

**GRAND JUNCTION PLANNING COMMISSION**  
**Public Hearing Aug 6, 1991**  
**7:35 p.m. - 10:33 p.m.**

The public hearing was called to order by Chairman Ron Halsey at 7:35 p.m. in the City/County Auditorium.

In attendance, representing the City Planning Commission, were:

Ron Halsey, Chairman	Jim Bittel	Craig Roberts
John Elmer	Jim Anderson	Sheilah Renberger
Steve Love		

In attendance, representing the City Community Development Department, were Bennett Boeschstein, Director; Kathy Portner, Senior Planner; and Karl Metzner, Planner.

John Shaver, Assistant City Attorney, was also present.

Judy Morehouse, KLB Secretarial Services, was present to record the minutes.

There were 21 interested citizens present during the course of the meeting.

\*\*\*\*\*

**I. APPROVAL OF MINUTES**

Chairman Halsey noted one change on item #37-91 in the July 9, 1991 minutes; the request for a Revised Final Plan for Taco Bell should be amended to state Chairman Halsey was opposed.

**MOTION: (COMMISSIONER LOVE) "MR. CHAIRMAN, I MOVE THAT THE MINUTES OF JULY 9, 1991 MEETING BE APPROVED AS AMENDED."**

The motion was seconded by Commissioner Bittel.

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

**II. ANNOUNCEMENTS, PRESENTATIONS AND/OR PRE-SCHEDULED VISITORS**

There were no announcements, presentations and/or pre-scheduled visitors.

**III. PUBLIC HEARING**

1. **47-91 PTARMIGAN RIDGE FILING 2 FINAL PLAT**  
A request for a Final Plat for 16 units on 5.5 acres in an existing Residential Single Family 4 units per acre (RSF-4) zone.  
Petitioner: Ptarmigan Investments, Inc.  
Location: West of 27 1/2 Road/South of Horizon Drive/ North of 15th Street

## PETITIONER'S PRESENTATION

Mr. John Siegfried, representing Ptarmigan Investments, Inc. P.O. Box 9088 Grand Junction, Colorado 81502, stated that he would answer any questions the Commissioners had at this time. The proposal is an extension of the preliminary plat, involving 16 lots, with the improvements being done this fall.

## STAFF PRESENTATION

Ms. Portner stated that the proposal is for a Final Plat of Ptarmigan Ridge Filing #2 located north of Ridge Drive and west of 27 1/2 Road. It is the second phase of the development as Mr. Siegfried indicated, and the Preliminary Plan has already been approved by this board. The road configuration in this filing has been modified slightly with an addition of a cul-de-sac and a couple of extra lots; however, it does not have significant changes from the Preliminary Plat approval. The current zoning of the property is RSF-4. Filing 2 consists of 16 single family lots on 5.5 acres for an overall density of 2.9 units per acre.

The proposed development is compatible with the surrounding neighborhood. The property is within Walker Field Airport's Area of Influence Zone. Low density development, which is defined as less than 4 units per acre, is a compatible use in that zone according to the Zoning and Development Code. An Avigation Easement will be required to be recorded with the plat.

The site has varying soil conditions which was pointed out in the soils report submitted by the petitioner and those will require site specific analysis prior to construction for each site.

Staff recommends approval of the Final Plat of Filing 2 with the following conditions:

- 1) Engineered foundations be required.
- 2) An acceptable finalized Improvements Agreement/Guarantee be provided; a preliminary draft was provided with the submittal and they just need to fine tune it. The Improvements Agreement/Guarantee shall include the F 1/2 Road half street improvements unless some other agreement is agreed upon between the Petitioner and the City through City Council.
- 3) Ptarmigan Lane right-of-way be platted up to the adjoining property to the east with full street improvements up to Lot 3, Block 2 and Lot 2, Block 3, and an easement be platted for a temporary cul-de-sac to contain a dust-free surface.

