



**PLANNING COMMISSION AGENDA
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET**

TUESDAY, MARCH 25, 2014, 6:00 PM

Call to Order

Welcome. Items listed on this agenda will be given consideration by the City of Grand Junction Planning Commission. Please turn off all cell phones during the meeting.

Copies of the agenda and staff reports are located at the back of the auditorium.

Announcements, Presentations and/or Prescheduled Visitors

Consent Agenda

Items on the consent agenda are items perceived to be non-controversial in nature and meet all requirements of the Codes and regulations and/or the applicant has acknowledged complete agreement with the recommended conditions.

The consent agenda will be acted upon in one motion, unless the applicant, a member of the public, a Planning Commissioner or staff requests that the item be removed from the consent agenda. Items removed from the consent agenda will be reviewed as a part of the regular agenda. Consent agenda items must be removed from the consent agenda for a full hearing to be eligible for appeal or rehearing.

1. Minutes of Previous Meetings

[Attach 1](#)

Approve the minutes from the February 20 Joint City of Grand Junction and Mesa County special meeting and the February 25, 2014 regular meeting.

***** END OF CONSENT CALENDAR *****

***** ITEMS NEEDING INDIVIDUAL CONSIDERATION *****

Public Hearing Items

On the following item(s) the Grand Junction Planning Commission will make the final decision or a recommendation to City Council. If you have an interest in one of these items or wish to appeal an action taken by the Planning Commission, please call the Planning Division (244-1430) after this hearing to inquire about City Council scheduling.

2. Cannell Avenue ROW Vacation - Vacation

[Attach 2](#)

Forward a recommendation to City Council to vacate portions of public right-of-way of Cannell Avenue, Elm Avenue and associated alleys between Kennedy and Texas Avenue as part of Colorado Mesa University expansion projects.

FILE #: VAC-2014-40

APPLICANT: Kent Marsh - Colorado Mesa University

LOCATION: Cannell Avenue

STAFF: Scott Peterson

General Discussion/Other Business

Nonscheduled Citizens and/or Visitors

Adjournment

**Attach 1
Minutes of Previous Meetings**

**JOINT GRAND JUNCTION AND MESA COUNTY
PLANNING COMMISSION MEETING
February 20, 2014 MINUTES
6:00 p.m. to 7:27 p.m.**

The joint meeting of the City of Grand Junction and Mesa County Planning Commissions was called to order at 6:00 p.m. by Chairman Reece. The public hearing was held in the City Hall Auditorium located at 250 N. 5th Street, Grand Junction, Colorado. The meeting was also called to order by Vice Chairman Jones for Mesa County.

In attendance, representing the City Planning Commission, were Christian Reece (Chairman), Ebe Eslami (Vice-Chairman), Jon Buschhorn, Loren Couch, Kathy Deppe, Steve Tolle and Bill Wade.

In attendance, representing the County Planning Commission, were Phillip Jones (Vice-Chairman), Pat Bittle (Secretary), Christi Flynn, William Page and Wes Lowe.

In attendance, representing the City's Administration Department - Planning Division, were Lisa Cox (Planning Manager) and David Thornton (Planning and Development Supervisor).

Representing Mesa County were Kaye Simonson (Senior Planner) and Keith Fife (Long Range Planning Director).

Jamie Beard (Assistant City Attorney) was present.

Darcy Austin was present to record the minutes.

There were 21 citizens present during the course of the hearing.

Call To Order

City Commissioner Reece called the City meeting to order and everyone stood to say the Pledge of Allegiance.

County Commissioner Jones called the meeting to order on behalf of the Mesa County Planning Commission.

Announcements, Presentations And/or Visitors

There were no announcements.

Consent Agenda

1. Minutes of Previous Meetings

Commissioner Reece stated that previous Minutes were not available at this time.

*** * * END OF CONSENT CALENDAR * ***

Public Hearing Items

On the following items the Mesa County Planning Commission will take final action and the Grand Junction Planning Commission will make a recommendation to City Council. If you have an interest in one of these Items, or wish to appeal an action taken by the Planning Commission, please call the Community Development Department (244-1430) after this hearing to inquire about City Council scheduling.

2. ORCHARD MESA NEIGHBORHOOD PLAN COMPREHENSIVE PLAN AMENDMENT (BY GRAND JUNCTION PLANNING COMMISSION); ORCHARD MESA NEIGHBORHOOD PLAN MASTER PLAN AMENDMENT; (BY MESA COUNTY PLANNING COMMISSION)

1) To approve the Orchard Mesa Neighborhood Plan; and 2) To approve an amendment to the Future Land Use Map encompassing 53 acres of land in and around the Mesa County Fairgrounds between 27 Road and 28 1/4 Road and B Road to B 3/4 Road.

CITY FILE # CPA-2013-552 & CPA-2013-553
REPRESENTATIVE: City of Grand Junction Planning Division
PLANNER: David Thornton, (970)244-1450,
davidt@ci.grandjct.co.us

COUNTY FILE #: 2013-0149 MP
REPRESENTATIVE: Mesa County Planning Division
PLANNER: Kaye Simonson, (970) 255-7189,
kaye.simonson@mesacounty.us

The Orchard Mesa Neighborhood Plan is a joint effort between the City of Grand Junction and Mesa County.

Staff's Presentation

(Mesa County) Kaye Simonson, Senior Planner, stated she would like to enter into the record project file number 2013-0149 the Mesa County Master Plan, the Mesa County Development Code, the Staff Report and a presentation as Exhibit A. She stated that you have also received two letters that have been received since the project report was prepared, one from Maryanne Bradshaw and one from Jim Komatinsky which would be part of the public comment.

(City of Grand Junction) Dave Thornton, Planning and Development Supervisor, stated that the Staff Report had been handed out and given to the commissioners as well as the two letters that Kaye mentioned. To follow will be a power point presentation and the planning files for CPA 2013552 and 553. Mr. Thornton stated that it truly was a joint effort between the City of Grand Junction and Mesa County staff and the public,

citizens of the City of Grand Junction and unincorporated Mesa County.

Mr. Thornton stated that the Neighborhood Plan allows us to focus on the specific needs of an area. The Mesa County Master Plan which includes the Grand Junction Comprehensive Plan is a very important document to our community and what the Neighborhood Plan does is allow us to look a little closer to specific areas in the Comprehensive Plan, in this case Orchard Mesa. He stated that you may ask the question why a Neighborhood Plan and why now for Orchard Mesa. In 2010 when the Comprehensive Plan was adopted by City Council and by the Mesa County Planning Commission, the previous 1995/2000 revised Orchard Mesa Neighborhood Plan was sunset with the Comprehensive Plan adoption. In 2010 we heard from various members of the Orchard Mea Community about their concerns with having the Orchard Mesa Neighborhood Plan sunset. As we spoke with them we let them know that we would come back and work with them on a new Neighborhood Plan where we could take a fresh look at the issues that Orchard Mesa is facing. We have done that for this past year.

Some of the things the Neighborhood Plan does is further implements the Comprehensive Plan, helps guide development in the area, provides public and private sector guidance, identifies infrastructure and service's needs, describes the community character, in this case what is the image that Orchard Mesa has today and what is the image that we would hope to have in the future and promotes protection of resources. During the past year, and highlighting this process, we held eleven focus groups and stake holder meetings that we held early on in the process. We held three joint workshops with both the County and City Planning Commissioners. The Board of County Commissioners have been briefed a couple of times during the process, once in June and in October. City Council received updates both in September and in January of this year. We held six Open Houses during the months of June, August and November and tried to hold those in various places around the Orchard Mesa Community to allow some flexibility for people so they could pick a certain day or location that was convenient for them.

We completed a Draft Preliminary Plan made available to the public for comment in November 2013 and a final Draft Plan was made available for public review and comment in December 2013 and provided a thirty plus day review period for people to respond and give us their comments. Tonight we are holding a public hearing in order to consider the adoption of this plan. The current schedule is to take this to City Council in April.

The Orchard Mesa plan area encompasses about 13,000 acres or just over 20 square miles. Within that area, around 3 square miles or about 15% of the area is currently inside the city limits of Grand Junction, the remainder being unincorporated area. When you look at the area from the perspective of what has been identified as Urban or Future Urban as part of the Comprehensive Plan, there is a little over half the planned area that is within that Urban Developed Boundary that was established as part of the Master Plan or Comprehensive Plan. Geographically, the Plan area includes the area bounded by the Gunnison River on the west, the Colorado River on the North, the South border being the landfill area or Whitewater hill and the Eastern boundary jaunts a little bit, but the further most portion is 34 ½ Road and the northeast border of the Plan area

touches the Grand Junction, Mesa County, Palisade Cooperative Plan Area, sometimes referred to as the buffer area.

