

GRAND JUNCTION PLANNING COMMISSION
March 25, 2014 MINUTES
6:00 p.m. to 6:54 p.m.

The regular meeting of the Planning Commission 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.

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 City's Administration Department - Planning Division, were Lisa Cox (Planning Manager) and Scott Peterson (Senior Planner).

Also present was Jamie Beard (Assistant City Attorney).

Darcy Austin was present to record the minutes.

There were nine citizens present during the course of the public hearing.

Announcements, Presentations And/or Visitors

Commissioner Couch stated that he teaches classes at CMU as part of the Veteran's Upward Bound Program which is administered out of Metro State University in Denver.

Jamie Beard stated that Mr. Couch relayed that information because of the item that involves the Colorado Mesa University. His disclosure was to put everyone on notice that there is a possibility of conflict. Because Mr. Couch was not an actual employee of Colorado Mesa University there was no actual conflict of interest. If a Commissioner had any concerns they could address then or when the item came up under public hearing items.

Consent Agenda

1. Minutes of Previous Meetings

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

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 * * ***

Public Hearing Items**2. Cannell Avenue ROW Vacation - Vacation**

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

Applicant Presentation

Derek Wagner, Vice President for Inner Governmental and Community Affairs at Colorado Mesa University, 1100 North Avenue, and Mr. Wagner stated he wished to thank Lisa Cox and her team for their great work. They have worked with her staff on several projects, Scott Peterson on this project, and want to reiterate what a great job they do.

Mr. Wagner presented a Powerpoint presentation and stated that he wanted to take everyone back to the late 1990's, early 2000's to get a view of what the campus looked like at that time. On the map presented, the campus was book ended by 12th Street on the East and the western end of campus was College Place, running by the library, up to Elm Avenue. At that time there was a series of streets that bisected campus, Elm Avenue ran all the way through campus to 12th Street and College Place ran down to North Avenue. Houston and Bunting ran down to North Avenue as well. During the decade of the 90's there was a conversation about how the campus would grow and the consensus was that the campus should grow to the West.

Mr. Wagner stated that Ray Kieft had the idea to jump across North Avenue and develop in Lincoln Park but the neighbors in that area didn't like that idea so they stepped back and asked the community what the growth of the campus should look like. At that time the City and County stepped up and stated that they would make donations every year for the University to buy property so the campus could grow to the West, recognizing the importance of having a thriving and growing campus. The partnership has survived, to the credit of the City Council members and Board of County Commissioners.

As a public entity, CMU Board of Trustees is appointed by the Governor and approved by the State Senate and the Board of Trustee's hires the President who hires the Staff and carries things out. The campus can't just grow for the sake of growing, there has to be a Master Plan. On their website you can find the West Program Expansion Plan which lays out CMU's need to grow to the West and what precipitates that need and how they are going to do it.

Mr. Wagner stated that after talking to staff it seemed it would be beneficial to lay out their Master Plan to give a sense of predictability in terms of what the campus is doing

as they attempt to grow. With the caveat that most Master Plans are out of date once you take them off the printer, this is really an idea of what facilities and uses they have planned as they continue to grow. For example at the top of the campus where the athletic facilities are currently located the idea was, as they acquire more property they would than expand the athletic facilities. The rest of the area is a mix of academic buildings and resident's halls.

The purpose of this is what campus could look like in 2020, 2025 or 2030. Graphics have been posted at Neighborhood Meetings that are held several times a year. It is awkward because they are talking about putting a building where there is currently an existing property. To date all of their property acquisitions have been a willing seller arrangement, CMU does not want to force people out of their property they just want to be ready when they are ready to sell. When you go through these Master Planning exercises, as most public entities realize, it presents an awkward conversation.

