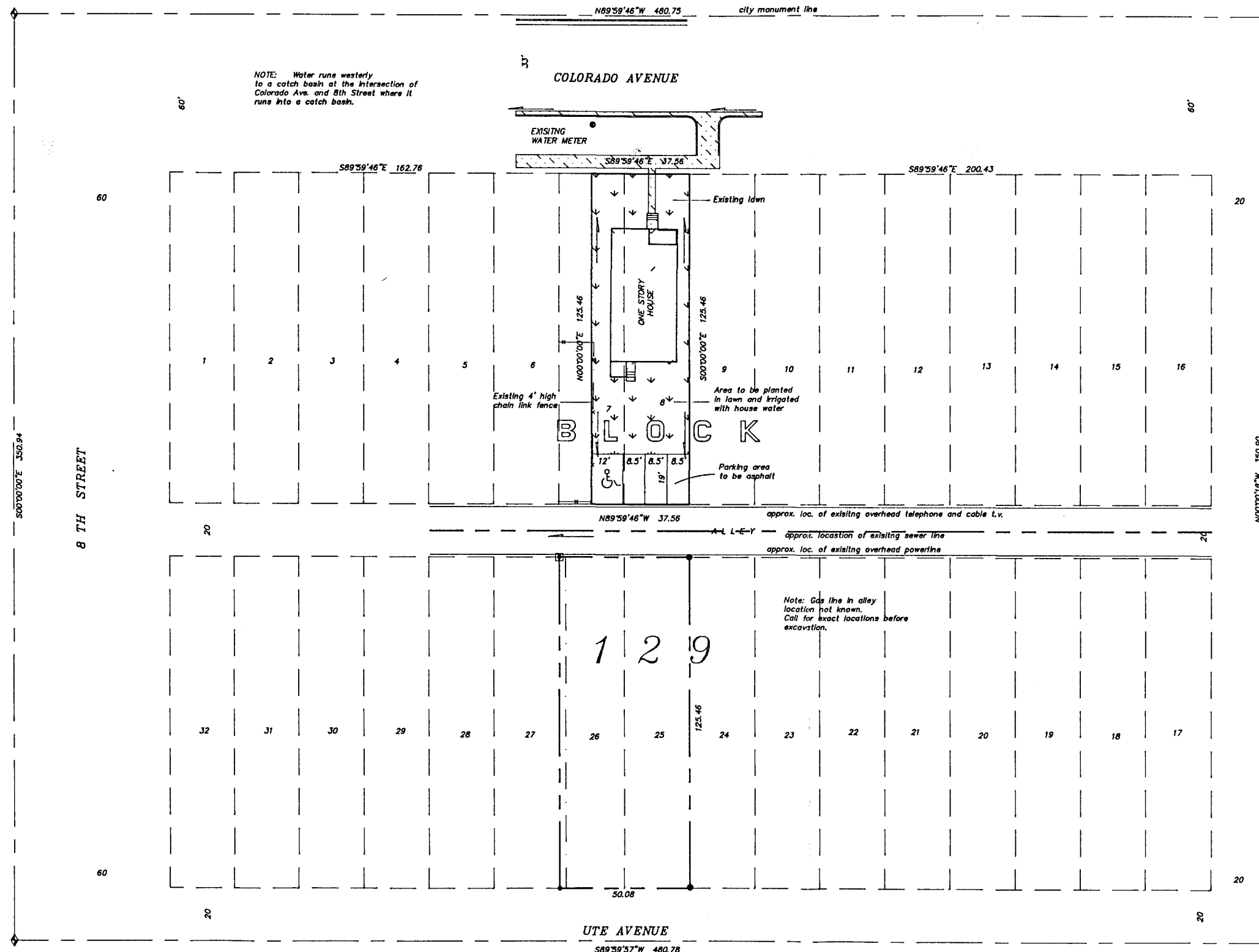
Bill Nebeker
Senior Planner

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

E2 OF LOT 7 + ALL LOT 8 BLK 129 GRAND JUNCTION



SUP-96-215
831 COLORADO AVE



DESCRIPTION
 THE E1/2 OF LOT 7, AND ALL OF LOT 8,
 BLOCK 129, CITY OF GRAND JUNCTION,
 MESA COUNTY, COLORADO

LEGEND & NOTES

- FOUND 1 INCH PIPE
- SET NO. 5 RE-BAR W/CAP L.S. 23877
- ◻ SET CONCRETE NAIL AND CAP L.S. 23877
- ◆ FOUND CITY MONUMENT

— DIRECTION OF EXISTING WATER FLOW



NOTICE:

ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

revised 10/23/96

831 COLORADO AVENUE

| 831 COLORADO AVENUE | | |
|--|---|---------------------|
| SITE PLAN | | |
| E1/2 LOT 7 AND ALL OF LOT 8, BLOCK 129, CITY OF GRAND JUNCTION | | |
| FOR: OSI |  Q.E.D. SURVEYING SYSTEMS Inc. P.O. Box 188 PALISADE COLO. 464-7568 241-2370 | SURVEYED BY: DMM DS |
| SCALE: 1" = 20' | | DRAWN BY: MEM |
| DATE: 9/30/96 | | ACAD ID: OSISITE |
| | | SHEET NO. |
| | | FILE: 96268 |