The Plan is setup in twelve topic areas or chapters. Each chapter includes a background section describing Orchard Mesa as it exists today in addition to the issues or needs that were identified with this planning process. Then each chapter quotes directly from the Comprehensive Plan/ Mesa County Master Plan the policies for each chapter topic. Goals that have come out of this planning process from the issues identified through the process are also included in each chapter. The goals are written to be accomplished over the next fifteen to twenty years. Each goal has actions or action steps, which are specific steps or strategies to implement the policy or to reach the goal. This is how the proposed Plan document is laid out. We submit this Plan as part of the public record.

(Mesa County) Mrs. Simonson stated that there are twelve chapters within the draft plan, community image, future land use/zoning, rural resources, transportation, economic development, parks, recreation, open space and trails, storm water, Mesa County Fairgrounds, public utilities and services, housing trends, natural resources and historic preservation. The first chapter is community image, which was a very important topic that we heard about in all of our Open Houses. The community is very concerned about the appearance of the community, both in the urban areas and the rural areas which is why it leads off the plan.

Some key actions and goals that we have included are safe and attractive entrances with an action for that being to create a streetscape plan for the Highway 50 corridor to improve the appearance and give people a sense that they have arrived to somewhere important. Another goal is to preserve and enhance the quality of life, we heard about Neighborhood Watch as an option and safe routes to schools and the ability to move safely, especially our children, around Orchard Mesa. Another goal is for attractive, well maintained properties and cohesive neighborhoods; going back to the code enforcement issues regarding weeds, junk and rubbish.

Out of this planning process a concept was developed for the Highway 50 and B ½ Road Overpass. An idea to improve the appearance of that and give it something more aesthetically pleasing and something people could be proud of. We did include this concept in the plan and this is within the City limits and has been discussed with the City Council and they were supportive of the idea.

In regards to the Future Land Use chapter, this Plan supports the Comprehensive Plan as a whole and the guiding principles for a sustainable growth pattern. Some of the development patterns that are desired are to make sure we develop the infill areas first, where it is most economical where services are available, then moving outward as demand occurs. We don't consider sustainable to be leap frogging out to undeveloped areas and leaving areas in between.

Another big issue was to preserve the 32 Road Corridors as rural as there is a major sewer line that runs through that area that serves the Whitewater community. It is quite clear in the Plan that it shouldn't be used to allow urban level development along the 32 Road corridor.

The Plan continues to support the development of the existing and proposed Neighborhood and Village Centers as established in the Comprehensive Plan. There is a Neighborhood Center around City Market and the Mesa County Fairgrounds. There is a long range, very much in the future Village Center identified around 31 Road, however that would be dependent upon there being a need and that development has arrived in that area and there were services needed for it.

We aren't proposing significant changes to the Future Land Use for the area since it was adopted in 2010, however we did identify a need to amend the Future Land Use Map around the Neighborhood Center. As can be seen in the top map, it was originally set up with some concentric circles, showing a Neighborhood Center at the middle going out to a residential medium high and downward to less dense residential. This has caused multiple land uses to be on the properties, most notably the Mesa County Fairgrounds which has four different Land Uses on it. This proposal would make the Neighborhood Center, the triangular shaped piece, between the Highway and B ½ Road and from 27 ½ eastward to 28 ¼. (Referring to the map) the red areas would become Commercial, which is fairly consistent with the Zoning that is in place for those properties and would remove some inconsistencies that now exist between the Future Land Use Map and the Zoning. The Mesa County Fairgrounds would become a Park (Future Land Use designation), which is consistent with the 2012 Fairgrounds Master Plan that has been developed for the Mesa County Fairgrounds.

Rural Resources were another real significant issue identified, as we previously mentioned about 50% of the area will remain outside the Urban Development Boundary and is proposed to continue to be Rural. Land uses east of the 31 Road and the 32 Road corridors should retain their rural character. We want to identify and protect important view sheds and not allow existing sewer infrastructure to promote or create urban development along 32 Road. Agricultural businesses are viable and an important part of Orchard Mesa's economy. A key to that is to support the CSU Agricultural Experimental Center and identify and permit appropriate areas for farmers markets.

Our key goals for transportation were to have Highway 50 and other roads become complete streets, meaning that they are planned, designed, operated, and maintained to enable safe, convenient and comfortable travel and access for users of all ages and abilities regardless of their mode of transportation. We identified the need for safe walking routes to schools; currently the Highway 50 corridor is a significant barrier. Students that live within the School Districts walking radius are instead bused to the school even though they may be able to see it from their house because it is not considered safe for them to cross the highway. We also need adequate transit service's and routes and as demand and budget allows we would be able to add or adjust bus routes.

Another key concept that has come out of the Plan, is to improve pedestrian access to and within the Neighborhood Center. With a new light at 27 ¾ Road near the City Market and the Mesa County Fairgrounds there really is not a need for people who are East bound on Highway 50 to go back across the B ½ Overpass/Bridge and loop around, so that is slated for closure in the CDOT Access Control Plan. When that

happens we will have a two lane bridge that only needs one lane of traffic and the idea here is that the extra lane can become a pedestrian route and a way to safely cross Highway 50. There would be a substantial savings in that we would be able to do this for a few hundred thousand dollars instead of a few million dollars, which is the general cost of a pedestrian bridge over a highway. This plan also identifies several other areas to enhance and improve pedestrian connections including one coming into the Mesa County Fairgrounds (from B ¼ Road) by the Little League fields connecting those neighborhoods into the fairgrounds.

Economic Development was another big topic that we heard a lot about from the community. They expressed a wish that there be more convenient shopping and services and for this we will need public/private partnerships to market Orchard Mesa. There needs to be destination businesses and facilities that help draw people to Orchard Mesa and in turn help them go to the businesses that are there. So this would require coordination among local economic development partners. There is a need for an Orchard Mesa Business Association that could be a “champion” to lead organizing businesses. Finally the thriving agricultural industry needs to be a part of it and promoted as part of the Fruit and Wine Byway. There is a marketing effort in place for that.

One of the Parks, Recreation, Open Space and Trails chapter key goals is to meet the Parks and Recreation needs of the residents by identifying locations for new mini and neighborhood parks. The Old Spanish Trail and Gunnison River Bluffs Trail are a recreation destination and the community sees it is a great asset to Orchard Mesa and will bring people there. To that end there is a need to adopt and market the Sisters Trail Plan that has already been prepared. The Plan expresses a need for trails connecting to the Riverfront Trail, the Redlands and Whitewater so that Orchard Mesa would be part of the whole network that connects the area. We want to make sure that we work with property owners when we are planning those routes.

The Storm Water chapter discusses the 2009 Flood Plain Study done for the Orchard Mesa area that determined there was a significant portion of the area within a 100 year flood plain. We have included this chapter in the Orchard Mesa Plan for several reasons. One is to provide information to people, to let them know that this study exists and there is this condition so that they are aware of it, for property owners, developers or any other agencies that might be looking at the Orchard Mesa neighborhood Plan. The second part, by having it in the Plan, it informs everybody that there is a need to address the issue and lays out several goals and actions that can be under taken to do this. The goals include limiting property damage and a possible action would be to support regional retention and detention facilities within the area. Improving and maintaining drainage facilities is another goal, which would mean we would need to establish regional drainage facilities with our many partners.

The Mesa County Fairgrounds is discussed in its own chapter since it is a key component of the Orchard Mesa area, they have their own Master Plan that guides their own development internally but the Plan addresses how the fairgrounds fits into Orchard Mesa and what we can do to support the fairgrounds and how they can interact with the surrounding area. A key goal is to reduce the impact on surrounding neighborhoods by providing neighborhood outreach and notification of events that may

affect area residents. Also the goal of connecting to the surrounding neighborhoods is included by maintaining pedestrian access, including providing access from B ¼ Road, and improving Highway 50 cross-access for pedestrians and bicycles.

Public Services and Facilities, Ms. Simonson stated that we want to make sure that services and infrastructure are cost-effective and meet the needs of residents and businesses and be sure that all our utility services are designed and constructed to provide adequate capacity. We also want to make sure that sewer services are not extended to rural areas, so that they do not induce growth. We want to make sure the community and public facilities meet the needs of area residents. We heard from several residents that they want a Post Office, which is a little bit out of our hands, but we put it in the Plan as a reminder to everybody that this is important. We want to make sure the County Library is maintained and we protect the CSU Agricultural Experimental Center from urbanization and we create safe routes to schools. We want to provide adequate public safety services and promote the Colorado Law Enforcement Training Center on Whitewater Hill as a regional training facility; this is another thing that has potential to be a key anchor or draw to Orchard Mesa. It is the only facility of its type between Denver and Salt Lake City, so it would be used for agencies all over the West Slope. We need to make sure the capital improvements and economic development will support these.

Ms. Simonson stated in regards to housing, some things that were noted was that 91% of the houses in Orchard Mesa are single family homes and we want to make sure that there is a broad mix of housing types available for all residents, this is especially important as the population ages over the next twenty years. We want to make sure it meets the needs for all income and family types. We need to identify any unmet needs in the housing market, and resolve regulatory barriers. We want to make sure that housing is safe and attainable and that neighborhoods are safe and attractive, that we work with housing partners, neighborhood groups, HOA's, landlords, the development community and the public at large.