- 4) All street naming will be in accordance with section 5-3-4 of the Zoning and Development Code. And that issue revolves around the extension of 15th Street should remain as 15th Street.
- 5) All drainage crossings must be approved by the U.S. Army Corps of Engineers, including Ptarmigan Ridge Road and driveways for Lot 1, Block 2 (if it is off Ptarmigan Ridge Road) and Lot 3, Block 2. Comments were received from U.S. Army Corps of Engineers, and the road crossing is considered a minor road crossing across the drainage and could be handled under a nationwide permit; the developer would not have to request a separate permit from the Corps of Engineers, they would just have to comply with all the regulations.
- 6) Grand Valley Water Users concerns about the drainage easement not being adequate for maintenance of an open ditch must be resolved before the recording of the Plat. The Community Development Department would like the petitioner to get written approval from Grand Valley Water Users as to the width of easement that would be appropriate.
- 7) All technical concerns noted in the Review Sheet Summary and subsequent comments by the City Engineer and Utility Engineer must be satisfied prior to recording the plat. There are a few minor technical details that need to be taken care of administratively.

**PUBLIC COMMENT**

Mr. Ken Etter, 697 27 1/2 Road, asked the petitioner:

- 1) If the development will be continuing North, which was part of the proposal in the first filing (#25-90) i.e. is this development going to be consistent with the previous preliminary filing?
- 2) On a previous development (east of 27 1/2 Road) there is an irrigation water line easement that was broken, does Mr. Siegfried plan on repairing the broken water line?

Mr. Doug Ate, 1523 Crestview Court, questioned the petitioner about the ultimate plan for the extension of the road to the North. Is there a long term plan to connect it north to Horizon Drive? Is there a plan to move it around and connect it to Cortland Avenue at 27 1/2 Road?

Mr. Siegfried stated that the extension of 15th Street will ultimately turn to the east and no longer be called North 15th Street. The preliminary plan will be changed somewhat; the connection with Cortland is no longer being considered. City Engineering and

Planning would like 15th Street to connect to 27 1/2 Road because of the Fire Department regulations, it would be unfeasible to take it out to Horizon Drive.

Mr. Siegfried also corrected the Community Development Department information that the property is on 5.5 acres with a density of 2.9 not 4.4/3.6 as read.

#### QUESTIONS

Commissioner Love questioned how this was different from what was presented previously?

Mr. Siegfried said that a major change was in reorienting lots, to break up the straight street front. Other changes were in response to a neighbor who would not have access to develop any further if Ptarmigan Ridge had not provided for a right-of-way. He also indicated more density has been added in this plan.

Commissioner Roberts had a question about the temporary cul-de-sac, which property did it involve? Mr. Siegfried replied that it is just on the Ptarmigan Ridge property at this time.

Commissioner Love asked about the density as compared to the first filing? Mr. Siegfried stated this is less dense, the lots on the West are rather large.

Commissioner Elmer asked about the drainage ditch, is it being diverted and filled in by the homeowners, and if there was a sidewalk proposed on one side of the road?

Mr. Siegfried stated the ditch is not being diverted, the lots are being configured around it, and the sidewalk is being proposed as per City standards.

Commissioner Love asked staff what would happen if this road goes all the way to 27 1/2 Road?

Ms. Portner answered that there are not a lot of options for the development of this property. New Regulations will allow a 800 foot cul-de-sac; what could be considered is the petitioner could do another filing and end it in a cul-de-sac. Petitioner would like to see two dead-end roads and not have a through road. The City Community Development Department feels that the roads should be connected from a transportation and neighborhood standpoint.

Mr. Siegfried did not agree with the idea of having through streets on developments.

Commissioner Love asked if the Community Development Department knew what might happen to 27 1/2 Road in the future?

Ms. Portner replied that 27 1/2 Road will be improved so it will become safer. Having the petitioner move the road to the north end of his property would give it enough off-set to have a safe intersection.

Mr. Siegfried felt that other road options are for future considerations and other developments which may occur and are not appropriate for this phase. He does have a sewer easement and some traffic planning set up for the next phase in the adjoining 10 acres.

Commissioner Renberger was concerned about building codes next to an open canal. Mr. Siegfried explained that there is not actually an open canal, there is an open ditch (with about one foot water) which they have monitored for 10 months and have tested the water levels. He added that the ditches that are not lined do have an influence on both sides.

Commissioner Love continued with concerns about 27 1/2 Road potentially being too heavily trafficked, and suggested that the alternative route through the subdivision was not well thought out.

