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**PLANNING COMMISSION AGENDA  
CITY HALL AUDITORIUM, 250 NORTH 5<sup>TH</sup> STREET**

**TUESDAY, APRIL 13, 2010, 6:00 P.M.**

**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.*

*In an effort to give everyone who would like to speak an opportunity to provide their testimony, we ask that you try to limit your comments to 3-5 minutes. If someone else has already stated your comments, you may simply state that you agree with the previous statements made. Please do not repeat testimony that has already been provided. Inappropriate behavior, such as booing, cheering, personal attacks, applause, verbal outbursts or other inappropriate behavior, will not be permitted.*

*Copies of the agenda and staff reports are available on the table 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**

Approve minutes of the March 9, 2010 Regular Meeting.

**[Attach 1](#)**

**2. Marriott Alley Vacation – Vacation of Right-of-Way [Attach 2](#)**

Request a recommendation of approval to City Council to vacate the western 150 feet of alley between Main Street and Rood Avenue west of North 3rd Street.

**FILE #:** VR-2009-254  
**PETITIONER:** Steve Reimer & Kevin Reimer – Western Hospitality, LLC  
**LOCATION:** 236 Main Street  
**STAFF:** Senta Costello

**3. R&A Subdivision – Vacation of Right-of-Way [Attach 3](#)**

Request a recommendation of approval to City Council to vacate 260 square feet of a section of Right-of-Way on the south side of Grand Mesa Avenue, 4 feet deep, a distance of 65.08 feet, in front of Lots 3, 4 and 5, Block 3, Orchard Mesa Heights Subdivision.

**FILE #:** VR-2009-231  
**PETITIONER:** Ronald Ashely  
**LOCATION:** 545 Grand Mesa Avenue  
**STAFF:** Lori Bowers

**4. American Furniture Warehouse – Vacation of Right-of-Way [Attach 4](#)**

Request a recommendation of approval to City Council to vacate 29,400 sq ft of the north end of Maldonado Street and 18,356 sq ft of an unnamed ROW extending east of Highway 6 and 50, along with eight other adjoining and nearby easements.

**FILE #:** VR-2010-019  
**PETITIONER:** Michael Michalek – American Furniture Warehouse; Steve Broadbent – Gigg Holdings, LLC  
**LOCATION:** East of Base Rock Street  
**STAFF:** Lori Bowers

**5. City Market – 24 Road – Vacation of Easement [Attach 5](#)**

Request a recommendation of approval to City Council to vacate a utility easement, which was dedicated on Lot 2A, Replat of Mesa Village Subdivision plat.

**FILE #:** CUP-2007-331  
**PETITIONER:** John T. Atwood – Dillon Real Estate Co., LLC  
**LOCATION:** 630 24 Road  
**STAFF:** Lori Bowers

**6. Dominguez Estates South Extension – Preliminary Subdivision Plan [Attach 6](#)**

Request approval of the extension of the Preliminary Subdivision Plan to develop 15 single family lots on 4.4 acres in an R-4 (Residential 4 du/ac) zone district.

**FILE #:** PP-2006-185  
**PETITIONER:** South Dominguez Estates, LLC  
**LOCATION:** 2921 E 7/8 Road  
**STAFF:** Scott Peterson

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

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

**Public Hearing Items**

*On the following items 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 Public Works and Planning Department (244-1430) after this hearing to inquire about City Council scheduling.*

**7. Grand Valley Circulation Plan – Revised Plan [Attach 7](#)**

Adoption of the Grand Valley Circulation Plan with proposed revisions.

**FILE #:** PLN-2010-030  
**PETITIONER:** City of Grand Junction  
**LOCATION:** Comprehensive Plan Planning Area  
**STAFF:** Jody Kliska

**General Discussion/Other Business**

**Nonscheduled Citizens and/or Visitors**

**Adjournment**

**Attach 1  
Minutes of Previous Meetings**

**GRAND JUNCTION PLANNING COMMISSION  
March 9, 2010 MINUTES  
6:00 p.m. to 6:48 p.m.**

In the absence of both Chairman Wall and Vice-Chairman Pavelka-Zarkesh, Lisa Cox, Planning Manager, announced that it was necessary that the Planning Commission discuss who might act as Chairman for this evening's meeting. The Commission named Commissioner Ebe Eslami to serve as chair.

The regularly scheduled Planning Commission hearing was called to order at 6:00 p.m. by (Acting) Chairman Eslami. The public hearing was held in the City Hall Auditorium.

In attendance, representing the City Planning Commission, were Patrick Carlow, Ebe Eslami, Mark Abbott, Rob Burnett, Richard Schoenrad, Lyn Benoit (Alternate) and Gregory Williams (Alternate). Commissioners Reginald Wall (Chairman) and Lynn Pavelka-Zarkesh (Vice-Chairman) were absent.

In attendance, representing the City's Public Works and Planning Department – Planning Division, were Lisa Cox (Planning Manager), Greg Moberg (Planning Services Supervisor), Scott Peterson (Senior Planner), Senta Costello (Senior Planner), Justin Kopfman (Associate Planner) and Dave Thornton (Principal Planner).

Also present was Jamie Beard (Assistant City Attorney).

Lynn Singer was present to record the minutes.

There were 6 interested citizens present during the course of the hearing.

**ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS**

There were no announcements, presentations and/or visitors.

**Consent Agenda**

**1. Minutes of Previous Meetings**

There were no minutes available at this time.

**2. Fuoco Sales Lot – Conditional Use Permit**

Request approval of a Conditional Use Permit to develop general retail sales, outdoor operations and display for new and used vehicles in a C-1 (Light Commercial) zone district.

**FILE #:** CUP-2009-180  
**PETITIONER:** Bob Fuoco – Fuoco Investments, LLC  
**LOCATION:** 745 North 1<sup>st</sup> Street  
**STAFF:** Scott Peterson

**3. Tyler Single Family Residence – Conditional Use Permit**

Request approval to the Conditional Use Permit to allow the dwelling at 903 Main Street to return to a residence after having been a business on .144 acre in a B-2 (Downtown Business) zone district.

**FILE #:** CUP-2010-016  
**PETITIONER:** Tyler Price  
**LOCATION:** 903 Main Street  
**STAFF:** Senta Costello

**4. KD Annexation – Zone of Annexation**

Request a recommendation of approval to City Council to zone 10.07 acres from County RSF-R (Residential Single Family Rural) to a City I-1 (Light Industrial) zone district.

**FILE #:** ANX-2010-006  
**PETITIONER:** John Durmas – Knight & Durmas Properties, Inc.  
**LOCATION:** 823 22 Road  
**STAFF:** Justin Kopfman

Chairman Eslami briefly explained the Consent Agenda and invited the public, planning commissioners, and staff to speak if they wanted any item pulled for additional discussion. Commissioner Schoenradt asked for discussion to add the Zoning Code Text Amendment to the Consent Agenda. Lisa Cox interjected that there may be someone in the audience that may be interested in providing testimony on that item. As it was determined that there was someone in the audience who wanted to testify regarding the Text Amendment item, it was not added to the Consent Agenda. After discussion, there were no objections or revisions received from the audience or Planning Commissioners on any of the Consent Agenda items.

**MOTION: (Commissioner Abbott) “Mr. Chairman, I recommend that we pass the Consent Agenda as stated in the agenda.”**

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

**Public Hearing Items**

**5. Zoning and Development Code – Text Amendment Code**

Request a recommendation of approval to City Council on the proposed updated Zoning and Development Code.

**FILE #:** TAC-2010-020  
**PETITIONER:** City of Grand Junction  
**LOCATION:** N/A  
**STAFF:** Lisa Cox and Dave Thornton

**STAFF’S PRESENTATION**

Lisa Cox, Planning Manager, reviewed the proposed Zoning Code changes. She said that it was necessary to update the Zoning and Development Code in order to implement

the vision and goals of the recently adopted Comprehensive Plan. She reiterated that the vision of the Comprehensive Plan was to become the most livable community west of the Rockies.

Next discussed were the six guiding principles that emerged from the public participation process and stakeholders which involved such things as concentrated centers, sustainable growth patterns, housing variety, green system of connected recreational opportunities, balanced transportation and maintaining the importance as a regional center. From those principles, goals and policies were developed as part of the Comprehensive Plan.

Ms. Cox said that there were five basic objectives to updating the Code which included implementation of the goals and visions of the Comprehensive Plan, removal of barriers from development and redevelopment, reduction of the burden of nonconformities, streamlining the development review process and reorganization of the Code to make it more user friendly for citizens, the development community and staff. She said that posted on the City's website were a summary of the major changes, a draft Code and an executive summary to help people's review of the document.

She added that new language had been introduced into the Code to encourage special consideration for neighborhood centers, village centers, and growth in the downtown area. It also included new form based zone districts to bring flexibility for Mixed-Use developments and development along Mixed-Use opportunity corridors. Additionally, certain bulk standards in residential and non-residential zone districts had been reduced to make sure that the density and intensity could be achieved. Minimum lot sizes and lot width had also been reduced and would allow for more flexibility within the existing zone districts.

Ms. Cox stated that whenever possible development standards or the review process had been simplified. Examples included reduction in landscaping requirements, reduction of the buffering and screening requirements between particular zone districts, expansion of the administrative authority of the Director, creation of a Special Permit that would allow a decrease in height for buildings and fences, and a change to the threshold that required full compliance and site upgrades for nonconforming sites. Other proposals included subdivisions becoming an administrative review process, expansion of the amount of areas in which the Director could grant an Administrative Adjustment, creation of an opportunity for the Special Permit to be considered for interim uses. The Special Permit would be reviewed by staff, then it would go to the Planning Commission for recommendation to City Council and ultimately City Council would be responsible for granting the Special Permit.

To make the document easier to use, the Code was reformatted by consolidation of similar sections, adding headers, footers and an index and adding more illustrations, graphics and summary tables. Ms. Cox believed that this document was consistent and compatible with the Comprehensive Plan. She concluded that the Zoning and Development Code now had language that would implement the Plan, the goals and policies and recommended the Code be forwarded to City Council for adoption.

### **QUESTIONS**

Commissioner Benoit asked what the process would be for amending the Code. Ms. Cox said that once the Code was adopted in order to change the Zoning Code it would be amended by ordinance. She clarified that the general process was to submit the request either to Planning Commission or City Council's staff and language would then be proposed which would come before the Planning Commission for review and recommendation to City Council and then ultimately City Council would act upon the request.

### **PUBLIC COMMENT**

Rob Rowlands, Design Specialists, Architects and Planners, 917 Main Street, addressed the Commission regarding the proposed removal of bar/nightclub from the I-1 zone district. He identified the presently allowed zones as B-1, B-2, C-1, C-2, I-O and I-1 and did not think the Code should change. He stated this change would affect his client and would make the Gentlemen's Club a legal non-conforming use and would not allow his client to open earlier.

### **QUESTIONS**

Chairman Eslami stated that Mr. Rowlands's client would be grandfathered in. However, according to Mr. Rowlands, he was approved from 5:00 p.m. to 2:00 a.m. and his client would like to open his business at 11:00 a.m. and serve lunch. If this was removed from the Code, he would not be able to do that. Mr. Rowlands said that he could open at 11:00 a.m. but could not serve alcohol. Under that scenario, he believed his client would be allowed to open the club to 18 year olds and with full nudity until 5:00 p.m. He opined that the bar/nightclub in an I-1 zone was really an evening event and felt that the way the Code was originally written was an appropriate use for a bar/night- club in an I-1 zone.

Commissioner Benoit asked if he was concerned about something that might happen in the future or with an existing use. Rob Rowlands said that there was not a problem with the business use but rather that his client would like to open earlier in the day. However, if approved as written, his client could not obtain a Conditional Use Permit and would become a legal nonconforming use and would not be able to serve alcohol at 11:00 a.m.

Chairman Eslami asked if this would be a hardship on his client. Mr. Rowlands said that it could be.

Commissioner Abbott said that right now as Mr. Rowlands's client was not proposing to open at 11:00, this was a hypothetical situation. Mr. Rowlands said that he had originally started the process to request a Conditional Use Permit to allow him to open at 11:00 a.m., however, that was put on hold once the revisions of the Code were reviewed and identified the fact that the club would become a legal non-conforming use.

Commissioner Abbott asked for clarification that this was a hypothetical situation where he could do this at sometime in the future. Mr. Rowlands confirmed that was correct; however, he stated that he would be moving forward with the request for a Conditional Use Permit.

Commissioner Schoenradt asked staff for the background of why the change was made. Ms. Cox said that in the interviews with stakeholders, the Zoning Code Focus Group, the Planning Commission, and staff, several suggestions for proposed changes were received one of which was the suggestion that a bar/nightclub may not be the most appropriate use in an I-1 zone district. However, she added that as this was only a proposed change, the Commission could make other recommendations. Staff felt that there was some justification in terms of accomplishing the goals of the Comprehensive Plan by including this change.

Commissioner Schoenradt asked if preserving as much of the I-1 zoned property as possible for industrial type uses was desired. Ms. Cox added that the other zone districts that allowed bar/nightclubs were left intact and felt that there was still ample opportunity to provide that type of use in the community.

Commissioner Schoenradt asked if Mr. Rowlands's client came back to request a Conditional Use Permit would his grandfathering have any affect on that. Ms. Cox said that this particular project had been approved through the Conditional Use process which ran with the land so any conditions of that original approval would stand for this development. Should the proposal be adopted, the existing nightclub would become a legal nonconforming use and would not be eligible for expansion because he would have to go through the Conditional Use process again and it would require the Planning Commission to consider the terms of the original permit and whether or not the requested change would be consistent with the then current Code.

Jamie Beard, Assistant City Attorney, said that the difficulty was that they did not have an application and to rely on something as to a hypothetical situation made it difficult in looking at the Code in general because what needed to be looked at was what was best for the City of Grand Junction as a whole and all of the possible industrial use properties and not just specific to this parcel.

Commissioner Williams asked what the original Conditional Use Permit given to the landowner was, and was it for operations from 5:00 p.m. to 2:00 a.m. Ms. Cox said that the original Conditional Use Permit was granted to operate a bar and nightclub from 5:00 p.m. to 2:00 a.m.

Chairman Eslami asked if there was a way to exempt that application if this change was approved. Jamie Beard said that it would be difficult to exempt individual properties for specific reasons. She advised that they were looking at what was best for the City as a whole and the Commission should not be looking at how it may specifically affect one parcel.

#### **DISCUSSION**

Commissioner Benoit stated that he was not inclined to want to make changes to what was being proposed for an exception because it would affect the entire City and not just one parcel of land.



Commissioner Abbott found that with the added flexibility of the proposed updated Zoning and Development Code, combined with the ability to find items within the Code, it was a large step in the right direction to have the town be more transparent and become the best city within the state of Colorado and would support the update.

Commissioner Carlow said that he was opposed to the particular change in use if it would affect an item that had already been dealt with and would be opposed so long as it included the specific change. He added that he would approve it if that particular parcel could be exempted.

Commissioner Abbott recommended that the Commission approve the changes.

Jamie Beard clarified that the approval of the Conditional Use Permit that was presently in effect would not require them, with these changes, to have to come back. Ms. Beard confirmed that what was being considered tonight was the recommendation to City Council of the adoption of the Zoning and Development Code changes.

**MOTION: (Commissioner Benoit) “Mr. Chairman, on File TAC-2010-20, I move the Planning Commission forward a recommendation of the approval of the proposed updated Zoning and Development Code with the facts and conclusions listed in the staff report.”**

Commissioner Abbott seconded the motion. A vote was called and the motion passed by a vote of 5 – 2 with Commissioners Carlow and Schoenradl opposed.

**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 6:48 p.m.

**Attach 2  
Marriott Alley Vacation**

CITY OF GRAND JUNCTION  
PLANNING COMMISSION

MEETING DATE: April 13, 2010  
PRESENTER: Senta L. Costello

AGENDA TOPIC: Marriott Alley Right-of-Way Vacation - VR-2009-254.

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

BACKGROUND INFORMATION			
Location:		236 Main Street	
Applicants:		Owner: Western Hospitality, LLC – Kevin Reimer/Steve Reimer Representative: Souder-Miller Assoc. – Jim Langford Representative: Ciavonne, Roberts & Assoc. – Ted Ciavonne	
Existing Land Use:		Alley	
Proposed Land Use:		Hotel parking/circulation	
Surrounding Land Use:	North	Retail/Parking Lot	
	South	Hotel/Office	
	East	Office	
	West	Retail/Credit Union	
Existing Zoning:		N/A	
Proposed Zoning:		B-2 (Downtown Business)	
Surrounding Zoning:	North	B-2 (Downtown Business)	
	South	B-2 (Downtown Business)	
	East	B-2 (Downtown Business)	
	West	B-2 (Downtown Business)	
Future Land Use Designation:		Downtown Mixed Use	
Zoning within density range?		X	Yes
			No

PROJECT DESCRIPTION: Request to vacate a portion of the east/west alley between Main Street and Rood Avenue, west of North 3<sup>rd</sup> Street.

RECOMMENDATION: Recommend approval to City Council.

## ANALYSIS

### 1. Background

The alley is part of the original town site recorded in 1882 and then replatted in 1885. The surrounding properties have been historically used for a variety of commercial uses over the years including retail, office, banking and parking.

The western 150 feet of the alley was vacated March 1988 as part of the development of the Colorado State Employees Credit Union and the associated drive-thru.

The applicant is requesting to vacate an additional 150.57 feet of the remaining alley at the western end as part of the proposed Marriott Hotel project, with the vacated area to be used as a utility easement and site circulation, detention and landscaping.

### 2. Section 2.11.C of the Zoning and Development Code

The vacation of the alley right-of-way shall conform to the following:

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

Response: The proposal implements Goal 4 of the Comprehensive Plan by aiding redevelopment of the downtown area, Goal 6 by encouraging appropriate re-use of property, and Goal 12 by furthering the ability of the City to be a regional provider of services to develop, sustain, and enhance a healthy, diverse economy.

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

Response: All properties adjoining the alley have street frontage, so no parcel will be land locked as a result of vacating the alley.

- 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.

Response: All affected parcels will have reasonable access. No accesses to any parcels will be eliminated or restricted with the vacation of this portion of alley right-of-way.

- 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).