Ms. Simonson stated that a goal for Natural Resources is to efficiently use our mineral resources while minimizing the impacts to neighborhoods and natural resources by following the County's Master Plan, regulate Gravel Operations using the CUP process; and collaborate with the mining industry to develop innovative approaches for reclamation. We want to make sure to preserve the natural environment such as wetlands, floodplains, steep slopes; there are a lot of drainages through the area. Ms. Simonson stated we want to preserve visual resources and air quality including some key view sheds in the area and continue to work with the Natural Resource Conservation Service and Tri-River Extension on best management practices.

The final chapter is historic preservation, our primary goal to preserve/protect significant historic, cultural and paleontological resources and this can be done by striving to protect significant resources; inventory historic, cultural and paleontological resources and by encouraging the promotion of the Old Spanish Trail which has been nationally recognized by Congress.

(City of Grand Junction) Mr. Thornton stated that with any long range plan we need to make sure as we move forward that it meets the criteria in the City of Grand Junction

Zoning and Development Code. Section 2.5.C states that the Comprehensive Plan can be amended if the City finds that the proposed amendment is consistent with the purpose and intent of the Plan and it meets the following criteria;

Section 2.5.C.a. shows there was an error such that than existing projects or transits were reasonable foreseeable were not accounted for. In 1995/2000 Orchard Mesa Plan was Sunset with the adoption of the 2010 City of Grand Junction Comprehensive Plan. At that time the need for a new Plan for Orchard Mesa was recognized in order to address the needs of the area in a way that would be consistent with the Comprehensive Plan, so that criterion is met.

Section 2.5.C.b regarding subsequent events have invalidated the original premises and findings; the 2000 Orchard Mesa Plan was Sunset and there was a need for a new Orchard Mesa Plan. When you look at some of the subsequent events since the Comprehensive Plan was adopted, a sewer line was constructed along 32 Road, the Mesa County Fairgrounds Master Plan was adopted in 2012 and more recently the Colorado Law Enforcement Training Center at Whitewater Hill has a facility built and continues to grow, this criterion is met.

Section 2.5.C.c regarding the character or condition of the area have changed enough that the amendment is acceptable, as such changes were not anticipated and not consistent with the Plan, there have been numerous changes to the condition and character of the area as previously noted, thus the criterion is met from those changes.

Section 2.5.C.d regarding being consistent with goals and policies of the Comprehensive Plan including applicable special area, neighborhood and corridor plans, the proposed Orchard Mesa Neighborhood Plan addresses all six guiding principles in the Comprehensive Plan and specifically addresses ten of the twelve Comprehensive Plan goals and their related policies. There is a list of those in the Staff Report, so this criterion has been met.

Section 2.5.C.e regarding public and community facilities that are adequate to serve the types and scope of land uses proposed for the area, Orchard Mesa has seen development for a long time and the facilities continue to get better, yet we know there is a lot of need, which is one of the reasons for the Orchard Mesa Plan so we can identify those needs. As part of this planning effort we want to identify those, so this criterion is met.

Mr. Thornton stated for Section 2.5.C.f regarding the inadequate supply of suitably designated land as defined by the presiding body to accommodate the proposed land use, staff determined that in this case it is found that this is not applicable.

Mr. Thornton stated for 2.5.C.g regarding benefits to the community, staff clearly believes that this has been met. There are benefits by adopting this Neighborhood Plan, so this criterion is met.

Mr. Thornton stated the proposed amendments to the Future Land Use Map in the area of the Neighborhood Center are consistent with the purpose and intent of the Plan and the Review criteria in Section 2.5.C of the Zoning and Development Code have all been

met.

Mr. Thornton stated that staff is recommending approval asking the Planning Commission to forward a recommendation of approval to City Council adopting the Orchard Mesa Neighborhood Plan as an element of the Comprehensive Plan and also for the recommendation of approval amending the Future Land Use Map with the changes that Mrs. Simonson went over for the area in and around the Neighborhood Center. These two requests are found in the two City files, CPA-2013-552 and CPA-2013-553 and are presented as separate ordinances.

(Mesa County) Ms. Simonson stated that in order to approve any amendments to the Mesa County Master Plan the approval criteria for 3.2.8 must be met and the Planning Commission must find that the amendments are consistent with the overall purpose and intent of the Mesa County Master Plan and the general approval criteria of Section 3.1.17C of the Land Development Zoning Code.

Ms. Simonson stated that for 2.5.C.a. which shows there was an error in the original Master Plan, this criterion has been met. For 2.5.C.b which states events have invalidated the original premises and findings, this criterion is met. For 2.5.C.c regarding the character or condition of the area, this criterion has been met. For 2.5.C.d regarding being consistent with goals and policies of the Master Plan, this criterion is met. For 2.5.C.e regarding public and community facilities that are adequate, this criterion is met. For 2.5.C.f regarding inadequate supply of suitably designated land, this criterion is not applicable. For 2.5.C.g for benefits to the community, this criterion is met.

Ms. Simonson stated for 3.1.17.a for complying with the Land Development Code, this criterion is met. For 3.1.17.b for being consistent with review comments, this criterion is met. For 3.1.17.c for consistent with applicable IGA's, this criterion has been met. Mesa County's recommendation is approval for the Orchard Mesa Neighborhood Plan, Project 2013-0149-MP and certifying the amendment to the Board of County Commissioner. The basis being that adopting the Orchard Mesa Neighborhood Plan does meet all applicable approval criteria found in Section 3.2.a and Section 3.1.17 in the Mesa County Land Development Code.

Questions for Staff

(Mesa County) Commissioner Page asked in reference to one of the public comments we had regarding the flood plain, can that be addressed a little bit better and why the Floodplain Plan was created by the County?

Rick Doris, Development Engineer for the City, stated that the 521 Drainage Authority is a drainage authority for the Valley, there are five government agencies that make up a portion of it and combine to make up the 521. It has its own Board and is its own entity. In 2008 the 521 Drainage Authority had a Pre-Disaster Mitigation Grant application, with the application made in 2009. It was known that there were deficiencies in the storm water system out in Orchard Mesa. It was developed in the early nineteen hundreds, mostly to handle irrigation water and as development occurred over the years there was never a comprehensive study done. It was known there were

deficiencies there and the 521 Drainage Authority had a study done to identify these deficiencies.

Mr. Dorris stated that on the Drainage Map, the flooding that is shown there is not the result of flooding from the river. It would be the result of receiving two inches of rainfall in a 24 hour period, which is our 1% chance storm or more commonly referred to as the 100 year storm. This does not mean that it happens once every hundred years; it means statistically there is a 1% chance that it could happen in any year. Ironically on Leach Creek out by the new City Market, we had 200 year events, or almost 100 year events about two hours apart two summers ago.

The study was done and the Pre-Disaster Mitigation Grant Application was made and that was around the time when the economy took a down turn and the grant was not obtained and there were no improvements done. It can still be resubmitted and they could still apply for the grant. The purpose of this is to identify where the flooding would occur if we got that two inch rain fall to let people know that there is a chance that they could get flooded and may want to obtain flood insurance, as normal home owners insurance does not cover damage from rain fall.

(Mesa County) Commissioner Page asked if any precautions have been taken. Mr. Page understood that it's a 100 year flood plain but asked if any precautions had been taken such as drainage issues from the City or the County to address that in case it did happen.

Mr. Dorris stated that none have been taken specifically out of that drainage study. Maintenance has continued to be done and there are some culverts that we knew were under sized at road crossings, and some of those have been replaced. Many of the drainage ditches are in the jurisdiction of the Orchard Mesa Irrigation District and we work with them and Mesa County. There has not been a comprehensive attack plan to say that we are going to do this tomorrow and this the next day and this next year. Money has not been made available to perform those priorities right now.

(Mesa County) Commissioner Page asked if it were to happen what would be the liabilities that the County or City would have towards any damage done to the residents around the area.

Mr. Dorris stated he would have to defer that to Jamie Beard. Jamie Beard, Assistant City Attorney, stated that for the most part this would be an act of God when the rain comes in and it's the 100 year flood and the governmental entities are not going to be responsible because of flooding in those circumstances.

(City of Grand Junction) Commissioner Reece asked if it would be correct to say that this study has not established any new flood plain and has not established any requirement for the home owners in this area to get flood insurance, but is simply information being provided in this Plan just for the general knowledge and information for the residents in Orchard Mesa.

Mr. Dorris stated that is a pretty good summary. It is not what's called a Flood Insurance Rate Map, which is the official document put out by the National Flood

Insurance Program. It is not publicized to lenders, insurance companies because it is not a Federal Study. If a property is sold right now, it would be assumed that the lender would not say you're going to have to obtain flood insurance because it's not a Federally Adopted flood plan. The City is administering it as though it were a flood plain for new structures or development that would happen because the last thing we want to happen is to let somebody build a house that is too low or develop ground, that if we get the two inch rain fall it's going to flood. It would be remised in our duties if we did so, so the City is requiring people to get flood plain elevation certificates so that in the future, "when" we get that rain, they won't be flooded.