Commissioner Roberts felt that the heavy traffic routes are not a potential problem, but he does have concerns with the 800 foot cul-de-sacs and the length of fire hoses. He felt the creation of neighborhoods and the opportunity they create is more important than determining whether the fire truck can turn around, or if traffic can move through fast.

Commissioner Anderson asked when 27 1/2 Road would be improved?

Commissioner Elmer answered that it would be in 1993.

Mr. Ate who is a homeowner whose property backs up to North 15th Street added that a major concern is about the amount of through traffic if North 15th Street or F 1/2 Road is extended. He supported the petitioner's plan if there is a way to develop this property with two dead-end streets and not create a through street with a lot of traffic.

Chairman Halsey asked Commissioner Love if the issue should be taken to a workshop?

Commissioner Love did not feel a workshop was necessary, but it is an area of concern that will need to be addressed soon.

Mr. Siegfried acknowledged the concerns and will co-operate on future traffic problems.

Commissioner Elmer had concerns with the ditches on the lots and did not feel it would make them saleable. Mr. Siegfried feels the ditch is not a detriment to the lots.

**MOTION (COMMISSIONER LOVE) "MR. CHAIRMAN ON ITEM #47-91 A FINAL PLAT OF PTARMIGAN RIDGE FILING #2 I MOVE THAT WE APPROVE THE REQUEST SUBJECT TO ALL REVIEW SHEET COMMENTS AND RECOMMENDATIONS PARTICULARLY NOTING THE STAFF COMMENTS DATED AUG. 5, 1991."**

The motion was seconded by Commissioner Bittel.

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

**IV. HEARING ON ITEMS FOR RECOMMENDATION TO CITY COUNCIL**

**1. 48-91 COLONY PARK FILING 1 FINAL PLAN AND PLAT AND VACATION OF RIGHT-OF-WAY.**

A request for a Final Plan and Plat for 22 residential lots on 3.43 acres in an existing Planned Residential 10 units per acre (PR-10) zone and vacation of a portion of the Cider Mill Road right-of way.

**Petitioner: Alco Building Company**

**Location: Southeast of Patterson and 25 1/2 Road**

Commissioner Anderson and Commissioner Roberts excused themselves from participating in the hearing of this item as they felt there may be a conflict of interest.

**PETITIONER'S PRESENTATION**

Bruce Millard, 576 Rio Linda, representing the petitioner Alco Building Company stated that the Final Plan is not substantially different from the Preliminary that was submitted.

**STAFF PRESENTATION**

Mr. Metzner stated that the request is being considered all as one final Plan and Plat. There will be two separate Plat documents, one showing eight lots with two separate open lots. As per the Community Development Department regulations, this can be filed within one year to replat the open lots into the rest of the townhome configurations. The crosshatched lines are the requested vacation of the currently dedicated Cider Mill Road which was a part of the larger development proposal back in the early 1980's. The petitioner has addressed all of the Preliminary Plan comments; there were additional comments and the petitioner has submitted a response to those. The plat has been cleaned up with some coordination with the County Surveyor and the Development Department. The fence that was proposed would require an additional revocable permit from the City. This has been changed to put the fence 20 feet behind the curb; previously it was 10 feet behind the curb. The developer has proposed to angle the fence so the transition with the Pomona School fence is not sudden. There will be maintained landscaping between the fence and the sidewalk.

In regards to the softball field nearby, Community Development staff does not feel this is a problem. The developer has agreed to pay the open space fees, unless it can be determined it was paid in the past.

One comment that needs to be resolved prior to recording the plat is the irrigation water. If the source proves to be inadequate, the petitioner will obtain rights from the Ranchmans Ditch. These rights can be purchased from Grand Valley Irrigation. We would ask that the amount of water rights be confirmed to be adequate prior to recording the plat.

Previously there has been some confusion about the drainage, utility, and irrigation easements. The Petitioner has worked this out with Grand Junction Drainage who wants a separate document. So there will be a separate drainage easement deeded and referenced on the plat. All open space will also be access, drainage, irrigation, and utility easements.

The Petitioner has agreed to contact the school district regarding a direct access to the school. The easement is in place to do that; it would be up to the school district if they want to allow a cut through their fence.

