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Fil	e	1992-0017 Name: Portion of 939 and 9	49	<u>S</u>	outh Avenue - R.O.W.						
P r e s e n t	S c a n n e d	A few items are denoted with an asterisk (*), which means they are to be scanned for permanent record on the ISYS retrieval system. In some instances, items are found on the list but are not present in the scanned electronic development file because they are already scanned elsewhere on the system. These scanned documents are denoted with (**) and will be found on the ISYS query system in their designated categories. Documents specific to certain files, not found in the standard checklist materials, are listed at the bottom of the page. Remaining items, (not selected for scanning), will be listed and marked present. This index can serve as a quick guide for the contents of each file.									
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		*Submittal checklist									
		*General project report									
		Reduced copy of final plans or drawings									
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37	*/	Evidence of title, deeds, easements		_							
A	X	*Mailing list to adjacent property owners Public notice cards									
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X		Legal description		—							
	-	Appraisal of raw land									
\dashv		Reduction of any maps – final copy									
	_	*Final reports for drainage and soils (geotechnical reports)		_							
		Other bound or non-bound reports									
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		*Staff Reports									
		*Planning Commission staff report and exhibits									
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DEVELOPMENT APPLICATION Community Development Department 250 North 5th Street Grand Junction, CO 81501 (303) 244-1430

A	Receipt	42	48
A	Receipt Date	4/1	102
	Rec'd By	, <u>* </u>	DT
	File No.#	17	92

We, the undersigned, being the owners of property situated in Mesa County, State of Colorado, as described herein do hereby petition this:

PETITION	PHASE	SIZE	LOCATION	ZONE	LAND USE
[] Subdivision Plat/Plan	[] Minor [] Major [] Resub				
[] Rezone				From: To:	
[] Planned Development	[] ODP [] Prelim [] Final				
[] Conditional Use					
[] Zone of Annex					
[] Text Amendment					
[] Special Use					
■ Vacation			939 & 949 South Avenue	I - 1	Right-of-Way
Jen In Jels. George M. Taber			EVELOPER anna Harris	∭ R	EPRESENTATIVE
Name		Name		Name	
939 South Avenu	ie, 949 South	Avenue			
Address		Address		Address	
Grand Junction,	CO 81501	Grand	Junction, CO 8	1501	
City/State/Zip		City/State/Zip		City/State/Zip	
245-5779	······································	· · · · · · · · · · · · · · · · · · ·		3-0303	
Business Phone No.	. •	Business Phone		Business Phone No	
Call 245-7571 fo	or any question	ns on eith	er party	7. 7.44	Pernove
NOTE: Legal property ow	ner is owner of record	on date of subm	nittal.	· · · · · · · · · · · · · · · · · · ·	rom Office
foregoing information is tro and the review comments	ue and complete to the	best of our knov we or our repres	vledge, and that we assur- sentative(s) must be pres additional fee charged to	ns with respect to the prep me the responsibility to mo sent at all hearings. In the	paration of this submittal, that the position the status of the application elevent that the petitioner is not see before it can again be placed March 27, 1992
Signature of Person (Completing Applica		· - •		Date
Richard Scariano					,
3 Signature of Property					

Danill & Esther B. Debra 630 Stardust Lane Los Altos Hills, CA 94022

E. F. McAnally 2862 Unaweep Grand Junction, CO 81503 Charles D. Pennal 404 Dressel Drive Grand Junction, CO 81503

Floyd Neighbours 2343 Rattlesnake Ct. Grand Junction, CO 81503 Orville R. Barbour 2015 No. 6th Street Grand Junction, CO 81503 Diesel Services, Inc. 914 So. Ave. Grand Junction, CO 81501

Marvin Miller 835 25 Road Grand Junction, CO 81505 Oliver R. Patterick 718 Golfmore Grand Junction, CO 81506 Thomas J. Golden P.O. Box 967 Grand Junction, CO 81502

Dennis Foster 917 So. Ave. Grand Junction, CO 81501 Wesley Wood 3181 D Road Grand Junction, CO 81504 Norma E. Mabe 824 1st Ave. Grand Junction, CO 81501