(City of Grand Junction) Commissioner Reece stated that those requirements would only be applicable toward future development and not toward current existing structures.

Mr. Dorris stated that is correct.

(Mesa County) Commissioner Bittle stated that currently there has been some drainage problems that have occurred because of some actions of City and/or County policies and development and would that go back to Commissioner Page's question on the responsibilities on the government entities if the citizens are put in danger or their property. She asked if the City of Grand Junction or the County been derelict in some of the responsibilities in protecting this area from flooding.

Mr. Dorris stated that it is an interesting question and stated you would have to go back 100 years and ask yourself has everything happened the way that it should have happened for all of the developments and the road crossing in order to pass the 100 year event, the answer would be no. Whose responsibility is it; you could probably point the finger at a lot of folks.

(Mesa County) Commissioner Bittle asked if the 700 houses in that area are going to be the ones that are going to be the brunt of this; maintaining the establishment of it as a flood plain. It's been declared strictly by the local government and not the Federal Government, Core of Engineers, FEMA, EPA, would that be correct?

Mr. Dorris stated that it is a local study that was done by an engineering firm that specializes in drainage work and is a very large study. It is the best available flooding information that we have.

(Mesa County) Commissioner Bittle asked is it legal to say that as of now that it is established as a flood plain or does that have to be Federally designated by FEMA, Core of Engineers or EPA?

Mr. Dorris stated that it depends on ones definition of a flood plain. As a licensed Engineer Mr. Dorris stated he has done many flood studies over the last 30 years and if he analyzed a drainage channel, or in this case a large area, and he runs the hydrology on it using established engineering models, using current topography and identified that in a 100 year event these areas are going to be flooded, he wouldn't always say that it's a flood plain, but certainly an area that is going to get flooded. The City of Grand Junction is enforcing it as though it is a flood plain, but it is not a nationally recognized

flood plain. It is a locally recognized flood plain.

(Mesa County) Commissioner Lowe stated that if a person pulls a permit for a major remodel, will that foundation remodel be subject to the new elevation requirements.

Mr. Dorris stated that the way the FEMA guidelines are set up is if they did more than 50% of the value of the structure than you have to pull a permit, but more than likely we wouldn't catch that because they would just go through the Building Department. If they are not adding on we might not even address it. It isn't something that has occurred yet.

(Mesa County) Commissioner Lowe stated that if we have a remodel that is beyond the 50% of the value of the structure then elevations will be considered and compliance with the non-official Flood Plain Map will be required.

Mr. Dorris stated that it could be required, he can't tell you that it has happened because it is a different situation that if someone was adding on 1,000 square feet to their house. He doesn't know how that would be approached but internally it would be discussed.

(Mesa County) Commissioner Lowe stated that we may have a lot of inconsistency with respect to this. If the City intends to enforce it because it's the best information available and we are not enforcing it through all of our building codes and models on a consistent basis it seems kind of out of control.

Mr. Dorris stated that to his knowledge there have been two properties that this has affected in the past three years. One being the Auto Zone on Orchard Mesa as this study was adopted when they were in development review, they were required to raise their building somewhere between ½ foot and a foot. The other one was a house addition that was right next to one of the drainage channels and they had to raise their addition a foot to a foot and ½ from the rest of the house. It is not a wide spread thing and we have to decide what exactly we are going to enforce. A lot of times we don't sit down and try to scope out every single thing that we are going to do. Normal FEMA guidelines is our starting place and the reason staff might hedge on someone doing a remodel is; is the question, is that really fair to them?

(Mesa County) Commissioner Lowe stated that with respect to the Drainage Commission, are you aware of any reprioritizing of studies or action plans to put more emphasis on trying to get things started that haven't been updated for the past few years. Mr. Dorris asked if he was referring to the 521 Drainage Authority. Commissioner Lowe stated yes.

Mr. Dorris stated the 521 Drainage Authority has very little funding right now. The original idea with it was to establish a storm water utility, so everybody would get a bill, similar to a water or sewer bill, but that has not happened so they have very little funding to go out and do drainage projects. Drainage projects are very expensive, when the City did the Ranchman's Ditch Project down Patterson Road, three or four years ago; it was a 13 million dollar project. You don't do drainage fixes with only a few dollars. They do not have a project list that he is aware of, to target certain

improvements.

(Mesa County) Commissioner Lowe stated that the individual solution is to look into obtaining private flood insurance. Mr. Dorris stated that would be the first move.

(City of Grand Junction) Commissioner Wade stated that the original grant that was applied for to do the mitigation out here, what was the size of that grant request?

Mr. Dorris stated that the option chosen in drainage study was over 4 million dollars, we were trying to obtain 3 million dollars from FEMA and local governments had to come up with a million dollar match.

(City of Grand Junction) Commissioner Wade stated having established the Mitigation Plan, had you received that grant and done the mitigation work, how much of a change would it have made in this plan. Mr. Dorris stated that the study did not actually look at the number of structures that were in the identified area, however we did do that with our GIS crew today, and there are approximately 1,900 structures in the flooding area. The four million dollar project was going to remove around 100 acres but they did not address the number of structures. The total area that is in the flooding area is around 400 acres and this would remove approximately 100 acres.

(City of Grand Junction) Commissioner Wade stated that as far as the Mitigation Plan and the work that's been done so far there is no number as to what it would take to completely remove all of these properties from a flood area.

Mr. Doris stated that was correct.

Public Comment

Lee Boren, 29 $\frac{3}{4}$ and North of B $\frac{1}{2}$ Road, said he resides on 22 acres near the river. The road dead-ends at his property near 31 $\frac{3}{4}$ and he constantly has people coming to his house asking if this is the access to the river. There is nothing in this plan that shows a premeditated access to the river. It is very limited to get there, C Road is worthless. After you get off the black top at 30 Road the only access is through the Division of Wildlife land where you can go down and get in the goose blinds. So some adjustments should be made about short roads that dead end into the river. There needs to be some signage to keep them from turning around in his driveway, since gravel is about \$200 a truck load.

He said another item is the traffic; there is a traffic mess alongside the Fairgrounds and no safe way to cross the highway to the Fairgrounds unless you use the traffic signals. If you're on foot or bicycle, there is no access from the other side in a safe manner to get into the Fairgrounds the way they exist at the present time. He said he doesn't know what to say about the flood plain issue except that the only time his property ever got flooded was when some beavers built a dam down at the irrigation return ditch and he had to kill a few beavers, which he didn't mind doing.

Mr. Boren said he felt the traffic congestion around Lincoln/Orchard Mesa Elementary School was another problem that is not mentioned in this plan. They changed the

school hours, and when the kids get in and out of school sometimes there is a Sheriff's car. People still blast through there and the 29 Road corridor comes and turns at B ½ Road and is only a short distance from the school. That corner is somewhat dangerous and there have been a number of accidents since that corner was built, not that long ago. They have changed the traffic light sequences on it two or three different times. The 29 Road corridor has been overloaded without changing the access to get up and down B ½ Road, all way from the overpass through City Market and the things there. Something needs to be done about adjusting the traffic flow in that ½ mile or ¾ of a mile that exists along that highway, both along B ½ Road and on Highway 50.

Tom Matthews, 2112 Chipeta Avenue, stated he resides in the City of Grand Junction but is representing the Orchard Mesa Gun Club. He has some concerns and considerations he would like to address and has already written to County Planning about the map that will be presented to City Council, the Future Land Use Map. He feels that it is incomplete and believes that it needs to be fixed and addressed before the City or County adopts them to make sure that they are relatively accurate. There is a significant amount of omissions and errors on the map that needs to be corrected. If we are going to use the map, and spend a significant amount of money to build them we should build one that is pretty accurate because people will depend on that map for information without doing any of the reading about the key issue. If the map is inaccurate, then questions are not accurate and he feels it needs to be addressed. The maps need to be gone over and fixed and a draft should be as accurate as possible.

Lee Boren, 29 ¾ and North of B ½ Road, mentioned that he is also with the gun club, which is off 32 Road; he is an ex-law enforcement officer and understands how the academies work and what they have to do. He has been out of it for about ten or twelve years. They are developing a Law Enforcement Training Facility; it lies behind the gun club's property. Behind the berms and impact zones there is a gravel pit that was approved by BLM after two years of negotiation. In the area between the range and the gravel pit and new Law Enforcement Training Academy, there is one thing out there that may preclude any more development beyond that academy.

Specifically, he asked how many know what a penstemon is and didn't see a lot of hands. He said it is a little bitty flower that is pink and white and is on the endangered species list. It lives on dirt banks and is in an area out there to the East of the range and to the northeast of the Law Enforcement Academy. At this point in time the model airplane flying area and the Grand Junction Trap Club and the gun club range pretty well encompass it from the South and from the West and even to the North because of the gravel pit. So in the long range plan he would suggest that somebody minimize development in that area or alter the long range plan because it is on the endangered species list. They are a few more that grow in DeBeque but as far as he knows that is all there is and development could result in a fight with EPA over some of their endangered species.