From the graphic shown, taken in the late 1990's of the bird's eye view of campus, the area highlighted in red was a residential neighborhood about ten or twelve years ago between Cannell and College Place and from Texas to North Avenue. This essentially doubled the size of their campus giving them two academic buildings, resident's halls and Little Mav's Daycare Center. All of these things made possible because of CMU's local government partnerships. The sections on the graphic in yellow are properties that they have come back to the City and stated that they needed the City to vacate certain Right-Of-Ways so they could build another campus improvement. Every time they've acquired properties around the area they've had to come back to the City to vacate certain Right-Of-Ways. To the west of Cannell Avenue, the maroon colored properties on the graphic are properties that CMU has acquired in the last six years.

Mr. Wagner stated that they are growing their campus because enrollment has doubled in the last seven to eight years. When he attended CMU there were about 4,500 students there and now they have about 10,000 students. Their campus is changing, their academic programs are changing, their facility is changing, their investment in quality is changing and they are becoming more of a Residential Campus. If you go back ten years they had less than 1,000 beds on campus and now the number is up to approximately 2,200 beds on campus. What this does for the community is it provides a vibrant village in the middle of our City with a population of 10,000 when you add facility, staff and visitors.

CMU deals with a lot of the same issues as the City, with law enforcement, entertainment, recreation and food service that have really transformed the place to be much more of a vibrant facility in the middle of this community. The reason they are here tonight largely centers on the resident's hall construction project that is currently underway. Right at the intersection of Cannell and Elm is where their most recent cluster of resident's halls is currently under construction. Garfield Hall, the first phase of it opened up last August and the next phase of Garfield Hall, which is the north/south phasing addition, is under construction currently. The next phase of that runs east/west and will get started next summer with hopes of opening in the spring of next year.

They have the older resident's halls that you can see from 12th Street, across from Albertsons which houses about 1,000 students. The resident's hall at North and Cannell, that has the retail on the first floor, as well as the resident's hall behind it, holds about 1,000 students as well. They are trying to get the next pod for their residential development for their students in the north section of the campus because it doesn't make sense to cluster too many college students together in one section of campus. The full build out of Garfield Hall will be the two opposing C's, which is currently Cannell Avenue. This build up will probably house about 1,000 students and that is largely the reason they have come to the City.

Mr. Wagner stated he would like to reiterate a few things as the Commission considers this project. CMU is a public entity with the campus being open to the public. They have community meetings where they invite people in the neighborhood to campus, two or three times a year, to discuss general updates on what is happening on campus, what their academic programs are doing, what they are doing construction wise and get a general feel for any questions that come up. They ask that people sign in so they can send them emails with regular updates. If there are specific things that are happening in the neighborhood that they know is going to impact people they try to give them advanced notice. When there are issues that arise such as people parking and blocking driveways, people littering or the lights in the parking lot are too bright the neighbors do know how to get a hold of us and as those issues come up they try to be responsible and address them as best as they can.

Mr. Wagner stated his intent was to give the Commission a little bit more context about why they are coming to us with this and some of the history that has developed over time to get us to this point.

Staff Presentation

Scott Peterson, Senior Planner presented a Powerpoint and stated this is a request to vacate portions of Cannell and Elm Avenue and adjacent alley Right-Of-Way. The Site Location Map shows that the proposed Rights-Of Way vacation is located along Cannell Avenue between Kennedy and Texas Avenue, which is adjacent to the CMU campus to the East, North Avenue is to the South. Mr. Peterson presented an aerial photo of the area taken in 2012 and as Mr. Wagner noted, much has changed in this area. CMU wishes to vacate portions of Cannell and Elm Avenue, between Kennedy and Texas and adjacent alley Rights-Of-Way in order to facilitate the continued westward expansion efforts at the university, specifically to develop new resident's halls, new rugby field, and new parking lots and in the future construct new campus improvements in this area. All properties within the section requested to be vacated are currently owned by CMU.

