



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

TUESDAY, September 8, 2015 @ 6:00 PM

Call to Order – 6:00 P.M.

*****CONSENT CALENDAR*****

1. Minutes of Previous Meetings [Attach 1](#)

Action: Approve the minutes from the August 11, 2015 Planning Commission Meeting.

2. Community Hospital Alley Vacation [File # VAC-2015-323] [Attach 2](#)

Request to vacate North/South and East/West public right-of-way alleys located between N. 11th Street, N. 12th Street, Orchard Avenue and Walnut Avenue which are in a PD (Planned Development) zone district.

Action: Recommendation to City Council

Applicant: Colorado West Health Care Systems – David Willower

Location: 2021 N. 21st Street

Staff presentation: Senta Costello, Senior Planner

3. 1800 Main Street Apartments Right-of-Way [VAC-2015-314] [Attach 3](#)

Request to vacate public right-of-way located east of 1800 Main Street which is no longer needed.

Action: Recommendation to City Council

Applicant: Gemini Capital of Grand Junction LLC, Owner
Eric Kraai, Kraai Design Inc., Representative
Location: East of 1800 Main Street
Staff presentation: Scott Peterson, Senior Planner

4. Nonscheduled Citizens and/or Visitors

5. Other Business

6. Adjournment

Attach 1

GRAND JUNCTION PLANNING COMMISSION
August 11, 2015 MINUTES
6:00 p.m. to 6:05 p.m.

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

In attendance representing the City Planning Commission were Ebe Eslami (Vice-Chairman), Jon Buschhorn, Kathy Deppe, George Gatseos, and Bill Wade.

In attendance, representing the City's Administration Department - Community Development, were Greg Moberg, (Development Services Supervisor) and Lori Bowers (Senior Planner).

Also present were Jamie Beard (Assistant City Attorney).

Lydia Reynolds was present to record the minutes.

There were 3 citizens in attendance during the hearing.

Announcements, Presentations And/or Visitors

There were no announcements, presentations and/or visitors.

Consent Agenda

1. Minutes of Previous Meetings

Action: Approve the minutes from the July 14, 2015 Planning Commission Meetings.

2. Hutto Easement Vacation [VAC-2015-251]

Request to relocate a public utility easement, located at 676 Peony Drive, in an R-2 (Residential 2 du/ac) zone district.

Action: Recommendation to City Council

Applicant: Francis and Mary Jane Hutto

Location: 676 Peony Drive

Staff presentation: Lori Bowers, Senior Planner

Chairman Reece briefly explained the Consent Agenda and invited the public, Planning Commissioners and staff to speak if they wanted an item pulled for a full hearing.

Commissioner Gatseos stated that he would like to make an amendment to the minutes of July 14, 2015. Commissioner Gatseos noted that the word “unanimously” should be struck from the record of the vote, as the vote was 5-2. Commissioner Gatseos complimented the recorder on the great job that is done with the minutes.

Chairman Reece thanked Commissioner Gatseos for noting the error and thanked the recorder for taking great minutes. Chairman Reece asked the Commissioner if there was an objection to making that adjustment to the minutes. With no objections to the correction, or to the Consent Agenda, Chairman Reece called for a motion.

MOTION:(Commissioner Wade) “Madam Chairman, I move that we accept the Consent Agenda with the changes as presented by the Commission.”

Commissioner Deppe seconded the motion. A vote was called and the motion passed unanimously by a vote of 6-0.

Nonscheduled Citizens and/or Visitors

None

General Discussion/Other Business

Greg Moberg, Development Services Supervisor, reminded the Commission that there will not be a second meeting of the Planning Commission this month, however, they will be holding the regular second workshop on August 20th. Mr. Moberg explained that the next workshop will be a joint workshop with both the Planning Commission and the City Council, and will be held at noon in the auditorium.

Adjournment

The Planning Commission meeting was adjourned at 6:05 p.m.