Planning Commission Discussion

(City of Grand Junction) Commissioner Wade asked the Mesa County Planners about the issues the gentleman addressed, and were they easily remedied with signs stating

that there was not a through way or no access to the river.

Ms. Simonson stated that was more of a day to day activity and something that needs to be communicated to the Traffic Division, not necessarily something they would put in the Neighborhood Plan. The Plan did identify needed connections to the river. With respect to an individual property, the solution would be for the property owner to contact the Traffic Division directly.

(City of Grand Junction) Commissioner Reece asked if the access to the river would that be addressed in an overlay plan or what method would be used to address those concerns in the future. Ms. Simonson stated that there is a traffic and circulation plan already adopted for the area which has been adopted by both the City and Mesa County. That plan identifies future arterial or collector needs and also potential or local roads or routes that might be needed. There is also the Access Control Plan adopted by CDOT and a new traffic light to help with traffic issues. Commissioner Reece then asked if there was a portion of the Plan that addressed pedestrian access to the Mesa County Fairgrounds. Ms. Simonson stated that it is mentioned several times in both the traffic section and the Fairground section which identifies some specific access points that citizens should continue to be able to use.

(City of Grand Junction) Commissioner Reece asked if the error's to the maps could be addressed. Ms. Simonson said one issue had to do with the Future Land Use Map in the Springfield Estates area. The area is identified as Rural which allows a 5 acre density. Although it's not practical to achieve that density due to topography, it was the best possible land use to suit the conditions of that area. There was also what could be considered errors in some of the water and sewer service maps. They used the best information available from the water and sewer providers to construct those maps, however it was possible that not all the lines were shown in the correct place.

General Discussion/Other Business

(Mesa County) Commissioner Bittle asked if you're within 400 feet of a sewer line that you must hook in to it. Ms. Simonson stated that the Mesa County policy in that area is that you can use individual sewer systems. If the system should fail and the property is located within 400 feet and the sewer service provider indicates that they will serve the property, then they would have to connect. If the service provider cannot serve the property then they would not be required to connect. Ms. Simonson then stated that the sewer line would not be serving the rural area. The intent was to continue the rural density. Commissioner Bittle then asked how long the sewer line was. Ms. Simonson stated that it ran from the river at C ½ Road down to Whitewater Hill, so it is several miles through the plan area.

(Mesa County) Commissioner Page stated that this had been a really well done presentation. He noted the concerns of the trailer park area as you come over the 5th Street Bridge. When you put in retail stores, commerce and things that people will come to and spend money, then you actually raise the value of the whole area.

(City of Grand Junction) Commissioner Eslami asked Mr. Thornton if he would call this an overlay, similar to what was done for North Avenue. Mr. Thornton stated that the

Orchard Mesa Neighborhood Plan was not an overlay, but a long range vision or plan for the Orchard Mesa area. In the case of North Avenue and the overlay a zoning overlay deals in a regulatory basis under the Zoning and Development Code. Commissioner Eslami stated that this gave a better opportunity for the property owners to use their property. He noted that the staff had done a beautiful job and really spent a lot of time on the plan and he would be in favor of it.

(City of Grand Junction) Commissioner Wade asked if we pass a recommendation to Council to adopt the Plan and the County Planning Commission follows up and adopts the Plan for the County what would the next steps of the process be? Mr. Thornton stated that there were twelve chapters in the plan, so there was a lot to be considered. Some of the things on the radar included working with the Regional Transportation Planning Office and CDOT and looking at getting Highway 50 on the radar of CDOT in making it a complete street as funding becomes available.

Another step is the Safe Routes to Schools which has been identified as a critical issue that was brought up by the School District as part of the planning process. He stated that the plan looked at the circulation around the Neighborhood Center and did identify the B ½ Road Bridge that would CDOT to close the on-ramp to Highway 50 and create one lane of vehicular traffic and a barrier where you could have pedestrians and bicycle traffic on the existing lane as an above-grade crossing. That would allow for a safe route to school and allow people a way across Highway 50.

(City of Grand Junction) Commissioner Wade stated that he felt like the other commissioners that you can't begin to change some of the problems identified in Orchard Mesa unless you begin with a plan. His issue is once you begin with the Plan it's important to keep the process moving forward to solve some of these problems even if they are small steps. Funding is a huge issue and no one is going to rain money down on us to do everything we want. He stated that was in favor of the plan.

(City of Grand Junction) Commissioner Reece stated that this was a long range plan that provided flexibility and transparency and would allow the market to determine how the Orchard Mesa area will grow. This plan is simply a vision of our future growth and development and can be modified or amended to meet future needs. If the City chooses to do an overlay, at that time there can be incentives involved in the overlay to further incentivize business development along that neighborhood and the Highway 50 corridor which she believed the Orchard Mesa area desperately needs.

She believed the failure to plan for our City's future growth would be a disservice to the residents that live in the Orchard Mesa area and believed this plan allows for organized and individual growth while still preserving the agricultural and farm land. The plan also helps control urban sprawl while encouraging new business to get established. She noted that there has been a lot of thought put into the Plan by both the County and City staff. She was impressed by the residents of the Orchard Mesa area in seeing their attendance to the public meetings because sometimes you don't get that much attendance with open meetings. She stated she was very thankful for all the work the City and County staff put into the plan.

Motion: (City of Grand Junction Commissioner Eslami) “Madam Chairman, I move that we make a motion to send a recommendation to City Council to approve the Orchard Mesa Neighborhood Plan CPA-201-552 and amendment to the Future Land Use Map CPA-201-553.”

Commissioner Wade seconded the motion. A roll call vote was called by Darcy Austin and the motion passed unanimously by a vote of 7 - 0.

Vice Chairman Jones then called for a motion to adopt the comprehensive plan for Orchard Mesa subject to the City approving it and subject to a Mesa County resolution later on.

Motion: (Mesa County Commissioner Bittle) “So moved.”

Commissioner Lowe seconded the motion. A roll call vote was called by Darcy Austin and the motion passed unanimously by a vote of 5 - 0.

Nonscheduled Citizens and/or Visitors

None

Adjournment

With no objection and no further business, the joint City and Mesa County Planning Commission meeting was adjourned at 7:27 p.m.

GRAND JUNCTION PLANNING COMMISSION
February 25, 2014 MINUTES
6:00 p.m. to 6:05 p.m.

The regular meeting of the Planning Commission was called to order at 6:00 p.m. by Vice-Chairman Eslami. The public hearing was held in the City Hall Auditorium located at 250 N. 5th Street, Grand Junction, Colorado.

In attendance, representing the City Planning Commission, were Ebe Eslami (Vice-Chairman), Jon Buschhorn, Loren Couch, Kathy Deppe, Steve Tolle, Bill Wade and Cody Wagner. Christian Reese (Chairman) was absent.

In attendance, representing the City's Administration Department - Planning Division, were Lisa Cox (Planning Manager) and Senta Costello (Senior Planner).

Also present was Jamie Beard (Assistant City Attorney).

Darcy Austin was present to record the minutes.

There was one citizen present during the course of the hearing.

Announcements, Presentations And/or Visitors

There were no announcements.

Consent Agenda

1. Minutes of Previous Meetings

Approve the minutes from the January 28 and February 11, 2014 regular meetings.

2. GRMCD Easement Vacation - Vacation

Forward a recommendation to City Council to vacate a public utility easement on 2.388 acres in a C-1 (Light Commercial) zone district.

FILE #: VAC-2013-490

APPLICANT: Zane McCallister- Grand River Mosquito Control District

LOCATION: 531 Maldonado Street

STAFF: Senta Costello

MOTION: (Commissioner Wade) "I move that we approve the Consent Agenda as read."

Commissioner Deppe seconded the motion. A vote was called and the motion passed unanimously by a vote of 7 - 0.

***** END OF CONSENT CALENDAR *****

General Discussion/Other Business

None

Nonscheduled Citizens and/or Visitors

None

Adjournment

With no objection and no further business, the Planning Commission meeting was adjourned at 6:05 p.m.

Attach 2

**CITY OF GRAND JUNCTION
PLANNING COMMISSION**

MEETING DATE: March 25, 2014
PRESENTER: Scott D. Peterson

REVISED – March 21, 2014

AGENDA TOPIC: Colorado Mesa University Rights-of-Way Vacation - VAC-2014-40

ACTION REQUESTED: Recommendation to City Council on the Requested Rights-of-Way Vacation.