Comprehensive Plan Future Land Use Map for this area shows half of the Right-Of-Way designated as business/park mixed use and the other as residential medium/high at 8 to 16 dwelling units to the acre. Current zoning in the area is R8, which are 8 units to the acre and some existing CSR Zoning within the CMU campus. Mr. Peterson showed

the proposed exhibit for the realignment for the north/south connection between Kennedy and Texas Avenue as proposed by CMU. City staff does not expect that the proposed vacations would impede traffic, pedestrian movement or access to private property in the area.

As a condition of approval CMU will construct a new 20 foot wide north/south circulation drive, which would also be considered as the fire access lane at the termination of Elm, and the adjacent allies that will connect Texas and Kennedy Avenues, which the public could also utilize. CMU is not proposing to dedicate an access easement nor Right-Of-Way or construct a sidewalk within this new north/south connection but it will be constructed to meet City standards for fire access. The driving surface treatment would be recycled asphalt, however it is proposed by the applicant that it would be at CMU's discretion when this north/south connection would be closed or modified in the future provided that new fire access lanes are provided.

Mr. Peterson stated that this exhibit shows the proposed connections in the larger context that would be utilized by the public, trash trucks and emergency vehicles. Trash collection and general circulation to the area may be impacted if CMU decides they will close the new north/south connection however it is anticipated that CMU, as a good neighbor, will keep all access ways open to the public and continue to provide fire access, which is also a condition of approval.

Mr. Peterson showed a an illustration of a future point in time when the new dormitories would be constructed and how the north/south connection would be modified as proposed by CMU, as a condition for approval of this vacation that all new fire access lanes are provided and constructed. Technically you will still be able to drive from North Avenue to Orchard Avenue, you would just go up Cannell Avenue and traverse through CMU property.

Mr. Peterson showed the current CMU Ownership Map and all the properties currently owned by CMU in the area. The applicant did hold a community meeting on February 25, 2014, with nine citizens attending, along with City Staff and CMU Representatives and no one in attendance indicated any dissatisfaction with the proposed interim circulation pattern as presented.

Mr. Peterson showed the Campus Emergency Access Plan for the existing main campus. Access and maneuverability for fire and other emergency equipment will be accommodated using the extensive network of emergency lanes currently existing on the campus. The red hash lines identified on the slide indicate a 20 foot wide access lane that would be within 20 feet of all parts of buildings. The orange lines on the slide indicate 26 feet of access for aerial apparatus that would be used on one side of the building which are 30 feet high.

Mr. Peterson showed the proposed Right-Of-Way exhibit for the vacation with the City retaining an easement over the existing infrastructure which includes utilities for electric, gas, water, sewer and storm drain lines that exist in the current Rights-Of-Way. No

adverse comments were received by City Staff from the respective utility agencies during the staff review process. The City would retain utility easement over those entire existing infrastructure.

Mr. Peterson stated that after reviewing the CMU ROW Vacations, VAC-2014-40, a request to vacate portions of Cannell and Elm Avenue and adjacent alley rights-of-way, he finds that the proposed vacation is consistent with our goals and policies for the Comprehensive Plan. The review criteria in Section 21.02.100 of the Grand Junction Zoning and Development Code have been met. The City would retain an Utility Easement over all vacated areas. With the vacation CMU shall construct a new 20 foot wide north/south circulation drive and allow usage of the circulation drive by the public, trash collection trucks and fire/emergency vehicles. With the vacation CMU shall supply fire and other emergency vehicle access utilizing the extensive network of emergency lanes currently throughout the campus. Within the staff report there were 2 emails voicing concerns about this proposed vacation and four letters of support of the vacation. Mr. Peterson also handed out two additional letters and emails of support for the vacation that were received prior to the meeting.

Questions for Staff

Commissioner Reece asked if the north/south circulation drive would be kept open as a requirement of approval.

Mr. Peterson stated that the City is requiring fire access lanes, so technically it won't be a public access easement but looking at the requirement that they maintain a fire access lane that the public could utilize.

Commissioner Reece asked if they were to close that north/south area, is there any recourse on part of the City or the residents.