Attach 2

PLANNING COMMISSION AGENDA ITEM

Date: August 17, 2015
 Author: Senta Costello
 Title/ Phone Ext: Senior Planner/x1442
 Proposed Schedule: Planning
 Commission: September 8, 2015
 City Council : 1st Reading: September 16, 2015; 2nd Reading: October 7, 2015
 File # (if applicable): VAC-2015-323

<p>Subject: Community Hospital Alley Vacation – Vacating the remaining North/South and East/West alleys located between N 11th Street, N 12th Street, Orchard Avenue and Walnut Avenue</p>
<p>Action Requested/Recommendation: Forward a recommendation to City Council to vacate public alley right-of-way in a PD (Planned Development) zone district.</p>
<p>Presenter(s) Name & Title: Senta Costello – Senior Planner</p>

Executive Summary:

Request to vacate a non-constructed alley right-of-way located between N 11th Street, N 12th Street, Orchard Avenue and Walnut Avenue.

Background, Analysis and Options:

The property was platted in 1898 as part of the Capitol Hill Subdivision and annexed in 1958 as part of the North Monterey Park Annexation. The original portion of Community Hospital was built on the western end of the property in 1964. The right-of-way was conveyed to the City of Grand Junction in 1964 for alley and utility purposes; however, the alley was never constructed. Since, the original construction, several additions were constructed, including a new wing and entrance vestibule on the eastern end. This addition was constructed over a portion of the alley right-of-way. The alley does contain a sanitary sewer line; however, the line only provides service to the hospital property. The sewer line maintenance will be taken over by the property owner; therefore an easement does not need to be maintained as part of the vacation.

How this item relates to the Comprehensive Plan Goals and Policies:

Goal 6: Land use decisions will encourage preservation and appropriate reuse.

Vacation of the right-of-way will clear up the encroachment of a private use within the public right-of-way, allowing for the property to maintain its current use and/or be transferred to another owner clear of encroachments.

How this item relates to the Economic Development Plan:

The purpose of the Economic Development Strategy and Action Plan is to present a clear plan of action for improving business conditions and attracting and retaining employers.

While this request does not specifically address one of the Plans goals, it does clear the title of encroachments into public facilities facilitating future development.

Board or Committee Recommendation:

The request has not been heard by any other board or committee.

Financial Impact/Budget:

The alley was never constructed, so there will be no financial impact by the vacation. The sewer line maintenance will be the responsibility of the property owner; therefore, any future maintenance requirement costs will not be incurred by the City of Grand Junction. Council directed staff to evaluate on a case by case basis the value of selling ROW's at the time of a vacation request. Based on an actual value of \$4.77 per square foot of the adjacent property, as calculated by the Mesa County Assessor's office, the total value of the ROW requested to be vacated is approximately \$30,763.

Other issues:

No issues have been identified.

Previously presented or discussed:

This request has not been previously discussed.

Attachments:

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

BACKGROUND INFORMATION			
Location:	2021 N 12 th Street		
Applicants:	Colorado West Health Care Systems – David Willower		
Existing Land Use:	Community Hospital		
Proposed Land Use:	No change proposed		
Surrounding Land Use:	North	Multi-family residential	
	South	Colorado Mesa University Dormitory	
	East	Commercial offices	
	West	Single Family Residential	
Existing Zoning:	PD (Planned Development)		
Proposed Zoning:	No change proposed		
Surrounding Zoning:	North	R-24 (Residential 24 du/ac), R-O (Residential Office)	
	South	PD (Planned Development)	
	East	B-1 (Neighborhood business)	
	West	R-8 (Residential 8 du/ac)	
Future Land Use Designation:	Business Park Mixed Use		
Zoning within density range?	X	Yes	No

Section 21.02.100 of the Grand Junction Municipal Code

The vacation of the 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.

The request meets Goal 6 of the Comprehensive Plan and is not shown on the Grand Valley Circulation Plan as a needed right-of-way; vacation will not violate the Plan.

Therefore, this criterion is met.

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

No parcel will be landlocked if this vacation is approved.

Therefore, this criterion is met.