Response: There will be no adverse impacts due to the vacation. Emergency access will still be available to all properties and the alley right-of-way will be retained as a utility easement to protect utility services.

- e. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter Six of the Zoning and Development Code.

Response: Adequate public facilities and services exist and will be maintained with the vacation of the right-of-way.

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

Response: With the vacation of the alley, the City will be relieved of maintenance responsibilities.

#### FINDINGS OF FACT/CONCLUSION/CONDITION

After reviewing the Marriott alley vacation application, VR-2009-254 for the vacation of a public alley right-of-way, I make the following findings of fact, condition and conclusion:

1. The requested right-of-way vacation is consistent with the Comprehensive Plan.
2. The review criteria in Section 2.11.C of the Zoning and Development Code have all been met.
3. The vacated alley right-of-way shall be retained as a utility easement with the vacation ordinance.

#### STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval of the requested alley right-of-way vacation, VR-2009-254 to the City Council with the findings, condition and conclusion listed above.

#### RECOMMENDED PLANNING COMMISSION MOTION:

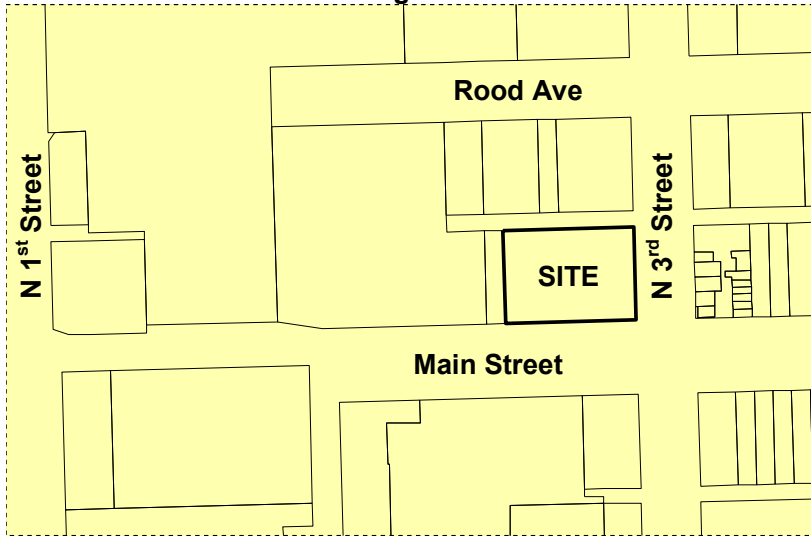
Mr. Chairman, on item VR-2009-254, I move we forward a recommendation of approval to the City Council on the request to vacate alley right-of-way with the findings of fact, conditions and conclusions in the staff report.

#### Attachments:

Site Location Map / Aerial Photo Map  
Comprehensive Plan Map / City Zoning Map  
Ordinance

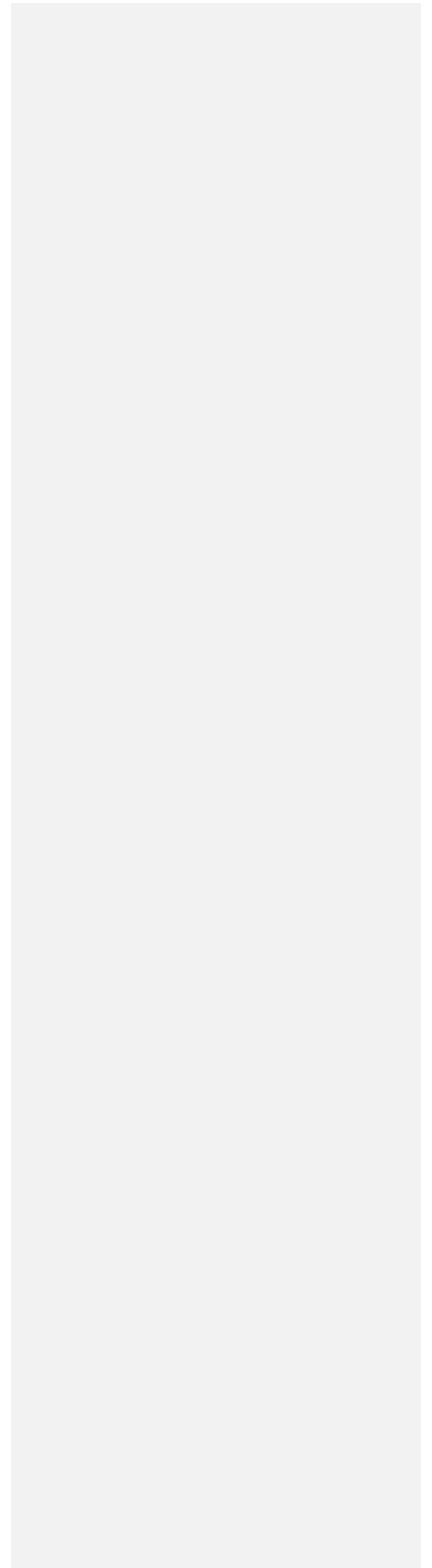
# Site Location Map

Figure 1



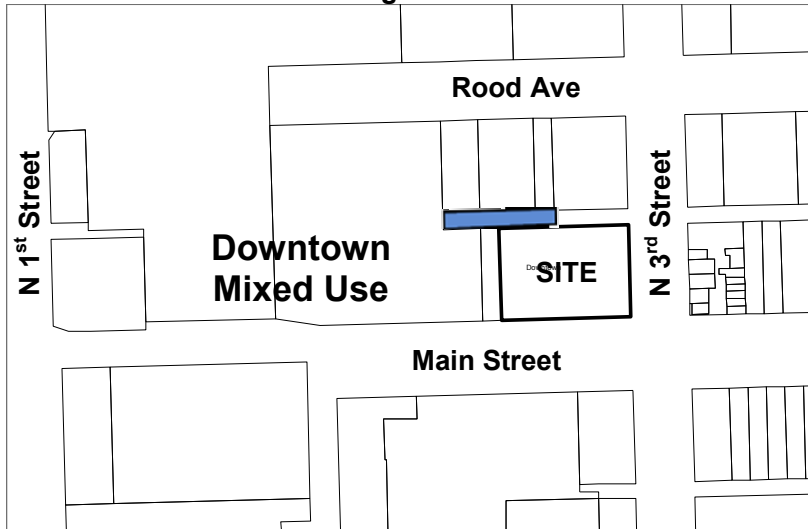
# Aerial Photo Map

Figure 2



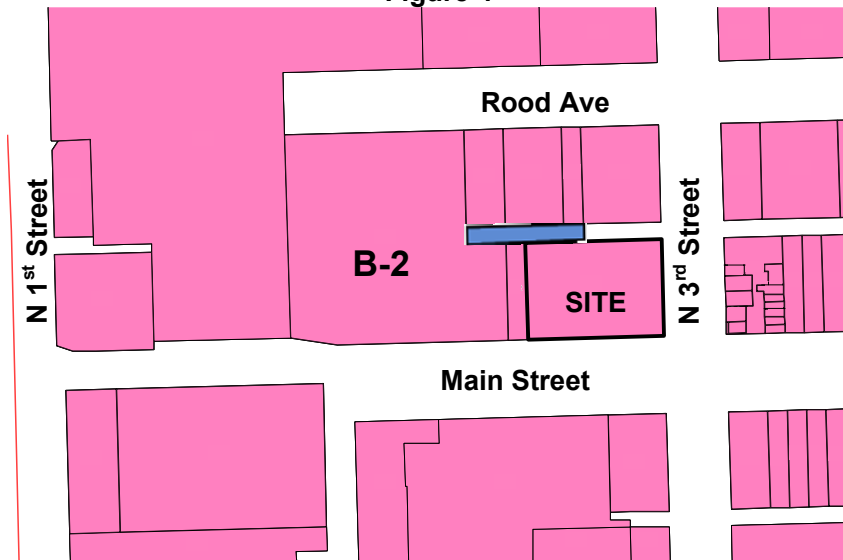
# Comprehensive Plan Map

Figure 3



# Existing City Zoning

Figure 4



**CITY OF GRAND JUNCTION**

**Ordinance No.**

**AN ORDINANCE VACATING RIGHT-OF-WAY FOR A PORTION OF ALLEY  
LOCATED BETWEEN MAIN STREET AND ROOD AVENUE WEST OF NORTH 3<sup>RD</sup>  
STREET**

RECITALS:

A vacation of the dedicated right-of-way for has been requested by the adjoining property owners.

The City Council finds that the request is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 2.11 of the Zoning and Development Code.

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.

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

The following described dedicated right-of-way for 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. The vacated alley is retained as a utility easement

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 parcel of land located in the SW1/4 of Section 14, Township One South, Range One West of the Ute Meridian, in the City of Grand Junction, County of Mesa, State of Colorado; said parcel being more particularly described as follows:

The west 150.57 feet of the remaining east-west alleyway in Block 101, City of Grand Junction, containing 3011.42 square feet as described herein and as depicted on Exhibit A attached hereto and incorporated herein by reference. Said parcel being further contiguous with lost 7 through 12 and lost 21 through 26.

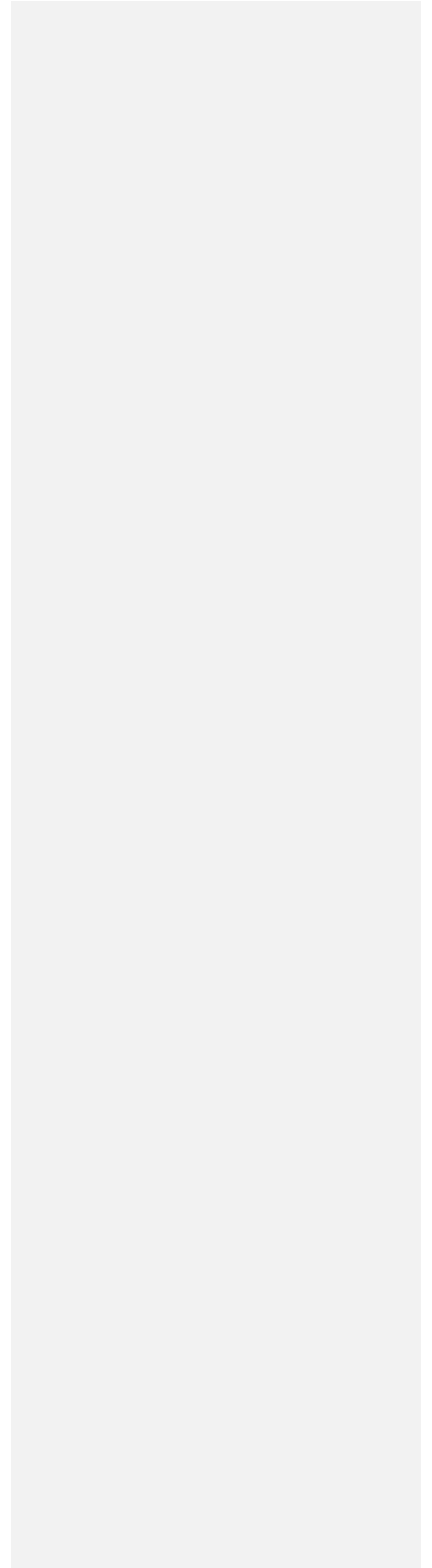
Introduced for first reading on this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

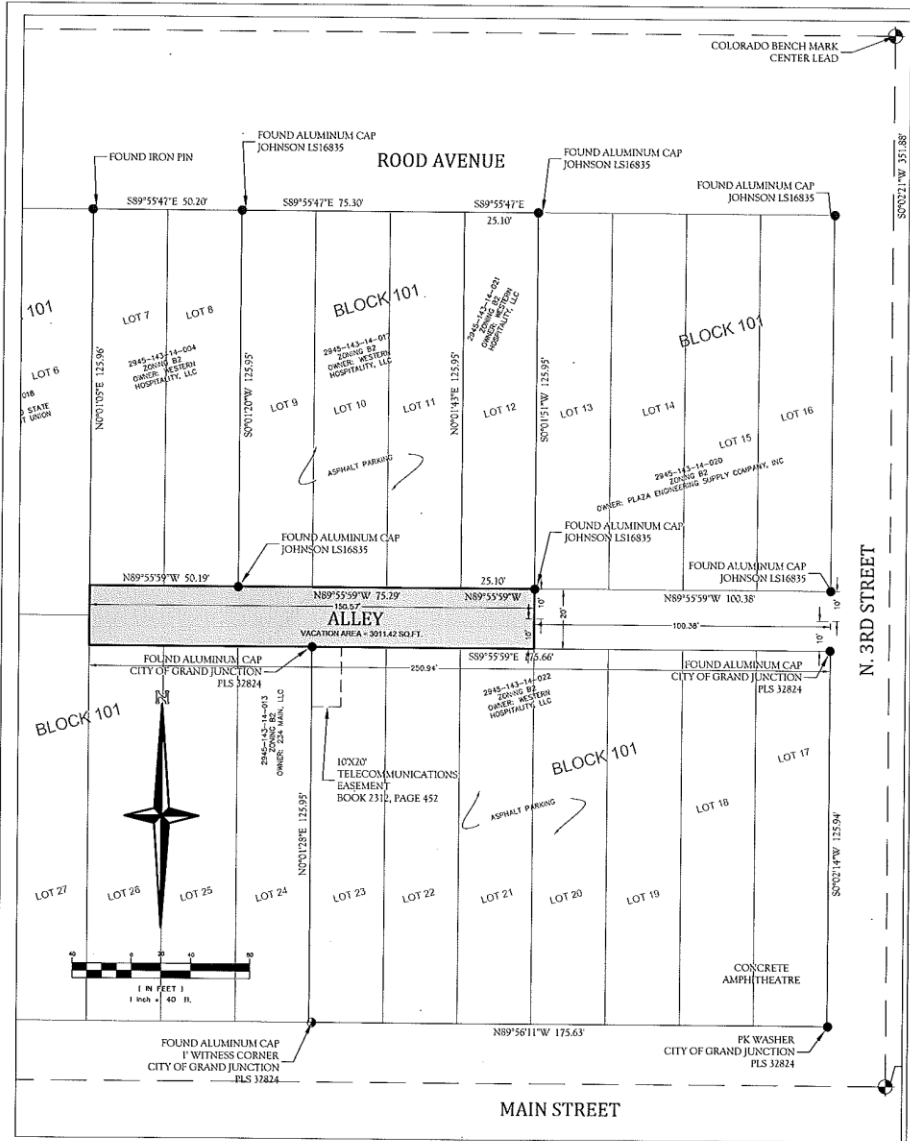
ATTEST:

\_\_\_\_\_  
President of City Council

\_\_\_\_\_  
City Clerk







 <b>SOUDER, MILLER &amp; ASSOCIATES</b> 909 25th Street, Ste. 2025 Grand Junction, Colorado, 81505 Phone: 970-243-6607 Fax: 970-241-2845 www.soudermiller.com	<b>WESTERN HOSPITALITY, LLC</b> <b>MARRIOTT HOTEL</b> <b>EASEMENT EXHIBIT F</b>	<b>GRAND JUNCTION</b>	<b>DRAWN BY:</b> LMS	<b>DATE:</b> 11-17-09	<b>SHEET #</b>
		<b>CHECKED BY:</b> JEL	<b>SCALE:</b> 1"=40'	<b>PROJECT NO:</b> 9841018	1

**Attach 3  
R&A Subdivision**

CITY OF GRAND JUNCTION  
PLANNING COMMISSION

MEETING DATE: April 13, 2010  
STAFF PRESENTATION: Lori Bowers

AGENDA TOPIC: R&A Subdivision Vacation (VR-2009-231)

ACTION REQUESTED: Forward a recommendation of approval to City Council for the vacation of a portion of the Grand Mesa Avenue right-of-way.

BACKGROUND INFORMATION					
Location:		A portion of the Grand Mesa Avenue located at 545 Grand Mesa Avenue			
Applicant:		Ronald and Angelina Ashley			
Existing Land Use:		Residential			
Proposed Land Use:		Residential			
Surrounding Land Use:	North	Residential			
	South	Residential			
	East	Residential			
	West	Residential			
Existing Zoning:		R-8 (Residential 8 units/ acre)			
Proposed Zoning:		Residential Medium (4-8 units/acre)			
Surrounding Zoning:	North	R-8 (Residential 8 units/ acre)			
	South	R-8 (Residential 8 units/ acre)			
	East	R-8 (Residential 8 units/ acre)			
	West	R-8 (Residential 8 units/ acre)			
Growth Plan Designation:		n.a.			
Zoning within density range?		X	Yes		No

PROJECT DESCRIPTION: Request to vacate an unused portion of the Grand Mesa Avenue right-of-way.

RECOMMENDATION: Recommendation of approval to City Council

## ANALYSIS

### 1. Background

The applicants, Ronald and Angelina Ashley, have made a request to vacate a portion of the existing Grand Mesa Avenue right-of-way that runs adjacent to their property. The request to vacate this portion of right-of-way will remove excess right-of-way from Grand Mesa Avenue.

The subdivision was created in 1890 and designated 100 feet of right-of-way to Grand Mesa Avenue in anticipation of a major thoroughfare. In 1908 40 feet of right-of-way was vacated through the recording of Moon and Days Add to Orchard Mesa Heights subdivision leaving the total right-of-way 60 feet. The neighborhood has since been fully developed and maintained as residential for over 100yrs. There are no anticipated changes to the classification of the street from a residential street. The minimum street width for a residential street is 52 feet. The minimum right-of-way width from the aliquot line is 26 feet. This allows the applicant to request 4 feet of right-of-way to be vacated as to not impact the right-of-ways' potential capacity. This vacation will also allow the existing structure to meet the required front yard setback of 20 feet. Without the vacation the existing structure has a front yard setback of 18 feet.

This vacation of this portion of right-of-way will allow the applicants to remove responsibility of maintenance and liability from the city.

### 2. Section 21.02.100 of the Zoning and Development Code

Requests to vacate any public right-of-way or easement must conform to the following:

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

The minimum street width for a residential street is 52 feet. The minimum right-of-way width from the aliquot line is 26 feet. The total existing right-of-way is 60 feet. This allows the applicant to vacate 4 feet as to not impact the Grand Valley Circulation Plan, Comprehensive Plan and all other policies adopted by the City of Grand Junction and any future growth in the area.