The final plan is substantially the same as the approved preliminary and the Development Department recommends approval on this. Approval is for both filings as a final plat; one being recorded immediately and the second being recorded within the next year (without coming back before the Commission) as long as there are no changes.

Commissioner Bittel questioned if the recommendations on open space and easement requirements have to be done before filing of the first plat?

Mr. Metzner stated that the open space fees will be paid as each plat is filed, because its based on a per unit basis. All of the improvements, and utilities have to be installed up front as part of Phase I.

Commissioner Elmer questioned the storm sewer easements (west) and if all of these were to be final before Filing I. Mr. Metzner noted that this needs to be resolved prior to final recording.

#### **PUBLIC COMMENT**

Mr. Jim Baughman, 2579 F Road, (owner of land east and south of the proposed development) was concerned that the property lines are not squared up legally yet.

Mr. Metzner stated that this can't be done until the Plat is approved and ready for recording. The sequence is first, the property line adjustments are done by deed; second, the right of way vacation has to occur; and third, the plat can be recorded. The property does

have to be in the ownership of Alco Building Company before it can be recorded. It is the understanding of the Development Department that the property line adjustments have been agreed to by Mr. Millard and the Baughmans.

Mr. Baughman replied affirmatively.

### QUESTIONS

Commissioner Elmer asked staff if the petitioner was hooked into Ute Water. Mr. Metzner replied affirmatively; no alternative has been considered, they have adequate Ute Water.

Commissioner Elmer was concerned about future use of easements in all open space and the fact that homeowners have no restrictions for use of the open space.

Mr. Millard felt that if each agency is contacted the developer knows where each easement will be even though it's a blanket easement.

Chairman Halsey is still concerned about long term planning for the accel/decel lane in this area, i.e. this plan needs long term planning for having the accel/decel lane included.

Commissioner Bittel disagreed in that a center lane already exists and it is a four lane road. Currently large subdivisions are served adequately without an accel/decel lane.

Commissioner Elmer added that if it is needed in the future, then the developer that creates the problem will have to put it in at that time. However, the revocable permit would create a problem with homeowners who have taken possession of the area between the fence and the existing roadway.

**MOTION (COMMISSIONER LOVE) "MR. CHAIRMAN, ON ITEM #48-91 A FINAL PLAN AND PLAT FOR COLONY PARK FILING 1, I MOVE THAT WE APPROVE THIS SUBJECT TO REVIEW AGENCY SUMMARY SHEET COMMENTS. WITH PARTICULAR NOTE REGARDING TESTIMONY THIS EVENING RELATING TO THE APPROPRIATE PLACEMENT OF UTILITY EASEMENTS. ON ITEM #48-91 VACATION OF CIDER MILL ROAD RIGHT OF WAY, I MOVE THAT WE FORWARD THIS ITEM ON TO CITY COUNCIL WITH A RECOMMENDATION OF APPROVAL."**

The motion was seconded by Commissioner Bittel.

A vote was called, and the motion passed unanimously by a vote of 5-0.

Commissioner Anderson and Commissioner Roberts re-joined the Commissioners to hear the next item.



2. 5-91 TEXT AMENDMENTS FOR 1991

A request to revise sections 5-5-1 and 7-2-9 of the Grand Junction Zoning and Development Code regarding parking and loading standards, downtown parking standards, and zoning designations for the northwest area that is being annexed.  
Petitioner: City of Grand Junction

**STAFF PRESENTATION**

Mr. Boeschstein explained the areas of the Code proposed for the amendment including: (1) Parking and Loading Standards (5-5-1) to allow compact car spaces in large parking lots; (2) Downtown off-street parking standards (5-5-1); and (3) Planned Unit Development Northwest; a new zoning designation for the area the City is annexing northwest of Mesa Mall. The zone district is essentially the same as the County zoning in this area, but makes reference to the Colorado West Industrial Park Plan (1990).

The subject of the Parking and Loading Standards (5-5-1) was brought to staff's attention when the St. Regis Hotel had a need for off street parking. For 8 or 9 years the City Code had not addressed the downtown parking in any way, and the public is providing extensive parking for the downtown area.