Mr. Peterson stated that the recourse would be that the City Fire Chief could contact CMU because it is stated that they are required to have fire access lanes, so the fire department could contact CMU to open up those lanes. With CMU being a good neighbor he gets the sense that they would do that.

Commissioner Wade stated that in the condition for the recommendation that the 20 foot drive lane be constructed, if CMU chose to stop allowing that access, could they stop allowing it to the public and in the City's opinion it would still function as the fire access.

Mr. Peterson stated that with the modification of fire access lanes with the construction of the new dormitory in the future, that proposed access lanes would have to go away or be modified. If there were problems with CMU not allowing public access, he would anticipate that CMU would have to come back to vacate additional rights-of-way farther west in the future and Planning Commission and City Council could look at that again. To get adjacent to all the buildings, the Fire Dept. requires access lanes to get there

and be able to go around those structures.

Commissioner Wade stated he doesn't believe CMU would do this either but, not looking at the second phase of construction, assume they have the 20 foot lane, it's within CMU's privity to restrict public access to that but would still meet the City's requirements of being a fire access lane.

Mr. Peterson stated that it could be a condition that is emphasized in the recommendation that CMU also allow the public access.

Commissioner Couch stated it seems with the fluidity and pace of activity that making this request without a real commitment from the University could leave the residents in the lurch as far as trash collection. Is there another review of this particular vacation request in the future or a way the City can look on a regular basis at what is going on over at the University.

Mr. Peterson stated that the next public hearing for this specific vacation request will be on April 16th in front of City Council.

Commissioner Couch asked if there was a regular scheduled meeting for the City of Grand Junction to look at what is going on over at CMU.

Mr. Peterson stated that there isn't however CMU does come in every so often because as they expand they have a need to vacate another easement, redoing a subdivision plat or vacating rights-of-way and at that time there would be a review. Mr. Peterson stated that there is a working relationship with CMU from the City side and expects that to move forward.

Commissioner Couch asked if there was a festival of some kind at the University and the area between Texas and Kennedy Avenue was closed off and it happened to be a trash collection day for the City. The festival would go on because it is University property but then the residents would be on their own to have their trash collected.

Mr. Peterson stated he would let Derek Wagner address this issue.

Mr. Wagner stated that they would first notify the neighbors in the area that would be affected and second we would notify the City and try to figure out a way to do trash collection on the following day or the day before. It is in CMU's interest to keep the neighbors happy so they aren't calling and complaining about what bad neighbors we are, as a public entity they have a responsibility to do that. In regards to the vacation, in the two neighborhood meetings that they have had this year in January and February wasn't the first time we've broached this subject with the neighbors. The reason you're not being overwhelmed with negative calls is because people have seen this coming and understand they are growing to the west. They have been having these conversations for a long time with the neighbors.

Commissioner Couch stated there are fewer neighbors all the time, so their voice may be diminished in some way.

Commissioner Wade stated that CMU has granted access to public use of this access route, and though it would be more difficult there would still be access to get to Albertsons. Given that CMU has a good strategic plan and know when the next phase of construction would be, would it be uncomfortable putting a time limit on this or is there enough uncertainty about the next phase of construction that CMU wouldn't feel comfortable doing that.

Mr. Wagner stated there is a lot of uncertainty in the next phases of when those resident's halls would actual go into construction. It depends on a lot of factors, from their budget to enrollment and demand for housing on campus. He could not say when they would actually launch the next phase of construction.

Public Comment

Commissioner Reece asked that anyone in favor of the proposal come forward.

Kelly Flenniken, Executive Director at the Grand Junction Economic Partnership (GJEP), they have the mission of recruiting, attracting, expanding and retaining primary business thereby growing our economy and those high quality primary jobs and improving the quality of life for all of us in the community. CMU presented this to their Board and received unanimous support from that group for this vacation. They believe the University is good for the community and for the economy. It is the fastest growing University in the State of Colorado which provides them with some really great information as we work to recruit new businesses. They truly hope the students that are getting their education there will stay in the community and have these good jobs when they finish. Another piece that is important in this is through the past couple of years when we have been in an economic downturn, the construction and improvements at CMU have brought in a lot of construction jobs and this project will also provide a need for these workers in a time where we still need that. CMU has become a real jewel in our community and something that we can really market. They believe that this expansion will allow CMU to invest in facilities that allow them to grow at this rate the past couple of years and their Board would encourage that the Commission support the proposal as well.