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

No parcel will be landlocked as a result of the vacation.

- 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 as a result of this vacation.

- 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).*

The vacation will not cause any adverse impacts on the health, safety or welfare of the general community and the quality of public facilities. Services provided to any parcel of land will not be reduced if this portion of right-of-way is vacated because there are no services existing in this portion of right-of-way.

- e. *The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter Six of the Zoning and Development Code.*

No services or public facilities will be inhibited by the vacation of this portion of right-of-way because no services exist in the portion being vacated.

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

The portion of right-of-way being requested to be vacated is in excess and is not expected to be used in the future. The vacation will allow the City to transfer responsibility of the land to the residents adjacent to the right-of-way while not reducing potential right-of-way capacity.

#### FINDINGS OF FACTS/CONCLUSION

After reviewing the R&A Subdivision Vacation application, VR-2009-231 for the vacation of a portion of the Grand Mesa Avenue right-of-way, the following finding of facts and conclusion has been determined:

- 1.) The request is consistent with the goals and policies of the Comprehensive Plan
- 2.) The review criteria in Section 21.02.100 of the Zoning and Development Code have all been met.

#### STAFF RECOMMENDATION:

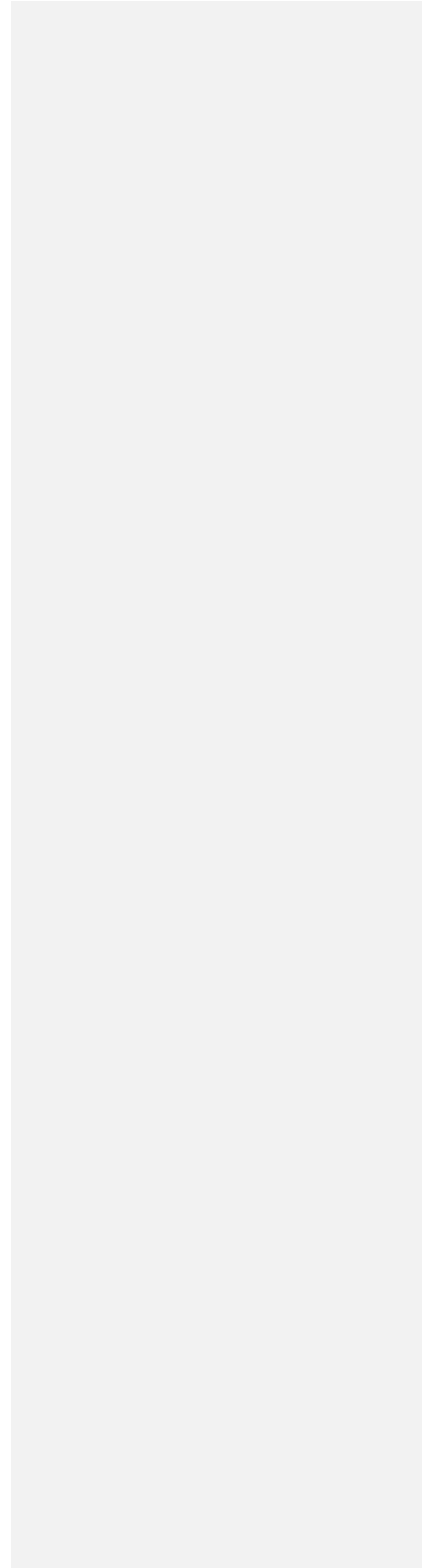
I recommend that the Planning Commission forward a recommendation of approval of the request to vacate a portion of the Grand Mesa Avenue, VR-2009-231, to the City Council with the findings and conclusion listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on the vacation of a portion of the Grand Mesa Avenue right-of-way adjacent to 545 Grand Mesa Avenue, VR-2009-231, I move that the Planning Commission forward a recommendation of approval to City Council with the facts and conclusions listed in the staff report.

Attachments:

- Figure 1: Site Location Map
- Figure 2: Aerial Photo Map
- Figure 3: Future Land Use Map
- Figure 4: Existing City and County Zoning Map
- Figure 5: Proposed Right-of-Way Vacation Ordinance



# Site Location Map

Figure 1



# Aerial Photo Map

Figure 2



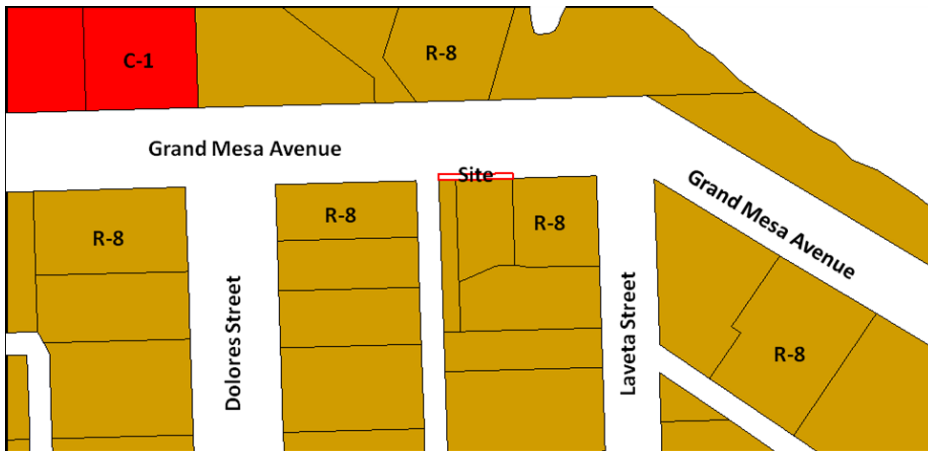
# Future Land Use Map

Figure 3



# Existing City Zoning Map

Figure 4

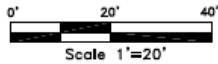


# Proposed Right-of-Way Vacation

Figure 5

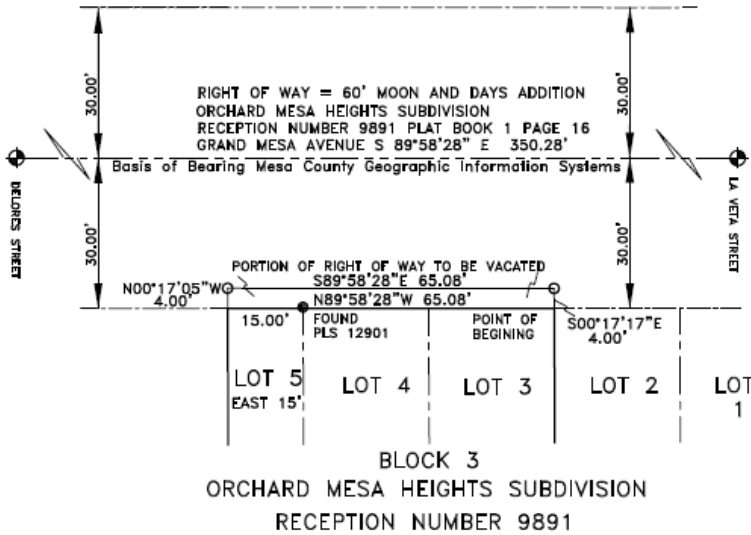


All lineal measurements are in US survey feet.



## LEGEND

- FOUND SURVEY MARKER AS DESCRIBED
- ⊕ FOUND CITY MONUMENT
- NO.5 REBAR/CAP L.S. 24943



Cecl D. Caster  
Registered Professional Land Surveyor  
P.L.S. Number 24943

	Monument Surveying Inc.
	741 Rood Ave.
	Grand Junction, CO 81501
	245-4189 03-09-10
EXHIBIT B Street Vacation Grand Mesa Avenue	



**CITY OF GRAND JUNCTION**

**ORDINANCE NO.**

**AN ORDINANCE VACATING A PORTION OF THE GRAND MESA AVENUE RIGHT-OF-WAY LOCATED ADJACENT TO 545 GRAND MESA AVENUE**

RECITALS:

A request to vacate a portion of the Grand Mesa Avenue Right-of-Way adjacent 545 Grand Mesa Avenue. This request has been made by Ronald and Angelina Ashley.

The City Council finds that the request to vacate the herein described portion of the Grand Mesa Avenue right-of-way is consistent with the Comprehensive Plan and Section 21.02.100 of the Zoning and Development Code.

The Planning Commission, having heard and considered the request on April 13, 2010, found the criteria of the Zoning and Development Code to have been met, and recommends that the vacation be approved as requested.

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

Beginning at the Northeast corner of Lot 3 in Block 3 of ORCHARD MESA HEIGHTS SUBDIVISION recorded at Reception Number 9891 in the Mesa County Clerk and Recorder's Office; thence N89°58'28"W 65.08 feet to the Northwest corner of the East 15 feet of Lot 5 of said ORCHARD MESA HEIGHTS; thence projecting the West line of said East 15 feet N00°17'05"W 4.00 feet; thence S89°58'28"E 65.08 feet; thence on a line projected Northerly on the East line of said Lot 3, S00°17'17"E 4.00 feet to the point of beginning, contains 260 square feet more or less, City of Grand Junction, County of Mesa and State of Colorado.

Basis of Bearing is per the Mesa County Geographic Information System as Measured between the City of Grand Junction monuments located at the intersections of Grand Mesa Avenue and Delores Street and Grand Mesa Avenue and La Veta Street.

Introduced for first reading on this \_\_\_\_\_ day of \_\_\_\_\_, 2010

PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

ATTEST:

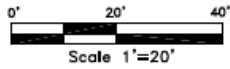
\_\_\_\_\_  
President of City Council

\_\_\_\_\_  
City Clerk

# Exhibit A

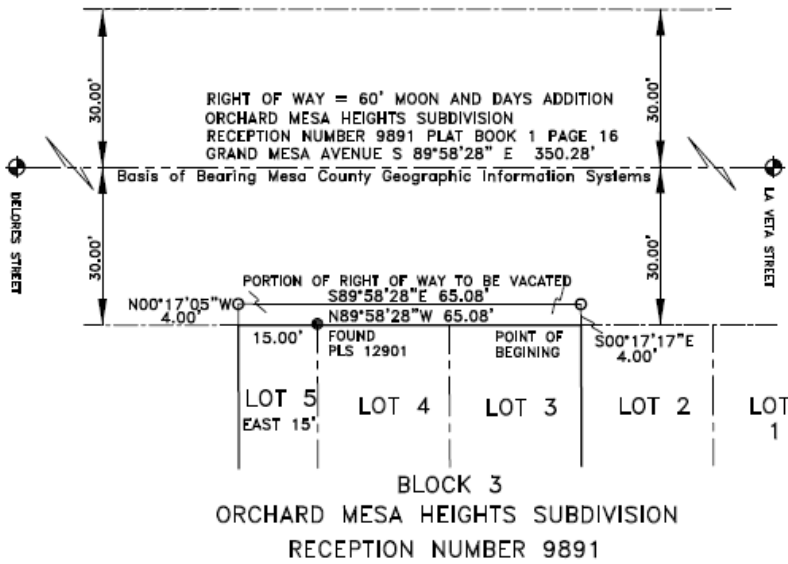


All lineal measurements are in US survey feet.



## LEGEND

- FOUND SURVEY MARKER AS DESCRIBED
- ⊕ FOUND CITY MONUMENT
- NO.5 REBAR/CAP L.S. 24943



Cecil D. Caster  
 Registered Professional Land Surveyor  
 P.L.S. Number 24943

Monument Surveying Inc.  
 741 Rood Ave.  
 Grand Junction, CO 81501  
 245-4189 03-03-10  
 EXHIBIT B Street Vacation  
 Grand Mesa Avenue

**Attach 4  
American Furniture Warehouse**

CITY OF GRAND JUNCTION  
PLANNING COMMISSION

MEETING DATE: April 13, 2010  
PRESENTER: Lori V. Bowers

AGENDA TOPIC: American Furniture Warehouse Maldonado Street Right-of-Way and Easement Vacations – VR-2010-019.

ACTION REQUESTED: Recommendation to City Council on the Requested Right-of-Way and Easement Vacations.

BACKGROUND INFORMATION				
Location:		East of Base Rock Street		
Applicants:		American Furniture Warehouse owner and developer, c/o Kevin Michalek. Representative, Tom Logue.		
Existing Land Use:		Vacant land and commercial uses (that have or will be relocated)		
Proposed Land Use:		(Retail sales) American Furniture Warehouse		
Surrounding Land Use:	North	Highway 6 and 50; Game Fish and Parks Dept.		
	South	Commercial uses		
	East	Gold's Gym and Highway 6 and 50		
	West	Wal-Mart and vacant land		
Existing Zoning:		C-1 (Light Commercial)		
Proposed Zoning:		No change		
Surrounding Zoning:	North	C-1 (Light Commercial)		
	South	C-1 (Light Commercial)		
	East	C-1 (Light Commercial)		
	West	C-1 (Light Commercial)		
Future Land Use Designation:		Commercial		
Zoning within density range?		X	Yes	No

PROJECT DESCRIPTION: Request to vacate 29,400 square feet of the north end of Maldonado Street and 18,356 square feet of an unnamed right-of-way extending east of Highway 6 and 50, along with eight other adjoining and nearby easements.

RECOMMENDATION: Recommendation of approval to City Council.

## ANALYSIS

### 1. Background

Approximately seven parcels of land will be combined by American Furniture Warehouse to build a new 150,000 square foot showroom and warehouse near Gold's Gym and Wal-Mart, southwest of Highway 6 and 50. By the time of final design, there may be some additional out-lots or pad sites included with the project. Some of this land is vacant and some has had uses such as Gibson RV, Mike's Auto and Abbey Carpet. These businesses have either relocated or will be re-locating in the future.

In order to assemble the properties, for purposes, applicant seeks vacation of Maldonado Street, a vacation of an un-named street east of the highway, and the vacation of eight separate multi-purpose easements, temporary turnaround easements and sewer easements. Applicant proposes to relocate the right-of-way and easements. Vacation of the dedicated right-of-way, and the easements, shall be contingent upon their relocation and the dedication of new easements to be shown on a new Final Plat for this project.

The vacation of the right-of-way and easements will permit re-development as planned on the land that adjoins the proposed vacations. All of the affected land owners have agreed to the proposed vacations. There is approximately 490 feet of the north end of the 60-foot wide Maldonado Street right-of-way and approximately 353 feet of an unnamed 52-foot wide right-of-way extending east to the Highway. The road right-of-way totals 42,165 square feet. There is 12,025 square feet of sanitary sewer easements; 5,924 square feet of waterline easement; 16,596 square feet of multi-purpose easements and 1,655 square feet of turn-around easements proposed for vacation. These easements and right-of-way are depicted on the maps contained in this staff report.

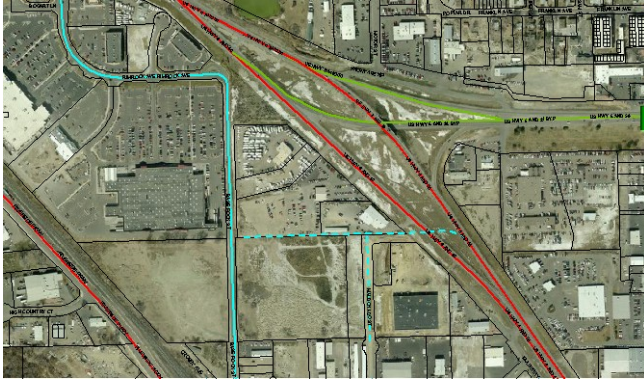
### 2. Section 2.11.C of the Zoning and Development Code

The vacation of the right-of-way and easements shall conform to the following:

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

Two goals of the Comprehensive Plan are met with the requested vacations: Goal 3: The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community; and Goal 6: Land use decisions will encourage preservation and appropriate reuse. By vacating the easements and rights-of-way, it clears the properties for redevelopment and allows growth to continue in the community. The relocation of the existing businesses within the City limits keeps growth balanced.

The Grand Valley Circulation Plan identifies Maldonado Street as a future minor collector. With the vacation and future relocation of Maldonado, connecting to Highway 6 and 50, and the addition of another connection to Base Rock Street, the needed connectivity for circulation in this area will be in conformance with the plan, as it is shown on the Street Classification Map.



The blue colored lines show proposed and existing Minor Collectors. Red is Principle Arterial, and green is Minor Arterial.

The requested vacations will not be a detriment to other adopted plans or policies.

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

No parcel will be landlocked as a result of the requested vacations once the land is replatted. Parcels on either side of Maldonado will continue to have street access.

- 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.

All properties affected by the proposed vacations are partners in this application. Access will be improved in this area with the dedication of new right-of-way that will better serve all properties involved thus improving the property values.

- 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).

With new infrastructure, right-of-way and access points being provided, the health, safety and welfare of the general community will be improved. During construction, the current accesses and facilities will remain unchanged creating no adverse impacts.

- e. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter Six of the Zoning and Development Code.

All necessary public facilities will be relocated once the vacation of the right-of-way and easements has occurred. New street right-of-way and easements will be dedicated improving facilities, services and access.

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

The main benefit will come from improved traffic circulation in the area by implementing the recommendations contained in the Grand Valley Circulation Plan. Since relocation of existing utilities will occur, they will be upgraded to new construction standards and therefore extend the life of those utilities. New domestic water lines will help in increased fire protection.

#### FINDINGS OF FACT/CONCLUSIONS/CONDITION

After reviewing the American Furniture Warehouse application, file number VR-2010-019 for the vacation of a public right-of-way and various easements, I make the following findings of fact, conclusions and condition:

1. The requested right-of-way and easement vacations are consistent with the Comprehensive Plan.
2. The review criteria in Section 2.11.C of the Zoning and Development Code have all been met.
3. The vacations are contingent upon relocation of existing utilities and recording of the Final Plat, which will dedicate new right-of-way and new easements.

#### STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval of the requested Maldonado Right-of-Way and various easement vacations, file number VR-2010-019 to the City Council with the findings, conclusions and condition as listed above.

#### RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on item VR-2010-019, I move we forward a recommendation of approval to the City Council on the request to vacate dedicated public right-of-way of Maldonado Street and other un-named public right-of-way, and various easements in the subject area with the findings of fact, conclusions and conditions as stated in the staff report.