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

Access to all neighboring properties will be unaffected if this vacation is approved.

Therefore, this criterion is met.

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

The alley was not constructed, therefore not depended upon for circulation. The utilities located in the alley only provide service to the hospital property. The health, safety and welfare of the neighborhood and general community will not be negatively affected if this vacation is approved.

Therefore, this criterion is met.

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

Adequate public facilities and services are currently available to the neighborhood and will not change if this vacation is approved as the alley was not constructed.

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

The alley was never constructed, so there will be no financial impact by the vacation. The sewer line maintenance will be the responsibility of the property owner; therefore, any future maintenance requirement costs will not be incurred by the City of Grand Junction.

FINDINGS OF FACT/CONCLUSIONS

After reviewing the Community Hospital Alley vacation application, VAC-2015-323 for the vacation of a public right-of-way, I make the following findings of fact and conclusions:

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

2. The review criteria in Section 21.02.100 of the Grand Junction Municipal Code have all been met.

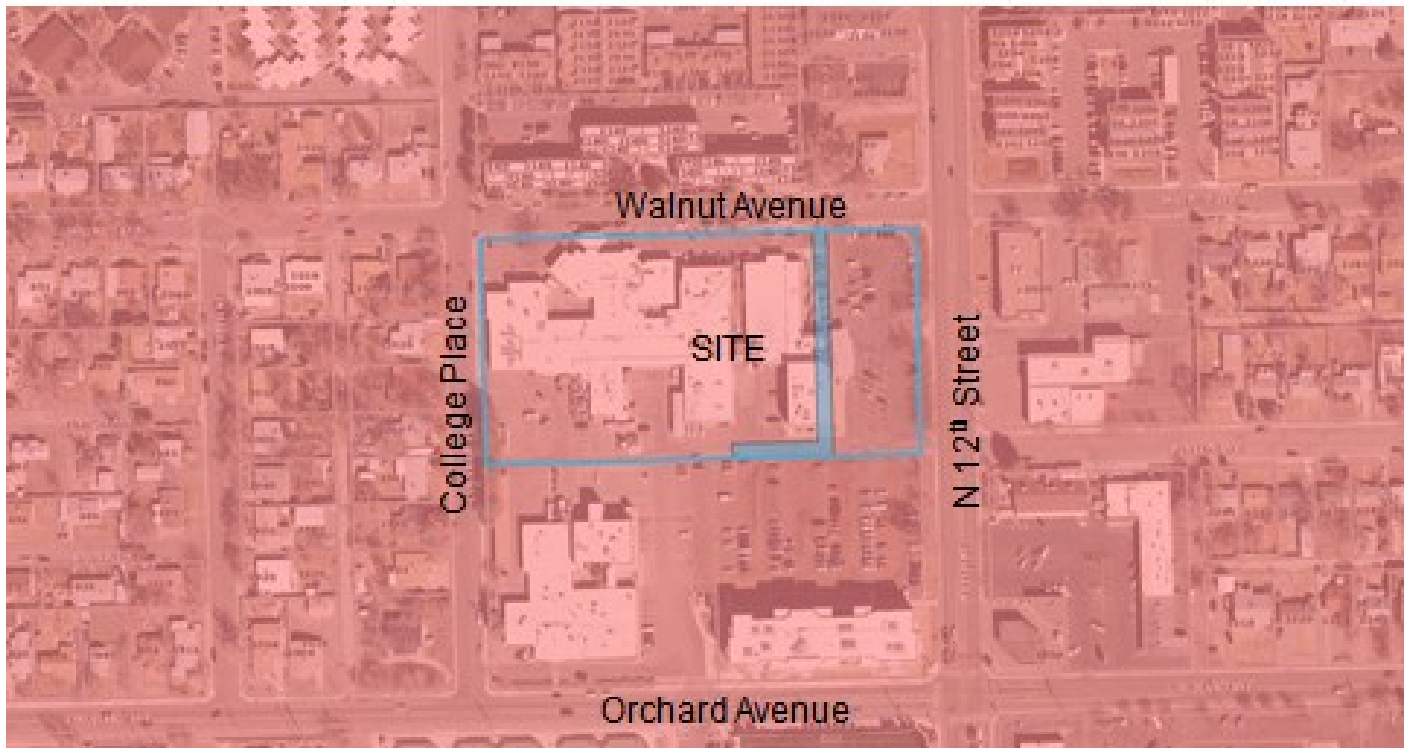
STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of approval of the requested right-of-way vacation, VAC-2015-323 to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