Warren Reams 899 24 1/2 Road Grand Junction, CO 81505 Coors Energy Co. P.O. Box 4274 Englewood, CO 80155 C&F Food Stores 857 Pitkin Grand Junction, CO 81501

Dean White 715 So. 7th Grand Junction, CO 81501 C. D. Smith Co.
P.O. Box 728
Grand Junction, CO 81502

#17 92

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IMPACT STATEMENT

The purpose of this right-of-way vacation is to obtain a right-of-way for seven feet into South Avenue on Lots 7-16, Block 157, City of Grand Junction. The buildings that currently encroach upon this right-of-way were built in 1952 and 54 respectively. These buildings have existed on the right-of-way since they were originally built. The buildings, as well as the fence line along this side of the street have been utilized by all the tenants for a number of years.

The neighborhood is Zoned I with various users such as Grand Valley Water Users Association, Rembrandt Painting, Aspen Leaf Building Supply, DSI Deisel Services, Taber Auto Body and a mobile home repair shop.

There will be no impact as a result of granting this right-of-way to the existing buildings. It will not change the street configuration, the current parking or change the use of any of the existing land. The impact on the neighborhood will not change as this property has been recognized under the ownership of the buildings for many years. The request is being made to simply legalize an existing situation that has been there since 1952.

#17 92

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REVIEW COMMENTS

(Page 1 of 2)

FILE NO. #17-92

TITLE HEADING: Right-of-Way Vacation

ACTIVITY: Right-of-Way Vacation for a portion of South Avenue

LOCATION: South Avenue

PHASE: Final

ACRES:

PETITIONER: Dick Scariano

PETITIONER'S ADDRESS/TELEPHONE:

245-7571

STAFF REPRESENTATIVE: David Thornton

NOTE: WRITTEN RESPONSE BY THE PETITIONER TO THE REVIEW COMMENTS

IS REQUIRED ON OR BEFORE 5:00 P.M., APRIL 30, 1992.

CITY UTILITIES ENGINEER

04/16/92

Bill Cheney

244-1590

- Recommend vacating only right-of-way where building encroachments exist if request 1. is approved.
- 2. Existing utilities need to be shown for south side of South Avenue where vacation is being requested.

U.S. WEST

04/15/92

Leon Peach 244-4964

No comments at this time.

CITY ENGINEER 04/06/92

Gerald Williams 244-1577

No comment.

PAGE 2 of 2 FILE #17-92 RIGHT-OF-WAY VACATION ON SOUTH AVENUE

TRANSPORTATIO	N ENGINEER	04/07/92
David Tontoli	244-1567	

Existing conditions do not allow 90° parking as only 13 feet exist from edge of cross cutter to sidewalk. Parallel parking stalls would be justified as vehicles would not overhang into roadway travel path and right-of-way.

CITY FIRE DEPARTMENT 04/06/92 George Bennett 244-1400

No problems.

CITY ATTORNEY 04/06/92 Dan Wilson 244-1505

None.

CITY POLICE DEPARTMENT 04/06/92 Marty Currie 244-3563

No problems noted.

COMMUNITY DEVELOPMENT DEPARTMENT 04/17/92 David Thornton 244-1447

- 1. We have no objections to the right-of-way vacation for seven feet of South Avenue being requested.
- 2. This right-of-way request meets the criteria of the Zoning and Development Code for right-of-way vacations.

CITY PROPERTY AGENT 04/21/92 Tim Woodmansee 244-1565

No comments.

PUBLIC SERVICE 04/15/92 Herbert R. Tinkle 244-2687

Gas & Electric: No objections.

MISSING COMMENTS FROM: United Cable TV

Row Thousand

939 Sorate au

REPLY COMMENTS FILE NO. 17-92 RIGHT-OF-WAY VACATION FOR A PORTION OF SOUTH AVENUE

The following address the comments made by the City Engineer:

- 1. The City Engineer requested utilities to be shown on the South side of South Avenue. These are shown on the plat and these are the utilities that are existing.
- 2. The recommendation by the Engineer to vacate only the right-of-way where building encroachments exist would mean that there would be four jogs in the vacation which would make administration of future rights regarding the vacated property difficult. We still propose for the little amount of right-of-way that is being requested be done in a straight line to prevent a complicated mess.