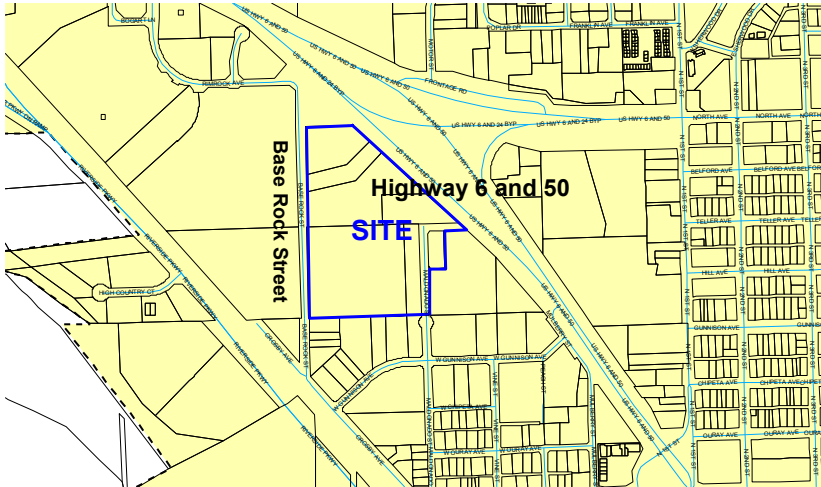
#### Attachments:

Site Location Map / Aerial Photo Map  
Comprehensive Plan Map / City Zoning Map  
Ordinance  
Resolution

# Site Location Map

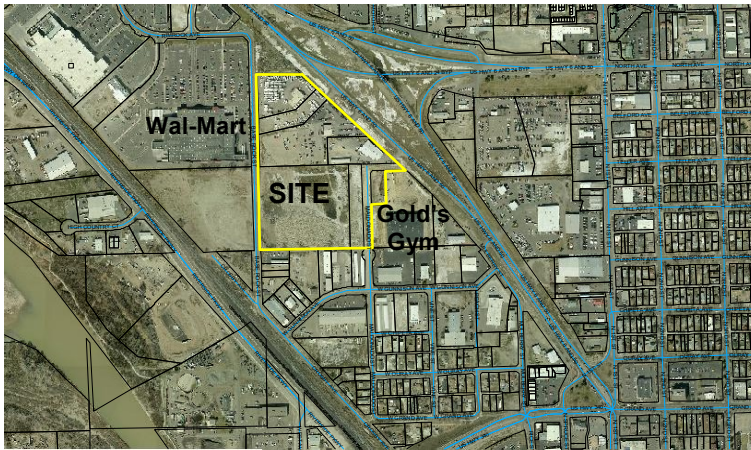
City Limits shown in yellow

Figure 1



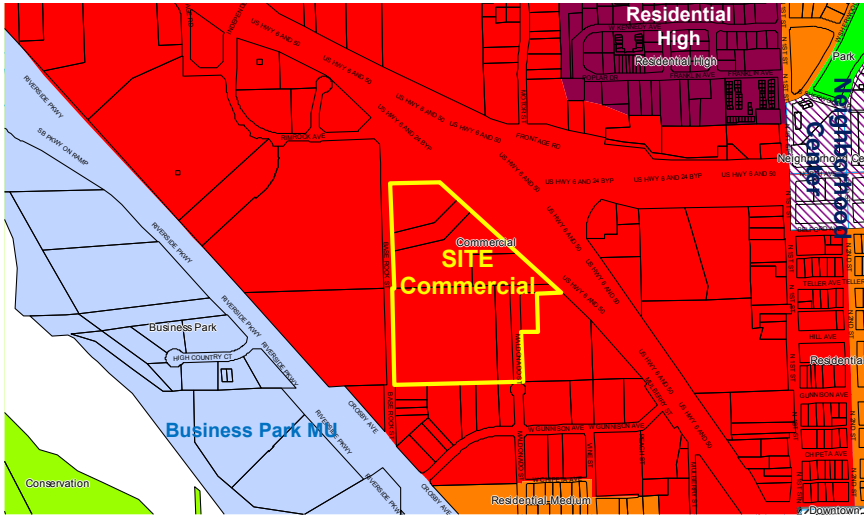
# Aerial Photo Map

Figure 2



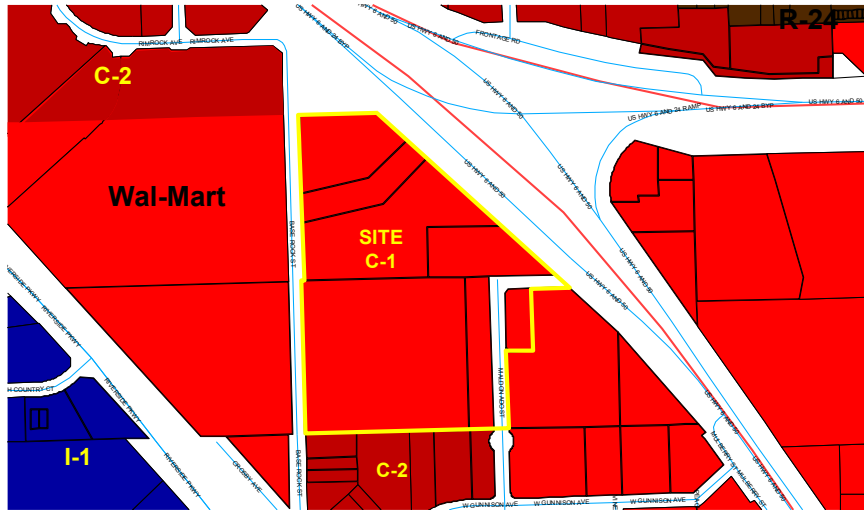
# Comprehensive Plan Map

Figure 3



# Existing City Zoning Map

Figure 4





**CITY OF GRAND JUNCTION**

**Ordinance No.**

**AN ORDINANCE VACATING RIGHT-OF-WAY FOR MALDONADO STREET AND AN UN-NAMED RIGHT-OF-WAY, EAST OF MALDONADO STREET LOCATED EAST OF BASE ROCK STREET**

RECITALS:

A vacation of the dedicated right-of-way for has been requested by the adjoining property owners.

The City Council finds that the request is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 2.11 of the Zoning and Development Code.

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.

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

The following described dedicated right-of-way for 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. Vacations are conditioned upon the Final Plat being recorded and new right-of-way dedicated thereon.

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

Dedicated right-of-way to be vacated:

A road right of way 30.00 feet in width and recorded in Book 2612 at Page 949 of the Mesa County Clerk and Recorder, being situate in the Northwest Quarter of the Northeast Quarter of Section 15, Township 1 South, Range 1 West of the Ute Meridian, Mesa County, Colorado being more particularly described as follows:

Commencing at a point on the South line of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 15 from whence the Southeast corner of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 15 bears S89°57'41"E a distance of 522.81 feet; thence N0°07'20"W along the West line of that right of way as described in Book 2612 at Page 849 of the Mesa County Clerk and Recorder a distance of 142.33 feet to the Southeast corner of Lot 1 AFW Subdivision and the Point of beginning; thence N0°07'20"W a distance of 490.34 feet; thence S89°47'12"E along the North line of said right of way a distance of 30.00 feet; thence S0°07'20"E along the East line of said right of way a distance of 490.16; thence S89°52'40"W a distance of 30.00 feet to the Point of Beginning.

Parcel of land contains 0.338 acres as described.

AND

A road right of way 30.00 feet in width and recorded in Book 2612 at Page 984 of the Mesa County Clerk and Recorder, being situate in the Northwest Quarter of the Northeast Quarter of Section 15, Township 1 South, Range 1 West of the Ute Meridian, Mesa County, Colorado being more particularly described as follows:

Commencing at a point on the South line of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 15 from whence the Southeast corner of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 15 bears S89°57'41"E a distance of 492.81 feet; thence N0°07'20"W along the West line of that right of way as described in Book 2612 at Page 853 of the Mesa County Clerk and Recorder a distance of 142.33 feet to the Point of beginning; thence N0°07'20"W a distance of 490.16 feet; thence N89°47'12"W along the North line of said right of way a distance of 30.00 feet; thence S0°07'20"E along the East line of said right of way a distance of 489.99; thence S89°52'40"W a distance of 30.00 feet to the Point of Beginning.

Parcel of land contains 0.338 acres as described.

AND

A road right of way 52.00 feet in width and recorded in Book 4519 at Page 984 of the Mesa County Clerk and Recorder, being situate in the Northwest Quarter of the Northeast Quarter of Section 15, Township 1 South, Range 1 West of the Ute Meridian, Mesa County, Colorado being more particularly described as follows:

Beginning at the Northwest corner of that road right of way as described in Book 4519 at Page 984 of the Mesa County Clerk and Recorder, said point bears N89°57'42"W a distance of 462.81 feet and N0°07'20"W a distance of 632.41 feet from the NE 1/16 corner of said Section 15 and considering the South line of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 15 to bear N89°57'42"W, with all other bearings herein relative thereto: thence S89°47'12"E along the North line of said right of way a distance of 214.96 feet to the Westerly right of way line for Highway 6&50 as described in Book 686 at Page 235; thence S45°55'08"E along said right of way a distance of 75.03 feet to the Northeasterly corner of Lot 1 Gold's Gym Subdivision; thence N89°47'12"W along the North line of said Lot 1 a distance of 268.75 feet to the East line of that road right of way for Maldonado Street as described in Book 2612 at Page 853; thence N0°07'20"W along said right of way a distance of 52.00 feet to the Point of Beginning.

Parcel of land contains 0.289 acres as described.

AND

A road right of way as dedicated on the plat of Gold's Gym recorded in Book 4621 at Page 478 of the Mesa County Clerk and Recorder, being situate in the Northwest Quarter of the Northeast Quarter of Section 15, Township 1 South, Range 1 West of the Ute Meridian, Mesa County, Colorado being more particularly described as follows:

Commencing at a point on the South line of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 15 from whence the Southeast corner of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 15 bears S89°57'41"E a distance of 462.81 feet; thence N0°07'20"W along the West line of Gold's Gym as recorded in Book 4621 at Page 478 of the Mesa County Clerk and Recorder a distance of

564.26 feet to the Point of beginning; thence N0°07'20"W a distance of 16.15 feet; thence S89°57'12"E a distance of 16.15 feet; thence S45°02'42"E a distance of 22.77 to the Point of Beginning.  
Parcel of land contains 130 square feet as described.

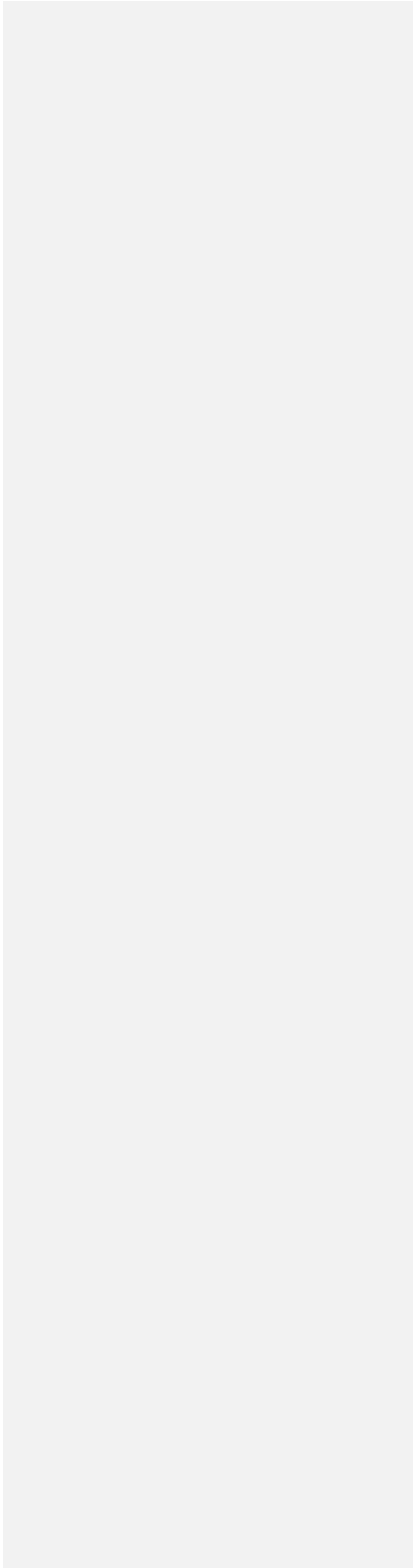
Introduced for first reading on this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

ATTEST:

\_\_\_\_\_  
President of City Council

\_\_\_\_\_  
City Clerk



**CITY OF GRAND JUNCTION, COLORADO**

**RESOLUTION NO.**

**A RESOLUTION VACATING EASEMENTS LOCATED EAST OF  
BASE ROCK STREET AND WEST OF HIGHWAY 6 AND 50 FOR THE  
REDEVELOPMENT OF PROPERTIES ASSOCIATED WITH  
AMERICAN FURNITURE WAREHOUSE**

Recitals:

A request for the vacation of 12,025 square feet of sanitary sewer easements, 5,924 square feet of domestic waterline easement, 16,596 square feet of multi-purpose easement and 1,655 square feet of a turn-around easement has been submitted in accordance with the Zoning and Development Code. The applicant has requested the subject easements located at 750 Maldonado Street, 700 Maldonado Street, 2571 Highway 6 and 50, and 2569 Highway 6 and 50, with the unaddressed parcels identified by tax parcel identification numbers of 2945-151-00-031 and 2945-151-00-019 be vacated for the purpose of relocating and providing new easements to clear the property for the future development of American Furniture Warehouse.

In a public hearing, the Planning Commission reviewed the request for vacation of the easements and determined that it satisfied the criteria as set forth and established in Section 2.11.C of the Zoning and Development Code. The proposed vacations are consistent with the purpose and intent of the Comprehensive Plan. This Resolution is further conditioned upon the relocation of existing utilities and the recording of the Final Plat dedicating new easements for these utilities.

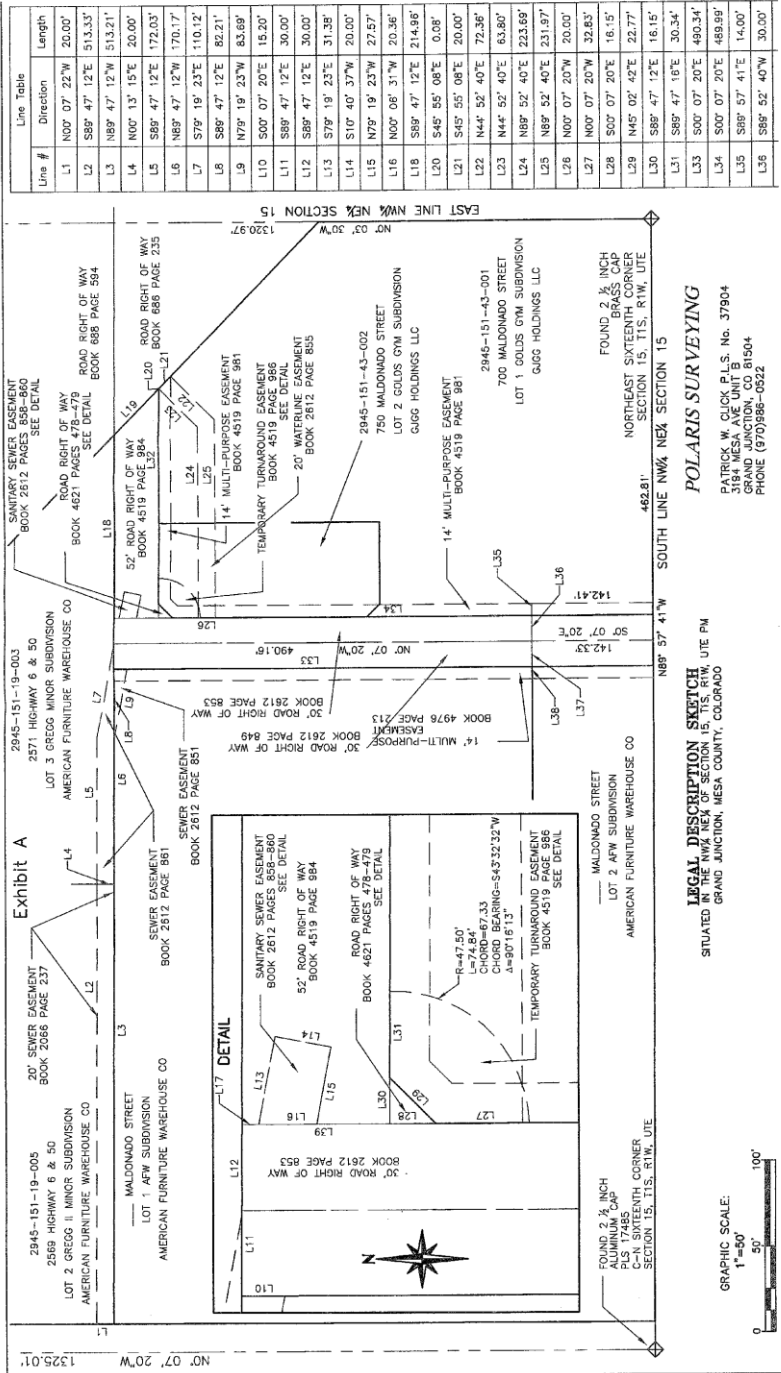
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE AREAS SHOWN ON EXHIBIT A, AND OVERVIEW MAPS 1 AND 2 ATTACHED, ARE HEREBY VACATED.