City Staff has met with the DDA for the last three months to try to solve the downtown problem. The DDA has done a study and determined there are 5,000 parking spaces within the DDA downtown area; 2,000 are public and 3,000 are private. The average is one space for every 200 square feet of retail space, i.e. one million square feet of retail for the 5,000 available spaces.

The DDA is supporting a text amendment that treats downtown differently than the rest of the City.

Details for the Text Amendment:

- a) The City of Grand Junction operates several public parking lots in the downtown area which serve as shared parking facilities.
- b) The City of Grand Junction recognizes that special and unique pedestrian environment of its downtown. This requires an alternative approach to parking standards. The City wishes to encourage the use of parking lots in the downtown area to serve more than one use and encourage walking from one use to another.
- c) There are a number of private parking lots in the downtown area that are used as shared parking facilities with the consent of the landowners.
- d) The Downtown Parking Management task force adopted certain goals and objectives for downtown parking including public parking.

- e) The use of public parking facilities is encouraged and single use private parking lots are generally discouraged.

These standards are considered interim until the DDA prepares a comprehensive downtown parking plan and program.

What is being proposed is a new section of the Parking Code that is entitled "Downtown Parking Standards" the following parking standards shall apply:

- 1) Off-street parking shall not be required for any reuse or remodel of an existing structure which is within an existing building envelope, i.e. if the Mercantile Building is occupied again there will not have to be another parking lot. Studies done by Barbara Creasman show many of the lots are not full during the day.
- 2) Off-street parking shall not be required for any new structures that are within an existing envelope.
- 3) New structures that are not within an existing building envelope and which otherwise would have to provide off-street parking for 100 cars or less, in accordance with the standards set forth in Section 5-5-1.I, shall not be required to provide off-street parking if the property boundary is within 500 feet of a public parking lot.
- 4) New structures which do not meet the above criteria (5-5-1.K. 1, 2, or 3) must provide off-street parking in accordance with the standards found in Section 5-5-1 et seq.

Commissioner Roberts feels that it is a public parking issue, no matter what the businesses create. It would be best to have money available when the need arises so that the DDA could purchase a public parking space or build a multilevel garage later on. Otherwise, one business will get hit for the majority of the improvements. Perhaps new businesses should pay into a parking fund.

Mr. Boeschstein added that there are other complexities; there used to be a Parking Authority which had accumulated funds but they do not exist anymore. He added that there is a need for a Code for downtown, and the Development Department is open to suggestions.

Mr. Boeschstein then referenced documents that were in the text amendment. The first is the Downtown Development Strategy Plan which was developed in 1981 and adopted as an official plan by the City Planning Commission and City Council and is still an official plan of record. The second is the Grand Junction Downtown Design Standards for Plazas, Parking, and Streetscapes which also has guidelines for parking lots.

Commissioner Roberts mentioned the mixed use needs that might occur in the future.

Commissioner Elmer asked if the 8th Street boundary conformed to the DDA boundary?

Mr. Boeschenstein replied that the parking study boundary was different than the DDA boundary. There is a debate as to whether it should be 8th Street or 9th Street. The original boundary was 9th Street, but the DDA felt 8th Street was better.

Mr. Boeschenstein also referenced a letter from the Downtown Development Authority dated August 5, 1991 to Mayor Conner Shepherd which endorses the text amendment.

*At the regular meeting of the DDA, the Board of Directors passed a resolution supporting the parking Text Amendment addressing the Downtown area. This text amendment is consistent with the Downtown Development Strategy and the Plan of Development, our two major planning documents. It addresses the development issues necessary to promote and support continued downtown development.*

*It is our intention to continue to work on parking issues and complete an update of the Parking Management Plan. In addition we are working with the City Community Development Department on planning and zoning issues in the core downtown and redevelopment efforts extended to the south. We will keep you apprised of our work and look forward to reviewing this plan with you.*

*Sincerely,*

*Barbara Creasman*

Commissioner Roberts commented that he would like to see the DDA reestablish the Parking Authority with the incremental fee enacted. There are approximately 3,000 parking spaces which are on private property with a lot of restrictions. If the DDA had the money, they could maintain public lots for true shared use.