Commissioner Reece asked that anyone against or with concerns regarding the proposal to please come forward.

Keith Larsen, owns a property at 834 Elm Avenue but resides at 925 22 ½ Road, stated that he is "not" in favor of this proposal just had concerns about emergency access. Wanted to know how students would be kept from parking in it and concerned that if CMU had a festival what would be done for emergency access. Mr. Larsen is concerned about ambulance access to the home because his renter has pretty severe health issues. Stated that he does support what the college is doing, just worried about

the emergency access piece.

Commissioner Reece asked that Mr. Wagner address some of these concerns, how will you stop students from parking in it, what if there is a festival and how will you regulate people in this area from parking in it.

Mr. Wagner stated that working with City staff the temporary access between Kennedy and Texas would be recycled asphalt, which is the standard in parking lots across campus. With respect to emergency access, we spent a lot of time going back and forth with GJFD to make sure that a plan is in place that meets their needs. When it comes to a specific event or festival our internal process would be to make sure all needs are met for law enforcement, porta-potties, and emergency access. His expectation would be that there would already be ambulances staged at the event, all things on a case by case basis would be addressed.

Commissioner Reece asked about student's parking in that area.

Mr. Wagner stated they have large parking enforcement staff that does a good job of putting tickets on my windshield on a regular basis and they would do the same thing here. If a vehicle is blocking an access aisle they would be towed, there is no tolerance for that. They are a public entity; we are different than a private development asking you for a vacation.

Commissioner Wade asked if the parking lots will be lined and have bumper blocks.

Mr. Wagner stated there will be parking similar to the rest of the campus with parking blocks. What streets they'll use to park will likely be based off where they are going, whether it's Houston Hall or to work out at the Recreation Center, so which streets get the most use is going to depend on where students are going and where there is parking available.

Commissioner Buschhorn stated where you create the access point, whether it's created on the circulation drive or created along Elm or Texas on the North, if that access is Texas they are not on the circulation drive at all. If this isn't there, there is a pretty good chance you may close that.

Mr. Wagner stated the access to the parking lot is going to vary, largely because the existing curb and gutter have cuts for where the house and driveway used to be. Each of these parking lots has different accesses, some of which we control and can avoid hazards with an alley or a blind corner. The access for the parking lots is going to vary based on what's already in place in the curb cuts.

Commissioner Buschhorn stated because it's temporary and you don't want to invest too much into this.

Commissioner Discussion

Commissioner Couch stated CMU and the City have hammered out most of the details and construction on this scale is a fluid thing. The ability to get from North Avenue to Orchard Avenue and to access both the streets and the alley way, which the school owns much of the property right up against this right-of-way. He doesn't believe that the access would be significant, seems like a solid proposal.

Commissioner Reece stated that there is a certain level of trust for these types of programs to continue to move forward and CMU has done a good job of maintaining that trust for trash collection and EMS is called and it appears that it won't be an issue. She would encourage that if it becomes an issue that the public go to the City so they can address that issue. It is a solid proposal and these are good faith partners.

Commissioner Wade stated CMU has been a good neighbor and he hopes that we could look forward to a conversation with updates to the CMU process. He would appreciate it if CMU would come visit us in a workshop setting once a year or every six months.

Mobility and safety and all this increased parking, concerned about the students, there is something so that the students can bike, walk, etc. Have no doubt there is a solution to it but feel there are some safety issues here that need to be addressed.

MOTION: Commissioner Eslami 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.

Commissioner Wade 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 6:54 p.m.