PASSED on this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

ATTEST:

\_\_\_\_\_  
City Clerk

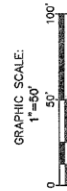
\_\_\_\_\_  
President of Council

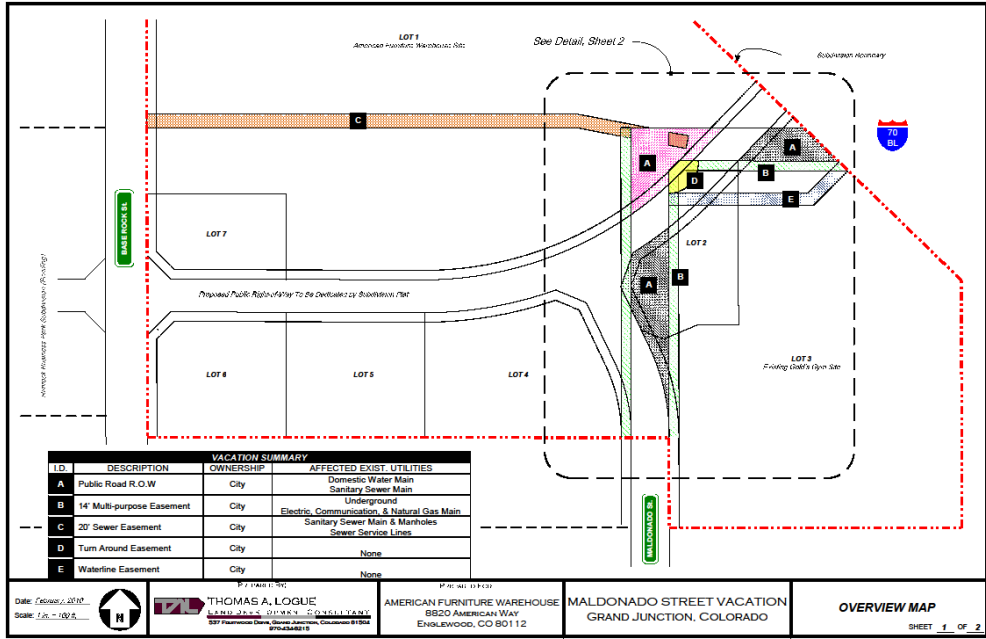


Line #	Direction	Length
L1	N00° 07' 22" W	20.00'
L2	S89° 47' 12" E	513.33'
L3	N89° 47' 12" W	513.21'
L4	N00° 13' 15" E	20.00'
L5	S89° 47' 12" E	172.03'
L6	N89° 47' 12" W	170.17'
L7	S79° 19' 23" E	110.12'
L8	S89° 47' 12" E	82.21'
L9	N79° 19' 23" W	83.69'
L10	S00° 07' 20" E	15.20'
L11	S89° 47' 12" E	30.00'
L12	S89° 47' 12" E	30.00'
L13	S79° 19' 23" E	31.38'
L14	S10° 40' 37" W	20.00'
L15	N79° 19' 23" W	27.57'
L16	N00° 06' 31" W	20.36'
L18	S89° 47' 12" E	214.96'
L20	S45° 55' 08" E	0.08'
L21	S45° 55' 08" E	20.00'
L22	N44° 52' 40" E	72.36'
L23	N44° 52' 40" E	63.80'
L24	N89° 52' 40" E	223.69'
L25	N89° 52' 40" E	231.97'
L26	N00° 07' 20" W	20.00'
L27	N00° 07' 20" W	32.83'
L28	S00° 07' 20" E	16.15'
L29	N45° 02' 42" E	22.77'
L30	S89° 47' 12" E	16.15'
L31	S89° 47' 16" E	30.34'
L33	S00° 07' 20" E	490.34'
L34	S00° 07' 20" E	489.99'
L35	S89° 57' 41" E	14.00'
L36	S89° 52' 40" W	30.00'

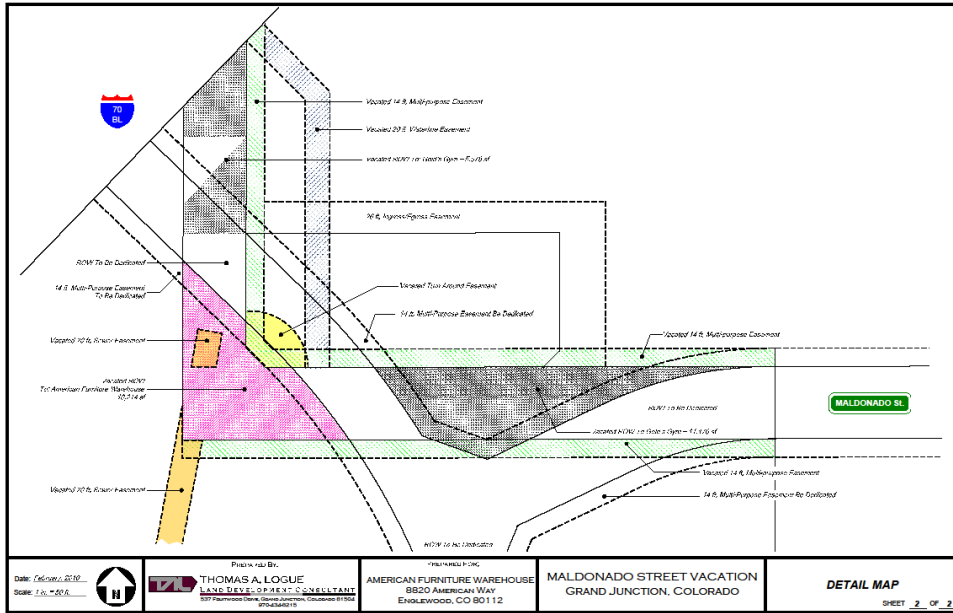
**LEGAL DESCRIPTION SKETCH**  
 SITUATED IN THE NW 1/4 NE 1/4 OF SECTION 15, T15, R1W, U1E PM  
 GRAND JUNCTION, MESA COUNTY, COLORADO

**POLARIS SURVEYING**  
 PATRICK W. CLUCK P.L.S. No. 37904  
 3184 MESA AVE UNIT B  
 GRAND JUNCTION, CO 81504  
 PHONE (970)386-0322





Per Date: 2/20/2010



**Attach 5  
City Market-24 Road**

CITY OF GRAND JUNCTION  
PLANNING COMMISSION

MEETING DATE: April 13, 2010  
PRESENTER: Lori V. Bowers

AGENDA TOPIC: City Market Utility Easement Vacation - CUP-2007-331.

ACTION REQUESTED: Recommendation to City Council on the Requested Easement Vacation.

BACKGROUND INFORMATION			
Location:		630 24 Road	
Applicants:		John Atwood, for Dillon Real Estate Company, d.b.a. City Market	
Existing Land Use:		Vacant land	
Proposed Land Use:		Grocery store with drive-up pharmacy	
Surrounding Land Use:	North	Vacant land	
	South	Boston's Restaurant / vacant land	
	East	Kohl's Department Store	
	West	Commercial uses	
Existing Zoning:		C-1 (Light Commercial)	
Proposed Zoning:		C-1 (Light Commercial)	
Surrounding Zoning:	North	C-1 (Light Commercial)	
	South	C-1 (Light Commercial)	
	East	C-1 (Light Commercial)	
	West	C-1 (Light Commercial)	
Future Land Use Designation:		Commercial	
Zoning within density range?		X	Yes
			No

PROJECT DESCRIPTION: Request to City Council to vacate a utility easement, which was dedicated on Lot 2A, the Replat of Mesa Village Subdivision plat.

RECOMMENDATION: Forward a recommendation of approval to City Council.



## ANALYSIS

### 1. Background

A 65-foot Ingress/Egress and Utility Easement was dedicated on the final plat for Replat of Mesa Village Subdivision. It runs east/west across Lot 2A, the site of the newly approved City Market grocery store on 24 Road. In order for the site to function as planned, the ingress/egress portion of the easement is for the benefit of all lots within the subdivision and was not dedicated to the public; however the utility portion was dedicated to the City for the use of public utilities. The ingress/egress portion must be released by the Owners through consent of all other lot owners, and public utilities portion must be vacated by a Resolution of the City Council, through a recommendation of the Planning Commission.

To facilitate the design of the building, the 65-foot wide easement is being vacated and a new easement, 30 feet wide, is being rededicated. This is the only public easement being vacated. The new easement will also be an Ingress/Egress and Multi-purpose Easement. The new easement will be aligned with the drive aisle in front of the store, which will allow access to 24 Road on the west and Market Street to the east.

### 2. Section 2.11.C of the Zoning and Development Code

The vacation of the utility easement shall conform to the following:

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

The request is in conformance with the Comprehensive Plan by meeting Goal 1: "To implement the Comprehensive Plan in a consistent manner between the City, Mesa County, and other service providers."

The Circulation plan is met by providing a right-in/right-out turn lane from 24 Road utilizing the new easement as the access point. It is the policy of the City to vacate public utility easements through the public process by adopting a resolution.

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

No parcel will be landlocked as a result of this vacation. A new easement is being dedicated for the same purpose, only smaller in size. A City Engineer has determined that the smaller size still meets all applicable City standards.

- 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. The reduction in size from 65-feet to 30-feet is not unreasonable and still serves the original purpose therefore not devaluing any of the properties affected by the vacation.

- 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).

There will be no adverse impacts on the health, safety or welfare of the community. The quality of public utilities and services will not be reduced by the reduction in size of the easement.

- e. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter Six of the Zoning and Development Code.

Public facilities and services will not be inhibited.

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

The vacation will benefit the City with improved and safer traffic circulation as the 65-foot easement would create an excessively wide drive aisle at the store front which is not necessary and could be unsafe.

#### FINDINGS OF FACT/CONCLUSIONS/CONDITION

After reviewing the City Market application, file number CUP-2007-331 for the vacation of a public utility easement, I make the following findings of fact, conclusions and condition:

1. The requested easement vacation is consistent with the Comprehensive Plan.
2. The review criteria in Section 2.11.C of the Zoning and Development Code have all been met.
3. A new easement will be provided.

#### STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval of the requested utility easement vacation, file number CUP-2007-331, to the City Council with the findings, conclusions and condition as listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on item CUP-2007-331, I move we forward a recommendation of approval to the City Council on the request to vacate a 65-foot wide utility easement with the findings of fact, conclusions and condition as listed in the staff report.

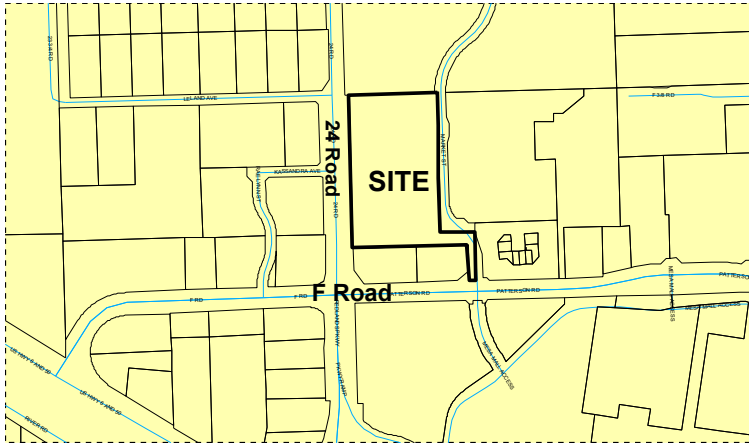
Attachments:

Site Location Map/Aerial Photo Map  
Future Land Use Map/Existing City and County Zoning Map  
Depiction of easement  
Resolution

# Site Location Map

City Limits

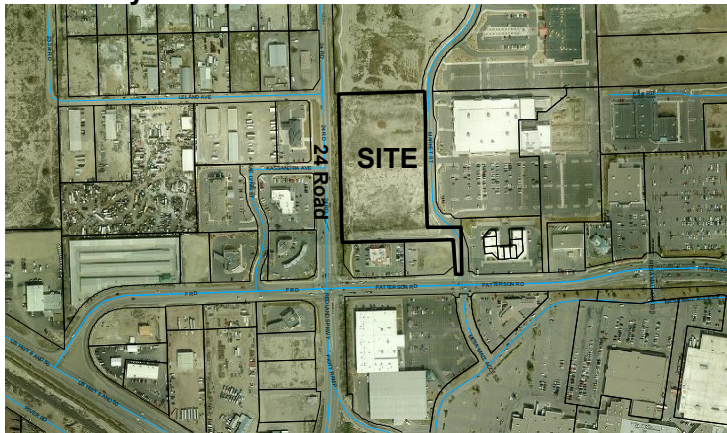
Figure 1



# Aerial Photo Map

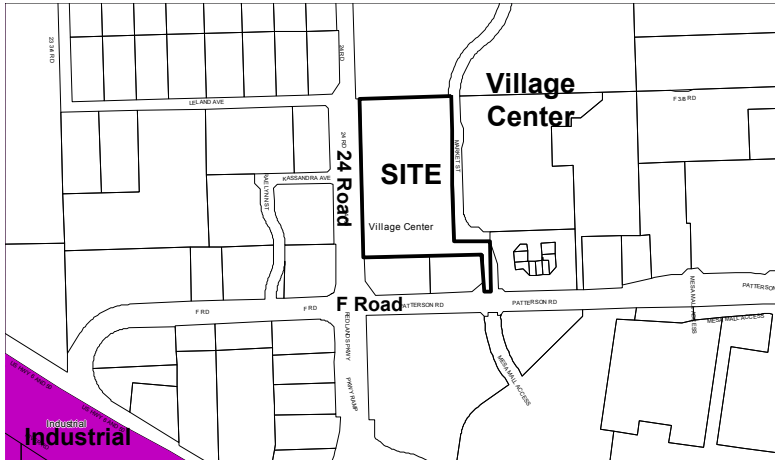
City Limits

Figure 2



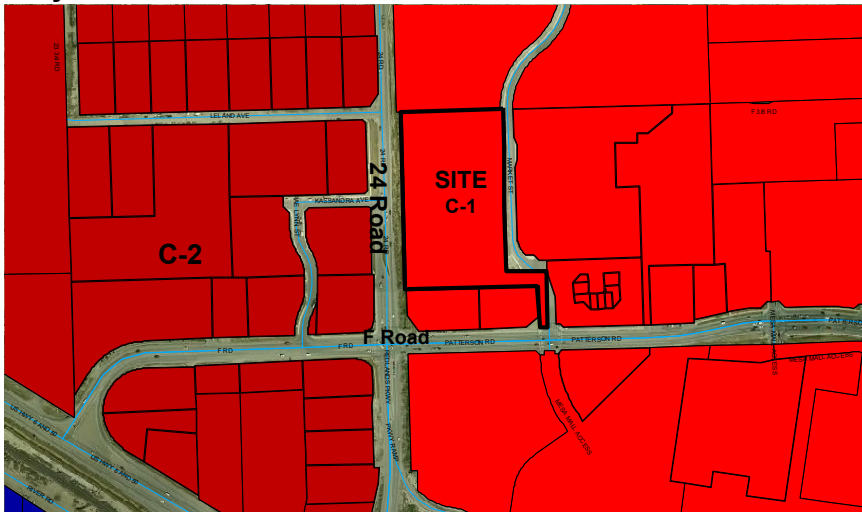
# Comprehensive Plan Map

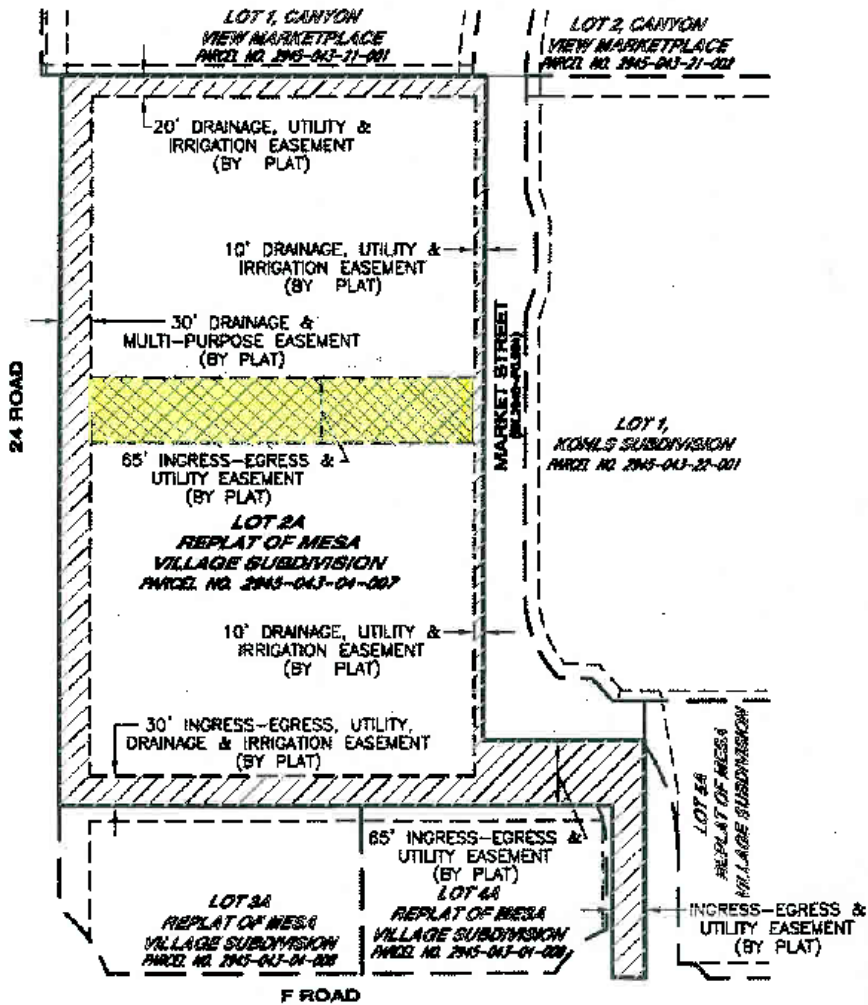
City Limits Figure 3



# Existing City Zoning Map

City Limits Figure 4





Area of Utility Easement to be vacated is shown above.

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO.

A RESOLUTION VACATING A UTILITY EASEMENT ON LOT 2,  
REPLAT OF MESA VILLAGE SUBDIVISION

LOCATED AT 630 24 ROAD

Recitals:

A request for the vacation of a 65-foot wide utility easement has been submitted in accordance with the Zoning and Development Code. The applicant has requested that the utility portion of the 65-foot wide easement, across Lot 2A, be vacated. The easement is shown and dedicated on the plat of Replat Of Mesa Village Subdivision, as recorded in Book 15 at Pages 37, 38 and 39, with the Mesa County Clerk and Recorder.

In a public hearing, the Planning Commission reviewed the request for the vacation request and determined that it satisfied the criteria as set forth and established in Section 2.11.C of the Zoning and Development Code. The proposed vacation is also consistent with the purpose and intent of the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE AREA DESCRIBED BELOW IS HEREBY VACATED.