Mr. Boeschenstein added that the City just purchased lots near Two Rivers Convention Center which will become public parking.

Commissioner Roberts disagrees with the standard for assessing parking due to the envelope size on existing buildings. The type of use should be considered not just current usage or envelope size.

Commissioner Roberts commented on item 7-2-9, compact car spaces in large parking lots. He felt that if 30 percent were allowed for compact spaces, the developers would over use it. He felt the best use of the land would not be utilized.

Mr. Boeschstein explained that it has been enacted in the county since 1983, and most developers have not chosen to use it. The developers generally tend to go with the largest spaces possible. Publications from the mid-80's show 30 to 40 percent of cars on the road are considered compact cars.

Chairman Halsey questioned whether they should allow more than 10 percent of spaces to be compact; and Commissioner Roberts added that this was his concern also.

Commissioner Anderson agreed with Commissioner Roberts and added that this area tends to not have the high percentage of compact cars. Although, to make a nonconforming lot the most efficient, compact spaces could be used to fill in and conform to the overall space requirement.

Item #7-2-9 will be tabled until the September 1991 meeting following a workshop.

**MOTION: (COMMISSIONER ELMER) "MR. CHAIRMAN ON THE REQUEST TO REVISE ITEM 5-5-1K AND 5-5-1-I OF THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE REGARDING PARKING AND LOADING STANDARDS FOR THE DOWNTOWN PARKING STANDARDS WITH A MODIFICATION ON THE COMPACT CAR SPACES TO BE FROM 35% TO 10%, WE MAKE A RECOMMENDATION TO CITY COUNCIL TO APPROVE THOSE AMENDMENTS."**

The motion was seconded by Commissioner Love.

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

**3. 46-91 VACATION OF GUNNISON AVENUE**

**A request to vacate a portion of the Gunnison Avenue right-of-way between Harris Road and Melody Lane.**

**Petitioner: Wagner Equipment Company**

**Location: 2850 1/2 Mesa Ave**

**PETITIONERS PRESENTATION**

Mr. Tom Logue of Armstrong Consultants representing Wagner Equipment Company was present. He stated that Grand Junction Pipe and Supply are co-petitioners.

The request is for the vacation of Gunnison Avenue between Harris Road and Melody Lane.

Currently there are no improvements of Gunnison Avenue. The land surrounding Gunnison Avenue is zoned industrial. Wagner Equipment Company owns a few parcels which are split by Gunnison Avenue near the east end. Grand Junction Pipe and Supply also owns several parcels which are also split by the Gunnison Avenue right-of-way.

The purpose of the request is to allow the landowners to obtain a perpetual access between their two properties under their ownership. Vacating Gunnison Avenue would help avoid any future conflict in the operations of their businesses which are largely dependent upon heavy equipment and large truck traffic across the right-of-way.

The roadway itself is not identifiable on the ground; however, there are some utilities within the right-of-way (electric, gas, phone, irrigation easement). The application would include redesignation of Gunnison Avenue as a utilities easement to facilitate the ongoing operation and maintenance of those utilities.

#### **STAFF PRESENTATION**

Mr. Metzner agreed with the petitioner in regards to the non-identifiable road; it is an administrative right-of-way only. There are numerous utilities located there and if the vacation is approved, it should be approved subject to the utilities easements. The right-of-way is currently classed as a collector roadway by the MPO. The issue is the MPO has contracted for a arterial and collector roadway study. One of the elements of that study would be to revise the functional classification map, (last amendment 1983). Pending the results of that study and the results of an adoption of an Amended Functional Classification Map, (to be concluded September 1992). Staff is concerned about vacating at this time without a real hard look to see if it will be necessary in the future either as a collector roadway or as a local industrial roadway. Staff feels it would be better to have the study and have an amended classification map adopted and then proceed.

Staff would be willing, if the study revealed this area was not needed for a roadway of any kind, to pick this up as a staff initiative and proceed with the vacation process.

The Development Department sees no problem with Wagner moving a building to that location. It would require some improvements in the right-of-way; including a concrete pad, but there are no problems with that in issuing a revocable permit. Revocable permits were issued for the gates on either end.

Commissioner Roberts wondered if this would be an opportunity to pick up more of the Melody Lane right-of-way?