BACKGROUND INFORMATION					
Location:		Portions of Cannell and Elm Avenue and adjacent alley rights-of-way			
Applicant:		Colorado Mesa University			
Existing Land Use:		City street and alley rights-of-way			
Proposed Land Use:		Colorado Mesa University residence hall construction, rugby field and future campus buildings			
Surrounding Land Use:	North	Colorado Mesa University properties			
	South	Colorado Mesa University properties			
	East	Colorado Mesa University properties			
	West	Colorado Mesa University properties			
Existing Zoning:		R-8 (Residential – 8 du/ac)			
Proposed Zoning:		N/A			
Surrounding Zoning:	North	R-8 (Residential – 8 du/ac)			
	South	R-8 (Residential – 8 du/ac)			
	East	R-8 (Residential – 8 du/ac)			
	West	R-8 (Residential – 8 du/ac)			
Future Land Use Designation:		Business Park Mixed Use and Residential Medium High (8 – 16 du/ac)			
Zoning within density range?		X	Yes		No

PROJECT DESCRIPTION: Colorado Mesa University is requesting to vacate portions of Cannell and Elm Avenue and adjacent alley rights-of-way.

RECOMMENDATION: Recommend approval of the vacation request, with retention of utility easements and also the construction of a 20' wide north/south circulation drive that will be owned, maintained and controlled by Colorado Mesa University and will be constructed to meet City standards for fire access. Access and maneuverability of fire

and other emergency equipment will be accommodated utilizing the extensive network of emergency lanes currently existing on the main campus of CMU.

ANALYSIS

Background:

The applicant, Colorado Mesa University (“CMU”), wishes to vacate portions of Cannell and Elm Avenue between Kennedy and Texas Avenue’s and adjacent alley rights-of-way in order to facilitate the continued westward expansion efforts planned for the campus, specifically to develop new residence halls, a new rugby field, parking lots and in the future construct new campus improvements within this area.

The properties abutting the sections of right-of-way for which vacation is sought are owned by Colorado Mesa University. City staff does not expect that the proposed vacations would impede traffic, pedestrian movement or access to private property. As a condition of approval, CMU will construct a new 20’ wide north/south circulation drive (fire access lane) at the termination of Elm Avenue and adjacent alleys that will connect to Texas and Kennedy Avenue’s (which the public could be able to utilize). CMU is not proposing to dedicate an Access Easement nor right-of-way or construct a sidewalk for this new north/south connection, but will be constructed to meet City standards for fire access. The driving surface treatment proposed would be recycled asphalt. However, as proposed by the applicant, it will be at CMU’s discretion on when this north/south connection would be closed or modified in the future, provided that all new fire access lanes are provided and constructed. Access and maneuverability of fire and other emergency equipment will be accommodated utilizing the extensive network of emergency lanes currently existing on the main campus of CMU (see attached Emergency Access Plan).

With the vacations, the City of Grand Junction (“City”) will retain a utility easement for the existing electric, gas, water, sewer and storm drain lines that are located within the existing rights-of-way of Cannell and Elm Avenue’s and associated alleys.

Consistency with the Comprehensive Plan:

Vacating these rights-of-way supports the University in their facilities and building expansion development, enhances a healthy, diverse economy and supports a vibrant City Center, therefore, the proposed rights-of-way vacation implements and meets the following goals and policies from the Comprehensive Plan.

Goal 1: To implement the Comprehensive Plan in a consistent manner between the City, Mesa County, and other service providers.

Policy C: The City and Mesa County will make land use and infrastructure decisions consistent with the goals of supporting and encouraging the development of centers.

Goal 12: Being a regional provider of goods and services the City and County will sustain, develop and enhance a healthy, diverse economy.

Section 21.02.100 of the Grand Junction Zoning and Development Code:

The vacation of a portion of the existing rights-of-way shall conform to the following:

- a. The Comprehensive Plan, Grand Valley Circulation Plan, and other adopted plans and policies of the City.

Granting the request to vacate portions of the existing rights-of-way does not conflict with the Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies of the City. CMU will construct an internal circulation drive for its own use (which the public could be able to utilize) that will provide a connection between Kennedy and Texas Avenue's and adjacent alleys and also serves as a fire access lane. A utility easement will be retained for existing utilities as a condition of approval. Access and maneuverability of fire and other emergency equipment will be accommodated utilizing the extensive network of emergency lanes currently existing throughout the main campus of CMU. All access roads shall meet City standards for fire access.

Therefore, this criterion has been met.

- b. No parcel shall be landlocked as a result of the vacation.

No parcels will be landlocked as a result of these vacation requests. All abutting properties are owned by CMU. CMU has also stated that all north/south, east/west connections can still be made through the construction of a new circulation drive and fire access lane.

Therefore, this criterion has been met.

- c. Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive or reduces or devalues any property affected by the proposed vacation.

Access will not be restricted to any parcel.

Therefore, this criterion has been met.

- d. There shall be no adverse impacts on the health, safety, and/or welfare of the general community and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g. police/fire protection and utility services).

Trash collection and general circulation to the area may be impacted if CMU decides that it will close the new north/south circulation drive, however it is anticipated that CMU will keep all access ways open for public use and continue to provide fire access. No other adverse impacts on the health, safety and/or welfare of the general community is anticipated. The area is part of the larger existing CMU campus with future changes or modifications to access, right-of-way and utility location changes anticipated. With the current and future expansion of the University campus, additional educational services and opportunities will be available to the community.

Therefore, this criterion could be found to be met.

- e. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter 21.06 of the Grand Junction Municipal Code.

No adverse comments concerning the proposed rights-of-way vacation were received from the utility review agencies during the staff review process. There are a few privately owned residential properties in the area of the proposed ROW vacation whose trash collection and/or fire and ambulance services may be impacted (see discussion above).

Therefore, this criterion could be found to be met.

- f. The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.

Maintenance requirements for the City will not significantly change as a result of the proposed partial rights-of-way vacation. A Utility Easement will be retained to allow for the continuation and access of existing utilities. The benefit to the City is the expansion of CMU and its mission to educate and by enhancing and preserving Grand Junction as a regional center. The proposed rights-of-way vacation is needed by CMU as part of their continued campus expansion to the west.

Therefore, this criterion has been met.

FINDINGS OF FACT/CONCLUSIONS AND CONDITIONS:

After reviewing the Colorado Mesa University application, VAC-2014-40 for the vacation of a portion of public rights-of-way, I make the following findings of fact and conclusions:

1. The requested right-of-way vacation is consistent with the Comprehensive Plan.

2. The review criteria in Section 21.02.100 of the Grand Junction Zoning and Development Code have all been met, specifically, items a through f.
3. As a condition of vacation, the City retains a utility easement over all of the right-of-way areas to be vacated for maintenance, operation and repair of existing utility infrastructure.
4. With the vacation, CMU shall construct a new 20' wide north/south circulation drive and allow usage of the circulation drive by the public, trash collection trucks and fire/ambulance vehicles and meets City standards for fire access.
5. With the vacation, CMU shall continue to provide fire and other emergency vehicle access utilizing the extensive network of emergency lanes currently existing throughout the main campus (See Emergency Access Plan).

STAFF RECOMMENDATION:

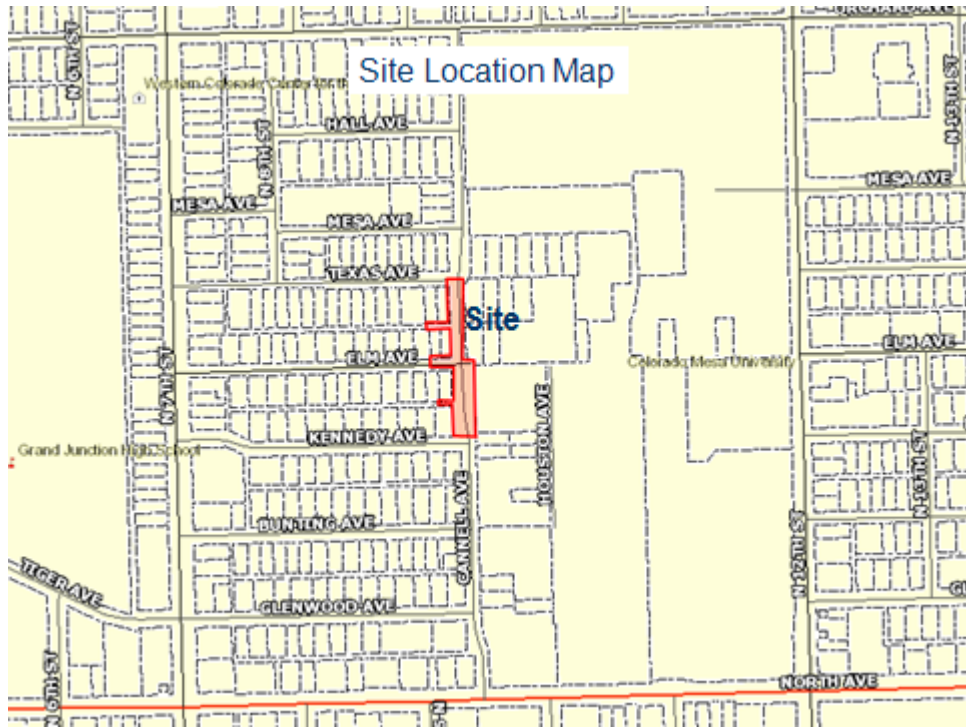
I recommend that the Planning Commission forward a recommendation of conditional approval of the requested rights-of-way vacation, VAC-2014-40 to the City Council with the findings and conclusions stated in the staff report, with retention of a utility easement over all of the rights-of-way being vacated for the existing utilities, construction of a new 20' wide north/south circulation drive (fire access lane) and that CMU shall continue to provide fire and other emergency vehicle access throughout the main campus. All access roads shall meet City standards for fire access.