65' UTILITY EASEMENT VACATION

DESCRIPTION:

THE UTILITY EASEMENT PORTION ONLY OF THE 65' INGRESS-EGRESS & UTILITY EASEMENT SITUATED IN THE SW ¼ OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 1 WEST, UTE MERIDIAN, BEING A PART OF LOT 2A, REPLAT OF MESA VILLAGE SUBDIVISION AS RECORDED FEBRUARY 16, 1996 AT RECEPTION NO. 1746811, CITY OF GRAND JUNCTION, COUNTY OF MESA, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SW CORNER OF SAID LOT 2A, WHENCE THE SW CORNER OF THE NW ¼ OF THE SW ¼ OF SAID SECTION 4 BEARS N36°17'02"W A DISTANCE OF 84.33 FEET, SAID POINT LYING ON THE EASTERLY R.O.W. LINE OF 24 ROAD; THENCE N00°04'47"E ALONG THE WEST LINE OF SAID LOT 2A AND SAID EASTERLY R.O.W. LINE A DISTANCE OF 67.90 FEET; THENCE N00°06'21"E CONTINUING ALONG SAID WESTERLY LINE AND SAID EASTERLY R.O.W. LINE A DISTANCE OF 295.09 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N00°06'21"E ALONG SAID WESTERLY LINE AND SAID EASTERLY R.O.W. LINE A DISTANCE OF 65.00 FEET; THENCE S89°59'06"E A DISTANCE OF 420.23 FEET TO A POINT LYING ON THE EASTERLY LINE OF SAID LOT 2A AND THE WESTERLY R.O.W. LINE OF MARKET STREET; THENCE S00°06'21"W ALONG SAID EASTERLY LINE AND SAID WESTERLY R.O.W. LINE A DISTANCE OF 65.00 FEET; THENCE N89°59'06"W A DISTANCE OF 380.23 FEET TO THE POINT OF BEGINNING. LESS HOWEVER, THE EAST 10.00 FEET AND THE WEST 30.00 FEET THEREOF.

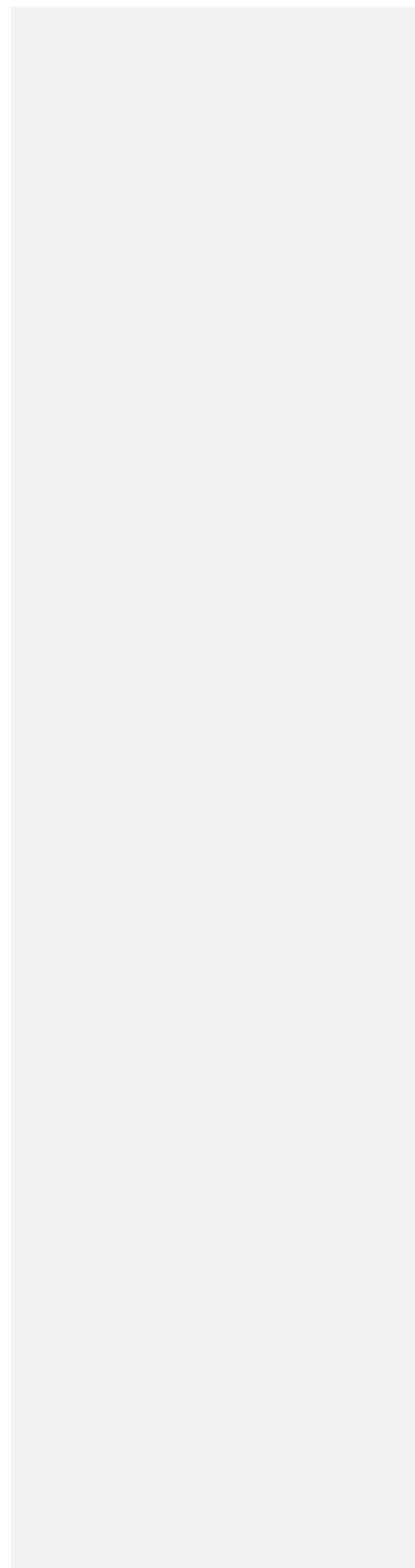
PARCEL CONTAINS (24,715 SQUARE FEET) 0.5674 ACRES.

PASSED on this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
President of Council





**Attach 6**  
**Dominguez Estates South Extension**

**CITY OF GRAND JUNCTION**  
**PLANNING COMMISSION**

**MEETING DATE:** April 13, 2010  
**STAFF PRESENTATION:** Scott D. Peterson

**AGENDA TOPIC:** Dominguez Estates South Subdivision, PP-2006-185

**ACTION REQUESTED:** A request for a two year extension of the approved Preliminary Subdivision Plan.

STAFF REPORT / BACKGROUND INFORMATION					
<b>Location:</b>		2921 E 7/8 Road			
<b>Applicants:</b>		South Dominguez Estates, LLC, Owners Ciavonne, Roberts & Associates, Inc., Representative			
<b>Existing Land Use:</b>		Single-family home and various accessory buildings			
<b>Proposed Land Use:</b>		Residential subdivision (16 lots – 4 tracts of land)			
<b>Surrounding Land Use:</b>	<b>North</b>	Future residential subdivision (Dominguez Estates) and single-family residential			
	<b>South</b>	Single and Multi-family residential (Sunrise Gardens Subdivision)			
	<b>East</b>	Single-family residential (Scroufe Subdivision)			
	<b>West</b>	Single and Multi-family residential			
<b>Existing Zoning:</b>		R-4 (Residential – 4 du/ac)			
<b>Proposed Zoning:</b>		N/A			
<b>Surrounding Zoning:</b>	<b>North</b>	R-4 (Residential – 4 du/ac)			
	<b>South</b>	RSF-4 (Residential Single-Family – 4 units/acre) (County) and RMF-8 (Residential Multi-Family – 8 units/acre) (County)			
	<b>East</b>	R-4 (Residential – 4 du/ac) and RSF-4 (Residential Single-Family – 4 units/acre) (County)			
	<b>West</b>	RSF-4 (Residential Single-Family – 4 units/acre) (County) and PUD (Planned Unit Development) (County)			
<b>Future Land Use Designation:</b>		Residential Medium (4 – 8 du/ac)			
<b>Zoning within density range?</b>		X	<b>Yes</b>		<b>No</b>

**PROJECT DESCRIPTION:** The 4.4 acre Dominguez Estates South Subdivision consists of one parcel of land located at 2921 E 7/8 Road. The applicants received Preliminary Subdivision Plan approval from the Planning Commission for a 16 lot, 4 tract single-family residential subdivision on April 10, 2007 (PP-2006-185). In accordance with both the previous and recently adopted Zoning and Development Code, Preliminary Subdivision Plan approvals are valid for a period of two years during which time the applicant shall

obtain final plat approval and record the plat. An additional one year extension may be granted administratively per the Code for a total of three years from Preliminary Plan approval or in this case until April 10, 2010. The applicant is now requesting a two year extension of that administrative approval until April 10, 2012 (Section 2.8 C. E. 4. of the Zoning and Development Code). The Final Plan application (FP-2007-274) has been reviewed and approved pending final resolution of all applicable recording documents, etc.

The reason for this extension request is due to the current economic situation and real estate market.

**RECOMMENDATION:** Recommend approval of a two year extension for the Dominguez Estates South Preliminary Subdivision Plan.

**RECOMMENDED PLANNING COMMISSION MOTION:** Mr. Chairman, on PP-2006-185, a request for a two year extension of the Preliminary Subdivision Plan approval for Dominguez Estates South Subdivision until April 10, 2012, I move we approve the extension.

Attachments:

Original Preliminary Plan Staff Report to the Planning Commission  
Letter from Applicant

**CITY OF GRAND JUNCTION  
PLANNING COMMISSION**

**MEETING DATE:** April 10, 2007  
**STAFF PRESENTATION:** Scott D. Peterson

**AGENDA TOPIC:** PP-2006-185, Preliminary Plan, Dominguez Estates South, located at 2921 E 7/8 Road

**ACTION REQUESTED:** Preliminary Subdivision Plan Approval for Dominguez Estates South.

BACKGROUND INFORMATION		
<b>Location:</b>	2921 E 7/8 Road	
<b>Applicants:</b>	South Dominguez Estates, LLC, Owner	
<b>Existing Land Use:</b>	Single-family home and various accessory buildings	
<b>Proposed Land Use:</b>	Residential subdivision (16 lots)	
<b>Surrounding Land Use:</b>	<b>North</b>	Future residential subdivision (Dominguez Estates) and single-family residential
	<b>South</b>	Single and Multi-family residential (Sunrise Gardens Subdivision)
	<b>East</b>	Single-family residential (Sroufe Subdivision)
	<b>West</b>	Single and Multi-family residential
<b>Existing Zoning:</b>	R-4, Residential (4 units/acre)	
<b>Proposed Zoning:</b>	N/A	
<b>Surrounding Zoning:</b>	<b>North</b>	R-4 Residential - 4 units/acre (City)
	<b>South</b>	RSF-4, Residential Single-Family - 4 units/acre (County) and RMF-8, Residential Multi-Family - 8 units/acre (County)
	<b>East</b>	R-4 Residential - 4 units/acre (City) and RSF-4, Residential Single-Family - 4 units/acre (County)
	<b>West</b>	RSF-4, Residential Single-Family - 4 units/acre (County) and PUD, Planned Unit Development (County)
<b>Growth Plan Designation:</b>	Residential Medium (4 - 8 DU/Ac.)	
<b>Zoning within density range?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

**PROJECT DESCRIPTION:** A request for Preliminary Subdivision Plan approval for Dominguez Estates South, 16 single-family residential lots and 4 tracts of land on 4.4 acres in a Residential - 4 units/acre Zoning District located at 2921 E 7/8 Road.

**RECOMMENDATION:** City staff recommends that the Planning Commission approve the Preliminary Subdivision Plan for Dominguez Estates South, PP-2006-185, finding that the proposal is consistent with Section 2.8 B. 2. of the Zoning and Development Code.

**ANALYSIS:**

1. **Background:**

The proposed Dominguez Estates South, is a 16 lot single-family residential subdivision and four (4) tracts of land located at 2921 E 7/8 Road. The current unplatted parcel of land consists of 4.4 acres and contains a single-family home along with various accessory structures. This single-family home and accessory structures will be removed prior to recording of a Final Plan for Phase II. As proposed, the project is projected to be developed in two (2) phases (see attached Preliminary Plan). Upon the approval for Phase I, proposed Lots 15 and 16 that are a part of Phase II, would platted as either one (1) tract of land or lot so that the current property owner may live in the existing home as a life estate. All road right-of-way dedications would occur at the time of platting for Phase I (Kokopelli Lane and E 7/8 Rd.). The existing home would then be considered a non-conforming structure for building setback purposes due to the E 7/8 Road and Kokopelli Lane right-of-way dedications. At the time of Phase II, the applicant will file a subdivision plat to create proposed Lots 15 and 16 and remove the existing home and accessory structures. Proposed Tracts B and C will be shared driveways to serve the adjacent four (4) lots and meets all the requirements as identified in Section 13.2.1 of the TEDS Manual (Transportation Engineering Design Standards).

The proposed density will be approximately 3.63 dwelling units per acre which meets the density requirements of the Zoning and Development Code. The Growth Plan Future Land Use Map indicates this property to be Residential Medium at 4 – 8 dwelling units/acre and the existing zoning designation for the property to be R-4, Residential – 4 units/acre. All proposed lots exceed the minimum lot size requirement of 8,000 sq. ft.

The proposed subdivision will have a total of two (2) access points coming from the south (Dawn Drive) and east (Bookcliff Avenue). Upon anticipated development of the adjacent parcels of land to the north and west, two (2) more access points will be provided to E 7/8 Road and Cliff Trail Street for a total of four (4) access points for the subdivision in the future.

2. **Consistency with the Growth Plan:**

The proposed residential development meets the goals and policies of the Growth Plan and Future Land Use Map. The property is currently zoned R-4, Residential – 4 units/acre with the Growth Plan Future Land Use Map showing this area as Residential Medium (4 – 8 DU/Ac.).

**3. Section 2.8 B. 2. of the Zoning and Development Code:**

A Preliminary Subdivision Plan can only be approved when it is in compliance with the purpose portion of Section 2.8 and with all of the following criteria:

- a. The Growth Plan, Grand Valley Circulation Plan, Urban Trails Plan and other adopted plans.

The proposed development meets the goals and policies of the Growth Plan, Grand Valley Circulation Plan and the Urban Trails Plan.

- b. The Subdivision standards of Chapter 6.

The proposed residential development is in compliance with the review criteria of Chapter 6.

- c. The Zoning standards contained in Chapter 3.

The proposed residential development is in compliance with the R-4 Zoning District as specified in Chapter 3.

- d. Other standards and requirements of this Code and all other City policies and regulations.

The proposed development meets or exceeds all other applicable standards and requirements of the Zoning and Development Code and other City policies and regulations.

- e. Adequate public facilities and services will be available concurrent with the subdivision.

All required public facilities are either available or will be constructed with the proposed development.

- f. The project will have little or no adverse or negative impacts upon the natural or social environment.

There are no adverse or negative impacts on the natural or social environment that have been identified with the proposed development.

- g. Compatibility with existing and proposed development on adjacent properties.

The proposed residential development is compatible with the existing and proposed residential single-family development in the area. The proposed Dominguez Estates subdivision directly to the north will include lot sizes and dwellings units that are compatible with this proposed development.

h. Adjacent agricultural property and land uses will not be harmed.

There is no adjacent agricultural property and the adjacent residential properties will not be harmed by this development.

i. Is neither piecemeal development nor premature development of agricultural land or other unique areas.

The proposed development is neither piecemeal nor premature development of agricultural land or other unique areas.

j. There is adequate land to dedicate for provision of public services.

Adequate land for public services has been provided for the development.

k. This project will not cause an undue burden on the City for maintenance or improvement of land and/or facilities.

The City will not incur an undue burden for maintenance or improvement of land as a result of the proposed development.

**FINDINGS OF FACT/CONCLUSIONS:**

After reviewing the Dominguez Estates South application, PP-2006-185, for Preliminary Subdivision Plan approval, staff recommends that the Planning Commission make the following findings of fact and conclusions:

1. The proposed Preliminary Subdivision Plan is consistent with the Growth Plan.
2. The Preliminary Subdivision Plan is consistent with the purpose of Section 2.8 and meets the review criteria in Section 2.8 B. 2. of the Zoning and Development Code. The proposed subdivision development is to be constructed in two (2) phases.

**STAFF RECOMMENDATION:**

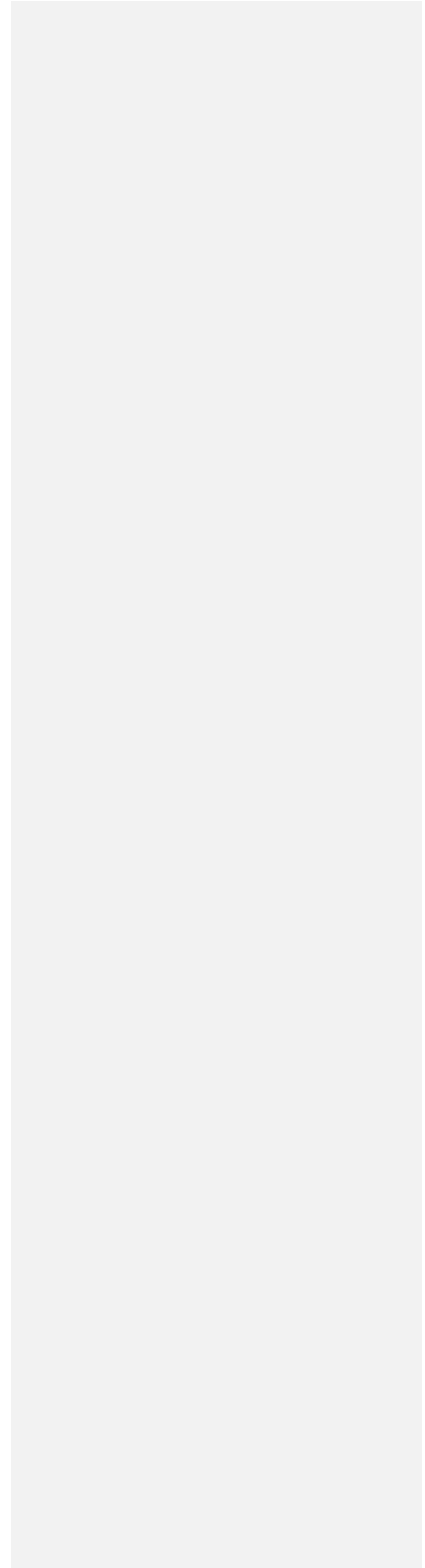
Staff recommends that the Planning Commission approve the proposed Preliminary Subdivision Plan for Dominguez Estates South, PP-2006-185, with the findings and conclusions listed above.

**RECOMMENDED PLANNING COMMISSION MOTION:**

Mr. Chairman, I move that we approve the Preliminary Subdivision Plan for Dominguez Estates South, PP-2006-185, with the findings and conclusions listed in the staff report.