Mr. Metzner replied that one requirement (since there is definite benefit to property owners) would be dedication of rights-of-way on Harris Road and Melody Lane. Wagner A-1 Towing and Grand Junction Pipe would benefit and City would get right-of-way from them also.

#### **QUESTIONS**

Commissioner Elmer feels it should be vacated now, as the future land use cannot be predicted.

Mr. Logue, in response to Staff report, stated that the most driving force in the request is safety to the public. All individuals in the area are in favor of the vacation. With the proximity of I-70 Business Loop it seems unlikely they would be using it even in the future.

Commissioner Elmer commented that the Fire Department had previously mentioned that they needed the access.

Mr. Logue stated that access through the locked gates is gained through the I-70 Business Loop and this will not change.

Commissioner Bittel asked Staff if this is approved without the land swap included, would the City lose their negotiating point?

Mr. Metzner explained that should this be approved tonight, a provision should be included stating that if the Petitioners pick up any additional right-of-way from Gunnison Avenue and if additional right-of-ways are required from either Harris Road or Melody Lane that it be dedicated.

Mr. Logue stated that this would not be a problem. The fencing on the Wagner property has already been set back prior to their ownership to approximately within a foot or so of where the ultimate right-of-way would be. Grand Junction Pipe has also done the same thing along Harris Road.

Commissioner Roberts asked if the City could ask for fair market value of the land?

Mr. Shaver stated that the right-of-way would revert to the adjoining property owners; however, the vacation can require the dedication of other needed rights-of-way.

Commissioner Roberts had concerns that not only Gunnison Ave would be used but the MPO study may recommend frontage roads would be used along Highway 6 & 50 to consolidate curb cuts into a single access to get to 28 1/2 Road or Melody Lane; which at some point becomes a controlled access point. As they become more retail oriented, it could become an issue.

Commissioner Bittel agreed with Commissioner Elmer that the item should not be tabled until after the MPO study.

Commissioner Roberts felt that a revocable permit given now to allow the activity to take place and not jeopardize the position of getting the easements finalized would be best.

Commissioner Elmer asked if the revocable permit included ingress/egress from property to property.

Mr. Shaver explained that it could be made explicit, but probably would not be needed because the revocable permit would allow them to function in the right-of-way as if it were theirs.

Commissioner Bittel asked Staff if there would be a need for a frontage road in the future?

Mr. Metzner said it was likely.

Mr. Boeschenstein added that the land use would likely be highway oriented large parcels not small parcels off a small back road.

Chairman Halsey felt that it would be prudent to wait until the MPO is completed. At this time requesting a revocable permit seems best.

Commissioner Elmer added that DOE is not considering assessing the right-of-way for tailings because it is not private property. If it is vacated it would be easier for DOE to pick it up prior to 1993 for clean up.

Commissioner Bittel asked Staff if they are going to continue this at no cost to the Petitioner if the Commissioners table this item?

Mr. Metzner explained that the Development Department would reinstate the vacation process at no cost to the Petitioner. If the vacation were approved tonight certain aggregations of property would have to happen so that nothing would be legally land-locked. This is the property owners responsibility; but the City would not require any re-application fees or other fees. The recording of deeds would eventually have to be done by the Petitioner.

Commissioner Bittel asked Staff if the study would be definite when it actually comes out, and who would decide if the process is going to be reinstated?

Mr. Metzner stated that the Development Department would reinstate this process in any case.

**MOTION (COMMISSIONER ELMER) "MR. CHAIRMAN, ON ITEM 46-91, A REQUEST TO VACATE GUNNISON AVENUE RIGHT-OF-WAY, I MOVE THAT WE TABLE THIS ITEM UNTIL COMPLETION OF THE MPO ARTERIAL AND COLLECTOR ROAD STUDY AND THAT STAFF REACTIVATE THIS REQUEST AT NO COST TO THE PETITIONER FOLLOWING COMPLETION OF THE STUDY AND THAT A REVOCABLE PERMIT BE ALLOWED FOR USE OF THE GUNNISON RIGHT-OF-WAY WITH THE SAME CONDITIONS AS IF ONLY A UTILITY EASEMENT EXISTED IN THE SUBJECT CORRIDOR AND THAT RIGHT-OF-WAY FOR HARRIS ROAD AND MELODY LANE BE TRANSFERRED FROM THE AFFECTED PROPERTY OWNERS IF THE GUNNISON AVENUE RIGHT-OF-WAY IS EVER ABANDONED OR VACATED."**

The motion was seconded by Commissioner Love.