Madam Chairman, on item VAC-2015-323, I move we forward a recommendation of approval to the City Council on the request to vacate the remaining North/South and East/West alleys located between N 11th Street, N 12th Street, Orchard Avenue and Walnut Avenue with the findings of fact and conclusions in the staff report.

Site Location Map



Aerial Photo Map



Future Land Use Map



Zoning Map



CITY OF GRAND JUNCTION

Ordinance No.

**AN ORDINANCE VACATING RIGHT-OF-WAY FOR
ALLEY RIGHT-OF-WAY
LOCATED BETWEEN N 11TH STREET, N 12TH STREET,
ORCHARD AVENUE AND WALNUT AVENUE**

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 21.02.100 of the Grand Junction Municipal 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.

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

Dedicated right-of-way to be vacated:

TRACT VACATION
(BK 862, PG 371)

A certain tract or parcel of land lying in the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section 11, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

ALL of that certain 15 foot wide Tract of land as recorded in Book 862, Page 371, Public Records of Mesa County, Colorado.

CONTAINING 6,444 Square Feet or 0.148 Acres, more or less, as described.

Introduced for first reading on this day of , 2015.

PASSED and ADOPTED this day of , 2015.

ATTEST:

President of City Council

City Clerk



Date: August 19, 2015
 Author: Scott D. Peterson
 Title/ Phone Ext: Senior
Planner/1447
 Proposed Schedule: September 8,
2015
 File #: VAC-2015-314

Attach 3

PLANNING COMMISSION AGENDA ITEM

Subject: 1800 Main Street Apartments Right-of-Way Vacation, Located east of 1800 Main Street
Action Requested/Recommendation: Forward a recommendation to City Council to vacate public right-of-way located east of 1800 Main Street, which is no longer needed.
Presenter(s) Name & Title: Scott D. Peterson, Senior Planner

Executive Summary:

The applicant, Gemini Capital of Grand Junction LLC, requests approval from the City of Grand Junction to vacate an excess 15' wide north/south right-of-way located east of 1800 Main Street.

Background, Analysis and Options:

Gemini Capital of Grand Junction LLC, requests approval from the City of Grand Junction to vacate excess right-of-way (4,112 +/- sq. ft. – 0.09 acres – see attached vacation exhibit). This portion of dedicated 15' wide right-of-way has never been constructed nor utilized as a street right-of-way, but rather serves more as a utility easement for an existing 24" storm sewer line and Xcel Energy overhead powerline. The applicant is requesting to vacate the existing right-of-way in order to construct a new 18,360 +/- sq. ft., 3-story, 27-unit multi-family residential apartment building as close to their east property line as possible. The proposed Site Plan Review application for the new apartment building is currently under review administratively (City file number SPN-2015-313). The existing property at 1800 Main Street currently is developed with three individual multi-family apartment buildings which contain a total of 66 units on 3.87 acres.

This right-of-way was dedicated with the filing of the East Main Street Addition subdivision in 1947.

The proposed vacation will not impede traffic, pedestrian movement or access along Main Street to the south nor Rood Avenue to the north. As a condition of approval, the City would retain a Utility Easement for the existing Xcel Energy overhead powerline and the City's storm sewer line.

Neighborhood Meeting:

The applicant held a Neighborhood Meeting on November 13, 2014 with one citizen along with the applicant's representative and City Project Manager in attendance. No objections to either the proposed multi-family apartment development or the right-of-way vacation were received.