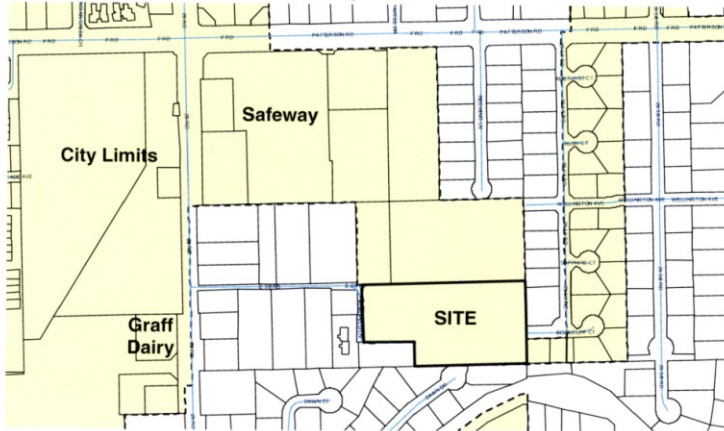
**Attachments:**

Site Location Map / Aerial Photo Map  
Future Land Use Map / Existing City and County Zoning  
Preliminary Subdivision Plan



## Site Location Map – 2921 E 7/8 Rd.

Figure 1



## Aerial Photo Map – 2921 E 7/8 Rd.

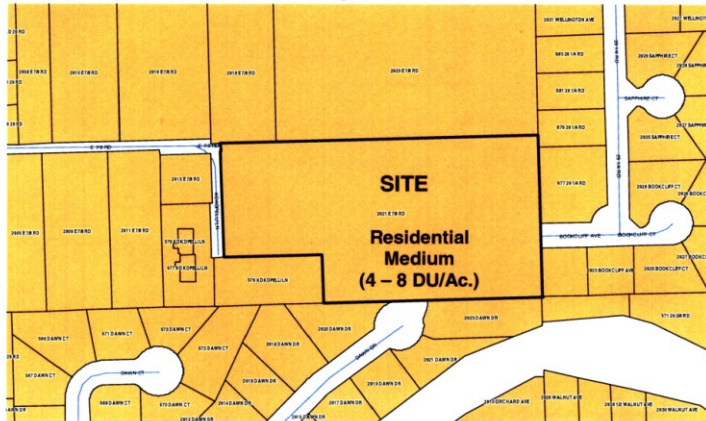
Figure 2





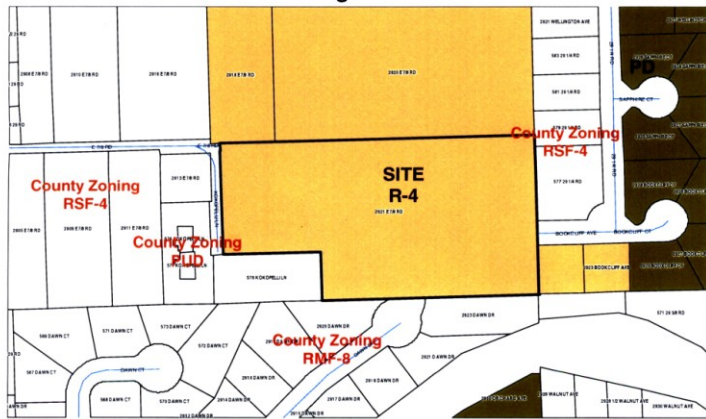
# Future Land Use Map – 2921 E 7/8 Rd.

Figure 3



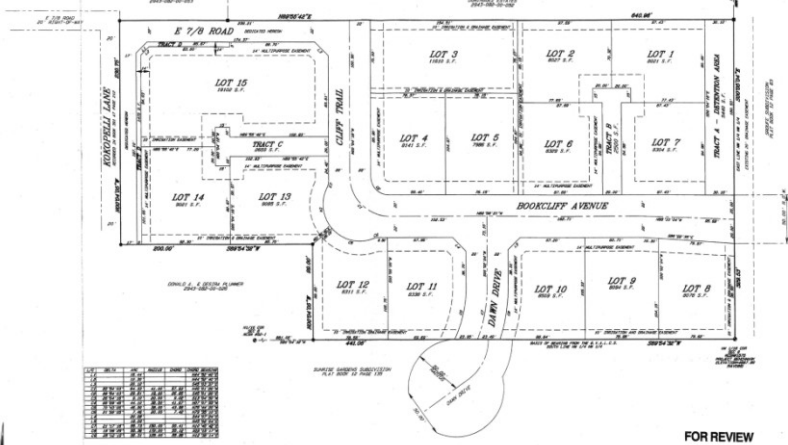
## Existing City and County Zoning

Figure 4

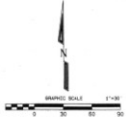


NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

**DOMENQUEZ ESTATES SOUTH**  
NW 1/4 NW 1/4 SEC. 8 T.1S. R.1E. U.M.



NO.	DATE	DESCRIPTION
1	10/15/11	PRELIMINARY SURVEY
2	11/15/11	FINAL SURVEY



- LEGEND & ABBREVIATIONS**
- 1/4" IRON PIN
  - 1/4" IRON PIPE
  - 1/4" IRON ROD
  - 1/4" IRON WIRE
  - 1/4" IRON NAIL
  - 1/4" IRON SCREW
  - 1/4" IRON BOLT
  - 1/4" IRON WEDGE
  - 1/4" IRON PLATE
  - 1/4" IRON DISK
  - 1/4" IRON RING
  - 1/4" IRON CHAIN
  - 1/4" IRON TAPE
  - 1/4" IRON WIRE
  - 1/4" IRON NAIL
  - 1/4" IRON SCREW
  - 1/4" IRON BOLT
  - 1/4" IRON WEDGE
  - 1/4" IRON PLATE
  - 1/4" IRON DISK
  - 1/4" IRON RING
  - 1/4" IRON CHAIN
  - 1/4" IRON TAPE

**AREA SUMMARY**

TRACT A	1.25 AC.
TRACT B	1.25 AC.
TRACT C	1.25 AC.
TRACT D	1.25 AC.
TRACT E	1.25 AC.
TRACT F	1.25 AC.
TRACT G	1.25 AC.
TRACT H	1.25 AC.
TRACT I	1.25 AC.
TRACT J	1.25 AC.
TRACT K	1.25 AC.
TRACT L	1.25 AC.
TRACT M	1.25 AC.
TRACT N	1.25 AC.
TRACT O	1.25 AC.
TRACT P	1.25 AC.
TRACT Q	1.25 AC.
TRACT R	1.25 AC.
TRACT S	1.25 AC.
TRACT T	1.25 AC.
TRACT U	1.25 AC.
TRACT V	1.25 AC.
TRACT W	1.25 AC.
TRACT X	1.25 AC.
TRACT Y	1.25 AC.
TRACT Z	1.25 AC.

FOR REVIEW

**DOMENQUEZ ESTATES SOUTH**  
LOCATED IN THE  
NW 1/4 NW 1/4 SEC. 8 T.1S. R.1E. U.M.  
**D H SURVEYS INC.**  
118 OGDAY AVE. - GRAND JUNCTION, CO.  
9703 348-1748

PROJECT NO.	118 OGDAY AVE.	DATE	11/15/11
CLIENT	DOMENQUEZ	DRAWN BY	D.H.
SCALE	AS SHOWN	CHECKED BY	D.H.

**To:** City of Grand Junction Planning Commission  
**From:** South Dominguez Estates, LLC – Jim Cagle  
Represented by Clavonne, Roberts, & Assoc. – Keith Ehlers  
**Re:** Extension to plat South Dominguez Estates Subdivision (FP-2007-274)

The intent of this letter is to request an extension of 2 years to record the Final Plat of the approved South Dominguez Estates Subdivision located southeast of the Safeway at the intersection of 29 Road and Patterson.

Due to the current economics the applicant is reconsidering housing types and pricing points to meet the current market demands, and intends to begin development this year. However, there are unknown variables that exist which may delay the development and therefore a two year extension to record the plat is requested.

There are no known impacts or changes required by the new code on this development so denial of the request for extension would do little more than force the applicant to re-pay processing/application fees, and spend significant time waiting for the approval process to run its course on the same set of plans that are currently approved.

Thank you for your consideration of this extension request.



Keith Ehlers  
Clavonne, Roberts, & Assoc.

**Attach 7  
Grand Valley Circulation Plan**

CITY OF GRAND JUNCTION  
PLANNING COMMISSION

MEETING DATE: April 13, 2010  
PRESENTER: Jody Kliska

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AGENDA TOPIC: Grand Valley Circulation Plan - PLN-2010-030

ACTION REQUESTED: Comprehensive Plan Amendment revising the Grand Valley Circulation Plan

BACKGROUND INFORMATION				
Location:		Comprehensive Plan Planning Area		
Applicants:		City of Grand Junction		
Existing Land Use:		N/A		
Proposed Land Use:		N/A		
Surrounding Land Use:	North	N/A		
	South	N/A		
	East	N/A		
	West	N/A		
Existing Zoning:		N/A		
Proposed Zoning:		N/A		
Surrounding Zoning:	North	N/A		
	South	N/A		
	East	N/A		
	West	N/A		
Comprehensive Plan Designation:		N/A		
Zoning within density range?		N/A	Yes	N/A No

PROJECT DESCRIPTION: Grand Valley Circulation Plan revisions.

RECOMMENDATION: Adoption of the Grand Valley Circulation Plan with proposed revisions.

## ANALYSIS

The Grand Valley Circulation Plan serves to identify major and minor routes for transportation circulation and connectivity. Existing traffic, anticipated traffic volume growth, and the associated demand on public transportation facilities demonstrate the need for and development of a circulation system for the Urbanizing Area. With the adoption of the Comprehensive Plan, the boundaries of the Urbanizing Area have expanded. The revisions to the Grand Valley Circulation Plan are needed to be consistent with the Comprehensive Plan.

The Grand Valley Circulation Plan was originally presented to the Grand Junction Planning Commission in 1997 as the Major Street Plan and represented a collaborative effort of the City of Grand Junction, Mesa County and the Regional Transportation Planning Office. Adopted in 1998, revisions and updates to the plan have been made regularly as area plans and transportation studies have been completed. In 2001, the name was changed to the Grand Valley Circulation Plan along with proposed changes recommended by the West Metro Study and the 24 Road Transportation Plan.

The City's home rule powers and section 212 of Article 23 of Title 31 of the Colorado Revised Statutes grants authority to the City to make and adopt a plan for the physical development of streets and roads located within the legal boundaries of the municipality and all lands lying within three miles of the municipal boundary. The City's Zoning and Development Code in chapter 1.11.B.3 states the City Council shall as it deems appropriate, decide, adopt and/or amend the street plans and components of it.

The proposed revisions to the Grand Valley Circulation Plan have been developed in concert with the Comprehensive Plan. Based on the traffic modeling developed for the Comprehensive Plan, the northwest area and the southeast area of the new Urbanizing Area were identified as lacking in circulation planning. This proposed plan reflects the need for a transportation network in those areas. Additionally, the staff team reviewed the existing Circulation Plan and has made proposed changes. A list of the proposed changes and a map reflecting the changes are attached.

Significant changes to the Plan include:

- Classifying H Road as a principal arterial across the valley from 20 Road to the Clifton interchange at 32 Road.
- Classifying I Road as a major collector from 20 to 24 Road, and 24 to 27 Road.
- Adding the Whitewater Area to the Circulation Plan.

Public participation in the development of the revisions to the Circulation Plan has included the following:

- Presentation of proposed revisions to the consulting engineering community at quarterly meetings;
- Briefing Mesa County and City of Grand Junction Planning Commissions at a lunch meeting on the modeling and proposed GVCP;
- Publication of the proposed map changes on the City's Transportation Engineering web page and the City's Comprehensive Plan web page;

- Presentation of the map, traffic modeling and proposed changes at the final Comprehensive Plan open house;
- An open house for the Circulation Plan on in January, 2010 to solicit final comments.

21.02.130(c)(2) of the Zoning and Development Code – Plan Amendment Criteria

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:

- (i) There was an error such that then existing facts, projects or trends (that were reasonably foreseeable) were not accounted for; or  
*There was no error.*
- (ii) Subsequent events have invalidated the original premises and findings;  
*The development and adoption of the Comprehensive Plan increased the size of the Urbanizing Area, as well as changing assumptions about future development patterns.*
- (iii) The character and/or condition of the area have changed enough that the amendment is acceptable;  
*The Comprehensive Plan is a significant change to the existing Growth Plan.*
- (iv) The community or area, as defined by the presiding body, will derive benefits from the proposed amendment;  
*The Circulation Plan is consistent with the Comprehensive Plan Vision of Becoming the Most Livable Community West of the Rockies by providing a map to the future that is organized, functional and orderly; provides transportation facilities close to services and shopping to reduce cross-town traffic, commuting times and to reduce air pollution; and anticipates a transportation system that balances possibilities for cars, trucks, transit, bicycles and pedestrians.*
- (v) The change will facilitate safe and efficient access for all modes of transportation; and  
*The Circulation Plan is designed around the neighborhood centers and village centers proposed in the Comprehensive Plan and will provide for the necessary access and multi-modal transportation options needed for the centers as well as the remainder of the urbanized area.*
- (vi) The change furthers the goals for circulation and interconnectivity.  
*The Circulation Plan provides developers and property owners with direction in meeting future transportation needs and providing system linkages for the street network.*

## FINDINGS OF FACT/CONCLUSIONS

After reviewing the Grand Valley Circulation Plan application, PLN-2010-030 for a Comprehensive Plan Amendment for the Grand Valley Circulation Plan, staff makes the following findings of fact and conclusions:

1. The proposed amendment is consistent with the purpose and intent of the Plan.
2. The review criteria in 21.02.130(c)(2) of the Zoning and Development Code have all been met.

## STAFF RECOMMENDATION:

Staff recommends that the Planning Commission forward a recommendation of approval of the Grand Valley Circulation Plan, PLN-2010-030 to the City Council with the findings and conclusions listed above.

## RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on item PLN-2010-030, I move we forward a recommendation of approval to the City Council on the request to approve the Grand Valley Circulation Plan with the findings of fact and conclusions in the staff report.

## Attachments:

[Ordinance](#)

Proposed Grand Valley Circulation Plan Map

[2005 Traffic Modeling Map](#)

2035 Traffic Modeling Maps

List of Proposed Changes to Grand Valley Circulation Plan

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF GRAND JUNCTION TO INCLUDE THE REVISED GRAND VALLEY CIRCULATION PLAN.

Recitals:

A request for a Comprehensive Plan Amendment has been submitted in accordance with the Zoning and Development Code. The applicant has requested that the Grand Valley Circulation Plan be revised to be consistent with the adopted Comprehensive Plan.

In a public hearing, the City Council reviewed the request for the proposed Comprehensive Plan Amendment and determined that it satisfied the criteria as set forth and established in 21.02.130(c)(2) of the Zoning and Development Code and the proposed amendment is consistent with the purpose and intent of the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE GRAND VALLEY CIRCULATION PLAN DATED XXX BE ADOPTED AS PART OF THE COMPREHENSIVE PLAN.

PASSED on this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

ATTEST:

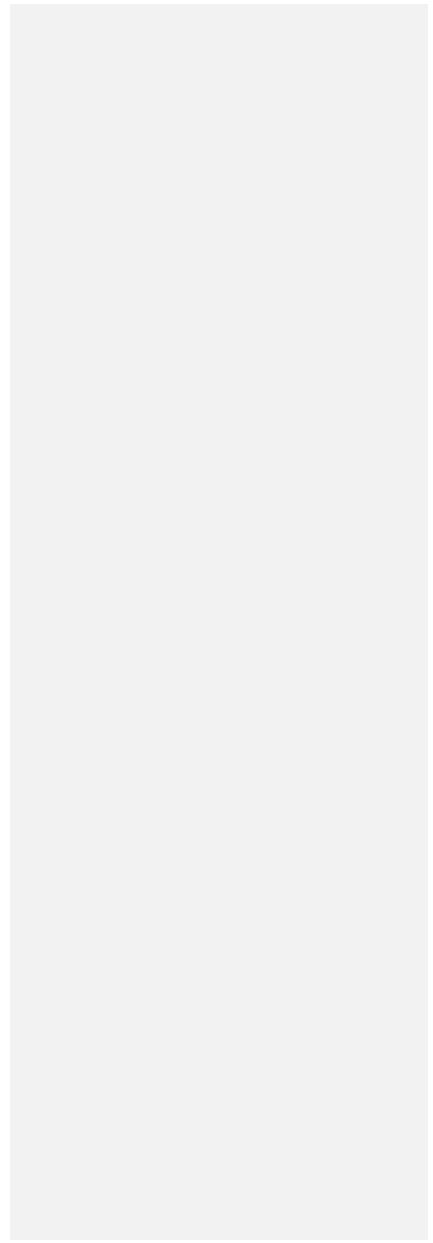
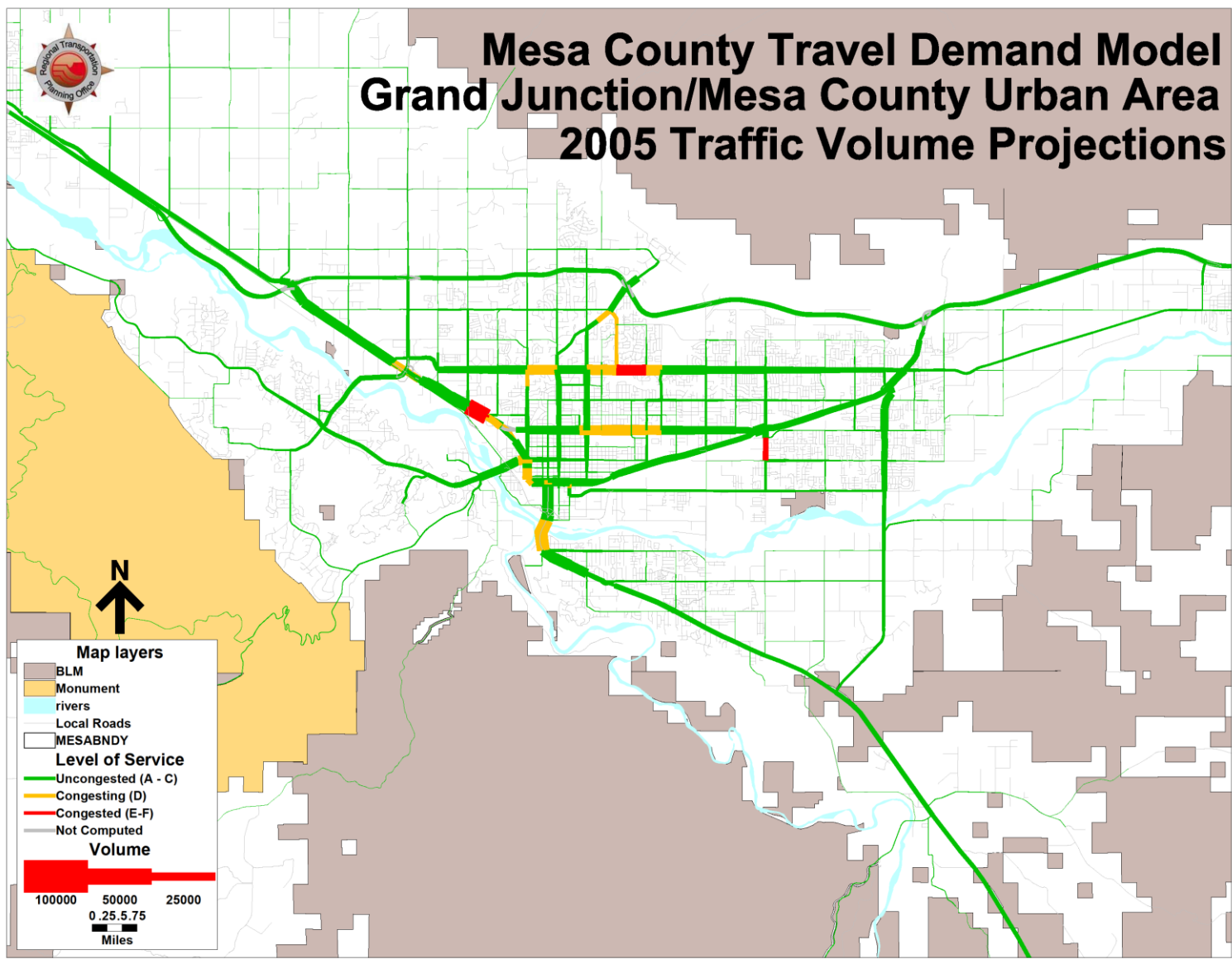
\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
President of Council