A vote was called, and the motion passed by a vote of 6-1 with Commissioner Bittel opposing.

**4. 49-91 EASEMENT VACATION**

**A request for an easement vacation in an RSF-8 zone.**

**Petitioner: Donald and Patricia Turley**

**Location 2850-1/2 Mesa Avenue**

**STAFF PRESENTATION**

Ms. Portner explained that the easement being requested is a 10 foot easement along the east property line. There are no existing utilities in the easement. A concrete pad extends five feet into the easement and has been there for years. There is no future need for the easement. The petitioner is requesting that it be vacated so that the concrete pad no longer be illegally located in the easement. Staff recommends approval; there were no issues or concerns brought up by any of the review agencies.

**QUESTIONS**

Commissioner Elmer asked if the 5 foot setback was legal?

Ms. Portner replied affirmatively.

Commissioner Elmer also asked about the boundary line adjustment.

Ms. Portner stated that they will do a boundary line adjustment and that the plat has been submitted. They will be moving the west property line which will not affect the easement. The resubdivision will be done administratively.

**MOTION (COMMISSIONER LOVE) "MR. CHAIRMAN, ON ITEM 49-91, A REQUEST FOR AN EASEMENT VACATION, I MOVE THAT WE APPROVE THIS REQUEST AND RECOMMEND WE FORWARD THIS TO CITY COUNCIL SUBJECT TO THE REVIEW AGENCY SUMMARY SHEET COMMENTS."**

The motion was seconded by Commissioner Anderson.

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

**VI. GENERAL DISCUSSION**

**1. Watson Island Section of Colorado River Trail - Review of Plans and Specifications.**

Mr. Boeschenstein explained the plans for the Watson Island River Trail are out for bid. The project entails a trail head parking lot at 7th Street and Struthers Avenue, new bridge decking, and railing and a new loop trail system around the island. This is the first step of getting public use of the island. The funding is from the Lions Club and the City of Grand Junction.



## **2. South Downtown Riverfront Plans - Status Report**

Mr. Boeschstein stated there is some mapping being done on roads, sewer, flood plain, land use, zoning. Later some planned development will be shown for the area. He noted that many interesting cleanup projects will be occurring.

## **3. Master Plan of Parks - Planning Commission representative**

Mr. Boeschstein asked for a Planning Commission member to be a delegate to select consultants and serve on the steering committee for the Parks Master Plan which would be about a year task.

Commissioner Renberger volunteered.

Chairman Halsey officially appointed Commissioner Renberger as the Delegate for the Master Plan of Parks and to serve on the Steering Committee.

## **4. Annexation - Status Report**

Mr. Boeschstein stated that the annexation timetable has been submitted. The Ridges has a meeting set up on August 20, 1991. The Finance Department has done an analysis on the Ridges. It now appears the taxes can come down and their monthly fees will come down for the Ridges Residents if they annex. The City residents do not pay any of the debts; it's all borne by the Ridges residents themselves, but the tax rate comes down. It has been worked out on a 20 year pay off plan. The surcharge for the Ute Water rate, currently put on by the Ridges, would be lowered. The City would pick up the irrigation system and run it, and City Police would replace the County Sheriff in that area. The street maintenance was one of the biggest issues, there will be a lot of maintenance to be done.

Commissioner Roberts asked if this was based on full occupancy?

Mr. Boeschstein replied its based on 1.7 percent growth rate.

## **5. Neighborhood Meetings**

Mr. Boeschstein mentioned the neighborhood meetings will be occurring for the next 12 weeks and the Commissioners are invited.

Ms. Portner added it's an informal get-together with the City Staff and three or four council members at each meeting. The next meeting will be Thursday August 8, 1991 at Lincoln Park.

There were no nonscheduled citizens and/or visitors.

The meeting was adjourned at 10:33 p.m.