How this item relates to the Comprehensive Plan Goals and Policies:

The request to vacate excess right-of-way implements and meets the following goals and policies from the Comprehensive Plan.

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

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

Goal 3: The Comprehensive Plan will create ordered and balanced growth and spread future growth throughout the community.

Policy B: Create opportunities to reduce the amount of trips generated for shopping and commuting and decrease vehicle miles traveled thus increasing air quality.

Goal 5: To provide a broader mix of housing types in the community to meet the needs of a variety of incomes, family types and life stages.

How this item relates to the Economic Development Plan:

The purpose of the adopted Economic Development Plan by City Council is to present a clear plan of action for improving business conditions and attracting and retaining employees. Though the proposed right-of-way vacation request specifically does not further the goals of the Economic Development Plan, it does allow for the proposal of additional multi-family housing units to be constructed within the community to meet housing demand for more affordable housing options.

Board or Committee Recommendation:

N/A.

Financial Impact/Budget:

Based on an actual value of \$0.84 per square foot of the adjacent property, as calculated by the Mesa County Assessor's office, the total value of the ROW requested to be vacated is approximately \$3,454.08.

Previously presented or discussed:

This proposal has not been previously discussed.

Attachments:

Staff Report/Background Information
Site Location Map
Aerial Photo Map
Comprehensive Plan Future Land Use Map
Existing Zoning Map
Ordinance

BACKGROUND INFORMATION					
Location:		East of 1800 Main Street			
Applicants:		Gemini Capital of Grand Junction LLC, Owner Eric Kraai, Kraai Design Inc., Representative			
Existing Land Use:		Dedicated Right-of-Way (Unused)			
Proposed Land Use:		To accommodate the building site location for a proposed 27-unit multi-family apartment building			
Surrounding Land Use:	North	Single-family detached residential			
	South	Commercial properties			
	East	Multi-family residential			
	West	Commercial property – Freeway Bowl			
Existing Zoning:		R-24 (Residential – 24 du/ac)			
Proposed Zoning:		N/A			
Surrounding Zoning:	North	R-8 (Residential – 8 du/ac)			
	South	C-2 (General Commercial)			
	East	C-2 (General Commercial)			
	West	R-16 (Residential – 16 du/ac)			
Future Land Use Designation:		Urban Residential Mixed Use (24 + du/ac) Residential High Mixed Use (16 – 24 du/ac)			
Zoning within density range?		X	Yes		No

Section 21.02.100 (c) of the Grand Junction Zoning and Development Code:

The vacation of 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.*

Granting the request to vacate excess right-of-way does not conflict with the Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies of the City. The request meets with Goals 1, 3 and 5 of the Comprehensive Plan and the vacation area is not shown on the Grand Valley Circulation Plan as needed right-of-way. A utility easement will be retained for existing utilities as a condition of approval. The requested vacation of right-of-way is in anticipation of accommodation of construction for a new 27-unit multi-family residential apartment building.

Therefore, this criterion has been met.

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

No parcels will be landlocked as a result of this vacation request. The existing property will still be accessed from Main Street with an additional new curb-cut proposed from Rood Avenue to access the anticipated construction of a fourth apartment building on-site that would contain 27-units.

Therefore, this criterion has been met.

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

Access will not be restricted to any parcel. A road was never constructed and the dedicated right-of-way area is not used by anyone for access to a property. The two properties abutting this area have access to Main Street as well as Rood Avenue.

Therefore, this criterion has been met.

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

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 will not be reduced by the result of this vacation request. The existing right-of-way area has never been constructed/developed as a street right-of-way and serves more as a utility easement for an existing 24" storm sewer line and Xcel Energy overhead powerline. A utility easement will be retained for existing utilities as a condition of approval.

Therefore, this criterion has been met.