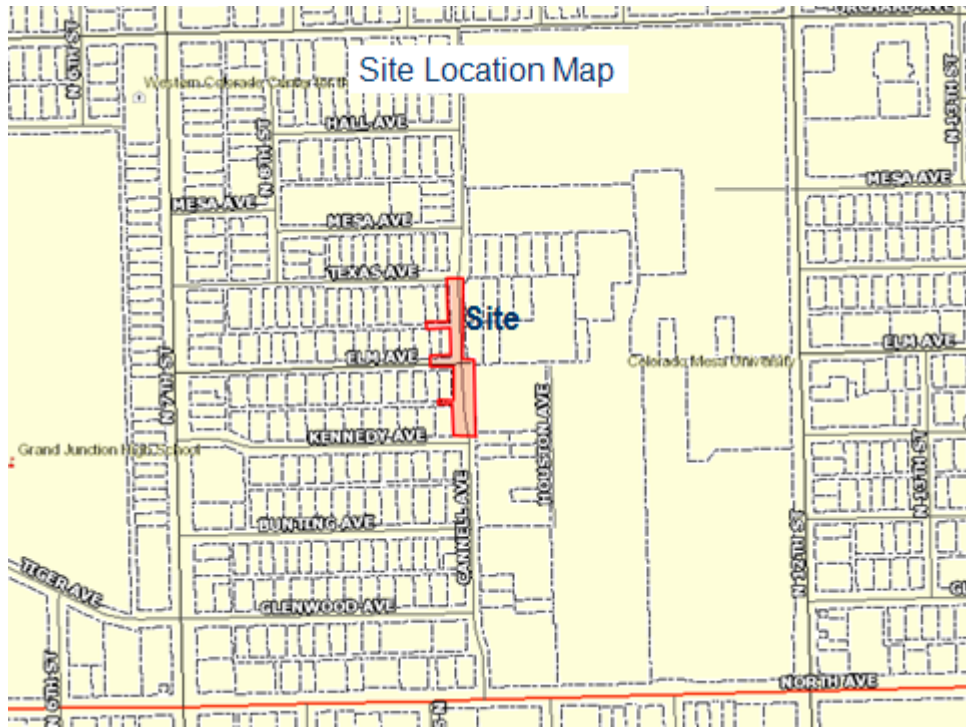
RECOMMENDED PLANNING COMMISSION MOTION:

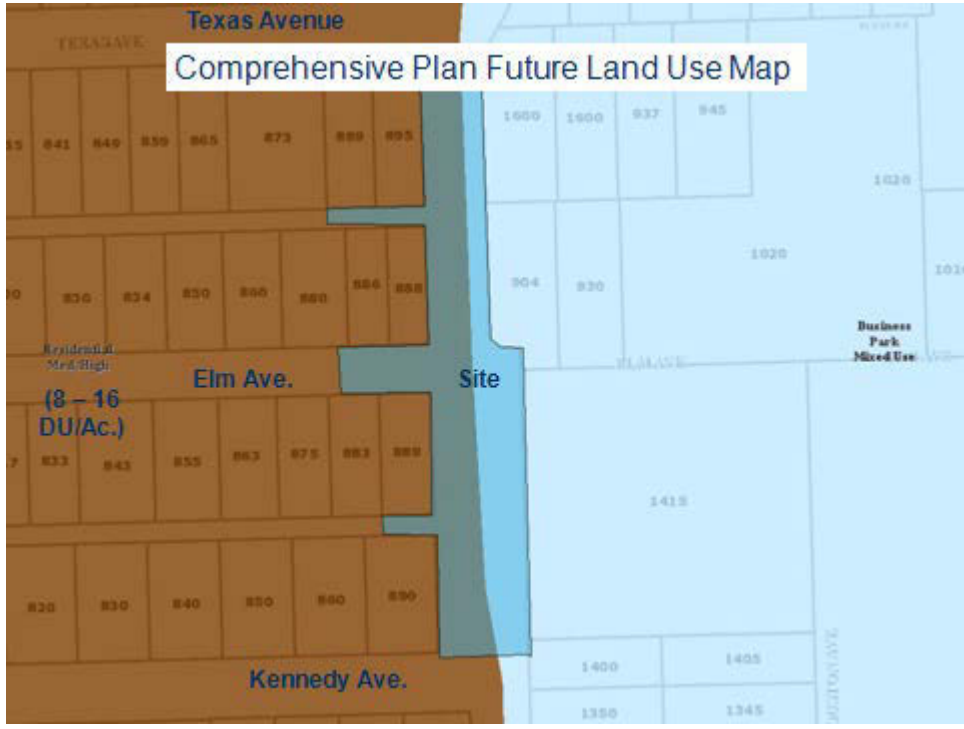
Madam Chairman, on item VAC-2014-40, I move we forward a recommendation of conditional approval to the City Council on the request to vacate portions of rights-of-way of Cannell and Elm Avenue and adjacent alley rights-of-way with the findings of fact and conclusions in the staff report and with the retention of a utility easement over all of the rights-of-way being vacated for the existing utilities, construction of a new 20' wide north/south circulation drive (fire access lane) and that CMU shall continue to provide fire and other emergency vehicle access throughout the main campus. All access roads shall meet City standards for fire access.

Attachments:

Site Location Map / Aerial Photo Map
Comprehensive Plan Future Land Use Map / Existing Zoning Map
Proposed Temporary Public Access configuration
Proposed Future Construction configuration, Larger Context
CMU Campus Facilities Master Plan Emergency Access Plan Map
CMU Ownership Map
Correspondence received
Ordinance













CMU OWNERSHIP MAP



Indicates Property Owned by CMU



MARCH 14, 2014

From: "Christina Stark" <christinaarstark@gmail.com>
To: <scottp@gjcity.org>
Date: 2/11/2014 7:52 AM
Subject: VAC-2014-40-Cannel Avenue ROW Vacation - Cannel Avenue Comment

Scott,

I would like to provide you with my concerns with the proposed vacation of Cannel Avenue. I find this proposed vacation to be fairly concerning as a homeowner and resident that lives between Cannel Avenue and 7th Street. Cannel Avenue provide important access to and from my home. This access is more than a mere convenience and also provides safety as the second route for leaving my neighborhood. If this street is vacated then there will only be one route to enter and exit my home and neighborhood. Cannel Avenue also provides the primary route for access to the nearest grocery store to my house. I oppose the vacation of this street and I hope that the City will seriously consider the needs of the residents and tax payers and not just the desires of CMU.

Sincerely,

Christina Stark

From: Alissa Leavitt-Reynolds <alissaleavitt@gmail.com>
To: <scottp@gjcity.org>
Date: 2/11/2014 9:45 AM
Subject: VAC-2014-40-Cannel Avenue ROW Vacation - Cannel Avenue and Kennedy Alley Comment

Dear Sir,

Vacating Cannel Avenue and portions of the Kennedy avenue alley would no longer provide the public with legal public access on those routes. This is both a safety concern and an inconvenience from the perspective of a homeowner and tax payer who still lives between Cannel Ave and 7th. Please consider the residents who still live in this area and their ability to travel legally.

Sincerely,
Alissa Leavitt-Reynolds

From: Brook Blaney <Brook@impactyourlogo.com>
To: "scottp@ci.grandjct.co.us" <scottp@ci.grandjct.co.us>
CC: Brook Blaney <Brook@impactyourlogo.com>
Date: 3/11/2014 3:14 PM
Subject: e-mail from Brook Blaney - property owner of 1516 N 7th Street

Subject: CMU Street Vacation Project

Dear Scott:

As a property owner within CMU's designated "expansion area," I wanted to submit a brief comment for your consideration. I own the property at 1516 North 7th Street and I understand the university is in the process of closing a portion of Cannell Avenue in order to facilitate campus expansion projects. At the outset, I'd like to note that I wholeheartedly support what's happening at Colorado Mesa University. As an alum, I am constantly amazed by the growth of our hometown university and the plethora of changes taking place on the campus. I'm also well aware of the role the City of Grand Junction and Mesa County have played in facilitating the growth of our university each and every year. The City of Grand Junction should be proud of this progress -- and keep it going.