Transportation Comments:

1. The parking pattern has existed for over 30 years in front of these buildings. To go in and paint parallel lines does not seem appropriate at the present time.

In summary, the review comments do not present any future adverse conditions or any changes in the present usage. We are requesting approval based upon the reasonableness of the request.

Richard Scariano

RECEIVED GRAND JUNCTION PLANNING DEPARTMENT

MAY 0 1 1992

SUGGESTED MOTIONS

ITEM:

#17-92 (Page 1 of 1)

PETITIONER:

George M. Taber, Thad Harris & Deanna Harris

PROPOSAL:

R.O.W. Vacation for a portion of South Avenue

PRESENTED BY:

David Thornton

COMMENTS:

SEE REVIEW AGENCY SUMMARY SHEET COMMENTS

APPROVAL:

"Mr. Chairman, on item #17-92, a request to vacate seven feet of the South Avenue right-of-way on Lots 7 - 16, Block 157, City of Grand Junction, I move that we forward this on to City Council with the recommendation of approval."

DENIAL:

"Mr. Chairman, on item #17-92, a request to vacate seven feet of the South Avenue right-of-way on Lots 7 - 16, Block 157, City of Grand Junction, I move that we deny this request for the following reasons:" (STATE REASONS)

COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

File # 17-92

PROPOSAL

To vacate the south 7 feet of South avenue adjacent to lots 7-16, Block 157, aka 939 and 949 South Avenue because two existing buildings currently encroach into the ROW. The buildings were built in 1952 and 1954 respectively. The buildings, as well as the fence line along this south side of the street have been utilized by all the tenants for a number of years. The impact on the neighborhood will not change as this property has existed in its current state for many years. The request is simply to legalize an existing situation that has been there since the 1950's.

SURROUNDING LAND USE AND ZONING

The surrounding zoning is Light Industrial (I-1). The existing uses in the neighborhood include GV Water Users Assoc., Rembrandt Painting, Aspen Leaf Building Supply, DSI Seisel Services, Taber Auto Body and a mobile home repair shop.

REVIEW AGENCY SUMMARY SHEET COMMENTS

All review agency summary sheet comments have been properly addressed. It has been determined that an easement for utilities will not need to be maintained.

CORRIDOR GUIDELINES

N/A

CRITERIA - Right-of Way Vacation

As per section 8-3 of the Zoning and Development Code, the following criteria must be met for the request ROW vacation to be granted:

8-3-1 "The proposal shall not landlock any parcel of land."

The proposal to vacate a 7' section of South Avenue will not landlock any parcels.

8-3-2 "The Proposal shall not restrict access to any parcel that such access is unreasonable, economically prohibitive, and reduces or devalues any property affected by the proposed vacation."

The proposed vacation does not make access to any parcel unreasonable, economically prohibitive or reduce or devalue any property affected by the vacation. All

properties affected by the vacation are owned by the petitioners.

8-3-3 "The proposal shall have no adverse impacts on the health, safety, and/or general welfare of the general community, and shall not reduce the quality of public services provided to any parcel of land, e.g. police/fire protection and utility services."

The proposed vacation has no adverse impacts on the general community. South Avenue is built and the existing street improvements will remain in the remaining 53 feet of Right-of-way.

8-3-4 "The proposal shall not conflict with adopted plans and policies."

The proposed ROW Vacation does not conflict with adopted plans and policies.

8-3-5 "The proposal shall provide benefits to the City such as reduced road maintenance requirements, improved traffic circulation, etc."

The proposed vacation will provide a direct benefit to the City through reduce maintenance of that portion of the right-of-way beyond the actual street line.

No utilities exist within the proposed vacation, therefore an easement does not have to be maintained.

RECOMMENDATIONS

Staff recommends approval. Planning Commission recommended Approval

(staffrep.ort)

The Utility Coordinating Committee has reviewed and approved the Right-of-way Vacation for a portion of South Avenue (City of Grand Junction Development File 17-92).

Chairman John L. Ballagh

May 13/1992

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