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

Adequate public facilities and services will not be inhibited to any property as a result of this proposed vacation request. The applicant is requesting to vacate this right-of-way in order to incorporate the land area within their existing property in order to accommodate the construction of a new 27-unit multi-family apartment building. No adverse comments concerning the proposed rights-of-way vacation were received from the utility review agencies during the staff review process. As a condition of approval, a utility easement will be retained for existing utilities located within the

vacated rights-of-way. The Grand Valley Circulation Plan does not show a connection between Rood Avenue and Main Street.

Therefore, this criterion has been met.

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

Maintenance requirements for the City will not change as a result of the proposed right-of-way vacation. A utility easement will be retained to allow for the continuation and access of existing utilities and no negative comments were received from the utility review agencies during the review process. The existing right-of-way in this area has never been constructed, so there will be no financial impact by the vacation. The right-of-way vacation request will also provide the applicant with additional land area to better use and incorporate into their property as part of their new development proposal.

Therefore, this criterion has been met.

FINDINGS OF FACT/CONCLUSIONS AND CONDITIONS:

After reviewing the 1800 Main Street Apartments Right-of-Way Vacation application, VAC-2015-314 for the vacation of public right-of-way, I as Project Manager make the following findings of fact, conclusions and conditions:

3. The requested right-of-way vacation is consistent with the Comprehensive Plan.
4. The review criteria in Section 21.02.100 (c) of the Grand Junction Zoning and Development Code have all been met and addressed.
3. As a condition of approval, the City will retain a Utility Easement.

STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of conditional approval of the requested right-of-way vacation, VAC-2015-314 to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

Madam Chairman, on item VAC-2015-314, I move we forward a recommendation of conditional approval to the City Council on the request to vacate excess right-of-way, with the findings of fact, conclusions and conditions identified within the staff report.



CITY OF GRAND JUNCTION**ORDINANCE NO.****AN ORDINANCE VACATING EXCESS RIGHT-OF-WAY FOR THE PROPOSED 1800 MAIN STREET MULTI-FAMILY RESIDENTIAL APARTMENT BUILDING EXPANSION APPLICATION****LOCATED 1800 MAIN STREET**

RECITALS:

The applicant, Gemini Capital of Grand Junction LLC, requests approval from the City of Grand Junction to vacate excess right-of-way (4,112 +/- sq. ft. – 0.09 acres – see attached Exhibit A). This portion of dedicated 15' wide right-of-way has never been constructed nor utilized as a street right-of-way, but rather serves more as a utility easement for an existing 24" storm sewer line and Xcel Energy overhead powerline. The applicant is requesting to vacate the existing right-of-way in order to construct a new 18,360 +/- sq. ft., 3-story, 27-unit multi-family residential apartment building as close to their east property line as possible. The proposed Site Plan Review application for the new apartment building is currently under review administratively (City file number SPN-2015-313). The existing property at 1800 Main Street currently is developed with three individual multi-family apartment buildings which contain a total of 66 units on 3.87 acres.

This right-of-way was dedicated with the filing of the East Main Street Addition subdivision in 1947.

The proposed vacation will not impede traffic, pedestrian movement or access along Main Street to the south nor Rood Avenue to the north. As a condition of approval, the City would retain a Utility Easement for the existing Xcel Energy overhead powerline and the City's storm sewer line.

The City Council finds that the request is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100 of the Grand Junction Zoning and Development Code.

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 City will retain 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 certain parcel of land lying in the South Half (S 1/2) of Section 13, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

That certain platted parcel of land, depicted as 15 feet in width, lying entirely within the plat of East Main Street Addition, as same is recorded in Plat Book 7, Page 31, Public Records of Mesa County, Colorado, bounded on the West by the East line of Block 5; bounded on the South by the North right of way of Main Street; bounded on the North by the South line of Rood Avenue and bounded on the East by the West line of said East Main Street Addition.

CONTAINS 4,112 Sq. Ft. or 0.094 Acres as described.

Said vacated right-of-way to be retained as a Utility Easement.

Introduced for first reading on this day of , 2015 and ordered published in pamphlet form.

PASSED and ADOPTED this day of , 2015 and ordered published in pamphlet form.

ATTEST:

President of City Council

City Clerk