Naturally, I'm interested in making sure the access to the back (east) side of my property remains open and accessible via the alley that accesses Texas Avenue. Based on the information I've seen to date, I believe this access will remain open and I know (based on previous experience and their track record) that CMU is a good neighbor and will make sure my property rights are respected.

Thank you in advance for accepting my comment. I hope the Cannell Avenue vacation request is approved swiftly in order to keep CMU growing and thriving.

Sincerely,

Brook Blaney
owner
1516 North 7th Street
Grand Junction, CO 81501
970-245-3791



March 5, 2014

Re: Colorado Mesa University - Closure of Cannell Avenue

To: Grand Junction City Council
Grand Junction Department of Planning

Please accept this letter as indication of the Grand Junction Economic Partnership's (GJEP) unconditional support of Colorado Mesa University's (CMU) efforts to continue to expand the university within the City of Grand Junction. GJEP is a nonprofit economic development organization that represents the entirety of Mesa County, Colorado. The mission of the organization is to enhance the economic vitality of our community creating a strong, diverse economy and an improved quality of life.

The continued growth of CMU is good for our community and for our economy. Not only does the proposed expansion allow for the University to continue to attract, house and provide amenities for students, it also provides our community with a continued increase in construction activities during a time when we need such activity. This project will allow CMU to continue to invest in the high quality facilities that have provided for unprecedented growth in recent years.

We encourage you to look favorably on this request and provide the necessary approvals so that CMU is able to move forward with their plans to expand the premier University in Western Colorado.

If there is anything further I can provide please do not hesitate to contact me directly.

Best,

A handwritten signature in black ink, appearing to read "Kelly Flenniken".

Kelly Flenniken
Executive Director

A handwritten signature in black ink, appearing to read "Ed Forsman".

Ed Forsman
Chairman of the Board



March 14, 2014

To: Grand Junction City Council
Grand Junction Planning Department

Re: Vacation of a portion of Cannell Avenue to Accommodate CMU Expansion

Dear City Officials;

I want to inform you that the Grand Junction Area Chamber of Commerce Board of Directors at their February board meeting voted unanimously to support the request by Colorado Mesa University to vacate a portion of Cannell Avenue in order to accommodate the physical expansion of the campus.

The University is a major anchor for the community in terms of maintaining its status as a regional hub for products and services. Additionally the economic impact of CMU cannot be understated. It has been a stabilizing factor in the local economy during this most recent and past recessions. University officials have also be diligent in wisely using public funds allocated to it by the City and County along with a private donor match to buy residences along this street for just such an expansion and have thus lessened the impact on the neighborhood.

We urge you to act favorably on this request which we see as an action that will lead to economic development for the community.

Sincerely,

A handwritten signature in black ink that reads 'Diane Schwenke'. The signature is fluid and cursive, with the first name 'Diane' being more prominent than the last name 'Schwenke'.

Diane Schwenke
President/CEO

From: Ed Forsman <EForsman@fciol.com>
To: "scott@ci.grandjct.co.us" <scott@ci.grandjct.co.us>
Date: 3/14/2014 11:13 AM
Subject: FW: VAC-2-14-40-Cannell Avenue ROW Vacation

Dear Scott

I recently became aware of a project being proposed by Colorado Mesa University to close the center of Cannell Avenue in order to pave the way for their westward expansion. As the owner of 841 Texas Avenue, my wife and I believe my family has standing to provide a couple of comments.

First, it's no secret to us that CMU is purchasing property and moving westward. I have had the pleasure of being involved in community organizations over the past many years and we know that the community's vision for expanding Mesa means that they have to grow west. We support this. When we purchased 841 Texas, we didn't think they'd be moving west so quickly - but their expansion has been great for our community in terms of job creation, new programs, a beautiful new campus and countless cultural and recreational opportunities for our families and students. In many ways, CMU's need to close the center of Cannell is good news in the sense that it means they're continue to grow and expand.

While our property is closer to Cannell Avenue than it is to North 7th Street, we do not view going west to 7th Street to get out of the neighborhood as an insurmountable inconvenience. We understand that access to the alley behind our property will remain open and, as usual, we'll be able to navigate the neighborhood through parking lots, streets, alleys, etc.

We appreciate your willingness to accept comments from neighbors as part of this process. We urge the planning commission and the City Council to approve the request and continue supporting the growth of one of our valley's greatest economic engines.

Best,

Ed Forsman
(property owner of 841 Texas Avenue Grand Junction, CO 81501)
970-434-9093 office

CITY OF GRAND JUNCTION

ORDINANCE NO.

AN ORDINANCE VACATING PORTIONS OF THE CANNELL AND ELM AVENUE AND ASSOCIATED ALLEYS RIGHTS-OF-WAY AND RETAINING A UTILITY EASEMENT LOCATED IN THE COLORADO MESA UNIVERSITY AREA

RECITALS:

Colorado Mesa University (CMU) has requested to vacate portions of Cannell and Elm Avenue between Kennedy and Texas Avenues and adjacent alley rights-of-way in order to enable the continued westward expansion efforts planned for the campus, specifically to develop new residence halls, a new rugby field, parking lots and in the future construct new campus improvements within this area.

The properties abutting the sections of right-of-way for which vacation is sought are owned by CMU. The City does not expect that the proposed vacations would impede traffic, pedestrian movement or access to private property because a temporary circulation drive will be provided by CMU. As a condition of approval, CMU will construct a new 20' wide north/south circulation drive (fire access lane) at the termination of Elm Avenue and adjacent alleys that will connect to Texas and Kennedy Avenues (which the public could utilize). CMU is not proposing to dedicate an Access Easement, right-of-way or construct a sidewalk for the new north/south connection, however it will be constructed to meet City standards for fire access. The driving surface treatment proposed would be recycled asphalt. CMU will have discretion when the north/south connection would be closed or modified in the future, provided that new fire replacement access lanes are constructed. Access and maneuverability of fire and other emergency equipment will be accommodated utilizing the extensive network of emergency lanes currently existing on the main campus of CMU.

With the vacations, the City of Grand Junction ("City") will retain a utility easement for the existing electric, gas, water, sewer and storm drain lines that are located within the existing rights-of-way of Cannell and Elm Avenues and associated alleys.

The City Council finds that the request is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Grand Junction Zoning and Development Code with the reservation of the utility easement as described within this ordinance and the construction of a new 20' wide north/south circulation drive (fire access lane) with retention of a utility easement over all of the rights-of-way being vacated for the existing utilities.

The Planning Commission, having heard and considered the request, found the criteria of the Code to have been met, and recommends that the vacation be approved

with the retention of an easement for the existing utilities and the construction of a new 20' wide north/south circulation drive (fire access lane). Access and maneuverability of fire and other emergency equipment will be accommodated utilizing the extensive network of emergency lanes currently existing on the main campus of CMU.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

The following described dedicated right-of-way is hereby vacated subject to the listed conditions:

1. Applicants shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents.
2. CMU shall construct a new 20' wide north/south circulation drive and allow usage of the circulation drive by the public, trash collection trucks and fire/ambulance vehicles and meet City construction standards for fire access.
3. CMU shall continue to provide fire and other emergency vehicle access utilizing the extensive network of emergency lanes currently existing throughout the main campus.

The following right-of-way is shown on "Exhibit A" as part of this vacation of description.

Dedicated right-of-way to be vacated:

A portion of the Cannell Avenue road Right-of-Way and a portion of the Elm Avenue road Right-of-Way and associated alleys as dedicated on South Garfield Park at reception #539508 of the Mesa County Records and Rose Park Subdivision at reception #456038 of the Mesa County Records situated in the SE1/4 of Section 11, Township 1 South, Range 1 West of the Ute Meridian, in the City of Grand Junction, County of Mesa, State of Colorado; being more particularly described as follows:

All of Cannell Avenue lying north of the most northerly right-of-way line of Kennedy Avenue and south of the most southerly right-of-way line of Texas Avenue.

Also the east 96.89 feet of Elm Avenue lying west and adjoining to the westerly Right-of-Way line of Cannell Avenue.

Also the east 96.96 feet of the 20.00 foot wide Alley between Texas Avenue and Elm Avenue lying west and adjoining to the westerly Right-of-Way line of Cannell Avenue.

Also the east 52.15 feet of the 15.00 feet wide Alley between Elm Avenue and Kennedy Avenue lying west and adjoining to the westerly Right-of-Way line of Cannell Avenue.

Said dedicated Rights-of-Way to be vacated containing an area of 1.183 acres more or less, as described herein and depicted on "Exhibit A".

Said vacated Rights-of-Way to be retained as a Utility Easement.

Introduced for first reading on this day of , 2014 and ordered published in pamphlet form.

PASSED and ADOPTED this day of , 2014 and ordered published in pamphlet form.

ATTEST:

President of City Council

City Clerk

EXHIBIT A
RIGHT-OF-WAY VACATION OF CANNELL AVENUE BETWEEN TEXAS AND KENNEDY AVENUES
AND A PORTION OF ELM AVENUE AND ASSOCIATED ALLEYS
CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO