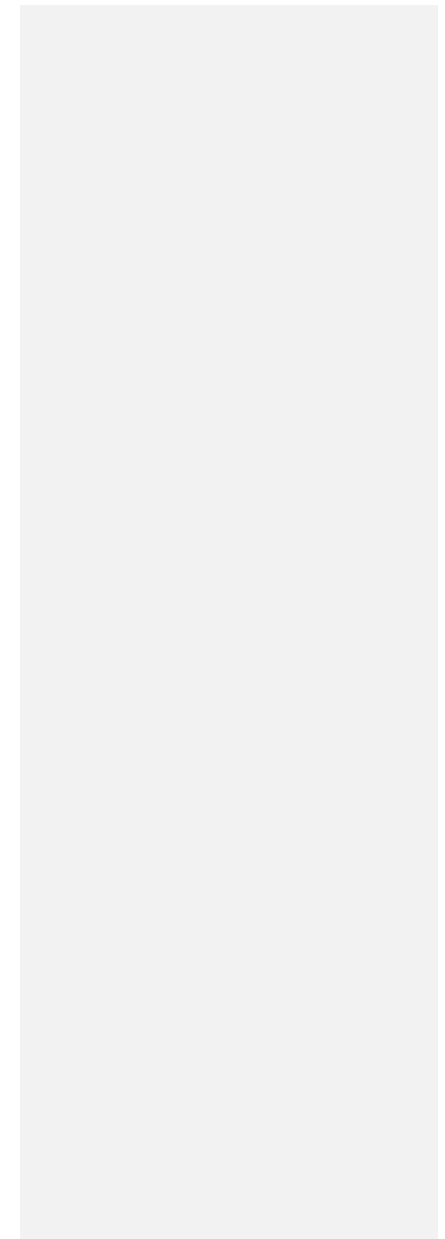
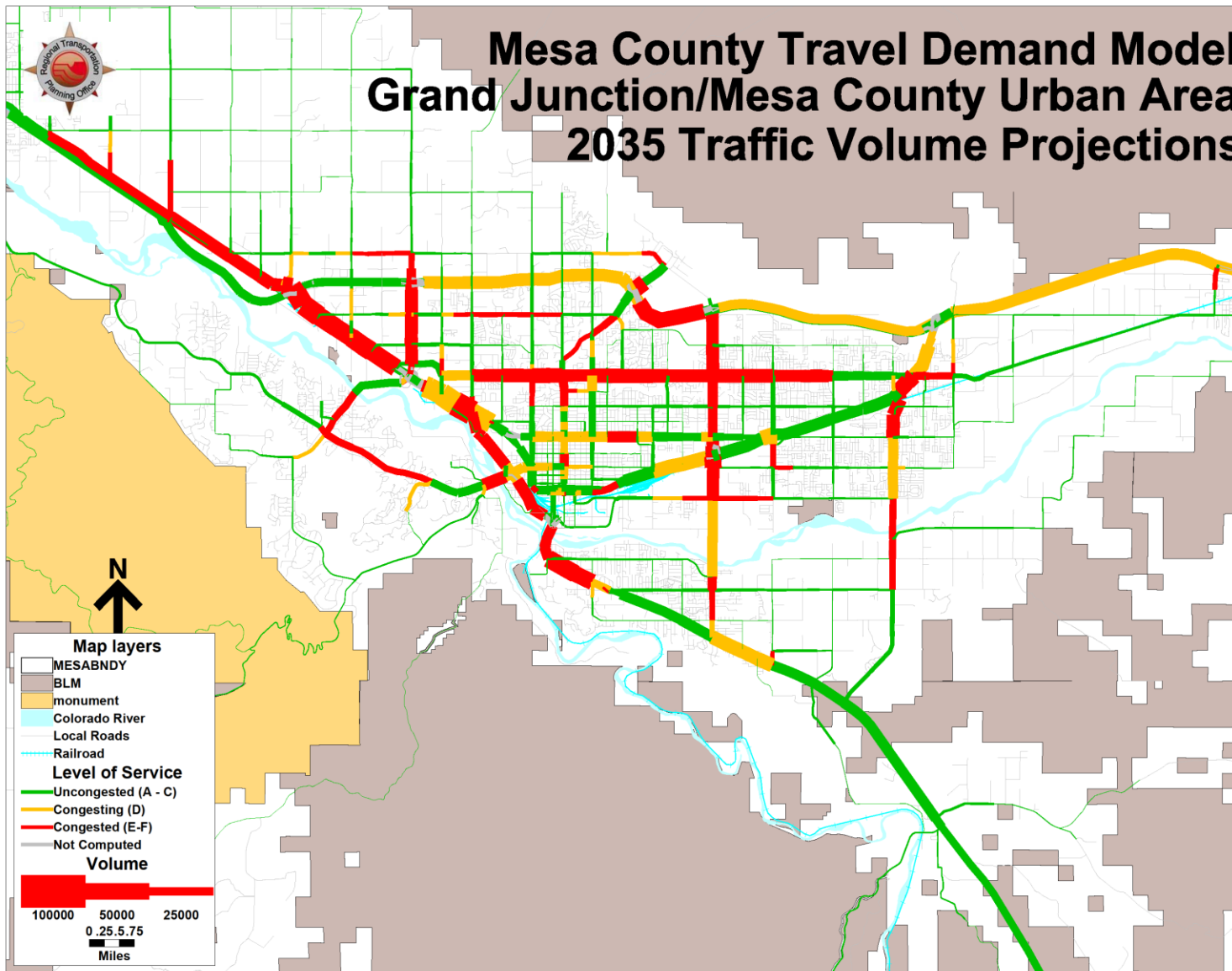




# Mesa County Travel Demand Model Grand Junction/Mesa County Urban Area 2005 Traffic Volume Projections



# Mesa County Travel Demand Model Grand Junction/Mesa County Urban Area 2035 Traffic Volume Projections



# Grand Valley Circulation Plan

## Grand Junction / Mesa County Urban Area

### Functional Classification Map

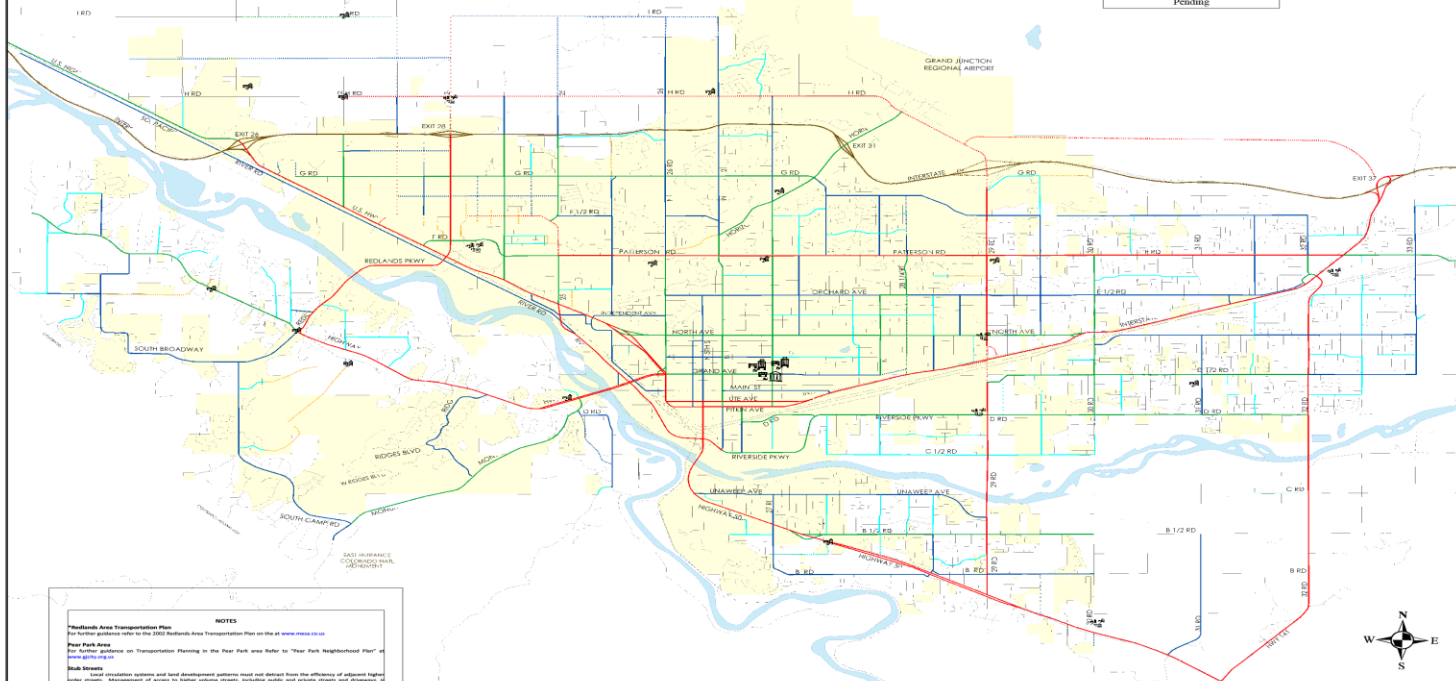


Mesa County  
Regional Transportation Planning Office



Adopted by the  
Grand Junction City Council  
Pending

Adopted by the  
Mesa County Board of Commissioners  
Pending



**NOTES**

**Redlands Area Transportation Plan**  
For further guidance refer to the 2005 Redlands Area Transportation Plan on the at [www.mesa.co.us](http://www.mesa.co.us)

**Peak Park Area**  
For further guidance on Transportation Planning in the Peak Park area refer to "Peak Park Neighborhood Plan" of Grand Junction.

**Sub Streets**  
Local circulation systems and land development patterns must not detract from the efficiency of adjacent higher-order streets. Management of access to higher volume streets, including parking and private streets and driveways, is necessary to address these efficiency and safety and quality concerns. New streets are extending major road corridors to provide access to higher-order streets and to provide access to higher-order streets. One strategy to achieve this goal is requiring developments to map streets to adjacent properties in local locations based on the Grand Valley Circulation Plan and Adjacent Property Access Management Policies. This strategy allows flexible development of local streets, including the location of points retained for access to the general street system. Such may be required for any functional class street.

**Access Management**  
Access Management Policies and the following documents:  
Mesa County Road Access Policy  
Mesa County Road Access Policy

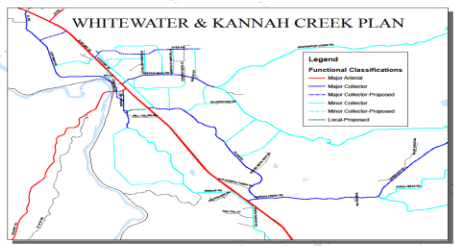
**Integrated Transportation System**  
Transportation and other development shall be designed to coordinate to create an integrated system of streets and trails that provides for efficient movement of pedestrians, bicycles, and automobiles to and from adjacent developments, while recognizing the use of mass transit. Design shall allow for through movement of general traffic from existing corridors of circulation to new corridors.

**Grand Valley Circulation Plan Limits**  
The Grand Valley Circulation Plan, including all amendments, is applicable only to roads within the Urban Development Boundary as defined by the Grand Junction Comprehensive Future Land Use Plan. The Urban Development Boundary is shown in yellow on the map. The Grand Valley Circulation Plan, including all amendments, is applicable only to roads within the Urban Development Boundary. The Urban Development Boundary is shown in yellow on the map. The Grand Valley Circulation Plan, including all amendments, is applicable only to roads within the Urban Development Boundary. The Urban Development Boundary is shown in yellow on the map.

**Unclassified Future Streets**  
Unclassified Future Streets are shown on the Grand Valley Circulation Plan. The street is required. However, the classification will be determined as a traffic engineer develops their comprehensive vehicle traffic demand within the area of interest (not limited to the particular development) under consideration.

**28 Road and 1700 Area**  
The Grand Valley Circulation Plan, including all amendments, may warrant relocation of 28 Road/1700 signal to 28 & Road/1700. Traffic and signal timing considerations will be required. However, the specifics of that relocation have not been formulated, but will be part of the future development of this area.

- Legend**
- Functional Classifications**
- Interstate 70
  - Principal Arterial - Proposed
  - Principal Arterial
  - Minor Arterial - Proposed
  - Minor Arterial
  - Major Collector - Proposed
  - Major Collector
  - Minor Collector - Proposed
  - Minor Collector
  - Unclassified
- Mixed Use Centers**
- Downtown
  - Mesa Mall
  - Village Center
  - Neighborhood Center
  - Grand Junction City Limits



Road Name	From	To	Proposed Classification	Notes:
20 1/2 Rd	Hwy 340	F 3/4 Rd	Major Collector	
20 1/2 Rd	So Broadway	E 3/4 Rd	Major Collector	
20 3/4 Rd	E 3/4 Rd	Hwy 340	Major Collector	
24 3/4 Rd	W Independent Av	I-70B/Hwy 68&50	Major Collector	
28 3/4 Rd	North Av	Orchard Av	Major Collector	
28 Rd	Patterson Rd	Cortland Av	Major Collector	
30 Rd	C 3/4 Rd (Florida ST)	D Rd	Major Collector	
31 1/2 Rd	E 1/2 Rd	Patterson Rd	Major Collector	
31 Rd	Hwy 50 S	B 1/2 Rd	Major Collector	
B Rd	27 Rd	Hwy 50 S	Major Collector	
Base Rock Rd (25 1/2 Rd)	Crosby Av	Rimrock Av	Major Collector	
Bogart Ln	Rimrock Av	W Independent Av	Major Collector	
C 3/4 Rd (Florida ST)	~29 3/4 Rd	30 Rd	Major Collector	
Cortland Av	28 Rd	Tamarron Dr	Major Collector	
Crosby Av	W Main St	Base Rock Rd	Major Collector	
D Rd	Monument Rd	Rosevale Rd	Major Collector	
E 1/2 Rd	31 1/2 Rd	32 Rd (City Market)	Major Collector	
E 3/4 RD	20 1/2 Rd	20 3/4 Rd	Major Collector	
F 1/2 Rd	25 Rd	Canal	Major Collector	
F 1/2 Rd	26 Rd	26 1/2 Rd (N 7th St)	Major Collector	
F 1/2 Rd	31 1/2 Rd	32 Rd	Major Collector	
Greenbelt	22 1/2 Rd	Redlands Pkwy	Major Collector	
H 1/2 Rd	21 Rd	24 Rd	Major Collector	
I Rd	20 Rd	22 Rd	Major Collector	
I Rd	24 Rd	27 Rd	Major Collector	
Logos Rd	23 Rd	End	Major Collector	
N 15th St	North Av	Patterson Rd	Major Collector	
Rimrock Av	Base Rock Rd	I-70B/Hwy 68&50	Major Collector	
Rosevale Rd	Little Park Rd	D Rd	Major Collector	
So Broadway	20 Rd	20 1/2 Rd	Major Collector	
W Independent Av	24 3/4 Rd	Bogart Ln	Major Collector	
W Main St	Crosby Av	1st St/I-70 B	Major Collector	
West Av	Hwy 340	Riverside Pkwy	Major Collector	
23 3/4 RD	G RD	S of I-70	Major Collector - Proposed	
24 3/4 Rd	~F 1/2 Rd	G Rd	Major Collector - Proposed	
25 1/2 Rd	Canal	G Rd	Major Collector - Proposed	Reconfigured Intersection
25 1/4 Rd	Rosevale Rd	D Rd	Major Collector - Proposed	
26 1/2 Rd	H 3/4 Rd	I Rd	Major Collector - Proposed	
26 Rd	H 3/4 Rd	I Rd	Major Collector - Proposed	
29 1/2 Rd	Hwy 50 S	B Rd	Major Collector - Proposed	
30 Rd	~A Rd	Hwy 50 S	Major Collector - Proposed	
31 Rd	F 1/2 Rd	H Rd (Proposed)	Major Collector - Proposed	
31 Rd	B 1/2 Rd	C Rd	Major Collector - Proposed	
B Rd	30 Rd	32 Rd	Major Collector - Proposed	
C 3/4 Rd (Florida ST)	29 Rd	~29 3/4 Rd	Major Collector - Proposed	
Cortland Av	Tamarron Dr	29 Rd	Major Collector - Proposed	
F 1/2 Rd	Canal	26 Rd	Major Collector - Proposed	
Grand Av	28 Rd	26 1/4 Rd	Major Collector - Proposed	
Logos Rd	End	24 Rd	Major Collector - Proposed	
Palmer St	Linden Av	Hwy 50 S	Major Collector - Proposed	
W Teller Av	Baserock Rd	I-70B	Major Collector - Proposed	
Baseline Rd	Independence Valley Rd	Roundup Dr	Local	
Elm Av	7th St	MSC	Local	
F 3/4 Rd	20 1/2 Rd	Roundup Dr	Local	